



Wisconsin Legislative Council

RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 22-057

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Council Staff and the Legislative Reference Bureau, dated November 2020.]

2. Form, Style and Placement in Administrative Code

The organization of the administrative code text that will result from treatment by the proposed rule should be reviewed. For example, the treatments of the proposed rule will result in s. NR 20.60 (1) (intro.), which does not properly introduce s. NR 20.60 (1) (a) to (c), as created in SECTION 2. [See, e.g., ss. 1.09 (2) and 1.11, Manual.]

4. Adequacy of References to Related Statutes, Rules and Forms

For clarity, the agency may wish to add a note to provide information on how to access both the electronic reporting system and the paper forms that must be used in the case where the electronic reporting system is not in operation.

5. Clarity, Grammar, Punctuation and Use of Plain Language

In SECTION 3, the phrase “the entire months’ worth” could be revised to provide greater clarity. First, because the submission requirement applies on a monthly basis, the singular possessive “month’s” should replace the plural possessive “months’”. In addition, in the analysis, the plain language explanation for SECTION 3 suggests that a licensee could choose to submit records from individual fishing trips on a rolling basis, but the phrase “entire month’s worth” could instead be interpreted to require the information recorded after each individual fishing trip to be submitted in one combined submission that includes records from all trips conducted in the previous month. To give effect to the approach described in the analysis, the provision could be revised to read something like “A licensee shall submit each individual fishing trip report entered into the electronic reporting system to the department on or before the 10th day of the month following the trip.”. The monthly reporting referenced in SECTION 3 should also be more clearly reconciled with proposed s. NR 20.60 (1) (b), which indicates a report must be made for each trip before returning to dock or shore.