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RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 98-125

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

2. Form, Style and Placement in Administrative Code

- a. The order of ss. Trans 57.02 and 57.03 should be reversed.
- b. In s. Trans 57.02, the phrase “, or his or her designee,” should be inserted after the first occurrence of the word “secretary” and the last sentence should be deleted.
- c. In s. Trans 57.07, the last sentence should be placed in a note to the rule.

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

Section Trans 57.03 refers to s. 56.03, Stats. Chapter 56, Stats., does not exist. These references need to be revised.

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

- a. In s. Trans 57.01, the phrase “for site approval” should be inserted after the word “standards.”
- b. In s. Trans 57.03 (1), to what does the phrase “designated authority” refer? In sub. (10), the phrase “of the runway” should be inserted after the word “end.” In sub. (15), a comma should be inserted after the word “airport.” Finally, in subs. (18) and (21), a consistent format should be used.

c. In s. Trans 57.03 (16), it appears that the word “service” should be replaced by the word “surface.”

d. In s. Trans 57.04 (intro.), the phrase “shall be met in order to” should be inserted before the word “maintain.” In sub. (1) (a) (intro.), the word “public” should be deleted since its use is redundant given the definition of “traverse ways.” Also, it appears that the word “clearance” should be inserted before the word “height.” If the heights listed in sub. (1) (a) are minimum heights, the rule should be clarified to so state.

e. In s. Trans 57.04 (1) (b), should the word “may” be replaced by the word “shall”? If so, what direction is given by the use of the word “similar”? [See also sub. (3) (c).]

f. In s. Trans 57.04 (1) (c), the phrase “at that approach end” should be replaced by the phrase “at the approach end of the runway.” [See also sub. (3) (d).]

g. In s. Trans 57.04 (2) (a), it appears that the word “and” should be replaced by the word “or.” Also, the comma before the phrase “shall be displaced” should be deleted. [See also sub. (3) (b).]

h. In s. Trans 57.04 (2) (b) and (3) (a), the notation “20:1” should be deleted since the term “approach service” is a defined term including the notation.

i. In s. Trans 57.05 (2) (a) and (b), the word “location” should be replaced by the phrase “the location.” In sub. (2) (f), to what does the phrase “published altitudes” refer? In sub. (3), is the phrase “bureau’s study” a reference to the defined term “airport study”? If so, the defined term should be used. Also, in sub. (3), the phrase “may not be” should be replaced by the phrase “is not.”

j. In s. Trans 57.07, the phrase “his or her” should be inserted before the word “designee.” Also, the phrase “shall be permanent” should be replaced by the phrase “is permanent.”

k. In s. Trans 57.08 (2), must an applicant request an informal meeting with the department within 30 days of a refusal to issue a certificate? Or must the applicant begin an informal meeting with the department within this time period? In sub. (3), to what does the phrase “department criteria” refer?

l. In s. Trans 57.09 (5) and (6), when do the time limits begin running?