



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

Richard Sweet
Clearinghouse Assistant Director

Terry C. Anderson
Legislative Council Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE RULE 04-057

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 October 2002.]

2. Form, Style and Placement in Administrative Code

- a. In s. Trans 201.23 (2), the word “chapter” should be replaced by the word “section.”
- b. Section Trans 202.04 should be restructured in the following way:

Trans 202.04 (1) The SBAC shall consist of all of the following:

(a) One representative from each of the following state agencies nominated by the respective agency and appointed by the secretary:

1. Wisconsin department of tourism.
2. Wisconsin department of commerce.
3. Wisconsin department of natural resources.
4. Wisconsin state historical society.

(b) Four members at large appointed by the secretary.

(c) The chairpersons of the senate and assembly standing committees having jurisdiction over transportation matters as determined by the speaker of the assembly and the president of the senate.

- (2) The state agency representatives and the members at large shall be appointed by the secretary for staggered 4-year terms.

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

Section Trans 202.06 (3) refers to an application form designed by the department. The requirements of s. 227.14 (3), Stats., should be met.

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

a. In the second paragraph of the summary of, and preliminary comparison with, existing or proposed federal regulations, the phrase “Department of the Interior, Agriculture, and Commerce” should be replaced by the phrase “Departments of the Interior, Agriculture, and Commerce.” Also, in the fourth paragraph, a comma should be inserted following the phrase “Under the federal program.”

b. In various places, the rule refers to the historic or historical qualities of a scenic byway and to the natural qualities, natural qualities and resources, natural features or characteristics, or natural features and characteristics of a scenic byway. The terms should be used consistently. [See ss. Trans 202.02 (1), (4), (6) and (15) and 202.05 (5).]

c. In s. Trans 202.05 (1), the first sentence should read: “The majority of the route proposed as a Wisconsin scenic byway shall...” Also, in sub. (6), the comma following the word “improvements” should be deleted.

d. Section Trans 202.07 refers to an “applicant” when the department conducts a review of an approved corridor management plan of a designated scenic byway. Since it appears that the route already has been designated as a scenic byway, the word “applicant” should be replaced by the defined term “local government sponsor.”