

# WISCONSIN LEGISLATIVE COUNCIL STAFF

## ***RULES CLEARINGHOUSE***

**Ronald Sklansky**  
Director  
(608) 266-1946

**Richard Sweet**  
Assistant Director  
(608) 266-2982



**Terry C. Anderson**  
Director  
Legislative Council Staff  
(608) 266-1304

One E. Main St., Ste. 401  
P.O. Box 2536  
Madison, WI 53701-2536  
FAX: (608) 266-3830

## **CLEARINGHOUSE RULE 00-152**

### **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. In s. Trans 201.01, “This chapter shall” should replace “These rules are intended to.” Also, “under those acts” should replace “thereunder.” Finally, in this provision and elsewhere, the U.S. Code citation should replace the name of the federal act or the public law number. If the department wishes to use those also, they could be included in a note.

b. In s. Trans 201.035 (4), “the” should replace “such.”

c. In s. Trans 201.035 (11) (b) (intro.), “all of the following” should be inserted before the colon.

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

The correct reference in s. Trans 201.035 (11) (b) 3. is to sub. (3) (d).

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

a. Section Trans 201.035 (10) (b) should be drafted in a manner that specifies a fee for signs of all sizes. As currently drafted, signs which are greater than eight square feet but less than nine square feet, greater than 32 square feet but less than 33 square feet, etc., do not have a fee specified for them. It is suggested that the rule paragraph be drafted to cover signs of eight

square feet or less, signs that are more than eight square feet and less than or equal to 32 square feet, signs that are greater than 32 square feet and less than or equal to 200 square feet, etc., so that signs of all sizes have a fee specified for them.

b. Section Trans 201.035 (11) (c) would be more clear if drafted in a manner similar to the following: "Payment in the amount of the annual fee assessed by the department shall be included with a notice of appeal. The department shall hold the payment in trust pending the outcome of the appeal."