

1999 DRAFTING REQUEST

Bill

Received: **05/04/1999**

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB:

For: **Carol Roessler (608) 266-5300**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Transportation - traffic laws**

Extra Copies: **TNF**

Pre Topic:

No specific pre topic given

Topic:

Speed limit in school crossings

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	nilsepe 05/04/1999	chanaman 05/04/1999		_____			
/1			jfrantze 05/05/1999	_____	lrb_docadmin 05/05/1999	lrb_docadmin 10/11/1999	

FE Sent For:

Not Needed

<END>

1999 DRAFTING REQUEST

Bill

Received: **05/4/99**

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB:

For: **Carol Roessler (608) 266-5300**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Transportation - traffic laws**

Extra Copies: **TNF**

Pre Topic:

No specific pre topic given

Topic:

Speed limit in school crossings

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	nilsepe 05/4/99	chanaman 05/4/99		_____			
/1			jfrantze 05/5/99	_____	lrb_docadmin 05/5/99		

FE Sent For:

<END>

1999 DRAFTING REQUEST

Bill

Received: **05/4/99**

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB:

For: **Carol Roessler (608) 266-5300**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Transportation - traffic laws**

Extra Copies: **TNF**

Pre Topic:

No specific pre topic given

Topic:

Speed limit in school crossings

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1/?	nilsepe	cmr /1 sly	J sly	to/rh 5/5			

FE Sent For:

<END>

Handwritten circled number 1

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

Handwritten circled note

Handwritten circled note: pen cat

1 AN ACT ^{pen}; relating to: speed limit at certain intersections marked with school
2 crossing signs.

Analysis by the Legislative Reference Bureau

Current law requires a motorist approaching an intersection marked with a "school crossing" sign to slow to 15 miles per hour or slower when children are present.

This bill requires a motorist approaching an intersection marked with a "school crossing" sign to slow to 15 miles per hour or slower when any child or any school crossing guard is present.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 346.57 [✓](4) (b) of the statutes is amended to read:

4 346.57 (4) (b) Fifteen miles per hour when passing an intersection properly
5 marked with a "school crossing" sign of a type approved by the department when
6 ~~children are~~ any child or a school crossing guard is present.

History: 1973 c. 157; 1975 c. 192, 210; 1977 c. 29 s. 1654 (3), (8) (a); 1977 c. 30, 67, 116, 203, 272; 1987 a. 17, 136; 1993 a. 246; 1995 a. 318; 1997 a. 35.

7 SECTION 2. Initial applicability.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3021/200

.....

pen emy
/ida

May 4, 1999

✓
Sen. Roessler:

It is not necessary to change the plural "children" to the singular "child" in order to make the speed limit under s. 346.57 (4) (b), stats., applicable to an intersection where only one child is present. Section 990.001 (1), stats., provides that in construing Wisconsin laws the singular includes the plural, and the plural includes the singular, unless construction in accordance with a rule would produce a result inconsistent with the manifest intent of the legislature. See, *Burke v. National Farmers Union Prop. & Cas. Co.*, 36 Wis. 2d 427 (1967); *Binsfeld v. Curran*, 22 Wis. 2d 610 (1963); Lisowski v. Milwaukee Automobile Mut. Ins. Co., 17 Wis. 2d 499 (1961). Each of those cases applied a duty to drive carefully when "children" are present, even though only one child was present.

Paul E. Nilsen
Legislative Attorney
Phone: (608) 261-6926

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3021/1dn
PEN:cmh:jf

May 4, 1999

Sen. Roessler:

It is not necessary to change the plural "children" to the singular "child" in order to make the speed limit under s. 346.57 (4) (b), stats., applicable to an intersection where only one child is present. Section 990.001 (1), stats., provides that in construing Wisconsin laws the singular includes the plural, and the plural includes the singular, unless construction in accordance with that rule would produce a result inconsistent with the manifest intent of the legislature. See, *Burke v. National Farmers Union Prop. & Cas. Co.*, 36 Wis. 2d 427 (1967); *Binsfeld v. Curran*, 22 Wis. 2d 610 (1963); *Lisowski v. Milwaukee Automobile Mut. Ins. Co.*, 17 Wis. 2d 499 (1961). Each of those cases applied a duty to drive carefully when "children" are present, even though only one child was present.

Paul E. Nilsen
Legislative Attorney
Phone: (608) 261-6926

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 5/5/99

To: Senator Roessler

Relating to LRB drafting number: LRB-3021

Topic

Speed limit in school crossings

Subject(s)

Transportation - traffic laws

1. **JACKET** the draft for introduction



in the **Senate** or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT**. See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Paul E. Nilsen, Legislative Attorney
Telephone: (608) 261-6926