### Bill

Received: 11/16/2000					Received By: phurley			
Wanted: A	As time permi	ts	Identical to LRB:					
For: Joan	Wade (608)	266-7746			By/Representing: Jason Westphal			
This file r	nay be shown	to any legislato	r: <b>NO</b>		Drafter: phurley			
May Cont	tact:				Alt. Drafters:			
Subject: Transportation - motor vehicles Transportation - mot veh dealers Transportation - traffic laws				Extra Copies:	TNF. ARG			
Pre Topi	c:					<del> </del>		
No specif	ic pre topic gi	ven						
Topic:		-					·	
Obstructe	ed license plate	es						
Instructi	ions:				<del></del>			
See Attac	ched							
Drafting	; History:							
Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required	
/1	phurley 12/04/2000	jdyer 12/06/2000	rschluet 12/06/200	0	lrb_docadmin 12/06/2000			
/2	phurley 01/29/2001	jdyer 01/29/2001	kfollet 01/30/200	01	lrb_docadmin 01/30/2001	lrb_docadm 02/02/2001		

FE Sent For:

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Received: 11/16/2000

Received By: phurley

Wanted: As time permits

Identical to LRB:

For: Joan Wade (608) 266-7746

By/Representing: Jason Westphal

This file may be shown to any legislator: NO

Drafter: phurley

May Contact:

Alt. Drafters:

Subject:

Transportation - motor vehicles

Transportation - mot veh dealers

Transportation - traffic laws

Extra Copies:

TNF. ARG

Pre Topic:

No specific pre topic given

Topic:

Obstructed license plates

**Instructions:** 

See Attached

Drafting	History:	

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/1	phurley 12/04/2000	jdyer 12/06/2000	rschluet 12/06/2000	0	lrb_docadmin 12/06/2000		
/2	phurley 01/29/2001	jdyer 01/29/2001	kfollet 01/30/200	1	lrb_docadmin 01/30/2001		S&L

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For: wade (608) 266-7746

By/Representing: Jason Westphal

This file may be shown to any legislator: NO

Drafter: phurley

May Contact:

Alt. Drafters:

Subject:

Transportation - motor vehicles

Extra Copies:

**TNF** 

Transportation - mot veh dealers Transportation - traffic laws

Pre Topic:

No specific pre topic given

Topic:

Obstructed license plates

**Instructions:** 

See Attached

**Drafting History:** 

Vers.

**Drafted** 

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**Jacketed** 

Required

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phurley

FE Sent For:

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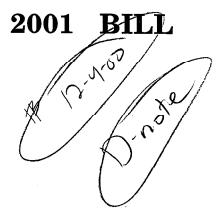
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## State of Misconsin 2001 - 2002 LEGISLATURE

LRB-1054/1 PJH:...:...

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AN ACT ...; relating to: proper display of a registration plate and providing a

2 penalty.

1

### Analysis by the Legislative Reference Bureau

Under current law, a registration plate must be placed at the front and the back of a motor vehicle, with certain exceptions. Each plate must be affixed firmly and horizontally and must be kept legible and unobstructed. The penalty for failing to display a plate in a proper condition is a forfeiture of not more than \$200, plus court costs.

This bill specifically prohibits the use of any bracket or cover that interferes with the legibility of any registration plate. The bill provides that any person who operates a motor vehicle with an offending bracket or cover may be required to forfeit not more than \$20, without court costs, for a first offense and not more than \$30, plus court costs, for a 2d or subsequent violation within a vear.

The bill also requires motor vehicle dealers to ensure that vehicles are equipped with legal brackets before a motor vehicle can be sold. A motor vehicle dealer may be required to forfeit not less than \$10 nor more than \$200 for each violation.

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

SECTION 1. 218.0148 of the statutes is created to read:

second)

•	SECTION 1
1	218.0148 Registration plates. (1) No motor vehicle dealer or motor vehicle
2	salesperson may offer for sale any motor vehicle unless the vehicle is equipped with
3	a registration plate bracket for each plate the vehicle is required to display under s.
4	341.15 (1). Any bracket required by this section shall display the registration plate
5	so that it can be readily and distinctly seen and read.
6	(2) Any person who violates this section may be required to forfeit not less than
7	\$10 nor more than \$200 for each violation.
8	SECTION 2. 218.0161 of the statutes is amended to read:
9	218.0161 Penalties. Except for s. 218.0116 (1) (a), (b), (cm), (d), (f), (fm), (g),
	(jm), (m), (o) and (om), and except for violations for s. 218.0114 (1), (218.0117 (3),
11	218.0119, 218.0147, or 218.0148, any person violating ss. 218.0101 to 218.0163 may
<b>12</b>	be required to forfeit not less than \$25 nor more than \$500 for each violation.
3 NOT	TE: NOTE: NOTE. This section is shown as affected by two acts of the 1999 legislature and as merged by the revisor under s. 13.93 (2) (c). The bracketed tion was repeated by 1999 Wis. Act 338. Corrective legislation is pending.NOTE:
Hist L5	SECTION 3. 341.15 (4) of the statutes is created to read:
16	341.15 (4) A person who operates a vehicle with any bracket or tinted or clear
L7	cover that interferes with the normal reading of a registration plate may be required
18)	to forfeit not more than \$20 for the first offense and, for the 2d or subsequent
19	conviction within grear, not more than \$30.
20	SECTION 4. 814.63 (1) (c) of the statutes is amended to read:
21	814.63 (1) (c) This subsection does not apply to an action for a violation of s.
22	plain, plain, $(5)$ or, a safety belt use violation under s.

History: 1981 c. 317; 1985 a. 36; 1987 a. 27, 399; 1989 a. 22, 31, 64, 97, 107, 359; 1991 a. 26, 39, 130; 1993 a. 16, 167, 313; 1995 a. 27, 227, 349; 1997 a. 27, 248; 1999 a. 9, 72. SECTION 5. 814.634 (1) (a) of the statutes is amended to read: 24

347.48 (2m), or a first conviction under s. 341.15 (4).

BILL

814.634 (1) (a) Except for an action for a safety belt use violation under s. 347.48 (2m), or for a first conviction under s. 341.15 (4), the clerk of circuit court shall charge and collect a \$40 court support services fee from any person, including any governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3) or (8) (am) or 814.63 (1).

History: 1993 a. 16; 1995 a. 27, 201, 417.

SECTION 6. 814.635 (1) of the statutes is amended to read:

814.635 (1) Except for an action for a safety belt use violation under s. 347.48 (2m), or for a first conviction under s. 341.15 (4), the clerk of circuit court shall charge and collect a \$9 justice information system fee from any person, including any governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3) or (8) (am), 814.62 (1), (2) or (3) (a) or (b) or 814.63 (1). The justice information system fee is in addition to the other fees listed in this section.

History: 1987 a. 27; 1989 a. 22; 1991 a. 26, 39; 1993 a. 16; 1995 a. 27, 201; 1997 a. 27; 1999 a. 9.

SECTION 7. 814.65 (1) of the statutes is amended to read:

814.65 (1) Court costs. In a municipal court action, except an action for violation of an ordinance in conformity with s. ss. 347.48 (2m) or 341.15 (2), the municipal judge shall collect a fee of not less than \$15 nor more than \$23 on each separate matter, whether it is on default of appearance, a plea of guilty or no contest, on issuance of a warrant or summons or the action is tried as a contested matter. Of each fee received by the judge under this subsection, the municipal treasurer shall pay monthly \$5 to the state treasurer for deposit in the general fund and shall retain the balance for the use of the municipality.

# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-1054/1dn PJH: المرادة

### Representative Wade:

Please review this draft carefully to ensure that it is consistent with your intent.

Please note that I have not amended the existing penalties in s. 341.15 for failure to display a registration plate properly. Let me know if you feel that the existing penalties are out of line with the new, substantially lower, penalty for having improper brackets or covers.

I have not changed the penalties in s. 341.61 because that section addresses a different category of offense: fraudulent display, as opposed to the perhaps inadvertent obstruction of plates addressed in s. 341.15.

Finally, please let me know if you would like a delayed effective date to allow for education of the public and law enforcement agencies.

Peggy Hurley Legislative Attorney Phone: (608) 266–8906

E-mail: peggy.hurley@legis.state.wi.us

### LRB-1054/1dn PJH:jld:rs

# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

December 6, 2000

### Representative Wade:

Please review this draft carefully to ensure that it is consistent with your intent.

Please note that I have not amended the existing penalties in s. 341.15 for failure to display a registration plate properly. Let me know if you feel that the existing penalties are out of line with the new, substantially lower, penalty for having improper brackets or covers.

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Peggy Hurley Legislative Attorney Phone: (608) 266–8906

E-mail: peggy.hurley@legis.state.wi.us

### LAKE DELTON POLICE DEPARTMENT

P.O. Box 510

LAKE DELTON, WI 53940

Thomas D. Dorner - Chief

David D. Leifer - Lieut.

Administrative 608/254-7571 Non-Emergency 608/254-8331 FAX 608/254-4851

#### FACSIMILE COVER SHEET

DATE:	12/13/00	
TO:	Rep. Wade Fason	
	V 4300	

Total number of pages including this page:

MESSAGE: (Optional) I would suggest #1 or semething
similiar. Let me Knew what you think.

Also, may be all let offence of 341.15
should be \$20.00 - no cost, like Peggy
Harley brought up. Let's discuss this.

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL (608)254-7571.

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LDP-083(Rev. 03/99)

341.15(4) A person who operates a vehicle with any type of registration plate bracket or tinted or clear cover that obstructs the display of or reading of any number, word, decal or symbol of the registration plate may be required...

Mosece Worker

341.15 (4) A person who operates a vehicle with any tinted cover over a registration plate, or with any type of registration plate bracket or clear cover that obstructs the display of or reading of any number, word, decal or symbol of the registration plate may be required...

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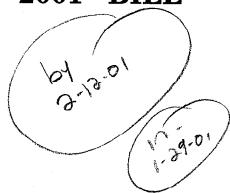
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2001 BILL



AN/ACT to amend 218.0161, 814.63 (1) (c), 814.634 (1) (a), 814.635 (1) and 814.65 (1); and to/create 218.0148 and 341.15 (4) of the statutes; relating to: proper display of a registration plate and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a registration plate must be placed at the front and the back finted of a motor vehicle, with certain exceptions. Each plate must be affixed firmly and horizontally and must be kept legible and unobstructed. The penalty for failing to display a plate in a proper condition is a forfeiture of not more than \$200, plus court costs.

This bill specifically prohibits the use of any/bracket or/cover that interferes with the legibility of any registration plate. The bill provides that any person who operates a motor vehicle with an offending bracket or cover may be required to forfeit not more than \$20, without court costs, for a first offense and not more than the plus court costs, for a second or subsequent violation within one year. \( \sqrt{} \)

The bill also requires motor vehicle dealers to ensure that vehicles are equipped with legal brackets before a motor vehicle can be sold. A motor vehicle dealer may be required to forfeit not less than \$10 nor more than \$200 for each violation.

state and local Fiscal estimate

this bill

and normal

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reading

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

apply for failing to display a plate in proper consition, including no court costs for a first violation.

BILL

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SECTION 1. 218.0148 of the statutes is created to read: 2 218.0148 Registration plates. (1) No motor vehicle dealer or motor vehicle No bracket salesperson may offer for sale any motor vehicle unless the vehicle is equipped with 3 that 15 required a registration plate bracket for each plate the vehicle is required to display under s. by this subsedion 341.15 (1). Any bracket required by this section shall display the registration plate. 5 interfere so that it can be readily and distinctly seen and read with the dus 7 (2) Any person who violates this section may be required to forfeit not less than \$10 nor more than \$200 for each violation. 8 9 SECTION 2. 218.0161 of the statutes is amended to read: 218.0161 Penalties. Except for s. 218.0116 (1) (a), (b), (cm), (d), (f), (fm), (g), /10 (jm), (m), (o) and (om), and except for violations for s. 218.0114 (1), 218.0117 (3) other 12 218.0119, 218.0147, or 218.0148, any person violating ss. 218.0101 to 218.0163 may 13 be required to forfeit not less than \$25 nor more than \$500 for each violation. 14 **SECTION 3.** 341.15 (4) of the statutes is created to read: 15 341.15 (4) A person who operates a vehicle with any bracket or tinted or clear cover that interferes with the normal reading of a registration plate may be required 16 to forfeit not more than \$20 for the first offense and, for the 2nd or subsequent 17 eonviction within one year, not more than \$30. 18 SECTION 4. 814.63 (1) (c) of the statutes is amended to read:

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814.63 (1) (c) This subsection does not apply to an action for a violation of s.

101.123 (2) (a), (am) 1., (ar), or (bm) or (5) or, a safety belt use violation under s. 347.48

(2m), or a first conviction was 341.15/M 22

**SECTION 5.** 814.634(1)(a) of the statutes is amended to read:

814.634 (1) (a) Except for an action for a safety belt use violation under s. 347.48 (2m), or for a first conviction s. 341.15 My the clerk of circuit court shall

of a violation of

BILL

1	charge and collect a \$40 court su	apport services fee from any person, including any
2	governmental unit as defined in	s. 108.02 (17), paying a fee under s. 814.61 (1) (a),
3	(3) or (8) (am) or 814.63 (1).	of a violation of

SECTION 6. 814.635 (1) of the statutes is amended to read:

814.635 (1) Except for an action for a safety belt use violation under s. 347.48 (2m), or for a first conviction so safety belt use violation under s. 347.48 the clerk of circuit court shall charge and collect a \$9 justice information system fee from any person, including any governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3) or (8) (am), 814.62 (1), (2) or (3) (a) or (b) or 814.63 (1). The justice information system fee is in addition to the other fees listed in this section.

**SECTION 7.** 814.65 (1) of the statutes is amended to read:

814.65 (1) COURT COSTS. In a municipal court action, except an action for violation of an ordinance in conformity with 347.48 (2m) or 341.15 (2) the municipal judge shall collect a fee of not less than \$15 nor more than \$23 on each separate matter, whether it is on default of appearance, a plea of guilty or no contest, on issuance of a warrant or summons or the action is tried as a contested matter. Of each fee received by the judge under this subsection, the municipal treasurer shall pay monthly \$5 to the state treasurer for deposit in the general fund and shall retain the balance for the use of the municipality.

Insert

(END)

(3)

### 2001–2002 Drafting Insert FROM THE LEGISLATIVE REFERENCE BUREAU

1	Insert A:
2	SECTION 1. 165.755 (1) (b) of the statutes is amended to read:
3	165.755 (1) (b) A court may not impose the crime laboratories and drug law
4	enforcement assessment under par. (a) for a violation of s. 101.123 (2) (a), (am) 1., (ar)
5	or (bm) or (5) (b) or for a violation of a state law or municipal or county ordinance
6	involving a nonmoving traffic violation or, a safety belt use violation under s. 347.48
$\binom{7}{7}$	(2m), or a first conviction of a violation of s. 341.15 (3).
8	History: 1997 a. 27; 1999 a. 9, 72; 1999 a. 150 s. 672.
9	Insert B:

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SECTION 2. 302.46 (1) (a) of the statutes is amended to read:

302.46 (1) (a) On or after October 1, 1987, if a court imposes a fine or forfeiture for a violation of state law or for a violation of a municipal or county ordinance except for a violation of s. 101.123 (2) (a), (am) 1., (ar) or (bm) or (5) or state laws or municipal or county ordinances involving nonmoving traffic violations or safety belt use violations under s. 347.48 (2m), or first convictions of violations under s. 341.15 (3) , the court, in addition, shall impose a jail assessment in an amount of 1% of the fine or forfeiture imposed or \$10, whichever is greater. If multiple offenses are involved, the court shall determine the jail assessment on the basis of each fine or forfeiture. If a fine or forfeiture is suspended in whole or in part, the court shall reduce the jail assessment in proportion to the suspension.

History: 1987 a. 27; 1989 a. 22; 1989 a. 31 s. 1670c, 1670g; Stats. 1989 s. 302.46; 1989 a. 97, 350, 1991 a. 26, 32, 130, 189; 1993 a. 313; 1995 a. 201; 1999 a. 72.

SECTION 3. 341.15 (3) (intro.), (a) and (b) of the statutes are amended to read:



1	341.15 (3) (intro.) Any of the following may be required to forfeit \$20 for the firs
$\sqrt{2}$	offense and, for the 2d or subsequent conviction within one year, not more than \$200
3	History: 1971 c. 278; 1981 c. 150; 1983 a. 258; 1985 a. 29; 1991 a. 239; 1993 a. 64; 1995 a. 128.  (a) A person who operates a vehicle for which a current registration plate
4	insert tag, decal or other evidence of registration has been issued without such plate
5	tag, decal or other evidence of registration being attached to the vehicle, except when
$\binom{6}{6}$	such vehicle is being operated pursuant to a temporary operation permit or plate;
7	History: 1971 c. 278; 1981 c. 150; 1983 a. 258; 1985 a. 29; 1991 a. 239; 1993 a. 64; 1995 a. 128.  (b) A person who operates a vehicle with a registration plate attached in a
8	non-rigid or non-horizontal manner or in an inconspicuous place so as to make i
9	difficult to see and read the plate
10	History: 1971 c. 278; 1981 c. 150; 1983 a. 258; 1985 a. 29; 1991 a. 239; 1993 a. 64; 1995 a. 128.  SECTION 4. 341.15 (3) (d) of the statutes is created to read:
11	341.15 (3) (d) A person who operates a vehicle with any tinted cover or with any
12	bracket or clear cover that interferes with the normal reading of any number, letter
13	word, or symbol on a registration plate, insert tag, decal, or other evidence of
14	registration.
15	SECTION 5. 757.05 (1) (a) of the statutes is amended to read:
16	757.05 (1) (a) Whenever a court imposes a fine or forfeiture for a violation of
17	state law or for a violation of a municipal or county ordinance except for a violation
18	of s. 101.123 (2) (a), (am) 1., (ar) or (bm) or (5) or state laws or municipal or county
19	ordinances involving nonmoving traffic violations of safety belt use violations
19 20	under s. 347.48 (2m) for first convictions of violations of s. 341.15 (3), there shall be
21	imposed in addition a penalty assessment in an amount of 23% of the fine or
22	forfeiture imposed. If multiple offenses are involved, the penalty assessment shal
23	be based upon the total fine or forfeiture for all offenses. When a fine or forfeiture

is suspended in whole or in part, the penalty assessment shall be reduced in 1 2 proportion to the suspension. History: 1999 a. 9 ss. 2292m, 2298, 3050m to 3050o; 1999 a. 72 s. 6; 1999 a. 150 s. 672. 3 SECTION 6. 814.63 (2) of the statutes is amended to read: 4 5 814.63 (2) Upon the disposition of a forfeiture action in circuit court for violation of a county, town, city, village, town sanitary district or public inland lake 6 protection and rehabilitation district ordinance, except an action for a safety belt use 7 violation under s. 347.48 (2m), or a first conviction of a violation of s. 341.15 (3), the 8 county, town, city, village, town sanitary district or public inland lake protection and 9 10 rehabilitation district shall pay a nonrefundable fee of \$5 to the clerk of circuit court. History: 1981 c. 317; 1985 a. 36; 1987 a. 27, 399; 1989 a. 22, 31, 64, 97, 107, 359; 1991 a. 26, 39, 130; 1993 a. 16, 167, 313; 1995 a. 27, 227, 349; 1997 a. 27, 248; 1999 11 Insert D: 12 SECTION 7. Initial applicability. (1) The treatment of sections 165.755 (1) (b), 302.46 (1) (a), 341.15 (3) (intro), 13 (a), (b), and (d), 757.05 (1) (a), 814.63 (1) (c) and (2), 814.634 (1) (a), 814.635 (1), and 14 814.65 (1) of the statutes first applies to violations committed on the effective date 15 of this subsection. 16 (2) The treatment of sections 218.0148 and 218.0161 of the statutes first 17 applies to offers for the sale of motor vehicles that occur on the effective date of this 18 subsection. 19



STEPHEN R. MILLER CHIEF

# State of Misconsin

### **LEGISLATIVE REFERENCE BUREAU**

100 NORTH HAMILTON STREET 5TH FLOOR MADISON, WI 53701-2037

LEGAL SECTION:

(608) 264-3561 (608) 264-6948

January 30, 2001

### **MEMORANDUM**

To:

Representative Wade

From:

Peggy J. Hurley, Legislative Attorney

Re:

LRB-1054 Obstructed license plates

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.



If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-8906 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.