LRBa2310

2003 DRAFTING REQUEST

Assembly Amendment (AA-AB513)

Received: **02/23/2004**

Received By: **phurley**

Wanted: **As time permits**

Identical to LRB:

For: **Shirley Krug (608) 266-5813**

By/Representing:

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

Drafter: **phurley**

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**
Transportation - miscellaneous

Extra Copies: **ARG**

Submit via email: **YES**

Requester's email: **Rep.Krug@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Religious symbols at roadside memorials

Instructions:

Allow any religious symbol

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/1	phurley 02/23/2004 phurley 02/24/2004	wjackson 02/23/2004 wjackson 02/24/2004 wjackson 02/25/2004	pgreensl 02/24/2004 jfrantze 02/25/2004	_____ _____ _____ _____ _____ _____	lnorthro 02/24/2004 sbasford 02/25/2004	lnorthro 02/24/2004 sbasford 02/25/2004	

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Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/2				_____		sbasford	
				_____		02/25/2004	
				_____		sbasford	
				_____		02/25/2004	

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<END>

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FE Sent For: /1 WLJ 2/25 2/25 Self 2/25

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/1	phurley	1 wlj 2/23	2/23 ps	2/23 sch			

FE Sent For:

<END>

2003 ASSEMBLY BILL 513

September 11, 2003 – Introduced by Representatives BIES, AINSWORTH, GRONEMUS, GUNDERSON, KESTELL, KREIBICH, F. LASEE, SERATTI and SUDER, cosponsored by Senator A. LASEE. Referred to Committee on Transportation.

1 AN ACT *to create* 86.045 of the statutes; **relating to:** roadside memorials for
2 traffic accident victims along highways under the jurisdiction of the
3 Department of Transportation.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Transportation (DOT) is responsible for maintenance of highway rights–of–way on highways under its jurisdiction (state trunk highways), including operations and activities necessary to protect the safety of users of the highways. Also under current law, DOT may remove or require removal of encroaching structures and objects and unauthorized signs within a highway right–of–way.

This bill prohibits DOT from removing or altering, within one year after a fatal traffic accident, a memorial to an accident victim that is placed within a state trunk highway right–of–way near the location of the accident at the farthest edge of the right–of–way and that is a white cross or post of no greater than specified dimensions.

For further information see the ***state*** fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 86.045 of the statutes is created to read:

2 **86.045 Memorials to traffic accident victims along state trunk**
3 **highways. (1)** Notwithstanding ss. 80.01 (3), 84.07, 86.03, 86.04, 86.19, and 86.191,
4 the department may not, within one year after a fatal traffic accident, remove or
5 alter, within the right–of–way of a highway under the jurisdiction of the department,
6 any memorial in compliance with sub. (2) that is placed near the location of the
7 accident at the edge of the highway right–of–way farthest from the roadway, as
8 defined in s. 340.01 (54), in the direction of travel where the accident occurred.

9 **(2)** Any person may place, as specified in sub. (1), a white cross no more than
10 20 inches high, 10 inches wide, and 4 inches in beam width or a white post no more
11 than 20 inches high and 5 inches wide for each victim of a fatal traffic accident within
12 one year after the accident. Any person who places a cross or post under this section
13 shall indicate on the cross or post the date of the accident.

14 **(END)**

WLJ

ASSEMBLY AMENDMENT ,

TO 2003 ASSEMBLY BILL 513

by 2.25.04

At the locations indicated, amend the bill as follows:

1. Page 2, line 3: delete "Notwithstanding" and substitute "Except as provided in sub. (3) and notwithstanding".

2. Page 2, line 10: after "width" insert ", or another religious symbol no more than 20 inches high and 10 inches wide,".

3. Page 2, lines 12 and 13: after "cross" insert ", religious symbol,".

4. Page 2, line 13: after that line insert:

"**(3)** The department may remove any memorial that it determines to be offensive to good taste or decency.".

(END)

State of Wisconsin
2003 – 2004 LEGISLATURE

LRBa2310/1
PJH:wlj:pg

ASSEMBLY AMENDMENT

TO 2003 ASSEMBLY BILL 513

NOW please

2-26-04

At the locations indicated, amend the bill as follows:

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~~**2.** Page 2, line 10: after "width" insert ", or another religious symbol no more than 20 inches high and 10 inches wide,".~~

~~**3.** Page 2, lines 12 and 13: after "cross" insert ", religious symbol,".~~

4. Page 2, line 13: after that line insert:

"**(3)** The department may remove any memorial that it determines to be offensive to good taste or decency.".

(END)

Insert A

INSERT A:

#1. Page 2, line 9: delete the material beginning with "a white" and ending with "inches wide" on page 2, line 11 and substitute "an object no more than 20 inches high and 10 inches wide".

#2. Page 2, line 12 : delete "a cross or post" and substitute "an object".

#3. Page 2, line 13: delete "cross or post" and substitute "object".

State of Wisconsin
2003 – 2004 LEGISLATURE

LRBa2310/~~1~~ 2
PJH:wlj:jf

no changes (jacketing problem)

ASSEMBLY AMENDMENT ,

TO 2003 ASSEMBLY BILL 513

At the locations indicated, amend the bill as follows:

1. Page 2, line 3: delete "Notwithstanding" and substitute "Except as provided in sub. (3) and notwithstanding".

2. Page 2, line 9: delete the material beginning with "a white" and ending with "inches wide" on line 11 and substitute "an object no more than 20 inches high and 10 inches wide".

3. Page 2, line 12 : delete "a cross or post" and substitute "an object".

4. Page 2, line 13: delete "cross or post" and substitute "object".

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"**(3)** The department may remove any memorial that it determines to be offensive to good taste or decency.".

(END)