



# State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

## **RESEARCH APPENDIX -** **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Added To File: 03/04/2004 (Per: ARG)



 The 2003 drafting file for LRB 03a2538/1

has been copied/added to the 2003 drafting file for

# LRB 03a2549

 The attached 2003 draft was incorporated into the new 2003 draft listed above. For research purposes, this cover sheet and the attached drafting file were copied, and added, as a appendix, to the new 2003 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

 This cover sheet was added to rear of the original 2003 drafting file. The drafting file was then returned, intact, to its folder and filed.

**2003 DRAFTING REQUEST**

**Assembly Amendment (AA-AB748)**

Received: 03/03/2004

Received By: agary

Wanted: Today

Identical to LRB:

For: David Ward (608) 266-3790

By/Representing: Char (aide)

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: Transportation - highways

Extra Copies: PJH

Submit via email: YES

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

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

removal of vegetation along highways; changes

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**Instructions:**

See Attached

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**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>
/P1							
/1	agary 03/03/2004	kgilfoy 03/03/2004	rschluet 03/03/2004	_____	mbarman 03/03/2004	mbarman 03/03/2004	

FE Sent For:

<END>

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/P1	agary	1 - 3/3 Kmg					

FE Sent For:

3  
3  
4  
<END>

**Gary, Aaron**

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**From:** Rodriguez, Charlene  
**Sent:** Wednesday, March 03, 2004 12:30  
**To:** Gary, Aaron  
**Subject:** RE: Vegetation Bill - Compromise  
9:00

-----Original Message-----

**From:** Gary, Aaron  
**Sent:** Wednesday, March 03, 2004 12:16 PM  
**To:** Rodriguez, Charlene  
**Subject:** RE: Vegetation Bill - Compromise

I'm working on it. What time is the exec? Aaron

-----Original Message-----

**From:** Rodriguez, Charlene  
**Sent:** Wednesday, March 03, 2004 11:23 AM  
**To:** Gary, Aaron  
**Subject:** FW: Vegetation Bill - Compromise

Hi Aaron,

Could you please draft points 2 and 3 for the Transportation exec tomorrow?

I know you probably want to kick me, but could I get these as soon as possible? I'm sorry, the governor's office just told us that they would agree with the compromises and I didn't want you to have to draft more than you'd have to.

Thanks,

char

-----Original Message-----

**From:** Swandby@aol.com [mailto:Swandby@aol.com]  
**Sent:** Tuesday, February 24, 2004 3:22 PM  
**To:** Rodriguez, Charlene  
**Cc:** kilgore@swandby.com  
**Subject:** Vegetation Bill - Compromise

Char:

I talked with key members of the OAAW and we are willing to accept some of the changes suggested by DOT and the Governor's office.

1. The bill already states that the DOT shall "grant or deny an application" so there is no need to amend the bill.
2. We would accept the 300 feet, 500 feet compromise. It would mean that the 6 second language on page 3 lines 1 - 3 would be changed to read:

prevents the operator of a vehicle on such a highway from continuously observing for 300 feet, or 500 feet on any interstate highway or freeway, while the vehicle is most directly in front of, any sign located on a business . . .

03/03/2004

3. Add language to prohibit the trimming or removing of vegetation within 10 feet of the pavement on any said highway unless the sign owner obtains permission from the municipality.

Regarding the appeals board, we believe that Trans 201 already offers an appeals process and that a new one may not be necessary. I might ask Katie to offer specific language about this provision.

I would suggest that we get points 2 and 3 drafted as an amendment for introduction at the Committee Exec on Thursday.

Let me know what you and Dave think. Thanks for all of your help.

Janet Swandby  
OAAW  
608.286.0764

TODAY  
by 4:30 p  
if possible

ARG: King

ASSEMBLY AMENDMENT,  
TO 2003 ASSEMBLY BILL 748

D-Note

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 3, line 2: delete "6 uninterrupted seconds" and substitute "300 feet, or  
3 for 500 feet if the highway is designated as an interstate highway under s. 84.29 or  
4 a freeway under s. 84.295,".

5 ✓ 2. Page 3, line 20: after that line insert:

6 "5. If the obstructing vegetation is located within a municipality and within 10  
7 feet of the nearest edge of the roadway, as defined in s. 340.01 (54), of the highway,  
8 the person has obtained consent from the municipality for the trimming or removal  
9 of the vegetation."

10

(END)

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

LRBa2538/1dn

ARG: /z...  
*mg*

ATTN: Char

Under existing law, DOT has an operational procedure related to vegetation maintenance along highways under DOT's jurisdiction, and local authorities have various operational procedures related to vegetation maintenance along highways under their jurisdiction. AB-748 affects DOT's operational procedures, but not those of local highway authorities. (As we have discussed, I believe that designated "connecting highways," which includes many but not all state trunk highways within municipalities, would not fall within DOT's maintenance authority and are not within the scope of AB-748.) As I interpret this amendment, if the municipality does not consent to the trimming or removal under created s. 86.03 (5m) (b) 5., then the provisions of the bill do not apply with respect to that particular instance of vegetation maintenance along a highway under DOT's jurisdiction and DOT would simply revert to its existing highway vegetation maintenance procedures. If this is not the intent, please contact me to discuss.

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: [aaron.gary@legis.state.wi.us](mailto:aaron.gary@legis.state.wi.us)

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

LRBa2538/1dn  
ARG:kmg:rs

March 3, 2004

ATTN: Char

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Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: aaron.gary@legis.state.wi.us



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRBa2538/1  
ARG:kmg:rs

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