

**2003 DRAFTING REQUEST**

**Assembly Amendment (AA-SB3)**

Received: **02/02/2004**

Received By: **agary**

Wanted: **Soon**

Identical to LRB:

For: **Gary Sherman (608) 266-7690**

By/Representing: **Joyce Kiel - LC**

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

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - mass transit  
Transportation - miscellaneous**

Extra Copies: **PJH**

Submit via email: **YES**

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

Carbon copy (CC:) to: **Joyce.Kiel@legis.state.wi.us**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Volunteer operators for specialized transportation services, human service vehicles

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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>
/?							
/1	agary 02/03/2004	kgilfoy 02/03/2004	pgreensl 02/03/2004	_____	mbarman 02/03/2004	mbarman 02/03/2004	

FE Sent For:

<END>

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1?	agary	1-2/3 Kmg	2/3 ps	2/3 self			

FE Sent For:

<END>

LRB a2072  
2/02/04

Telephone conference with Joyce Kiel of LC. Want amendment to SB-3 for Rep. Sherman to make it clear the bill does not include volunteers.

ARG

Needed by  
2/4  
end of day

King

**ASSEMBLY AMENDMENT ,  
TO 2003 SENATE BILL 3**

D-Note

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

2 ✓ 1. Page 3, line 6: after that line insert:

3 "SECTION 3m. 85.21 (2) (f) of the statutes is created to read:

4 85.21 (2) (f) "Human service vehicle" has the meaning given in s. 340.01 (23g)." ✓

5 ✓ 2. Page 6, line 9: ~~in that line, as affected by senate amendment 14~~ after  
6 "operator" insert "of a human service vehicle".

7 ✓ 3. Page 6, line 13: on lines 13, 21, and 25, after "operator" insert "of a human  
8 service vehicle".

9 ✓ 4. Page 7, line 9: on lines 9 and 12, after "operator" insert "of a human service  
10 vehicle".

11 ✓ 5. Page 7, line 14: after that line, on page 2, line 1, of the material inserted by  
12 senate amendment 1, ~~on lines 1 and 5~~ after "operator" insert "of a human service  
13 vehicle".

§ and 5

1 ✓ **6.** Page 7, line 19: on lines 19 and 22, after “operator” insert “of a human  
2 service vehicle”.

3 ✓ **7.** Page 8, line 10: on lines 10 and 18, after “operator” insert “of a human  
4 service vehicle”.

5 ✓ **8.** Page 9, line 12: on lines 12 and 17, after “operator” insert “of a human  
6 service vehicle”.

7 ✓ **9.** Page 12, line 8: on lines 8 and 22, after “operator” insert “of a human service  
8 vehicle”.

9 ✓ **10.** Page 13, line 22: after that line insert:

10 “(am) “Human service vehicle” has the meaning given in section 340.01 (23g)  
11 of the statutes.”. ✓

*amended*

12 ✓ **11.** Page 14, line 2: after “operator” insert “of a human service vehicle”.

13 ✓ **12.** Page 15, line 2: on lines 2 and 11, after “operator” insert “of a human  
14 service vehicle”.

15 (END)

*D - Note*

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

LRBa2072/1dn

ARG:...

*Kmg*

ATTN: Representative Sherman and Joyce Kiel

This amendment is drafted to clarify that SB-3 does not apply to volunteers operating vehicles on behalf of specialized transportation services. I believe that a reading of SB-3 as a whole reflects the intent to cover operators of human service vehicles and not to cover volunteers, but the use of "compact" language in the bill may allow room for argument as to ambiguity of the bill. For example, I believe that the following portions of the bill clearly reflect that "operator" in the bill means an operator of a human service vehicle: p. 6, lines 15-16 and 23; p. 7, lines 2-11 and 17; p. 10, lines 2 and 11-12; and p. 12, line 20. The attached amendment to the bill clarifies that "operator" means an operator of a human service vehicle and adds the definition of human service vehicle in s. 340.01 (23g) to s. 85.21. Since the definition of human service vehicle specifically excludes vehicles operated by volunteers, this should resolve any ambiguity as to whether the requirements of the bill apply to volunteers.

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

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

LRBa2072/1dn  
ARG:kmg:pg

February 3, 2004

ATTN: Representative Sherman and Joyce Kiel

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