

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0293/1dn

ARG:cjs:pg

November 14, 2005

ATTN: Tim Gary

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

As discussed, the phrase “purchaser of raw forest products” in created s. 348.195 would apply to more than just mills and could be read rather broadly, although I assume that only commercial purchasers would generate weight scale tickets and thereby fall within the scope of the provision.

I have drafted created s. 348.21 (3g) (intro.) as provided in the instructions. I believe that the owner of a log truck would have the option of avoiding these higher penalties by simply not taking advantage of the special registration provisions under s. 341.26 (3m) and registering such vehicles at a modestly higher annual fee. I am not certain of this, and you may want to discuss the matter with DOT. Also, created s. 348.21 (3g) (intro.) does not include a cross-reference to s. 348.17 (3) because that provision would never apply to a raw forest products-registered vehicle, but I have included the cross-reference to s. 348.17 (4) in case some raw forest products (particularly Christmas trees) might at times be considered a crop.

I have used the term “traffic officer” in created s. 348.195 (2); “traffic officer” is defined broadly in s. 340.01 (70).

In the attached draft, I made a slight change to the five-year sunset of the existing raw forest products permit; it is a technical, nonsubstantive change that involves “double-drafting” the provision.

As discussed by e-mail (and as discussed in the drafter’s note to the “/P1” version of LRB-3402 (AB-678)), I have not included any provision in the attached draft related to local ordinances because I believe the entirety of the instructions are already covered by current law.

The change to s. 348.27 (9) (a) (The 11-mile border permit) takes effect in 45 days; there is no 5-year sunset. Is this consistent with your intent?

Please let me know if you would like any changes made to the attached draft or if you have any questions. If you would like any changes, please return the jacket as soon as possible so that the changes can be made.

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