

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0524/1dn
ARG:lmk:pg

February 13, 2006

ATTN: Matt Pulda

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

As discussed by e-mail, s. 195.03 (19) must be amended to maintain the "status quo" because of the change in the definition of "railroad." Also, as discussed by e-mail, some of the changes identified for this substitute amendment require a change to s. 195.04 (from that appearing in AB-588 and AA1 to AB-588). In the course of revising s. 195.04 (1) for this substitute amendment, I noticed some provisions that I had previously overlooked, and the amended s. 195.04 (1) in the attached substitute amendment corrects these drafting oversights.

With regard to s. 192.29 (3) and (4), the provisions of AA1 to AB-588 related to s. 192.29 (3) are inconsistent with existing s. 192.29 (4), which did not present a problem when s. 192.29 (4) was repealed, but do present a problem given the instructions for this substitute amendment. Accordingly, the substitute amendment retains s. 192.29 (3) as under current law but amends s. 192.29 (4). Please let me know if this is not consistent with your intent. Also, the instructions provide for the repeal of s. 192.295 (this appears in AA1 to AB-588), so there is no penalty for train bell violations. Please let me know if this is not 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.

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