



2005 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB588)

Received: 02/08/2006

Received By: agary

Wanted: Soon

Identical to LRB:

For: John Townsend (608) 266-3156

By/Representing: Matt Pulda (aide)

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: Transportation - railroads

Extra Copies: PJH

Submit via email: YES

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Comprehensive changes to railroad regulation related to preempted and antiquated provisions

Instructions:

See Attached

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>
/?	agary 02/09/2006	lkunkel 02/13/2006		_____			
/1			pgreensl 02/13/2006	_____	sbasford 02/13/2006	sbasford 02/13/2006	
/2	agary 02/17/2006	lkunkel 02/17/2006	jfrantze 02/17/2006	_____	lnorthro 02/17/2006	lnorthro 02/17/2006	

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FE Sent For:

/2/mk 2/17

[Handwritten signature]
2/17
<END>

Gary, Aaron

From: Gary, Aaron
Sent: Wednesday, February 08, 2006 11:55 AM
To: Pulda, Matt
Subject: RE: Substitute amendment for AB 588

Matt, As clarification on your changes in the first two lines below , I think Items 10 through 12 of AA1 are being dropped, not just Item 11. Let me know if I am mistaken on this. Thanks. Aaron

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Pulda, Matt
Sent: Wednesday, February 08, 2006 11:03 AM
To: Gary, Aaron
Cc: Bauknecht, Jason; 'Sam Gratz'; 'smksgnl@sbcglobal.net'; 'utulo56@mailbag.com'
Subject: Substitute amendment for AB 588

Aaron,

Our office has been meeting with Tim Deneen, Sam Gratz, and Rep. Petrowski's office, and I believe everyone has been able to come to an agreement on the need for and content of a substitute amendment to AB 588.

The substitute amendment would be the same as the original bill with the **following changes**:

Incorporate Assembly Amendment 1 (except Item 11) and Assembly Amendment 2
Do not amend 191.01(1) (see Section 20 of AB 588, Item 11 of AA1)
Do not repeal 192.15 (see Section 27)
Do not repeal *bell* language currently in 192.29(3)&(4) (but repeal for whistles and horns) (see Sections 30-32)
Eliminate reference to STB on page 19, line 8 (see Section 36)
Do not repeal 192.324 (see Section 39)
Do not repeal 192.52 (but eliminate references to "steam") (see Section 41)
Do not repeal 192.55(7) insofar as punishes violations of 192.15 (but repeal as relates to 192.14) (see Section 45)
Do not amend 195.03(19) (see Section 57)
Do not repeal 195.31(see Section 101)

Please let me know if you have any questions (and Sam, Tim, and Jason - if there is *anything* I have left out or misstated, **let me know ASAP**)

Thanks!

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Gary, Aaron

From: Gary, Aaron
Sent: Thursday, February 09, 2006 9:30 AM
To: Pulda, Matt
Subject: RE: Substitute amendment for AB 588

Matt, There is also a conflict between the first line of your instructions and the fourth line of your instructions. Is it the intent to leave s. 192.29 (3) (a) and (b) as they exist under current law, without change? Thanks. Aaron

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Unfortunately, changes in a bill this large are never perfectly discrete and there is usually a "ripple" effect with respect to some of the changes. Here, for example:

1. Rather than eliminate s. 195.03 (19) from the bill, in order to restore current law, this provision will actually have to be amended to retain the status quo (of no change) because, in another part of the bill, the definition of "railroad" has been changed.
2. Taking out the repeal of ss. 192.324 and 195.31 will also require treatment of ss. 195.04 et seq. re the hearing process applicable to these statutes if they have continuing vitality.
3. Bill section 6 in AB-588 was included because of the repeal of s. 192.15, which is now being removed. However, I think bill section 6 should remain in the sub because the stricken language does not add anything to the provision.

I just wanted to forewarn you that I will need to make adjustments to accomplish the instructions below and these changes will appear in the sub though not specifically identified below.

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