

**2009 DRAFTING REQUEST**

**Senate Amendment (SA-SB457)**

Received: **02/05/2010**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Jim Sullivan (608) 266-2512**

By/Representing: **Steven Kulig**

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

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**

Extra Copies: **EVM**

Submit via email: **YES**

Requester's email: **Sen.Sullivan@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Advertising signs of business entities on highways; adding Internet web site addresses

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**Instructions:**

See attached; add Internet web site addresses to part concerning phone numbers

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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 02/09/2010	nnatzke 02/09/2010	mduchek 02/09/2010	_____	sbasford 02/09/2010	sbasford 02/09/2010	

FE Sent For:

<END>

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FE Sent For:

<END>

## Gary, Aaron

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**From:** Kulig, Steven  
**Sent:** Monday, February 08, 2010 4:50 PM  
**To:** Gary, Aaron  
**Subject:** RE: SB-457

Hey Aaron,

I passed along your email to DOT and they have agreed with your analysis and no longer believe changes to the bill are necessary. However, I would like to make the one small change that adds website to page 2 line 15. The bill is up for a vote in committee on Thursday so it would be nice to have the amendment ready as soon as possible. Thanks again for the clarification below. If you have any questions, let me know.

Steven Kulig  
Office of State Senator Jim Sullivan  
State Capitol Room 15 South  
PO Box 7882  
Madison, WI 53707-7882  
608-266-2512

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**From:** Gary, Aaron  
**Sent:** Friday, February 05, 2010 12:20 PM  
**To:** Kulig, Steven  
**Subject:** SB-457

Steve,

Following up on our conversation about SB-457, I wanted to make it clear that the exceptions on p. 3, lines 1 to 8 apply only with respect to this new prohibition created in the bill. (See p. 2, line 20 "this subsection")

As noted in the analysis, there are already provisions of current law prohibiting certain signs on highways. I drafted this bill in a way that does not affect these existing laws. That is why there is the language on p. 2, line 12, "Subject to subs. (1) and (4) and s. 86.19". This means that current law can override the new prohibition if conduct is either prohibited by both (the current law penalty is higher) or if conduct is prohibited by current law but not by the new prohibition. This bill creates a new category of prohibited conduct by business entities, and includes exceptions only for this new category. This bill does not in any way affect the ability to prosecute violations of existing provisions of federal or state law. In other words, if a provision of existing state or federal law makes it a violation to put a garage sale sign in a median or on an apron, it would continue to be a violation of that same provision of state or federal law after this bill is enacted (even if it is not a violation of the newly-created provision under the bill).

If you have any other questions, please let me know.

Aaron

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

02/09/2010



State of Wisconsin  
2009 - 2010 LEGISLATURE

in  
2/9  
LRBa1482/1  
ARG:.....  
L nwn  
TOMMY

SENATE AMENDMENT ,  
TO 2009 SENATE BILL 457

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

2

3 1. Page 2, line 15: on lines 15 and 17, after "number" insert "or Internet web  
4 site address". ✓

5

(END)