

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

LRB-0452/P1dn  
ARG:eev:ph

November 13, 2012

ATTN: Tim Fiocchi

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

The statutes are not clear as to whether there is “grandfathering” of the requirement in s. 346.503 (1m). There was no grandfather provision when the statute was created in 1981. A grandfather provision was added later but removed by 1987 Wisconsin Act 260. The language and legislative history of Act 260 are ambiguous as to whether the in-text applicability provision of s. 101.13 was intended to apply to s. 346.503 (1m). Based on my conversation with you, it appears to be the common interpretation in the community that grandfathering does apply to the requirements under s. 346.503 (1m) and I have prepared the draft accordingly.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible “/1” draft.

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