

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1735/P2dn
ARG:jld:jf

March 6, 2013

ATTN: Tim Fiocchi

I have added the requested nonstatutory provision relating to DOT's weight report, similar to that in 2011 AB-305. As discussed in connection with that bill, this nonstatutory provision would be effective only as an expression of a legislative intent to waive a legislative rule of proceeding. Section 13.096 creates requirements that are imposed on DOT *before* the bill is enacted, so technically the time of enactment is too late to eliminate an action required precedent to enactment. However, that being said, it is my view that s. 13.096 is actually a legislative rule of proceeding that the legislature could choose not to follow and this nonstatutory provision is an expression of legislative intent to waive this rule of proceeding.

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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