

2015 DRAFTING REQUEST

Bill

Received: 2/22/2016 Received By: zwyatt
For: Kathleen Vinehout (608) 266-8546 Same as LRB:
May Contact: By/Representing: Beau
Subject: Transportation - mass trnst/rail Drafter: zwyatt
Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Sen.Vinehout@legis.wisconsin.gov
Carbon copy (CC) to: zachary.wyatt@legis.wisconsin.gov
eric.mueller@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Authorizing DOJ to investigate complaints against rail police

Instructions:

Allow any complaints against railroad police to be investigated by DOJ

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	zwyatt 2/23/2016	jdye 2/23/2016	_____	lparisi 2/23/2016		State S&L
/1	emueller 2/25/2016	jdye 2/24/2016	_____	sbasford 2/24/2016	sbasford 2/24/2016	State S&L
/2	emueller 2/29/2016	aernsttr 2/29/2016	_____	lparisi 2/29/2016	sbasford 2/29/2016	State S&L

FE Sent For:

at intro

<END>

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/2	emueller 2/29/2016	aernsttr 2/29/2016	_____	lparisi 2/29/2016		State S&L

*Submitted
still needs
re-jacketed*

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 eric.mueller@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Authorizing DSP to investigate complaints against rail police

Instructions:

Allow any complaints against railroad police to be investigated by State Patrol.

Please jacket for Senate

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	zwyatt	jdyer 2/23/2016	_____	lparisi 2/23/2016		State S&L

FE Sent For:

<END>



Jed

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

X

Gen

1 AN ACT ...; relating to: complaints against railroad police officers. ✓

Analysis by the Legislative Reference Bureau

This bill authorizes the state traffic patrol to investigate complaints against railway company employees exercising police powers. ✓ Under current law, railway companies may employ railroad police officers who have general police powers, including the power to arrest, relating to violations of state law or local ordinance that occur on railroad cars or railway company property. Railroad conductors also have the power to arrest passengers on rail cars. ✓

Under this bill, any person believing a railroad employee has improperly exercised police authority may file a complaint with the ✓ Department of Transportation. The state traffic patrol within the department ✓ is required to investigate each complaint and refer justified complaints to the district attorney of the county in which the alleged improper exercise of authority occurred. ✓

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 110.07 (1) (a) 4. ✓ of the statutes is created to read:

3 110.07 (1) (a) 4. Have authority to investigate any complaint against a railroad
4 employee exercising police powers under s. 192.17 or 192.47. ✓



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

LX

Regen

1 AN ACT *to create* 110.07 (1) (a) 4. and 192.49 of the statutes; relating to:
2 complaints against railroad police officers.

Analysis by the Legislative Reference Bureau

This bill authorizes the state traffic patrol to investigate complaints against railway company employees exercising police powers. Under current law, railway companies may employ railroad police officers who have general police powers, including the power to arrest, relating to violations of state law or local ordinance that occur on railroad cars or railway company property. Railroad conductors also have the power to arrest passengers on rail cars.

Under this bill, any person believing a railroad employee has improperly exercised police authority may file a complaint with the Department of Transportation. The state traffic patrol within the department is required to investigate each complaint and refer justified complaints to the district attorney of the county in which the alleged improper exercise of authority occurred.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 110.07 (1) (a) 4. *LX* of the statutes is created to read:

STATE OF WISCONSIN – LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

2/21 Beau @ Sen. Vinehart

- Complaints to DOS, Pub. Integrity Unit



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-4799/1 12
ZDW:jld take
X EVM

2015 BILL

INSERT

2/29/16

reger ✓
saw ✓

1 AN ACT *to create* 110.07 (1) (a) 4. and 192.49 of the statutes; relating to:
2 complaints against railroad police officers.

Analysis by the Legislative Reference Bureau

This bill authorizes the state traffic patrol to investigate complaints against railway company employees exercising police powers. Under current law, railway companies may employ railroad police officers who have general police powers, including the power to arrest, relating to violations of state law or local ordinance that occur on railroad cars or railway company property. Railroad conductors also have the power to arrest passengers on rail cars.

Justice. Do)

Under this bill, any person believing a railroad employee has improperly exercised police authority may file a complaint with the Department of Transportation. The state traffic patrol within the department is required to investigate each complaint and refer justified complaints to the district attorney of the county in which the alleged improper exercise of authority occurred.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3

SECTION 1. 110.07 (1) (a) 4. of the statutes is created to read:

BILL

SECTION 1

1 110.07 (1) (a) 4. Have authority to investigate any complaint against a railroad
2 employee exercising police powers under s. 192.17 or 192.47.

3 **SECTION 2.** 192.49 of the statutes is created to read:

4 **192.49 Complaints.** Any person believing a railroad employee has improperly
5 exercised the authority granted by s. 192.17 or 192.47 may file a complaint with the
6 department. ^{of justice} The department ^{of justice} shall investigate each complaint and shall refer each
7 complaint that it finds justified to the district attorney of the county in which the
8 alleged improper exercise of authority occurred for prosecution.

9 (END)

Insert PSH

**2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-4799/2ins
ZDW:jld

1
2
3
4
5

INSERT PJH: ^{SR}

^{e70}
SECTION 1. 165.17 (1) (f) of the statutes is created to read:

^{e70}
165.17 (1) (f) Investigate improper exercises of authority granted under s.
192.17 or 192.47 and refer its findings to the district attorney of the county in which
the alleged improper exercise of authority occurred for prosecution.