

2015 DRAFTING REQUEST

Bill

Received: 2/22/2016 Received By: mgallagh
For: Kathleen Vinehout (608) 266-8546 Same as LRB:
May Contact: By/Representing: Beau
Subject: Public Records Drafter: mgallagh
Addl. Drafters:
Extra Copies:

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

Pre Topic:

No specific pre topic given

Topic:

Subject certain records of railroads to the right of access under the public records law

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mgallagh 2/23/2016	anienaja 2/23/2016	_____			
/1			_____	lparisi 2/23/2016	rmilford 3/10/2016	

FE Sent For:

not needed

<END>

Gallagher, Michael

From: Wyatt, Zachary
Sent: Monday, February 22, 2016 10:06 AM
To: Gallagher, Michael
Subject: FW: Three Bills to Draft Re Railroad Police Powers

#3 below

From: Stafford, Beau
Sent: Wednesday, February 17, 2016 4:34 PM
To: Mueller, Eric <Eric.Mueller@legis.wisconsin.gov>
Subject: RE: Three Bills to Draft Re Railroad Police Powers

Kathleen said she would like to get them out as soon as possible. She understands you guys are probably socked today and tomorrow, but sometime early next week would be great.

BEAU STAFFORD

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Rm 108 South
Wisconsin State Capitol

From: Stafford, Beau
Sent: Wednesday, February 17, 2016 4:30 PM
To: Mueller, Eric <Eric.Mueller@legis.wisconsin.gov>
Subject: Three Bills to Draft Re Railroad Police Powers

Eric –

Kathleen has three drafting requests she would like to do for railroad policing in Wisconsin. Here are the ideas she gave me.

- 1) Delete 192.47 of the statutes and any other police authority for railroads.
- 2) Allow any complaints against Railroad police to be investigated by state patrol
- 3) Subject railroads to open records requests regarding citations, arrests or any other records pertaining to trespassing.

Let me know if you have any questions – thanks Eric!

BEAU STAFFORD

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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

JA ✓
Xref ✓

11

Gen ✓

1 **AN ACT ...; relating to:** records of railroads regarding trespass.

Analysis by the Legislative Reference Bureau

This bill makes a person who owns or operates a railroad or part of a railroad as a common carrier in Wisconsin subject to the state's public records laws, but only with respect to records that relate to trespassing upon the railroad's tracks, including records related to a citation, arrest, or other action taken against an individual for trespass.

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

2 **SECTION 1.** 19.32 (1) of the statutes is amended to read:

3 ~~X~~19.32 (1) "Authority" means any of the following having custody of a record: a
4 state or local office, elective official, agency, board, commission, committee, council,
5 department or public body corporate and politic created by the constitution or by any
6 law, ordinance, rule or order; a governmental or quasi-governmental corporation
7 except for the Bradley center sports and entertainment corporation; a special
8 purpose district; any court of law; the assembly or senate; a nonprofit corporation

1 which receives more than 50% of its funds from a county or a municipality, as defined
2 in s. 59.001 (3), and which provides services related to public health or safety to the
3 county or municipality; a university police department under s. 175.42; a person who
4 owns or operates a railroad or part of a railroad as a common carrier in this state;
5 or a formally constituted subunit of any of the foregoing.

NOTE: NOTE: Sub. (1) is shown as affected by 2013 Wis. Acts 171 and 265 and as merged by the legislative reference bureau under s. 13.92 (2) (i).NOTE:

History: 1981 c. 335; 1985 a. 26, 29, 332; 1987 a. 305; 1991 a. 39, 1991 a. 269 ss. 26pd, 33b; 1993 a. 215, 263, 491; 1995 a. 158; 1997 a. 79, 94; 1999 a. 9; 2001 a. 16; 2003
a. 47; 2005 a. 387; 2007 a. 20; 2013 a. 171, 265 ss. 13.92 (2) (i).

6 **SECTION 2. 19.36 (13n) of the statutes is created to read:**

7 **X 19.36 (13n) RECORDS OF A RAILROAD.** A record of an authority who owns or
8 operates a railroad or part of a railroad as a common carrier in this state and who
9 is not otherwise an authority is subject to the right of inspection or copying under s.
10 19.35 (1) only if the record relates to trespassing upon a track of the railroad,
11 including records related to a citation, arrest, or other action taken against an
12 individual for such trespass.

13

(END)

Milford, Renae

From: Stafford, Beau
Sent: Thursday, March 10, 2016 12:21 PM
To: LRB.Legal
Subject: Draft Review: LRB -4800/1

Please Jacket LRB -4800/1 for the SENATE.