

1999 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB116)

Received: 10/29/1999

Received By: **shoveme**

Wanted: **Soon**

Identical to LRB:

For: **Frank Urban (608) 266-9175**

By/Representing: **Sarah**

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

Drafter: **shoveme**

May Contact:

Alt. Drafters:

Subject: **Munis - miscellaneous**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

State reimbursement of towns for fire calls on state or federal highways

Instructions:

Amend the bill by adding 1997 AB 316, LRB -2526.

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>
/?	shoveme 10/29/1999	wjackson 11/01/1999		_____			
/1			martykr 11/01/1999	_____	lrb_docadmin 11/01/1999	lrb_docadmin 11/01/1999	

FE Sent For:

<END>

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FE Sent For:		11 wlj 11/1					
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State of Wisconsin
1999 - 2000 LEGISLATURE

LRBs0171/1
MES...

RMNR

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~
**ASSEMBLY SUBSTITUTE AMENDMENT ,
TO 1999 ASSEMBLY BILL 116**

Dh E

WANTED:
MONDAY

gen

1 **AN ACT ...; relating to:** state reimbursement of cities, villages and towns for fire
2 calls on state of federal highways.

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

3

(END)

↓

1999 ASSEMBLY BILL 116

February 9, 1999 - Introduced by Representatives TRAVIS, ALBERS, BOYLE, GUNDERSON, HANDRICK, HASENOHRL, HUBER, KLISMAN, LADWIG, F. LASEE, LASSA, J. LEHMAN, M. LEHMAN, MILLER, MUSSER, PLOUFF, PORTER, SCHNEIDER, SERATTI, SHERMAN, STEINBRINK, URBAN and POWERS, cosponsored by Senators ERPENBACH, BRESKE, A. LASEE, ROESSLER, SCHULTZ and WEICH, by request of Town of Springfield. Referred to Committee on Urban and Local Affairs.

1 **AN ACT to amend 60.557 (2) of the statutes; relating to:** state reimbursement
2 of towns for fire calls on state or federal highways.

Analysis by the Legislative Reference Bureau

Under current law, if a town incurs costs for a fire call on a state trunk highway or any highway that is a part of the national system of interstate highways and maintained by the department of transportation (DOT), DOT is required to reimburse the town up to \$500 for the costs if the town submits written proof that the town has made a reasonable effort to collect the costs from the person to whom the fire call was provided. If the town collects the costs from such a person after DOT has reimbursed the town, the town is required to return the amount collected to DOT.

This bill requires DOT to reimburse a town for costs the town incurs for a fire call on a state trunk highway or any highway that is a part of the national system of interstate highways and maintained by DOT even if the fire equipment is not actually used.

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. 60.557 (2) of the statutes is amended to read:

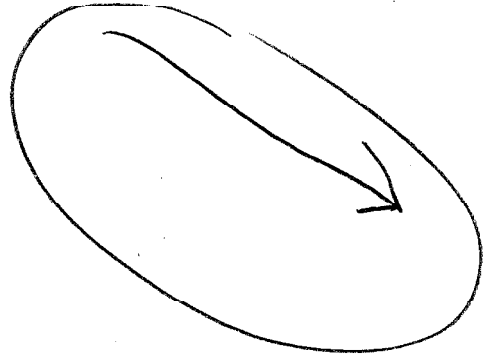
ASSEMBLY BILL 116

1 60.557 (2) If a town incurs costs for a fire call on a state trunk highway or any
 2 highway that is a part of the national system of interstate highways and maintained
 3 by the department of transportation, the department of transportation shall
 4 reimburse the town up to \$500 for the costs, even if the fire equipment is not actually
 5 used, if the town submits written proof that the town has made a reasonable effort
 6 to collect the cost from the person to whom the fire call was provided. If the town
 7 collects the cost from such person after the department reimburses the town, the
 8 town shall return the amount collected to the department.

9 **~~SECTION 2. Initial applicability.~~**

10 ~~(1) This act first applies to fire calls that occur on the effective date of this~~
 11 ~~subsection.~~

12 (END)



1997 ASSEMBLY BILL 316

April 24, 1997 - Introduced by Representatives URBAN, GOETSCH, ALBERS, TURNER, LADWIG, RYBA, SYKORA, DUFF, SPRINGER, KEDZIE, SERATTI, GROTHMAN, POWERS and VRAKAS, cosponsored by Senators GROBSCHMIDT, FARROW, ADELMAN and HUELSMAN. Referred to Committee on Ways and Means.

1 **AN ACT** to amend 62.13 (8); and to repeal and recreate 61.65 (8) of the statutes;
2 relating to: state reimbursement of cities, villages and towns for fire calls on
3 state or federal highways.

Analysis by the Legislative Reference Bureau

Under current law, if a town incurs costs for a fire call on a state trunk highway or any highway that is a part of the national system of interstate highways and maintained by the department of transportation (DOT), DOT is required to reimburse the town up to \$500 for the costs if the town submits written proof that the town has made a reasonable effort to collect the costs from the person to whom the fire call was provided. If the town collects the costs from such a person after DOT has reimbursed the town, the town is required to return the amount collected to DOT.

Also under current law, any village that has a volunteer fire department that incurs costs for a fire call on a state trunk highway or any highway that is a part of the national system of interstate highways and maintained by DOT is required to be reimbursed by DOT. Current law provisions that apply to villages that have a volunteer fire department apply to cities that have a combination of a paid and volunteer fire department.

This bill changes current law by making the fire call provisions that currently apply to towns apply to all cities and villages, without regard to whether the cities and villages have paid, volunteer or combination paid and volunteer fire departments. In addition, the bill requires a city or village to submit written proof that the city or village has made a reasonable effort to collect the costs that it has

ASSEMBLY BILL 316

incurred from the person to whom the fire call was provided. If the city or village collects the costs from such a person after DOT has reimbursed the city or village, the city or village is required to return the amount collected to DOT.

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:

1 SECTION ~~61.65~~ 61.65 (8) of the statutes is repealed and recreated to read:

2 61.65 (8) If a village incurs costs for a fire call on a state trunk highway or any
3 highway that is a part of the national system of interstate highways and maintained
4 by the department of transportation, the department of transportation shall
5 reimburse the village up to \$500 for the costs if the village submits written proof that
6 the village has made a reasonable effort to collect the costs from the person to whom
7 the fire call was provided. If the village collects the costs from such person after the
8 department reimburses the village, the village shall return the amount collected to
9 the department.

even if the fire equipment is not actually used

10 SECTION ~~62.13~~ 62.13 (8) of the statutes is amended to read:

11 62.13 (8) FIRE DEPARTMENT. The council may provide by ordinance for either a
12 paid or a volunteer fire department and for the management and equipment of either
13 insofar as not otherwise provided for by law. ~~In the case where a combination of paid
14 and volunteer fire department is provided for, such city shall be reimbursed by the
15 department of transportation, not to exceed \$500 for any fire calls on a state trunk
16 highway or on any highway that is a part of the national system of interstate
17 highways and is maintained by the department of transportation. If a city incurs
18 costs for a fire call on a state trunk highway or any highway that is a part of the
19 national system of interstate highways and maintained by the department of~~

ASSEMBLY BILL 316

, even if the fire equipment is not actually used,

1 transportation, the department of transportation shall reimburse the city up to \$500
2 for the costs if the city submits written proof that the city has made a reasonable
3 effort to collect the costs from the person to whom the fire call was provided. If the
4 city collects the costs from such person after the department reimburses the city, the
5 city shall return the amount collected to the department.

SECTION 3. Initial applicability.

(1) This act first applies to fire calls that occur on the effective date of this subsection.

(END)

D-NOEE

If I added the phrase " , even if the fire equipment is not actually used, " in ss. 61.65 (8) and 62.13 (8) from 1997 AB/316 is from s. 60.557 (2) and is the whole point of 1999 AB/116, If this is inconsistent with your intent, please let me know and I'll redraft this substitute amendment.

M E J

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0171/1dn
MES:wj:km

November 1, 1999

I added the phrase “, even if the fire equipment is not actually used,” in ss. 61.65 (8) and 62.13 (8), from 1997 AB-316. This phrase is from s. 60.557 (2) and is the whole point of 1999 AB-116. If this is inconsistent with your intent, please let me know and I'll redraft this substitute amendment.

Marc E. Shovers
Senior Legislative Attorney
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