

2005 DRAFTING REQUEST

Bill

Received: 03/22/2005

Received By: phurley

Wanted: As time permits

Identical to LRB:

For: Jon Richards (608) 266-0650

By/Representing:

This file may be shown to any legislator: NO

Drafter: phurley

May Contact:

Addl. Drafters:

Subject: Transportation - traffic laws

Extra Copies:

Submit via email: YES

Requester's email: Rep.Richards@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Parking in city of Milwaukee

Instructions:

See Attached

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>
/?				_____			Local
/1	phurley 03/22/2005	jdyer 03/23/2005	pgreensl 03/23/2005	_____	lemery 03/23/2005		Local
/2	phurley 04/07/2005	jdyer 04/08/2005	rschlue 04/08/2005	_____	lemery 04/08/2005		Local
/3	phurley 04/15/2005	jdyer 04/15/2005	jfrantze 04/15/2005	_____	sbasford 04/15/2005		Local

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

phurley wjackson
05/17/2005 06/23/2005
phurley
06/08/2005

/4

pgreensl
06/23/2005

lemery
06/23/2005

sbasford
08/16/2005

FE Sent For:

<END>

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1/4 WLJ 6/23
4/23
P81

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3 4/15 jld
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1/2 4 1/4 jld

4 8
<END>
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/?	phurley	1/23 JW	3/23 PG	3/23 PSL			

FE Sent For:

<END>

Staff from the City of Milwaukee and Wisconsin Department of Transportation, as well as Legislative Council have reviewed the recommended language. The language as written below tracks well with current statutory language and ETMA recommends that it be introduced as early as possible to avoid any potential delays.

349.13 Authority to regulate the stopping, standing or parking of vehicles.

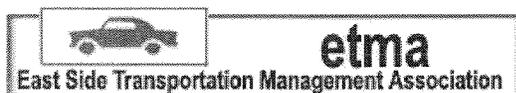
(1k) The department, with respect to state trunk highways under their jurisdiction, and local authorities, with respect to highways under their jurisdiction including connecting highways within corporate limits, may authorize persons whose residences abut a highway in a zone where parking is prohibited by official signs, and guests of such persons, and commercial enterprises providing services to such persons, to park their vehicles in the highway zone without regard to the posted prohibitions.

Please contact Peter McMullen at 414-263-8751 with questions regarding this request or for any additional background information. Thank you for your anticipated assistance with this request and please keep us informed on the process.

Sincerely,

Peter McMullen
ETMA Chair

cc: ETMA Board Members



TRANSIT SOLUTIONS



December 21, 2004

Honorable Senator Alberta Darling
State Capitol- Room 127 South
P.O. Box 7882
Madison, WI 53707-7882

Honorable Senator Jeffrey Plale
State Capitol- Room 106 South
P.O. Box 7882
Madison, WI 53707-7882

Honorable Representative Jon Richards
P.O. Box 8953
Madison, WI 53708-8953

Honorable Representative Sheldon Wasserman
P.O. Box 8953
Madison, WI 53708-8953

Dear Honorable Legislators,

The Eastside Transportation Management Association (ETMA) is contacting legislative representatives with the request to co-sponsor state enabling legislation to implement a Residential Parking Permit (RPP) program in the neighborhood surrounding the University of Wisconsin-Milwaukee campus. The ETMA area is bounded by Providence and Edgewood on the north, Lake Drive on the east, Park Avenue on the south, and Cambridge Avenue on the west.

Since 1998, neighborhood residents have met with various stakeholders to work on solutions to the transportation impacts associated with UWM. One potential solution is the creation on program that promotes sharing the surrounding streets between residents and the university. The proposal would create parking zones reserved for residents only on one half of the street during the day, and retain the other half for public use. The City of Milwaukee Attorney's Office has determined that enabling legislation is required to create such zones to avoid any potential class action lawsuits.

A similar legislative effort was conducted last session, but never made it out of the legislative committees. Reasons given for the failed effort included that the legislative bill came late in the session, language was limited to the City of Milwaukee, and lack of concurrence between UWM and neighborhood groups on implementation. The timing of this request should facilitate early bill introduction and the scope of the language has been broadened to allow any community to manage parking in a similar manner. As for addressing concurrence with UWM and residents, UWM continues to insist on supporting legislation that includes one-for-one language stating that on street parking spaces for residents only would occur only as on-campus parking is made available.

The majority of the ETMA representatives maintain that implementation discussions should take place at the neighborhood and local level and that including it in legislation would in essence limit it to the City of Milwaukee, and discount current community ordinances (i.e. River Falls and Green Bay). However, discussions continue at the present time and UWM has shown willingness to include some future off-site parking when it becomes available. A proposal is currently on the table that honors a one-for-one exchange, phased in over a two-year period. Implementation of an RPP ordinance and legislation began in 2001. With the completion of a new on-campus parking structure set to open in 2005, enabling legislation must take place to honor the intent of parking relief promised to residents.

2535//
e
jld

2003 SENATE BILL 462

in
3-22-05

February 13, 2004 - Introduced by Senator DARLING, cosponsored by Representative RICHARDS. Referred to Committee on Transportation and Information Infrastructure.

Regen

1 AN ACT *to create* 349.13 (1k) of the statutes; **relating to:** the parking of vehicles
2 on highways ~~in~~ *in* 1st class cities.

the department of transportation to allow for a local authority

Analysis by the Legislative Reference Bureau

Current law, with certain exceptions, permits state and local highway authorities to prohibit or restrict the stopping, standing, or parking of vehicles on highways under their jurisdictions. This bill permits any first class city (presently only Milwaukee) to enact an ordinance permitting only persons whose residences abut a highway (or any portion thereof) under the city's jurisdiction and their guests, and commercial enterprises providing services to these residences, to park their vehicles on the highway or portion thereof abutting these residences, regardless of any prohibitions or time limitations on parking. The ordinance may include a provision requiring such persons with abutting residences to obtain a parking permit from the city and pay a fee for the permit. The permit may be used only by permittees and their guests.

For further information see the *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. 349.13 (1k) of the statutes is created to read.

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2535/?ins
PJH:.....

INSERT:

SECTION 1. ^x 349.13 (1k) of the statutes is created to read:

349.13 (1k) The department, with respect to state trunk highways under its jurisdiction, and a local authority, with respect to highways under its jurisdiction including connecting highways within corporate limits, may authorize persons whose residences [✓] abut a highway in a zone where parking is prohibited by official signs, ^o and guests of such persons, and commercial enterprises providing services to such persons, to park their vehicles in the highway zone without regard to the posted prohibitions.

2/mr
keep

2005 BILL IN editing

4-7-05
DUE
4-10-05

Regen

1 AN ACT to create 349.13 (1k) of the statutes; relating to: the parking of vehicles
2 on highways. ✓

Analysis by the Legislative Reference Bureau

Current law, with certain exceptions, permits state and local highway authorities to prohibit or restrict the stopping, standing, or parking of vehicles on highways under their jurisdictions. This bill permits the Department of Transportation or a local authority to allow persons whose residences abut a highway and their guests, and commercial enterprises providing services to these residences, to park their vehicles on the highway or portion thereof abutting these residences, regardless of any prohibitions or time limitations on parking. ✓ residents

For further information see the *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: Insert A ✓

3 SECTION 1. 349.13 (1k) of the statutes is created to read: ✓

4 349.13 (1k) The department, with respect to state trunk highways under its
5 jurisdiction, and a local authority, with respect to highways under its jurisdiction
6 including connecting highways within corporate limits, may authorize persons

BILL

1 whose residences abut a highway in a zone where parking is prohibited by official
2 signs, guests of such persons, and commercial enterprises providing services to such
3 persons, to park their vehicles in the highway zone without regard to the posted
4 prohibitions.

5 Insert B →

(END)

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2535/lins
PJH:jld:pg

INSERT A:

~~NO 4~~

Further, the bill allows a ^{a first} 1st class city to set aside 721 parking spaces for persons whose residences abut a University of Wisconsin system college campus, their guests, and commercial enterprises ~~providing~~ services to these residents, if the college campus creates 721 parking spaces on campus. *

INSERT B:

* ~~4~~

(b) If a University of Wisconsin system college campus located in a 1st class city creates 721 parking spaces on campus, a 1st class city ^{providing} may initiate a program to

~~reserve~~ 721 parking spaces for persons whose residences abut the University of

* Wisconsin system college campus, guests of such persons, and commercial enterprises providing services to such persons.

reserve

Hurley, Peggy

From: Adrian, Scott
Sent: Friday, April 15, 2005 10:07 AM
To: Hurley, Peggy
Subject: RE: LRB 2335/2

Peggy -

I think that should work. I think you understand the problem here, we want to be able to add language so that the program can continue and add spaces without having to come back here. I think that language you have should work, as you specify adding spaces and the city doing so equally.

Thanks for adding that and when we get this draft, I will send it around again and hopefully have good responses.

Scott

From: Hurley, Peggy
Sent: Friday, April 15, 2005 9:25 AM
To: Adrian, Scott
Subject: RE: LRB 2335/2

How about this: "If a U. of W. system college campus located in a 1st class city creates additional parking spaces on campus, a 1st class city may reserve an equal number of parking spaces for persons whose residence about the U. of W. system college campus, guests of such persons, and commercial enterprises providing services to such persons."

I'll add it to par. (b).

-----Original Message-----

From: Adrian, Scott
Sent: Thursday, April 14, 2005 4:31 PM
To: Hurley, Peggy
Subject: LRB 2335/2

Peggy -

We are getting closer.

In reaction to the second draft, the City and UWM are getting closer in agreement, except there is concern that the total number of spaces are "capped" at 721, and thus if we need to ever go above that, we would need more state legislation. Rep. Richards and I agree that would be bad, but the University wants that number in the bill, however, we have to come up with a way to expand when the time comes without having to go through all this again.

Could we add language that would reflect a "one for one" arrangement on parking space availability but adding language along the lines of "and further spaces allocated as the university acquires more parking" or something like that?

I hope I am making sense on this; please call if you have questions.

Thanks,

Scott Adrian
Office of Rep. Jon Richards
266-0650

2005 BILL

41505

Regen

1 AN ACT to create 349.13 (1k) of the statutes; relating to: the parking of vehicles
2 on highways.

Analysis by the Legislative Reference Bureau

Current law, with certain exceptions, permits state and local highway authorities to prohibit or restrict the stopping, standing, or parking of vehicles on highways under their jurisdictions. This bill permits a local authority to allow persons whose residences abut a highway and their guests, and commercial enterprises providing services to these residents, to park their vehicles on the highway or portion thereof abutting these residences, regardless of any prohibitions or time limitations on parking. Further, the bill allows a first class city to set aside 721 parking spaces for persons whose residences abut a University of Wisconsin System college campus, their guests, and commercial enterprises providing services to these residents, if the college campus creates 721 parking spaces on campus.

For further information see the *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. 349.13 (1k) of the statutes is created to read:
4 349.13 (1k) (a) A local authority, with respect to highways under its jurisdiction
5 including connecting highways within corporate limits, may authorize persons

BILL

1 whose residences abut a highway in a zone where parking is prohibited by official
 2 signs, guests of such persons, and commercial enterprises providing services to such
 3 persons, to park their vehicles in the highway zone without regard to the posted
 4 prohibitions.

5 (b) If a University of Wisconsin System college campus located in a 1st class city
 6 creates 721 parking spaces on campus, a 1st class city may initiate a program to
 7 reserve 721 parking spaces for persons whose residences abut the University of
 8 Wisconsin System college campus, guests of such persons, and commercial
 9 enterprises providing services to such persons.

(END)

If a University of Wisconsin system college campus located in a 1st class city creates additional parking spaces on campus, a 1st class city may reserve an equal number of parking spaces for persons whose residences abut the University of Wisconsin college campus, guests of such persons, and commercial enterprises providing services to such persons.

System

10

Hurley, Peggy

From: Adrian, Scott
Sent: Tuesday, June 07, 2005 2:12 PM
To: Hurley, Peggy
Subject: LRB 2535

Peggy -

As I stated to you, I would like to go ahead with a redraft of LRB 2535 to change the language in (b) to reflect that the city is in charge of creating a parking program.

Second, I spoke with an attorney at UWM who also requested such a change in (b) but also has concern about why we have the language of (a) in the bill and if it is needed; and if it is needed, why. Her name is Robin Van Harpen and she can be reached at UWM at 414-229-2629. I appreciate the assistance to explain this and these statutes to her; it is my hope that we will then be able to get this introduced once we can get them to agree on the language.

If UWM has legitimate concerns of this language and it being in the bill, please let me know.

Thank you for your assistance.

Scott Adrian
Office of Rep. Jon Richards

2005 BILL

in
6-8-05

Regen

1 AN ACT to create 349.13 (1k) of the statutes; relating to: the parking of vehicles
2 on highways.

Under certain circumstances

Analysis by the Legislative Reference Bureau

Current law, with certain exceptions, permits state and local highway authorities to prohibit or restrict the stopping, standing, or parking of vehicles on highways under their jurisdictions. This bill permits a local authority to allow * persons whose residences abut a highway, and their guests, and commercial * enterprises providing services to these residents, to park their vehicles on the highway, or portion thereof abutting these residences, regardless of any prohibitions or time limitations on parking. Further, the bill allows a first class city to set aside 721 parking spaces for persons whose residences abut a University of Wisconsin System college campus, their guests, and commercial enterprises providing services to these residents, if the college campus creates 721 parking spaces on campus.

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

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4 349.13 (1k) (a) A local authority, with respect to highways under its jurisdiction,
5 including connecting highways within corporate limits, may authorize persons

As provided in (b) 19

are adjacent to

BILL

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2 signs, guests of such persons, and commercial enterprises providing services to such
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5 (b) If a University of Wisconsin System college campus located in a 1st class city
6 creates 721 parking spaces on campus, a 1st class city may initiate a program to
7 reserve 721 parking spaces for persons whose residences ~~abut~~ the University of
8 Wisconsin System college campus, guests of such persons, and commercial
9 enterprises providing services to such persons. If a University of Wisconsin System
10 college campus located in a 1st class city creates additional parking spaces on
11 campus, a 1st class city may reserve an equal number of parking spaces for persons
12 whose residences ~~abut~~ the University of Wisconsin System college campus, guests
13 of such persons, and commercial enterprises providing services to such persons.

14 (END)

are adjacent to

Basford, Sarah

From: Hurley, Peggy
Sent: Tuesday, August 16, 2005 9:29 AM
To: Basford, Sarah
Subject: FW: LRB 2535/4

Could you do this? Thanks!

From: Petri, Tom
Sent: Monday, August 15, 2005 9:05 AM
To: LRB.Legal; Hurley, Peggy
Subject: LRB 2535/4

Can I have LRB2535/4 relating to: the parking of vehicles on highways, jacketed for Senate introduction by Senator Darling? It will be a Senate companion bill to Rep. Richard's lead Assembly bill.

Thank you.

Tom-

*Tom Petri
Office of State Senator Alberta Darling
316-South
608-266-5830 / 1-800-863-1113*

Barman, Mike

From: Adrian, Scott
Sent: Tuesday, August 16, 2005 10:32 AM
To: LRB.Legal
Subject: Draft review: LRB 05-2535/4 Topic: Parking in city of Milwaukee

It has been requested by <Adrian, Scott> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-2535/4 Topic: Parking in city of Milwaukee

~~ASSEMBLY~~
Senate

Barman, Mike

From: Barman, Mike
Sent: Friday, August 19, 2005 1:48 PM
To: Adrian, Scott
Cc: Hurley, Peggy
Subject: RE: Question

Scott -

Per your request ... we jacketed this draft for you on Tuesday morning, August 16th.

If you are unable to locate the jacket Peggy will need to assign this draft a new LRB number and it will have to be re-jacketed. Let us know if it doesn't turn up.

Mike Barman (Senior Program Assistant)

State of Wisconsin - Legislative Reference Bureau
Legal Section - Front Office
1 East Main Street, Suite 200
Madison, WI 53703

(608) 266-3561 / mike.barman@legis.state.wi.us

From: Hurley, Peggy
Sent: Friday, August 19, 2005 1:39 PM
To: Barman, Mike
Cc: Adrian, Scott
Subject: FW: Question

Mike,

Could you look into this?

From: Adrian, Scott
Sent: Friday, August 19, 2005 1:38 PM
To: Hurley, Peggy
Subject: Question

Peggy -

I was wondering if you might be able to help with something. Tuesday, I believe, I sent through the macro on the email instructions from LRB to jacket the parking bill, LRB 2535/4 for introduction in the Assembly. As of right now, we haven't received it; I would think this bill shouldn't take that long. I was wondering if you could help make sure that LRB 2535/4 is getting jacketed.

Thank you for your assistance.

Scott