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☛ **Regional Transportation Authority**

(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...  
PUBLIC HEARING - COMMITTEE RECORDS**

**2009-10**

(session year)

**Senate**

(Assembly, Senate or Joint)

**Committee on ... Transportation, Tourism,  
Forestry, and Natural Resources (SC-TTFNR)**

**COMMITTEE NOTICES ...**

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

**INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL**

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)  
(**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)  
(**sb** = Senate Bill)                      (**sr** = Senate Resolution)                      (**sfr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Liz - FYI



# AMALGAMATED-TRANSIT UNION

LOCAL 998 • AFFILIATED WITH AFL-CIO

734 North 26th Street Milwaukee, WI 53233

RICHARD RILEY  
*President*

RICK BASSLER  
*Vice-President*

BRANDON W. JENSEN  
*Financial Secretary-Treasurer*

PATRICK CLEMENS  
*Recording Secretary*

January 27, 2009

State Senator Jim Holperin, Chair  
Transportation, Tourism, Forestry, and Natural Resources Committee  
P.O. Box 7882  
Madison, WI 53707-7882

Dear Senator Holperin:

I would like to take this opportunity to express ATU Local 998's support of the concept of a southeastern Regional Transit Authority acting as an overseer and establisher of taxation for mass transit. When I refer to mass transit I am referring to all means of transportation including the Kenosha-Racine-Milwaukee Commuter Rail project. While the KRM is essential, it is highly important to ensure that the primary focus of funding is on our current mass transit operations. Furthermore, the relationship between the two modes of transportation and that they sustain one another is understandable despite the controversy, one cohesion is evident.

The funding concept that a regional transit authority brings to the forefront is an indication of how our system(s) has and is rapidly decaying. It is vital for transit funding to be shifted from property taxes to a dedicated sales tax in order to have a viable system that is easily maintained with the ability to expand in order to capture the greatness of our communities and its people.

Also of importance is that the population of each individual urbanized area is fairly represented and that the revenues raised are used for the maintenance and expansion of the current transit systems in that respective urbanized area or county.

**Milwaukee County Transit System (MCTS) a system worth the investment.**  
MCTS received outstanding achievement awards in 1987 and 1999 for the best transit system in the country by (APTA) American Public Transportation Association. Selection was based on operations effectiveness and efficiency, innovation, customer service, ridership and overall administration. Furthermore, MCTS employs bus operators, mechanics, and supporting staff who are dedicated to providing a great service to the community. Many whom work above and beyond the call of duty to ensure the heritage and great service of this system remain in tact.

There are only a few transit systems that are comparable to MCTS in size and services that do not have a dedicated funding source. A system relatively close to Wisconsin; Indianapolis, IN is a prime example of a system in turmoil, experiencing constant trends of declining service and ridership. This is Milwaukee's alternative—to continually cut routes and increase fares to the point that ridership is almost non-existent. I encourage that the necessary steps are taken to ensure that Wisconsin invests in the betterment of the state's largest transit system.

**Gas prices increase, ridership falls?**

As gas prices rose to record highs, citizens turned to mass transit to meet their transportation needs. Most transit systems across the nation experienced increased ridership resulting in an increase in fare recovery. As these systems and governments thrived in mass transit, MCTS and Milwaukee County continued to suffer due to a deteriorating system filled with route cuts and fare hikes.

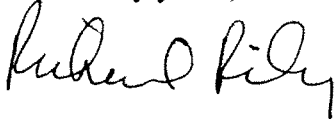
In essence, economics 101 was out of sync. The demand insisted upon an increase of mass transportation that was convenient, efficient and affordable while supply lacked convenience, efficiency and affordability. It is better to be prepared for an opportunity then to try to catch up with one. Will we be ready for the next opportunity?

ATU Local 998 and its members are ready for that next opportunity and support investing in mass transit in our communities. We are open to resolving our issues of concern with the implementation of a RTA as it relates to our labor contracts, wages, fringe benefits, and pension benefits. In addition, we seek union involvement as it pertains to development of a RTA.

We wholeheartedly believe the time is now to act on dedicated funding. The Milwaukee County advisory referendum, in which Local 998 supported, on a one (1%) percent sales tax to fund transit, parks, emergency medical services and cultural arts, provided a pulse of how the people were feeling about service cuts. It was an indication that citizens in Milwaukee County are jumping on the bandwagon. We urge your committee's support of legislation that would allow Milwaukee County to do such. The RTA is the vehicle to move transit in southeastern Wisconsin in the right direction.

Your time and attention is greatly appreciated. If we can be of assistance to you in this matter, do not hesitate to contact us.

Respectfully yours,



Richard Riley  
President

Amalgamated Transit Union- Local 998





February 11, 2009

Patricia Jursik  
*Milwaukee County*  
8th District Supervisor

State Senator Jim Holperin, Chair of Senate Committee on Transportation  
State Capitol  
P.O. Box 7882  
Madison, WI 53707-7882

Dear Senator Holperin:

As the chair of the Milwaukee County Task Force on the RTA, I wanted to contact your office with an accurate record of what the Task Force accomplished. After holding a well-attended public hearing on the RTA, our task force used this testimony and developed a list of priorities that the speakers had focused on. It was clear that priorities included the following, listed in order of importance:

1. Buses have the highest priority in a transit plan.
2. Dedicated funding for transit should be from a sales tax and must replace property tax support. (Another way of saying this: We must stop using property taxes to support our transit system and instead use a dedicated funding source from the sales tax.)
3. A Regional Transit Authority is endorsed.
4. Transit money raised in a county must stay in the county to support transit.
5. It is necessary to address governance of the RTA regarding Milwaukee County which has the largest population.
6. It is necessary to address encumbrances including debt, legacy costs and contractual obligations.

With these priorities listed, the task force went through the formal RTA Recommendations line-by-line and indicated areas of concern for Milwaukee County. I have attached this redacted document which contains specific itemization of both areas of agreement with the Recommendations and areas of concern.

Also enclosed please find the formal Resolution with the amendments added by the full board at the February 5, 2009, board meeting. The final vote on the Resolution was 13 to 5. If you have any questions regarding this letter or the attached documents, please feel free to call me at 414-278-4231 or send an e-mail to [patricia.jursik@milwenty.com](mailto:patricia.jursik@milwenty.com).

Very truly,

PATRICIA D. JURSIK  
Chair, RTA Task Force

PDJ/ag  
Enc.

1  
2  
3  
4 (ITEM 5) A resolution by Supervisors Jursik, Larson, Thomas and Dimitrijevic, adopting a  
5 set of recommendations made by the Milwaukee County Board Task Force on the  
6 Southeastern Wisconsin Regional Transit Authority Recommendations in response to  
7 recommendations forwarded by the Southeastern Wisconsin Regional Transit Authority to  
8 the Governor, by recommending **ADOPTION** of the following:  
9

10 **AN AMENDED RESOLUTION**

11  
12 WHEREAS, the Milwaukee County Board Task Force on the Southeastern Wisconsin  
13 Regional Transit Authority Recommendations (Task Force) was appointed by Chairman Lee  
14 Holloway for the purpose of reviewing and responding to the Southeastern Wisconsin  
15 Regional Transit Authority (SWRTA) recommendations on behalf of the Milwaukee County  
16 Board of Supervisors; and  
17

18 WHEREAS, the Task Force included three County Board Supervisors, the Managing  
19 Director of the Milwaukee County Transit System and a member of the public; and  
20

21 WHEREAS, the Task Force reviewed the SWRTA recommendations and found areas  
22 of agreement but also found areas that must be further addressed before a full endorsement  
23 of the SWRTA recommendations may be made, including:  
24

- 25 1. The entity that assumes liability for the costs related to the provision of this service  
26 should be the designated recipient of funds related to the services.  
27 2. Governance should include an oversight board of appointed members, some of  
28 who should be elected officials, and must provide appropriate proportionality for  
29 Milwaukee County's population. This must include not less than one  
30 representative of the Milwaukee County Board and should require super-majority  
31 requirements for voting on shared services.  
32 3. Since Milwaukee County vetted a 1% sales tax in an advisory referendum for  
33 support of transit, parks/recreation/culture and EMS, which passed by a 52%  
34 margin, Milwaukee County shall continue to push for the 1% sales tax with the  
35 property tax relief provided by removing these 3 areas from property tax support.  
36 If the RTA is given authority for up to a ½ cent sales tax for transit, Milwaukee  
37 County's position shall be to request the remaining 1% of not less than ½ cent for  
38 parks/recreation/culture and EMS.  
39 4. The makeup of the RTA staff must reflect the diversity of the population served.  
40 5. The goal of the RTA should be to first maintain existing service, secondly restore  
41 lost service and potential fare reduction and only if these two goals are largely  
42 accomplished then begin to expand or enhance service.

43 ; and

44

45 WHEREAS, the Task Force found that a regional transportation authority is desired  
46 and results in new funding sources not currently available to the region and further that our  
47 region is behind many other regions in moving toward an RTA; and

48

49 WHEREAS, the Task Force recommends that the County Board state its support for a  
50 regional transportation authority that includes the counties of Kenosha, Racine and  
51 Milwaukee but with the aforementioned reservations as further illustrated in the redacted  
52 SWRTA document; and

53

54 WHEREAS, the Task Force further recommends that the County Board formally  
55 request the Governor and Wisconsin State Legislature to consider Milwaukee County's  
56 issues as related to the SWRTA recommendations before formulating legislation that creates  
57 a regional transportation authority board and authorizes a governance structure as currently  
58 recommended by SWRTA; and

59

60 WHEREAS, the Committee on Transportation, Public Works and Transit, at its  
61 meeting on February 3, 2009, recommended REJECTION of an amended resolution by a  
62 vote of (4-3); and

63

64 WHEREAS, at the County Board of Meeting of February 5, 2009, Supervisor Jursik  
65 moved APPROVAL of the resolution as amended by the County Board; now, therefore,

66

67 BE IT RESOLVED, the Task Force held a public hearing that elicited responses from  
68 individuals and groups representing various transportation interests and determined the  
69 following priorities as presented during public testimony in order of importance:

70

- 71 1. Buses have the highest priority in a transit plan;
- 72 2. Dedicated funding for transit should be from a sales tax and must replace property  
73 tax support;
- 74 3. A Regional Transit Authority is endorsed;
- 75 4. Transit money raised in a county must stay in the county to support transit;
- 76 5. It is necessary to address governance of the RTA regarding Milwaukee County,  
77 which has the largest population;
- 78 6. It is necessary to address encumbrances including debt, legacy costs and  
79 contractual obligations

80 ; and

81

82 BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors does  
83 hereby support the creation of a regional transportation authority that incorporates the  
84 counties of Kenosha, Racine and Milwaukee, but such support is contingent upon the  
85 reservations presented in the redacted recommendations proposed by the Southeastern

86 Wisconsin Regional Transit Authority to the Governor and Wisconsin State Legislature, a  
87 copy of which is incorporated herein by reference; and

88

89 BE IT FURTHER RESOLVED, that Milwaukee County's support for this resolution is  
90 contingent upon the adoption of resolutions by the County Boards of Racine and Kenosha  
91 Counties endorsing the recommendations of the Task Force including the enactment of a  
92 sales tax dedicated for transit; and

93

94 BE IT FURTHER RESOLVED, that the County Clerk is hereby requested to send a copy  
95 of this resolution to the County Clerks of Racine and Kenosha Counties; and

96

97 BE IT FURTHER RESOLVED, that the Southeastern Wisconsin Regional Transit  
98 Authority Board of Directors shall include the following representation:

99

- 100 • Three elected officials, one from each county in the region, appointed by the  
101 county executive of each county and approved by the county board;
- 102 • Three elected officials, one from the most populous city in each county in the  
103 region, appointed by the mayor of each city and approved by the common  
104 council;
- 105 • One elected official from the most populous city in the region, appointed by  
106 the governor;
- 107 • One elected official from the most populous county, appointed by the County  
108 Board Chairman;
- 109 • One citizen transit rider, or representative thereof, from the most populous  
110 county, appointed by the County Board Chairman; and

111

112 BE IT FURTHER RESOLVED, that the Southeastern Wisconsin Regional Transit  
113 Authority Board of Directors shall be proportionally representative of the ethnic make up of  
114 each county; and

115

116 BE IT FURTHER RESOLVED, that the County Boards of Supervisors for Racine,  
117 Kenosha and Milwaukee Counties shall agree on a funding formula for the administration  
118 of the Regional Transit Authority; and

119



119 BE IT FURTHER RESOLVED, that the County Board authorizes and directs the  
120 Director, Intergovernmental Relations, to communicate Milwaukee County's issues as  
121 related to the Southeastern Wisconsin Regional Transit Authority's recommendations to  
122 the Governor and Legislature prior to formulation of legislations that would create a  
123 regional transportation authority board and authorize a governance structure as presented.

GB/je

jas 2-9-09

January 23, 2009

H:\Shared\COMCLERK\Committees\2009\January\TPWT\Resolutions\09-75 RTA Taskforce Recommendations.doc

Recommendations of RTA with Milwaukee County Board Task Force Substituted Language  
Developed in January 2009

**RECOMMENDATIONS ON RTA FUNCTIONS AND RESPONSIBILITIES**

**Need for RTA**

~~The SEWRTA Board recommends that it continue as the permanent RTA for southeastern Wisconsin.~~

The Task Force disagrees due to concerns with the current RTA's governance and the partial inclusion of Racine County.

The RTA will include the Counties of Kenosha, and Milwaukee, and the area defined as the communities that lie wholly or partly within the year 2000 census defined urbanized area of Racine County. At the present time, this is the portion of Racine County east of I-94. The RTA enabling legislation should provide a mechanism whereby other urbanized areas and/or counties could be added at some future date.

The Task Force agreed that the RTA would currently comprise 3 counties while allowing for the transit systems to contract out to other counties beyond the region to provide services.

The basic need to put in place a permanent RTA relates to the following two factors:

- A need to provide an institutional structure that will deliver transit services over the entire region, with such services to be of appropriate type and scale for the sub-areas of the region.
- A need to establish an institutional structure for the collection and distribution of non-property tax revenue proposed to be raised throughout the region for the purpose of supporting regional transit plan implementation.

Task Force Addendum: Allow each community to determine where funds are spent.

**Relationship to SEWRPC**

Transit system planning for the Region should continue to be undertaken by the Southeastern Wisconsin Regional Planning Commission (SEWRPC) as an integral part of a broader regional planning program. The RTA should be an active participant in the regional system planning effort and should be empowered to undertake such additional studies as may be necessary to facilitate implementation of regional transit plan recommendations. The RTA should also be an active participant in the cooperative regional transportation improvement programming (TIP) process sponsored by SEWRPC.

Task Force: SEWRPC will plan and recommend but policy decisions will be made by the local entities.

**Transit Services**

~~• The RTA should be empowered by the state to maintain oversight of transit service and operations in the RTA region. (This provision was voted down by a 5-2 vote).~~

The Task Force upholds the rejection of this clause.

• The RTA Board should, by action of the Governor and Legislature, become the ~~sole~~ designated recipient in the region to receive Federal transit aids from the U.S. Department of Transportation, Federal Transit Administration, state transit funding and the dedicated local funding source for transit raised in each government unit. (This provision was accepted by a 6-1 vote).

Task Force: The entity that assumes liability for the costs related to the provision of services should be the designated recipient of funds related to those services. An RTA may be able to attract additional funding.

- Assuming the governance issue is resolved, the RTA should be empowered to subcontract with the current operators to deliver transit services, or assume operations as appropriate. For the RTA to assume operations, the RTA would need to reach agreement with existing transit operators including the approval of the governing bodies of those transit operators on the acquisition of the assets of those transit operators. A local county-wide transit planning group to be staffed by the Southeastern Wisconsin Regional Planning Commission should be established in each county and consist of members appointed by local elected officials. These groups should be charged with developing short-range, five-year transit service plans and budgets to be submitted to the RTA, which would address transit services within each county and between each county, including bus transit ~~and~~, KRM commuter rail, and any other services that may be established in the future. The local transit groups will be expected to participate in annual audits with the RTA. *(This provision was amended and approved unanimously)*

- The RTA Board should be empowered to directly operate service or contract for the provision of service both outside and within the RTA area, provided that any such contract for service outside the RTA area ensure that the requesting party be responsible for the costs of providing such services. Such cost should fully account for staff efforts and RTA overhead associated with any such service provision. *(This provision was amended and approved unanimously)*

- This includes all transit services identified in the adopted SEWRPC regional transportation plan, including the sub-regional transit services (both bus and rail) provided by the Cities of Kenosha and Racine and the Counties of Kenosha and Milwaukee, the proposed Kenosha-Racine-Milwaukee (KRM) commuter rail service, and ridesharing, vanpooling and para-transit and shuttle service. This recommendation is based upon a finding that none of the present transit operators have the proper geographic jurisdiction to provide the transit services identified in the adopted regional plan, and that the lack of such proper jurisdiction significantly impedes providing seamless transit services between, across, and to areas that need such services. *(This provision was amended and approved unanimously)*

## **RECOMMENDATIONS ON RTA BOARD STRUCTURE**

*(This section was amended to include the original residency requirements of the State Statute establishing the RTA and approved unanimously)*

- The RTA Board recommends that the present structure of the Board be maintained in the permanent organization. This recommendation is based upon a finding that most RTAs across the nation are competently run by appointed board structures that give the units of governments being served by such authorities a voice on transit service decision-making.

Task Force: A suggestion on Board members would be to include elected/appointed or designees of the elected officials making the appointment. This would resemble the Milwaukee Metropolitan Sewerage District Commission to ensure that some majority of appointees are elected officials.

- Such an ~~appointed~~ board would not be empowered to raise additional revenue in the region beyond that granted to the board in the enabling legislation. Hence, an ~~appointed~~ board would be held responsible for the wise expenditure of funds dedicated to local transit capital and operations. The following supplements and details this basic recommendation:
  - Three members, one from each county in the region, appointed by the county executive of each county and approved by the county board.
  - Three members, one from the most populous city in each county in the region, appointed by the mayor of each city and approved by the common council.
  - One member from the most populous city in the region, appointed by the governor.

The Task Force makes no final recommendation other than to note that population must be fairly represented. The Task Force suggests that if there is an appointed/elected board, it should include at least one member appointed by the most populated county's Board.

- RTA Board decisions should be made by a super majority vote of the entire Board.  
*(Although there was no consensus on amendments to this item, members of the RTA agreed to consider a five-member approval structure and readdress this item.)*

Task Force agreement on super majority vote requirement.

- It is recommended that the RTA Board be empowered to hire its own staff which should reflect the diversity of the community served and to contract for staff or services, ~~as needed, all at the Board's discretion.~~

## **RECOMMENDATIONS ON REGIONAL TRANSIT REVENUES**

*(This section was amended and approved by a 6-1 vote)*

The RTA Board recommends:

- The RTA be granted enabling authority to enact a local sales tax of up to 0.5 percent to fund public transit systems in the region (please see addendum); and
- ~~• Individual municipalities be provided enabling authority to enact up to an additional 0.15 percent sales tax for public safety purposes, taxable only within that municipality.~~

The dedicated funding source would serve the following purpose:

- The dedicated funding source would pay for the administrative costs of the RTA.
- The dedicated funding source would be intended to pay for the maintenance and expansion of the current transit systems in each urbanized area or county, and also between each county as shared costs.
- It would be mandatory that the dedicated funding source provide property tax relief, by removing transit from each municipality's property tax roll.
- It would be mandatory that all funds raised in an individual urbanized area or county following payment of RTA administrative costs as shared costs would be allocated to each urbanized area or county.

The RTA Board makes the foregoing funding recommendations after careful consideration of a range of alternatives and after examining practices by peer metropolitan areas throughout the nation.

With the recommended levels of funding, the RTA Board's goal is to maintain public transit services in the region, review restoration of eliminated services, review potential fare reductions, and then begin to expand or enhance services as recommended in the adopted regional transportation plan.

In addition, the RTA Board recommends that it be granted bonding authority, to be repaid by future regional revenues. Primarily, the RTA envisions that bonding will be necessary to meet the capital requirements associated with establishing commuter rail service in the region. Bonding authority should be limited by some standard.

The RTA should be authorized to utilize funding from other sources including public and private funding that would be provided for transit programs and projects.

\* \* \*

#### Addendum

##### Milwaukee County Board Position on Sales Tax

Milwaukee County through an advisory referendum vetted a 1% sales tax with its voters in the November election. This 1% sales tax shall provide property tax relief by removing transit, parks/recreation/culture and EMS service from property tax rolls and instead replace this property tax revenue with sales tax revenue. Any amount over the current property tax collections is to be used for the deficits and enhancements of transit, parks/recreation/culture and EMS. The voters approved this plan by 52%.

If the legislature does create an RTA with the authority to enact up to 0.5% sales tax for transit, Milwaukee County Board's position on the sales tax is that the Board should be permitted to retain the remainder of not less than 0.5% for parks/recreation/culture and EMS service and must give the same property tax relief as the original 1%. (For example, the RTA raises ½ cent which must pay for buses and any other transit service in the County, and the County Board raises ½ cent to pay for its parks/recreation/culture and EMS and all property tax support for these 3 areas is eliminated).





WISCONSIN LEGISLATIVE COUNCIL  
REPORT TO THE LEGISLATURE

SPECIAL COMMITTEE ON  
REGIONAL  
TRANSPORTATION  
AUTHORITY

[2009 SENATE BILL 205 AND 2009 ASSEMBLY BILL 282]

May 27, 2009

RL 2009-08

*Note -  
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# Special Committee on Regional Transportation Authority

Prepared by:  
Scott Grosz and Larry Konopacki, Staff Attorneys  
May 27, 2009

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**PART I**

**KEY PROVISIONS**

**OF COMMITTEE RECOMMENDATION**

The Joint Legislative Council recommends the following for introduction in the 2009-10 Session of the Legislature.

[Note: This bill has been introduced in both houses as companion legislation. For clarity, this report refers to them in singular form as "the bill."]

**2009 Senate Bill 205 and 2009 Assembly Bill 282, Relating to the Creation of Regional Transit Authorities, and Making an Appropriation**

The bill permits certain political subdivisions to create regional transit authorities (RTAs), which are bodies corporate and politic intended to serve as an alternative means to provide transit services to communities within the state. The bill describes the procedures that must be satisfied in order to create, modify, or dissolve an RTA, as well as the powers, duties, and limitations of an RTA, including the power to impose a sales tax within the jurisdictional area of the RTA.

## PART II

# COMMITTEE ACTIVITY

### Assignment

The Joint Legislative Council established the Special Committee on Regional Transportation Authority and appointed the chairperson by an April 9, 2008 mail ballot. (A subsequent mail ballot dated January 8, 2009, appointed Senator Robson as chairperson.) The committee was directed to review and provide recommendations on how to create a statutory framework enabling counties, cities, villages, and towns to create regional transportation authorities (RTA) to promote regional cooperation on transportation issues, including: the funding mechanisms to be used to support an RTA; the method of creation of an RTA, the representation and participation of member units of government on an RTA; the types of transportation services that an RTA could be authorized to administer; and the scope and limits of other RTA authority.

Membership of the Special Committee, appointed by a June 9, 2008 mail ballot, consisted of two Senators, four Representatives, and 15 public members. The final list of committee members is included as **Appendix 3** to this report.

### Summary of Meetings

The Special Committee held five meetings in Madison on the following dates:

August 7, 2008  
September 17, 2008  
October 9, 2008  
February 11, 2009  
March 4, 2009

At the August 7, 2008 meeting, the Special Committee heard testimony from Art Guzzetti, Vice President-Policy, American Public Transportation Association, on the current state of public transit services and transit funding sources used around the country. Stewart McKenzie, Community Planner, and Angelica Salgado, Transportation Specialist, Federal Transit Administration (FTA), provided the committee with testimony on the FTA's structure and functions, as well as the planning and application process for FTA grant funding programs.

At the September 17, 2008 meeting, the Special Committee heard testimony from Rod Clark, Director, Bureau of Transit, Local Roads, Railroads and Harbors, Department of Transportation (DOT), on the nature of public transit systems within the state, as well as the system for transit funding within Wisconsin. Paul Larrousse, Director, National Transit Institute, spoke to the committee regarding the organizational, management, and funding characteristics of transit systems throughout the United States.

At the October 9, 2008 meeting, the Special Committee heard testimony from John Koskinen, Division Administrator/Chief Economist, Division of Research and Policy, and Paul Ziegler, Team Leader, Sales and Property Tax Policy Team, Department of Revenue (DOR), on local tax options including property tax and tax incremental finance, sales tax, local income tax, and stadium taxes. Scott Bernstein, President, Center for Neighborhood Technology, testified about the economic benefits of transit.

Following the testimony by invited speakers, the committee reviewed Memo No. 1 and WLC: 0063/P1. The committee identified issues including the role of counties, the geographical scope of

RTAs, population thresholds, feasibility studies, tax rate uniformity, and referendum requirements as discussion topics for future meetings.

At the February 11, 2009 meeting, the Special Committee reviewed Memo No. 3 and discussed WLC: 0063/P2. The committee recommended changes to WLC: 0063/P2 including items relating to representation on RTA boards, provision of services outside an RTA's jurisdictional area, expanded use of bond proceeds for the acquisition of a transit system, negotiation for terms of service upon withdrawal from an RTA by a political subdivision, the definition of "transit system," allowing RTA tax rates to vary between different counties, and expanded ability of counties to participate in RTAs.

At the March 4, 2009 meeting, the Special Committee reviewed Memo No. 4 and discussed WLC: 0063/1 and Substitute Amendment 1 to WLC: 0063/1. WLC: 0063/1 contained the changes recommended at the February 11, 2009 meeting, except changes relating to the expanded ability of counties to participate in RTAs. The substitute amendment contained the changes recommended at the February 11, 2009 meeting, including changes related to county participation in RTAs. The committee focused on the substitute amendment and recommended adoption of amendments to the substitute amendment. Following the discussion on those amendments, the committee recommended adoption of the substitute amendment, as amended, and voted to recommend introduction of WLC: 0063/1, as amended.

## **PART III**

# **RECOMMENDATION INTRODUCED BY THE JOINT LEGISLATIVE COUNCIL**

This part of the report provides background information on, and a description of, the bill as recommended by the Special Committee on Regional Transportation Authority and introduced by the Joint Legislative Council.

### **2009 Senate Bill 205 and 2009 Assembly Bill 282, Relating to the Creation of Regional Transit Authorities, and Making an Appropriation**

#### **Background**

The Special Committee was directed to review and provide recommendations on how to create a statutory framework enabling counties, cities, villages, and towns to create regional transportation authorities to promote regional cooperation on transportation issues, including: the funding mechanisms to be used to support an RTA, the method of creation of an RTA, the transportation services that an RTA could be authorized to administer, and the scope and limits of other RTA authority.

#### **Description**

In general, the bill does the following:

- Allows cities, towns, villages, and counties to create RTAs, which are public bodies corporate and politic intended to serve as an alternative means to provide transit services to communities within the state.
- Specifies the powers, duties, and limitations of an RTA.
- Authorizes the creation of an RTA by local government resolution, and specifies the resolution components and interaction between political subdivisions necessary for RTA creation.
- Specifies the manner in which political subdivisions may join or withdraw from existing RTAs.
- Allows, under certain circumstances, for a county to unilaterally create an RTA.
- Allows a county to prevent the creation or joining of an RTA by a municipality if the county intends to create an RTA that will include the municipality in its jurisdictional area and if the county completes certain objectives within 24 months following denial of approval of a municipality's RTA.
- Allows a county to define its jurisdictional area for an RTA as one of the following: the combined territorial boundaries of other political subdivisions within the county that are participants in the RTA; the territorial boundaries of the county; or the territorial boundaries of the political subdivisions in the county with 75% of their populations within a metropolitan planning area.
- Allows an RTA to impose up to a 0.5% sales tax within its jurisdictional area.

- Allows the RTA to vary its sales tax rate across county lines.
- Subjects members of an RTA board to the code of ethics for local public officials.
- Allows an RTA to elect to join the Wisconsin Retirement System.
- Permits RTA dissolution by vote of the RTA board.

## Appendix 1

### Committee and Joint Legislative Council Votes

WLC: 0063/1, as amended, was recommended by the Special Committee on Regional Transportation Authority to the Joint Legislative Council for introduction in the 2009-10 Session of the Legislature. WLC: 0063/1, as amended, was engrossed as WLC: 0063/2.

#### Special Committee Votes

The Special Committee voted by unanimous consent to adopt amendments 1, 2, 5, 6, 8, and 9 to Substitute Amendment 1 to WLC: 0063/1, to recommend adoption of Substitute Amendment 1 to WLC: 0063/1, as amended, and to recommend passage of WLC: 0063/1, as amended. The votes were as follows:

- Adoption of Substitute Amendment 1 to WLC: 0063/1, as amended: Ayes, 16 (Sen. Robson; Reps. A. Ott and Toles; and Public Members Arft, Brandrup, Geboy, Granchalek, Gulotta-Connelly, Hanna, Johnson, Kamp, Newton, Ohm, Ruf, Wagner, and Walker); Noes, 2 (Sen. Lehman; and Public Member Derr); and Absent, 3 (Reps. Stone and Vos; and Public Member McDonell). Representative Vos indicated that had he been present he would have voted "No."
- Passage of WLC: 0063/1, as amended: Ayes, 16 (Sen. Robson; Reps. A. Ott and Toles; and Public Members Arft, Brandrup, Geboy, Granchalek, Gulotta-Connelly, Hanna, Johnson, Kamp, Newton, Ohm, Ruf, Wagner, and Walker); Noes, 2 (Sen. Lehman; and Public Member Derr); and Absent, 3 (Reps. Stone and Vos; and Public Member McDonell). Representative Vos indicated that had he been present he would have voted "No."

#### Joint Legislative Council Vote

At its March 26, 2009 meeting, the Joint Legislative Council voted to introduce 2009 Senate Bill 205 and 2009 Assembly Bill 282. The vote by the Joint Legislative Council was as follows:

*Rep. Black moved, seconded by Sen. Risser, that WLC: 0063/2, relating to the creation of regional transit authorities, and making appropriations, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 14 (Sens. Risser, Coggs, Darling, Harsdorf, Miller, and Robson; and Reps. Schneider, Black, Berceau, Kaufert, Nelson, Pocan, Sheridan, and Staskunas); Noes, 8 (Sens. Decker, Fitzgerald, Kreitlow, Schultz, and Wirch; and Reps. Ballweg, Fitzgerald, and Vos); and Absent, 0.*

## Appendix 2

### Joint Legislative Council

*[Joint Legislative Council Members Who Selected and Appointed Committee and Its Membership]*

#### Co-Chair

#### **FRED RISSER**

*Senate President*  
5008 Risser Road  
Madison, WI 53705

#### Co-Chair

#### **STEVE WIECKERT**

*Representative*  
1 Weatherstone Drive  
Appleton, WI 54914

#### SENATORS

#### **ROGER BRESKE**

8800 Hwy. 29  
Eland, WI 54427

#### **RUSSELL DECKER**

*Majority Leader*  
6803 Lora Lee Lane  
Weston, WI 54476

#### **ALAN LASEE**

2259 Lasee Road  
De Pere, WI 54115

#### **TIM CARPENTER**

*President Pro Tempore*  
2957 South 38<sup>th</sup> Street  
Milwaukee, WI 53215

#### **SCOTT FITZGERALD**

*Minority Leader*  
N4692 Maple Road  
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#### **MARK MILLER**

4903 Roigan Terrace  
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#### **SPENCER COGGS**

3732 North 40<sup>th</sup> Street  
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#### **SHEILA HARSDORF**

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#### **JUDY ROBSON**

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Beloit, WI 53511

#### **ALBERTA DARLING**

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#### REPRESENTATIVES

#### **JOAN BALLWEG**

170 W. Summit Street  
Markesan, WI 53946

#### **DEAN KAUFERT**

1360 Alpine Lane  
Neenah, WI 54956

#### **MARK POCAN**

309 N. Baldwin Street  
Madison, WI 53703

#### **JEFF FITZGERALD**

*Majority Leader*  
910 Sunset  
Horicon, WI 53032

#### **JIM KREUSER**

*Minority Leader*  
3505 14th Place  
Kenosha, WI 53144

#### **KITTY RHOADES**

708 4th Street  
Hudson, WI 54016

#### **MARK GOTTLIEB**

*Speaker Pro Tempore*  
1205 Noridge Trail  
Port Washington, WI 53074

#### **THOMAS NELSON**

1510 Orchard Dr.  
Kaukauna, WI 54130

#### **MARLIN SCHNEIDER**

3820 Southbrook Lane  
Wisconsin Rapids, WI 54494

#### **MICHAEL HUEBSCH**

*Speaker*  
419 West Franklin  
West Salem, WI 54669

This 22-member committee consists of the majority and minority party leadership of both houses of the Legislature, the co-chairs and ranking minority members of the Joint Committee on Finance, and 5 Senators and 5 Representatives appointed as are members of standing committees.

## Joint Legislative Council

[Current Joint Legislative Council Members Who Received Committee Report]

### Co-Chair

#### **FRED A. RISSER**

*Senate President*

100 Wisconsin Avenue, Unit 501  
Madison, WI 53703

### Co-Chair

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### SENATORS

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#### **SCOTT FITZGERALD**

*Minority Leader*

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#### **PAT KREITLOW**

*President Pro Tempore*

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### REPRESENTATIVES

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Horicon, WI 53032

#### **DEAN KAUFERT**

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Neenah, WI 54956

#### **THOMAS NELSON**

*Majority Leader*

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Kaukauna, WI 54130

#### **MARK POCAN**

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#### **MICHAEL SHERIDAN**

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#### **TONY STASKUNAS**

*Speaker Pro Tempore*

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#### **ROBIN VOS**

4710 Eastwood Ridge  
Racine, WI 53406

This 22-member committee consists of the majority and minority party leadership of both houses of the Legislature, the co-chairs and ranking minority members of the Joint Committee on Finance, and 5 Senators and 5 Representatives appointed as are members of standing committees.



## Appendix 3

### REGIONAL TRANSPORTATION AUTHORITY

Representative Al Ott, Chair (4/08 to 1/09)  
W2168 Campground Road  
Forest Junction, WI 54123

Senator John Lehman  
708 Orchard Street  
Racine, WI 53405

Representative Barbara Toles  
3835 N. 56<sup>th</sup> St.  
Milwaukee, WI 53216

Larry Arft  
City of Beloit  
City Hall, 100 State Street  
Beloit, WI 53511

Gerald Derr  
Town of Bristol  
1595 CTH V  
Columbus, WI 53952

Dick Granchalek  
La Crosse Area Chamber of Commerce  
712 Main Street  
La Crosse, WI 54601

Tim Hanna  
City of Appleton  
100 North Appleton Street  
Appleton, WI 54911

Chuck Kamp  
Madison Metro Transit  
1101 East Washington Avenue  
Madison, WI 53703

Delora Newton  
Greater Madison Chamber of Commerce  
P.O. Box 71  
Madison, WI 53701-0071

Fritz Ruf  
W276N1905 Spring Creek Drive  
Pewaukee, WI 53072-5365

Tom Walker  
Wisconsin Transportation Builders Association  
1 S. Pinckney St., Ste. 300  
Madison, WI 53703

Senator Judy Robson, **Chair** (1/09 to completion)  
2411 East Ridge Road  
Beloit, WI 53511

Representative Jeff Stone  
5535 Grandview Drive  
Greendale, WI 53129

Representative Robin Vos  
4710 Eastwood Ridge  
Racine, WI 53406

Len Brandrup  
City of Kenosha  
4303 39<sup>th</sup> Avenue  
Kenosha, WI 53144

Brett Geboy  
Eau Claire Area Chamber of Comm.  
101 N. Farwell St., Ste. 101  
Eau Claire, WI 54702-1107

Anita Gulotta-Connelly  
Milwaukee County Transit System  
1942 North 17th Street  
Milwaukee, WI 53205

Richard Johnson  
430 S. Randall Ave.  
Janesville, WI 53545

Scott McDonell  
Dane County Board of Supervisors  
14 W. Gilman St., #1  
Madison, WI 53703

Professor Brian Ohm  
University of Wisconsin-Madison  
202 Music Hall, 925 Bascom Mall  
Madison, WI 53706

Dick Wagner  
739 Jenifer St.  
Madison, WI 53703

**STUDY ASSIGNMENT:** The committee is directed to review and provide recommendations on how to create a statutory framework enabling counties, cities, villages, and towns to create regional transportation authorities (RTA) to promote regional cooperation on transportation issues, including: the funding mechanisms to be used to support an RTA; the method of creation of an RTA; the representation and participation of member units of government on an RTA; the types of transportation services that an RTA could be authorized to administer; and the scope and limits of other RTA authority.

**21 MEMBERS:** 2 Senators, 4 Representatives, and 15 Public Members.

**LEGISLATIVE COUNCIL STAFF:** Scott Grosz and Larry Konopacki, Staff Attorneys; and Kelly Mautz, Support Staff.

## Appendix 4

### Committee Materials List

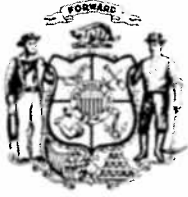
(Copies of documents are available at [www.legis.state.wi.us/lc](http://www.legis.state.wi.us/lc))

Recommendations by the Joint Legislative Council (March 26, 2009)				
<ul style="list-style-type: none"> <li>• <a href="#">Results</a> of the March 26 meeting.</li> <li>• <a href="#">Proposed Report</a> to the Legislature 2009-08, <i>Special Committee on Regional Transportation Authority</i>,</li> <li>• <a href="#">WLC: 0063/2</a>, relating to the creation of regional transit authorities and making appropriations.</li> </ul>				
March 3, 2009 Meeting	Notice	Agenda	Audio	Minutes
<ul style="list-style-type: none"> <li>• <a href="#">Memo No. 4</a>, <i>Comparison of WLC: 0063/1 and Substitute Amendment 1 to WLC: 0063/1</i> (March 2, 2009).</li> <li>• <a href="#">WLC: 0063/1</a>, relating to the creation of regional transit authorities and making appropriations.</li> <li>• <a href="#">Substitute Amendment 1</a> to WLC: 0063/1.</li> <li>• <a href="#">Amendment 1</a> to Substitute Amendment 1 to WLC: 0063/1.</li> <li>• <a href="#">Amendment 2</a> to Substitute Amendment 1 to WLC: 0063/1.</li> <li>• <a href="#">Amendment 5</a> to Substitute Amendment 1 to WLC: 0063/1.</li> <li>• <a href="#">Amendment 6</a> to Substitute Amendment 1 to WLC: 0063/1.</li> <li>• <a href="#">Amendment 8</a> to Substitute Amendment 1 to WLC: 0063/1.</li> <li>• <a href="#">Amendment 9</a> to Substitute Amendment 1 to WLC: 0063/1.</li> </ul>				
February 11, 2009 Meeting				
<ul style="list-style-type: none"> <li>• <a href="#">WLC: 0063/P2</a>, relating to the creation of regional transit authorities and making appropriations.</li> <li>• <a href="#">Memo No. 3</a>, <i>WLC: 0063/P2, Relating to the Creation of Regional Transit Authorities and Making Appropriations</i> (February 11, 2009).</li> </ul>				
November 13, 2008 Meeting (CANCELED)			Audio	Minutes
<ul style="list-style-type: none"> <li>• <a href="#">Memo No. 2</a>, <i>List of Potential Bill Draft Discussion Topics</i> (November 5, 2008).</li> <li>• <a href="#">Presentation</a>, by Rob Henken, President, Public Policy Forum.</li> <li>• <a href="#">Chart</a>, <i>wisconsin Urbanized Area Transit Systems: Operating Costs &amp; Shares by Funding Source By Calendar Year</i>, Wisconsin Department of Transportation.</li> </ul>				
October 9, 2008 Meeting				
<ul style="list-style-type: none"> <li>• <a href="#">WLC: 0063/P1</a>, relating to the creation of regional transit authorities, requiring a referendum, and making appropriations.</li> <li>• <a href="#">Memo No. 1</a>, <i>WLC: 0063/P1, relating to the creation of regional transit authorities, requiring a referendum, and making appropriations</i> (October 2, 2008).</li> <li>• <a href="#">Memorandum</a>, <i>Madison/Dane County Transport 2020 Commuter Rail Project</i>, from David Trowbridge, Madison Transport 2020 Project Manager (September 30, 2008).</li> <li>• <a href="#">Handout</a> regarding several examples of privatization in the transit industry and in Wisconsin, submitted by Paul J. Larrouse, Director, National Transit Institute, Rutgers.</li> <li>• <a href="#">Memorandum</a>, <i>Status of Proposed Kenosha-Racine-Milwaukee (KRM) Commuter Rail Application for Federal Transit Administration (FTA) Section 5309 Discretionary "New Start Transit Fixed Guideway" Capital Grant</i>, from Southeastern Wisconsin Regional Planning Commission Staff (September 10, 2008).               <ul style="list-style-type: none"> <li>○ <a href="#">KRM</a>, <i>The Kenosha-Racine-Milwaukee Commuter Link</i>, Edition 3 (January 2007).</li> </ul> </li> <li>• <a href="#">Memorandum</a>, <i>Executive Summary: Milwaukee Connector Study October 2008</i>, submitted by Mark Kaminski.</li> <li>• <a href="#">Presentation</a> by Josh Koskinen, Division Administrator/Chief Economist, Division of Research and Policy, and Paul Ziegler, Team Leader, Sales and Property Tax policy Team, Department of Revenue.</li> <li>• <a href="#">Presentation</a> by Scott Bernstein, President, Center for Neighborhood Technology.</li> </ul>				
September 17, 2008 Meeting	Notice	Agenda	Audio	Minutes
<ul style="list-style-type: none"> <li>• <a href="#">Presentation</a> by Paul J. Larrouse, Director, National Transit Institute, Edward J. Bloustein School of Planning and Public Policy, Rutgers University (September 17, 2008).               <ul style="list-style-type: none"> <li>○ <a href="#">Testimony</a>, by Paul J. Larrouse, Director, National Transit Institute, Edward J. Bloustein School of Planning and Public Policy, Rutgers University (September 17, 2008).</li> </ul> </li> <li>• <a href="#">Presentation</a> by Rod Clark, Director, Bureau of Transit, Local Roads, Railroads and Harbors, Department of Transportation (September 17, 2008).</li> </ul>				

- [The Socioeconomic Benefits of Transit in Wisconsin, Phase III: Benefit Cost Analysis, May 2006 Summary.](#)
- [The Socioeconomic Benefits of Transit in Wisconsin, Phase II: Benefit Cost Analysis, Full Report.](#)
- [The Socioeconomic Benefits of Transit in Wisconsin, December 2003 Summary.](#)
- [The Socioeconomic Benefits of Transit in Wisconsin, Full Report.](#)
- [Wisconsin Department of Transportation Transit Programs.](#)
- [Transit Cost-Efficiency Analysis, Wisconsin Department of Transportation.](#)

August 7, 2008 Meeting	Notice	Agenda	Audio	Minutes
<ul style="list-style-type: none"> <li>• <a href="#">Presentation</a> by Art Guzzetti, Vice President-Policy, American Public Transportation Association (August 7, 2008).</li> <li>• <a href="#">Presentation</a> by Stewart McKenzie, Community Planner, Federal Transit Administration, U.S. Department of Transportation (August 7, 2008).</li> <li>• <a href="#">Presentation</a> by Angelica Salgado, Transportation Specialist, Federal Transit Administration, U.S. Department of Transportation (August 7, 2008).</li> <li>• Materials distributed at the request of Public Member Len Brandrup:               <ul style="list-style-type: none"> <li>○ <a href="#">Regional</a> Transportation Authority Funding Options (1/9/07).</li> <li>○ <a href="#">Southeastern</a> Wisconsin Regional Transit Authority (1/15/07).</li> <li>○ <a href="#">Southeastern</a> Wisconsin Regional Transit Authority Funding Source Analysis (1/30/07).</li> <li>○ <a href="#">KRM</a> Transit Development Benefit Fee Revenue Estimates (1/26/07).</li> <li>○ <a href="#">County</a> Sales Tax Distributions, 2006, Division of Enterprise Services, Wisconsin Department of Revenue.</li> </ul> </li> <li>• <a href="#">Surface Transportation Funding: Options for States, National Conference of State Legislatures.</a></li> <li>• <a href="#">Survey of State Funding for Public Transportation, American Public Transportation Association.</a></li> </ul>				





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# Wisconsin Briefs

from the Legislative Reference Bureau

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Brief 09-6

November 2009

## REGIONAL TRANSIT AUTHORITIES (RTAS)

*Olson*

The biennial state budget act, 2009 Wisconsin Act 28, passed by the legislature and signed by Governor Jim Doyle on June 29, 2009, enables local units of government to create regional transit authorities (RTAs). RTAs are public bodies with the authority to provide public transportation services, such as bus transit and commuter rail. Act 28 authorizes the creation of RTAs for Chequamegon Bay, the Chippewa Valley, and Dane County, and creates a permanent Southeastern Wisconsin RTA (SERTA).

The new law authorizes RTAs to establish, maintain, and operate a comprehensive unified local transportation system primarily for the transportation of persons. Except for SERTA, RTAs are created once the governing body of a county adopts a resolution authorizing the county to become a member. Once an RTA is created, that authority may raise revenue through a sales and use tax at a rate of up to 0.5%.

### BACKGROUND

In 1998, the Southeastern Wisconsin Regional Planning Commission completed a feasibility study which concluded that establishing a 33-mile commuter rail service from Kenosha-Racine-Milwaukee (KRM) was technically and financially feasible. With growing interest in mass transit, an interim Southeastern Wisconsin RTA was created by the legislature and governor in July 2005. The RTA was established in 2006, with the principal duty of recommending to the legislature and governor a permanent funding source for the local share of capital and operating costs of commuter rail and public transit. A report was submitted in November 2008.

The report made a number of findings relating to the use and benefits of public transit systems:

- Economic Growth: A quality public transit system is essential to maintaining and expanding a region's economic base.
- Public Service: Individuals depend upon public transit services to access jobs, education, medical facilities, churches, shopping, and other destinations.
- Reduced dependence on cars: Transit services provide opportunities for individuals to choose an alternative form of transportation.
- Environmental Impact: A more efficient and effective transportation system and land use pattern will provide environmental and energy conservation benefits.

The report found that the present system of public transit funding with heavy reliance on federal and state funding and local funding from property tax has proven inadequate in maintaining present levels of transit service and precludes any significant service improvements. The report proposed that a permanent RTA in southeastern Wisconsin be created. The RTA would be authorized to enact a local sales tax of up to 0.5% to pay for administrative costs and the maintenance and expansion of current transit systems.

On April 9, 2008, the Joint Legislative Council established the Special Committee on Regional Transportation Authority. This committee reviewed and provided recommendations on how to create a statutory framework enabling counties, cities, villages, and towns to create RTAs. In May 2009, Senate Bill 205 and Assembly Bill 282, relating to the creation of regional transportation authorities, were introduced as companion legislation.

Neither bill was enacted although RTA provisions subsequently became part of the 2009-2010 budget bill.

### BUDGET PROVISION HISTORY

The governor's budget bill, 2009 Assembly Bill 75, was introduced on February 17, 2009. Different versions of the bill that followed in Joint Finance, the Assembly, the Senate, and the Conference Committee, contained differing language related to RTAs. The Legislative Fiscal Bureau issued a comparative summary of the different proposals in the Transportation section of *Comparative Summary of Budget Recommendations (2009 Act 28)*.

Act 28, as passed by the legislature and vetoed by Governor Doyle, authorizes the creation of the following RTAs, as provided in Section 66.1039, Wisconsin Statutes.

#### **Chequamegon Bay and Chippewa Valley.**

The Chequamegon Bay RTA is created if the governing bodies of Ashland and Bayfield counties each adopt a resolution authorizing its respective county to become a member of the authority. Once created, any county other than these two may join the RTA if the governing body of the county adopts a resolution authorizing its membership and the board of directors of the RTA approves.

The Chippewa Valley RTA is created if the governing body of Eau Claire County adopts a resolution authorizing the county to become a member of the authority. Once created, Chippewa County may become a member of the authority if the governing body of Chippewa County adopts a resolution to become a member of the authority. Both RTAs may impose a sales and use tax at a rate of up to 0.5% under Section 77.708 (1) that will apply within the transit authority's jurisdictional area.

**Dane County.** The Dane County RTA (DC RTA) is created if the Dane County Board passes a resolution to become a member of the authority. Upon creation, any municipality located in whole or in part within the Madison metropolitan planning area as of January 1,

2003, is a member of the DC RTA. Municipalities that are not located in the planning area may join the authority if the governing body of the municipality adopts a resolution to join and the DC RTA board of directors approve. The DC RTA is authorized to impose a sales and use tax at a rate of up to 0.5% under Section 77.708 (1).

Act 28 creates a permanent Southeastern Wisconsin RTA, as provided in Section 59.58(7), Wisconsin Statutes.

**Southeastern Wisconsin.** SERTA, which includes the three counties of Milwaukee, Racine, and Kenosha, is to create, construct, and manage a KRM commuter rail line. The authority is governed by a nine-member board, consisting of: two appointees of the Milwaukee County Board, two appointees of the Milwaukee Mayor, one appointee of the Kenosha County Board, one appointee of the Kenosha Mayor, one appointee of the Racine County Board, one appointee of the Racine Mayor, and one appointee of the governor.

The board may, by resolution, impose a vehicle rental fee in an amount of up to \$18.00 per vehicle rental, as provided in Section 77.9971, Wisconsin Statutes, to raise revenue.

The board may also issue up to \$50 million in bonds for the KRM commuter rail line and is an eligible applicant under the newly created southeastern Wisconsin transit capital assistance program, as provided in Section 85.11, Wisconsin Statutes. SERTA is the only entity in Kenosha, Milwaukee, and Racine counties that can apply to the Federal Transit Administration for federal new starts funding for the KRM commuter rail line. The application must be submitted by June 30, 2010, to enter the preliminary engineering phase of the project.

### GOVERNOR'S VETOES

Governor Doyle vetoed a number of provisions of Assembly Bill 75 as passed by the legislature, including those impacting transit. The partial vetoes remove referenda requirements and a proposed Milwaukee Transit Authority.

**Required Referenda.** The governor's veto enables county governing bodies to create RTAs and join or withdraw from RTAs without a referendum. Specifically:

- A referendum in Eau Claire County on the creation of a Chippewa Valley Regional Transit Authority and a referendum in Chippewa County on joining this authority.
- A referenda in Ashland and Bayfield counties on the creation of a Chequamegon Bay Regional Transit Authority and referenda in any other county desiring to either join or withdraw from this authority.

**Dane County Regional Transit Authority.** A provision that would have required a binding referendum in Dane County on the question of whether the DC RTA may impose a 0.5% sales and use tax was deleted, making a referendum optional. The governor also deleted a provision that would have allowed the DC RTA to transfer up to 25% of the revenues it receives from sales and use taxes to any political subdivision within the authority's jurisdictional area to fund highway projects.

**Milwaukee Transit Authority.** As passed by the legislature, Assembly Bill 75 would have created a Milwaukee Transit Authority in addition to the Southeastern RTA. The Milwaukee Transit Authority could have contracted with Milwaukee County to provide transit services in Milwaukee County, which would have allowed Milwaukee County to impose a 0.5% sales and use tax. If the county imposed the 0.5% tax, the county would have been allowed to impose an additional 0.15% sales and use tax for municipal public safety agencies. The governor vetoed the Milwaukee Transit Authority. Also vetoed were the following provisions related to SERTA:

- A requirement that revenues equal to the amount derived from \$1 of the vehicle rental fee be provided to the cities of Kenosha and Racine for their respective transit systems, if the cities establish a new funding source to match these revenues;

- A prohibition on KRM commuter rail stops in Kenosha or Racine counties, other than in the cities of Kenosha and Racine, unless the municipality where the stop is located provides a sustainable funding mechanism to contribute to the existing Kenosha or Racine transit systems;
- A requirement that the KRM commuter rail line include stops in the city of Milwaukee at the specific locations;
- The ability of any transit system in Kenosha or Racine counties, by a vote of the municipal governing body, to contract with SERTA to provide transit services.

**Possible Legislation.** Some Milwaukee area officials were critical of the governor's veto of the Milwaukee Transit Authority and dedicated funding for Kenosha and Racine transit systems, arguing that bus transit faces dire funding needs that take priority over commuter rail. In September 2009, the governor met with lawmakers to lay out a framework for integrating buses and commuter rail in the southeast region of the state. A bill is expected to be introduced in the legislature later this fall. According to a newspaper account, Doyle stated that the agreement reached with lawmakers recognizes the need for strong regional transit, a dedicated source of funding, and a process that over time brings local transit authorities under a larger, more regional umbrella.

There has also been interest in expanding of RTAs to other areas of the state not included in the 2009-2011 budget. Officials in the Fox Cities are urging legislators to enact legislation that sets up a framework by which regions can approve and set up their own RTAs to meet their unique needs.

## GENERAL PROVISIONS

Provisions applicable to all regional transit authorities relating to governance, powers and limitations on powers, tax administration, withdrawal from an RTA, obligations to employees of mass transportation services, and bonding authority can be viewed in further

detail in Section 66.1039, Wisconsin Statutes. Provisions that apply to all RTAs include:

- The powers of an authority lie in its board of directors. The makeup of the board will vary for each RTA and is outlined in more detail in Section 66.1039 (3), Wisconsin Statutes.
- Once an RTA is created, that authority may impose a sales and use tax, pursuant to Sections 66.1039(4)(s) 1. and 77.708 (1), Wisconsin Statutes, at a rate of up to 0.5%. The sales and use tax will apply within the transit authority's jurisdictional area.
- RTAs created under Section 66.1039, Wisconsin Statutes, are exempt from paying Wisconsin sales and use taxes on its purchases.
- RTAs may issue bonds, the principal and interest on which are payable exclusively from all or a portion of any revenues received by the authority.

**OTHER TRANSIT DEVELOPMENTS**

Shortly after the budget was passed by the legislature and signed by the governor, Governor Doyle agreed to purchase two trains from the Spanish manufacturer Talgo in July 2009. The two 14-car Talgo trains, which will cost \$47.5 million, will replace cars now used on Amtrak's Milwaukee-to-Chicago Hiawatha Service.

While the purchase is a first step towards building a Midwestern high-speed rail line connecting Madison with Chicago and the Twin Cities, the move was criticized by some who argued that the Doyle administration purchased the trains without a competitive bid, an action allowable by a provision in the 1997 state budget that exempts passenger rail purchases from the state's competitive bidding rules, outlined in Section 85.06 (2)(b), Wisconsin Statutes. Critics argue that federal government requires competitive bidding before federal money can be spent on expensive

trains and that state law should include a similar protection for Wisconsin taxpayers.

State officials have stated that the next high-speed trains that Wisconsin buys would be paid for with federal money and purchased under federal bidding rules, which require a competitive bid. On October 2, 2009, Governor Doyle announced that the state was submitting an application to the Federal Railroad Administration for federal funds to develop a \$651.8 million high-speed passenger rail line between Milwaukee and Madison. The service would operate as an extension of Amtrak's existing Chicago-Milwaukee Hiawatha Service, with six round trips between Milwaukee and Madison, including intermediate stops in Brookfield, Oconomowoc, and Watertown.

**OTHER SOURCES**

*Comparative Summary of Budget Recommendations (2009 Act 28)*, published by the Legislative Fiscal Bureau:

<http://www.legis.state.wi.us/lfb/2009-11Budget/Act%2028/tableofcontents.htm>

*Recommendations to the Governor and Legislature*, submitted by Southeastern Wisconsin Regional Transit Authority:

[http://www.sewisrta.org/pdfs/2008-11\\_rta\\_report\\_to\\_governor.pdf](http://www.sewisrta.org/pdfs/2008-11_rta_report_to_governor.pdf)

*Special Committee on Regional Transportation Authority, May 27, 2009*, Wisconsin Legislative Council Report to the Legislature:

[http://www.legis.state.wi.us/lc/publications/prl/PRL\\_2009\\_08.pdf](http://www.legis.state.wi.us/lc/publications/prl/PRL_2009_08.pdf)

*Wisconsin Tax Bulletin*, Number 162, July 2009, published by the Wisconsin Department of Revenue:

<http://www.revenue.wi.gov/ise/wtb/162law.pdf>

For the text of the new RTA provisions, see 2009 Wisconsin Act 28 starting at page 288 of <http://www.legis.state.wi.us/2009/data/acts/09Act28.pdf>. Search the document for "RTA" to find other references.





**Meinholz, Susan**

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**From:** Michels, Molly M - DHS [Molly.Michels@dhs.wisconsin.gov]  
**Sent:** Thursday, November 12, 2009 10:48 AM  
**To:** Sen.Holperin  
**Subject:** WCPD letter re: SB 205

**Attachments:** RTA LOS for the Senate 11-09.doc



RTA LOS for the  
Senate 11-09.d...

Dear Senator Holperin,

Please find the attached electronic version of the letter that was sent to you by the Wisconsin Council on Physical Disabilities in support of SB 205.

Thank you,

Molly Michels  
Pathways to Independence Projects  
UW-Madison Waisman Center  
Office:  
Department of Health Services  
1 West Wilson Street, Room 437  
Madison, WI 53703  
E-mail: molly.michels@dhs.wisconsin.gov  
Tel: 608-261-7816  
Fax: 608-266-3386  
Office hours on Tuesdays, Wednesdays and Thursdays



1 WEST WILSON ST, ROOM 437  
POST OFFICE BOX 7851  
MADISON, WI 53707-7851

Voice: 608-266-7974  
TTY: 608-267-9880  
Fax: 608-266-3386  
[www.pdcouncil.state.wi.us](http://www.pdcouncil.state.wi.us)

# State of Wisconsin Council on Physical Disabilities

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Sen. Jim Holperin, Chair  
Senate Committee on Transportation, Tourism, Forestry, and Natural Resources

Dear Sen. Holperin:

The Wisconsin Council on Physical Disabilities (WCPD) supports the intent of SB 205 "Regional Transport Authorities". The Council has discussed development of accessible and affordable public transportation systems for Wisconsin residents for quite some time, realizing that transportation is a vital element of the fundamentals needed for Wisconsin's special needs residents to improve their quality of life. Getting to work, medical care, community events and social activities, etc. are necessary for anyone to live a more productive and full life.

We believe providing a legislative foundation needed to develop and finance regional transportation systems for areas of the state sharing common interests provides an appropriate strategy to meet the needs presented by Wisconsin's regional diversity.

Allowing governmental units and affected residents to work together across geographical and legislative boundaries to constructively develop regionally appropriate common ground solutions to create and fund transportation networks across the state is the most effective solution. And, such locally developed transport systems could eventually provide for a statewide inter-network ability for Wisconsin residents to more easily, and reasonably, travel anywhere across Wisconsin for any reason.

The WCPD feels this bill sets the foundation for plans to achieve such regional systems. We look forward to such a foundation of RTAs becoming a network of interconnected transit systems providing for the needs of many state residents, including those with special needs, to travel throughout the state, and beyond

We also feel that heading off the increasing costs of transportation by developing transit systems now will benefit the whole state in the long run. Proactively laying the groundwork for local and regional innovation for local needs and funding is commendable.

We hope the legislative leadership and guidance provided in this bill will be implemented soon so that communities throughout the state can begin to negotiate coordinated plans for developing accessible and affordable transport systems for all Wisconsin residents.

Sincerely,

Ben Barrett, Chair





*Milwaukee County Board of Supervisors*

*Lee Holloway*

*Chairman of the Board*

February 15, 2010

Senator Jim Holperin  
Chairman,  
Senate Committee on Transportation, Tourism, Forestry and Natural Resources  
State Capitol, Room 409S  
P.O. Box 7882  
Madison, WI 53707-7882

Representative John Steinbrink  
Chairman, Assembly Committee on Transportation  
State Capitol, Room 104N  
P.O. Box 8953  
Madison, WI 53708

Dear Senator Holperin and Representative Steinbrink,

Senate Bill 511 and Assembly Bill 723, legislation authorizing a dedicated .5% sales tax for transit in Milwaukee County, has been referred to your respective Committees. I am particularly grateful for the efforts of Senator Lena Taylor and Representative Tamara Grigsby to keep mass transit at the forefront after the gubernatorial budget veto. As Chairman of the Milwaukee County Board of Supervisors and a member of the Southeastern Regional Transit Authority, I respectfully request that you hold a public hearing and an executive session on the bill, so it can receive a floor vote in both the State Senate and the State Assembly. Without positive action by the Governor and the Legislature to authorize a sales tax for transit in Milwaukee County, connectivity between workers and employers will suffer, leading to job loss.

Governor Jim Doyle has asked the Joint Committee on Finance for approval to expend \$810 million for a high-speed rail capital improvement project between Milwaukee and Madison. The federal government awarded Wisconsin these dollars through the federal American Recovery and Reinvestment Act of 2009. In keeping with his original anti-stimulus position, Milwaukee County Executive Scott Walker has encouraged the State to reject these federal dollars. This type of mindset is one of the reasons Wisconsin ranks near the bottom in receipt of federal dollars. It would be foolish for Wisconsin lawmakers to outright reject this substantial infusion of federal resources. An investment of this magnitude likely will create jobs and spur economic development along the Milwaukee-Madison corridor.

At the same time, action is still needed to stabilize the existing rubber-tire bus system operated by the Milwaukee County Transit System (MCTS). In November 2008, the voters of Milwaukee County endorsed a sales tax to provide property tax relief by taking transit, parks, culture, and emergency medical services off the levy. If the Governor and the Legislature can find the political will for establishing high-speed passenger rail service in Wisconsin, surely they can come together and save the bus system in Milwaukee County. The Governor and the Legislature need to get this done before the end of the current session.

MCTS provides about 43 million rides a year and has been recognized for its cost-effective operations. Without a dedicated funding source, the bus system in Milwaukee County simply will crumble. The Governor and the Legislature must help us provide our own "economic stimulus" in Milwaukee County by giving voters the funding mechanism they approved.

Sincerely,



Lee Holloway  
Chairman,  
Milwaukee County Board of Supervisors

cc: Milwaukee County Board of Supervisors  
Milwaukee County Executive Scott Walker  
Governor Jim Doyle  
Senate Committee on Transportation, Tourism, Forestry and Natural Resources  
Assembly Committee on Transportation  
Senator Russ Decker, Senate Majority Leader  
Representative Mike Sheridan, Assembly Speaker  
Southeastern Regional Transit Authority, members  
Joint Committee on Finance, members  
Milwaukee County Legislative Delegation  
Anita Gulotta-Connelly, Managing President Milwaukee County Transit System  
Amalgamated Transit Union Local 998



# WISCONSIN STATE LEGISLATURE



Date

**SB 511/ AB 723**  
**on SERTA & New IRTA's**  
Position of the Wisconsin Innkeepers Association

*The Wisconsin Innkeepers Association (WIA), representing over 900 lodging properties around the state of Wisconsin, **opposes utilizing room tax or car rental tax increases to fund any regional transit authority.***

*SB 511 and AB 723 authorize the imposition of an up to 2% room tax in the counties of Racine, Kenosha, Washington, Ozaukee, and Waukesha to fund Interim Regional Transit Authority's (IRTA's) and eventually the Southeastern Regional Transit Authority (SERTA), as well as the imposition/use by SERTA of an up to \$18 car rental fee in Racine, Milwaukee, and Kenosha counties to fund incentives to IRTA's. Should these components be removed, the WIA would not oppose the bills.*

*The reasons for opposing RTA funding from an added room tax or a car rental tax increase include:*

- **Room Tax**, a unique tax imposed solely on customers of the lodging industry, is **already utilized in 278 municipalities** around the state primarily to fund local tourism promotion to attract tourists to spend money in their area
- **Room Tax** is already authorized to be up to 8%, which when added to state sales tax, county sales tax, and any special district taxes adds up to **ranges from 13% - 14.6%**. This is already a significant and noticeable tax on the very tourists we try to attract to our state.
- **The primary users of regional transit will be commuters or "day-trippers"** (those traveling to an area just for the day, but not staying overnight). Authorizing a tax on overnight travelers and those flying in to Milwaukee and renting a car to drive somewhere in the state is taxing not only those who would not be likely to use the transit, but also are very travelers the state and local areas are working hard to attract. Imposing high taxes on tourists and then expecting them to still spend money in Wisconsin and come back again sometime does not make sense.
- Authorizing these taxes would set a **dangerous precedent** for other areas of the state that may someday establish RTA's.

The Wisconsin Innkeepers Association  
1025 S. Moorland Road – Suite 200  
Brookfield, Wisconsin 53005  
262-782-2851

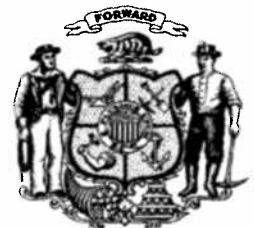
Contact: Trisha Pugal, President, CEO ([Pugal@WisconsinLodging.info](mailto:Pugal@WisconsinLodging.info))

February 24, 2010





# WISCONSIN STATE LEGISLATURE





**ADMINISTRATION DEPARTMENT**  
***Doug Johnson, Administrative Coordinator***

432 E. Washington St.  
West Bend, WI 53095-7986  
Phone (262) 306-2200  
FAX (262) 306-2201  
WI 1-800-616-0446

Email: doug.johnson@co.washington.wi.us

**TO:** Senator Jim Holperin, Committee Chairperson  
Senate Transportation, Tourism, Forestry, and Natural Resources Committee Members

**FROM:** Doug Johnson, Administrative Coordinator

**DATE:** February 26, 2010

**RE:** Southeastern Regional Transit Authority – SB 511

Senate Bill 511, creating a new Southeastern Regional Transit Authority (SERTA), has been introduced and referred to the Transportation, Tourism, Forestry, and Natural Resources Committee. Washington County is opposed to being included within the scope of the SERTA, as evidenced by the enclosed Resolution 67, unanimously passed by the Board of Supervisors on February 9. I am writing to request that all references to Washington County be deleted from SB 511 as it is reviewed by the Senate Transportation Committee.

The purposes of the SERTA are focused on both train and bus systems. The anticipated development of new and improved passenger rail transportation between Kenosha and Milwaukee, then Milwaukee and Madison will not pass through or have any stops in Washington County. With respect to existing bus services, the proposed bill is to supply a dedicated funding source for municipal bus systems. Four of the SERTA counties have significant multi-route bus systems with annual ridership of at least a million riders: Milwaukee, Kenosha, Racine (Belle Urban), and Waukesha. Washington County bus services are limited to limited service, commuter express routes with ridership of about 100,000 per year (2007 DOT data). Our participation as an equal partner in an independent regional transit authority is not possible with such a difference in the size and nature of our bus services.

SB 511 is expected to be a difficult piece of legislation because of the diverse interests to be addressed as debate and amendments unfold. It is my understanding that Kenosha, Racine and Milwaukee have especially urgent needs for legislative action, without delay into another session. It will be in the best interests of both Washington County and the other counties of southeast Wisconsin to simplify SB 511 at the soonest opportunity to remove Washington County from the bill.

**Cc:** Herbert Tennes, Washington County Board Chairperson  
Mark O'Connell, Wisconsin Counties Association

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# WASHINGTON COUNTY, WISCONSIN

Date of enactment: 2/9/10  
Date of publication: 2/16/10

## 2009 RESOLUTION 67

### Opposition to Include Washington County in the Regional Transit Authority for Southeastern Wisconsin

**WHEREAS**, the Governor and Legislators from Milwaukee, Kenosha and Racine counties have proposed legislation that creates a Southeastern Regional Transit Authority (SERTA) to improve bus and rail service in Milwaukee, Kenosha and Racine counties; and

**WHEREAS**, the proposal, LRB-3451/8, authorizes the creation of a new type of Regional Transit Authority known as an Interim Regional Transit Authority (IRTA), which is a public body corporate and politic, which IRTA may be established by a municipality or county in the counties of Kenosha, Milwaukee, Ozaukee, Washington, Racine, and Waukesha; and

**WHEREAS**, the SERTA must assume responsibility for providing transit service and transit planning within the jurisdiction covered by the IRTA, when defined revenue thresholds are met; and

**WHEREAS**, an IRTA may generate revenue by imposing a local motor vehicle registration fee, levying a room tax of up to 8 percent, imposing a sales and use tax, or charging a membership fee to the participating political subdivisions of the IRTA; and

**WHEREAS**, Washington County has limited public transit services which do not include a broad scope municipal bus system nor planned routes for commuter rail; and

**WHEREAS**, Washington County has no potential for major property tax relief as is anticipated in the legislation for the current counties with extensive public transit systems; and

**WHEREAS**, Washington County supports the governance of our local transit services by the County's elected Board of Supervisors;

**NOW, THEREFORE, BE IT RESOLVED** by the Washington County Board of Supervisors that it opposes including Washington County in this SERTA legislation.

1 **BE IT FURTHER RESOLVED** that the Board insistently requests that the Legislature  
2 removes all references to Washington County in any SERTA legislation.  
3

4 **BE IT FURTHER RESOLVED** that the County Clerk is instructed to send a copy of  
5 this resolution to all Southeastern Counties in the State of Wisconsin, all Senators and  
6 Representatives serving Washington County, the Southeastern Wisconsin Regional Planning  
7 Commission and the Wisconsin Counties Association.  
8  
9  
10

11 VOTE REQUIREMENT FOR PASSAGE: Majority  
12

13 RESOLUTION SUMMARY: Resolution opposing the inclusion of Washington County in  
14 regional transit authority legislation.  
15

16 APPROVED:

17 Kimberly A. Nass  
18 Kimberly A. Nass, County Attorney

19 Dated 2/11/10

20 Considered 2/9/10

21 Adopted 2/9/10

22 Ayes 27 Noes 0 Absent 3

23 Voice Vote \_\_\_\_\_  
24

25 (Advisory only.)

Introduced by members of the  
EXECUTIVE COMMITTEE

as filed with the County Clerk.

Herbert J. Tennes  
Herbert J. Tennes, Chairperson





Metropolitan Milwaukee  
Association of Commerce

**DATE:** APRIL 7, 2010  
**TO:** WISCONSIN LEGISLATURE  
**FROM:** TIM SHEEHY, PRESIDENT  
METROPOLITAN MILWAUKEE ASSOCIATION OF COMMERCE  
**RE:** REGIONAL TRANSIT

The competitiveness of Southeast Wisconsin is enhanced by a transportation system that includes a modern and reliable system of public transit. Unfortunately, our current system of transit is both undercapitalized and poorly integrated into regional service. For that reason, the Metropolitan Milwaukee Association of Commerce (MMAC) has long been committed to developing a regional system of public transportation with a dedicated funding source and a regional governance structure.

Currently, the legislature has Assembly Bill 282 as amended by the Assembly Transportation Committee before it, providing for the creation of regional transit options in southeastern Wisconsin and also in other regions of the state. We greatly appreciate the effort put into the development of this bill and encourage you to continue to work together to move this important legislation forward to passage.

As this measure receives further legislative consideration, however, we would ask you to consider two very important modifications:

First, we believe that any new revenue options for the RTA must be offset by a corresponding reduction in property tax burden. Language must be included in the legislation that clearly and specifically requires not only taking transit funding off the property tax rolls, but also delivering a reduction in the property tax levy equal to all of the local transit costs paid for with the property tax levy at the time when the sales tax is implemented.

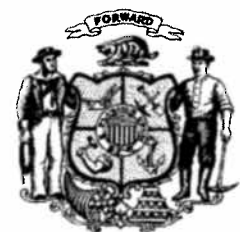
Second, we continue to believe that the use of a rental car tax to fund regional transit unfairly singles out one industry with the bulk of the funds coming from one County. Successful implementation of the county sales tax should generate sufficient revenue to allow elimination of this unfair tax on the rental car industry. We ask that you consider requiring repeal of the rental car tax upon approval of a local dedicated sales tax.

Thank you for your attention to these concerns. We greatly appreciate the hard work that has been put in by the administration and members of the legislature in attempting to find a legislative solution to the transit challenges facing our region. We hope that the above items will be addressed in a way that allows this important piece of public policy can move forward to passage for the benefit of public transit users, our regional economy and the taxpayers alike.

###



WISCONSIN STATE LEGISLATURE





Date ?

1 WEST WILSON ST, ROOM 437  
POST OFFICE BOX 7851  
MADISON, WI 53707-7851

# State of Wisconsin Council on Physical Disabilities

Voice: 608-266-7974  
TTY: 608-267-9880  
Fax: 608-266-3386  
[www.pdcouncil.state.wi.us](http://www.pdcouncil.state.wi.us)

Sen. Jim Holperin, Chair  
Senate Committee on Transportation, Tourism, Forestry, and Natural Resources

Dear Sen. Holperin:

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Sincerely,

Ben Barrett, Chair