



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-1998/1
EVM:wlj

2017 SENATE BILL 88

March 2, 2017 - Introduced by Senators NASS, CRAIG, STROEBEL and VUKMIR, cosponsored by Representatives KREMER, SANFELIPPO, ALLEN, BORN, BRANDTJEN, R. BROOKS, DUCHOW, GANNON, HORLACHER, HUTTON, JAGLER, JARCHOW, KNODL, KOOYENGA, MURPHY, QUINN, TITTL, SKOWRONSKI, SUMMERFIELD, THIESFELDT, TUSLER, WEATHERSTON and WICHGERS. Referred to Committee on Transportation and Veterans Affairs.

1 **AN ACT to repeal** 85.062 (3) (b); **to renumber and amend** 85.066 (3); and **to**
2 **create** 85.066 (3) (a) to (c), 85.066 (4) and 85.20 (9) of the statutes; **relating to:**
3 expenditures relating to the operation of a rail fixed guideway transportation
4 system in a first class city.

Analysis by the Legislative Reference Bureau

This bill limits the state's authority to incur expenses and expend moneys for a rail fixed guideway transportation system in the city of Milwaukee.

Under current law, a "rail fixed guideway transportation system" is a public transportation system being designed, engineered, constructed, or operated that is intended to operate upon a fixed guideway and that is not subject to regulation by the Federal Railroad Administration. Under current law, a county containing a first class city, currently only Milwaukee County, may not incur any expenses relating to the operation of a rail fixed guideway transportation system in the first class city, currently only the city of Milwaukee, unless the expense incurred will be fully reimbursed by the first class city. Under this bill, the state and its agencies are also prohibited from incurring these expenses. The bill also provides that if a person prohibited from incurring these expenses incurs these expenses, the first class city must reimburse the person.

This bill removes the enumeration of any project resulting from the Milwaukee Downtown Transit Connector Study of the Wisconsin Center District from the list of major transit capital improvement projects eligible for construction and specifies that money provided for urban mass transit operating assistance program aids may

SENATE BILL 88

not be used for any purpose relating to the operation of a rail fixed guideway transportation system in a first class city.

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

1 **SECTION 1.** 85.062 (3) (b) of the statutes is repealed.

2 **SECTION 2.** 85.066 (3) of the statutes is renumbered 85.066 (3) (intro.) and
3 amended to read:

4 85.066 (3) COUNTIES—CONTAINING EXPENDITURES RELATED TO CERTAIN
5 TRANSPORTATION SYSTEMS IN A FIRST CLASS CITY. (intro.) ~~A county containing a 1st class~~
6 ~~city~~ The following may not incur any direct or indirect expenses, including the
7 forfeiture of any revenue, relating to the operation or construction of a rail fixed
8 guideway transportation system in ~~the~~ a 1st class city unless the expense incurred
9 or revenue forfeited will be fully reimbursed by the 1st class city.;

10 **SECTION 3.** 85.066 (3) (a) to (c) of the statutes are created to read:

11 85.066 (3) (a) Except as required to comply with the requirements under 59
12 USC 5329, the state.

13 (b) An agency, as defined in s. 16.52 (7).

14 (c) A county in which the 1st class city is located.

15 **SECTION 4.** 85.066 (4) of the statutes is created to read:

16 85.066 (4) REIMBURSEMENT. If a person restricted from incurring expenses
17 under sub. (3), with the approval of the 1st class city, incurs a direct or indirect
18 expense, including the forfeiture of any revenue, relating to the operation or
19 construction of a rail fixed guideway transportation system in a 1st class city, the 1st
20 class city shall fully reimburse the person for the expense.

21 **SECTION 5.** 85.20 (9) of the statutes is created to read:

