



## 2009 ASSEMBLY BILL 791

March 2, 2010 – Introduced by Representative SHILLING. Referred to Committee on Transportation.

1     **AN ACT** *to amend* 66.1039 (3) (g) 4.; and *to create* 66.1039 (2) (d), 66.1039 (3)  
2           (e) and 66.1039 (4) (s) 5. of the statutes; **relating to:** the creation of a La Crosse  
3           County regional transit authority.

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### *Analysis by the Legislative Reference Bureau*

The Biennial Budget Act, 2009 Wisconsin Act 28 (Act 28), authorized the creation of the Dane County regional transit authority (RTA), the Chippewa Valley RTA, and the Chequamegon Bay RTA. Each RTA, once created, is a public body corporate and politic and a separate governmental entity.

This bill authorizes the creation of a La Crosse County RTA. Under the bill, the La Crosse County RTA is created if the governing body of La Crosse County adopts a resolution authorizing the county to become a member of the RTA and the resolution is ratified by the electors at a referendum held in La Crosse County. The resolution must specify the number and composition of the RTA's board of directors and, if a sales and use tax will be imposed by the RTA, the maximum rate of this tax. Once created, the La Crosse County RTA consists of La Crosse County and all municipalities located within La Crosse County. The jurisdictional area of this RTA is the territorial boundaries of La Crosse County.

The provisions of current law, as created in Act 28, governing the powers and duties of the Dane County RTA, the Chippewa Valley RTA, and the Chequamegon Bay RTA also apply to the La Crosse County RTA. In brief, an RTA's authority is vested in its board of directors and its bylaws govern its management, operations, and administration. An RTA may: operate a transportation system or provide for

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its operation by contracting with a public or private organization; impose, by its board of directors adopting a resolution, a sales and use tax in the RTA's jurisdictional area at a rate not exceeding 0.5 percent of the gross receipts or sales price if certain conditions are satisfied; acquire property by condemnation; and issue tax-exempt revenue bonds. An RTA has a duty to provide, or contract for the provision of, transit service within the RTA's jurisdictional area. Rates and other charges received by an RTA must be used only for the general expenses and capital expenditures of the RTA, to pay interest, amortization, and retirement charges on the RTA's revenue bonds, and for specific purposes of the RTA and may not be transferred to any political subdivision.

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

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

1           **SECTION 1.** 66.1039 (2) (d) of the statutes is created to read:

2           66.1039 (2) (d) *La Crosse County regional transit authority.* 1. The La Crosse  
3 County regional transit authority, a public body corporate and politic and a separate  
4 governmental entity, is created if the governing body of La Crosse County adopts a  
5 resolution authorizing the county to become a member of the authority and the  
6 resolution is ratified by the electors at a referendum held in La Crosse County. Once  
7 created, this authority shall consist of La Crosse County and all municipalities  
8 located within La Crosse County. Once created, this authority may transact business  
9 and exercise any powers granted to it under this section.

10           2. The jurisdictional area of the authority created under this paragraph is the  
11 geographic area formed by the territorial boundaries of La Crosse County.

12           **SECTION 2.** 66.1039 (3) (e) of the statutes is created to read:

13           66.1039 (3) (e) If an authority is created under sub. (2) (d), the resolution  
14 creating the authority under sub. (2) (d) 1. shall specify the number and composition  
15 of the authority's board of directors.

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1           **SECTION 3.** 66.1039 (3) (g) 4. of the statutes, as created by 2009 Wisconsin Act  
2 28, is amended to read:

3           66.1039 (3) (g) 4. The composition of the board of directors of the authority, as  
4 determined under par. (d), (e), or (f).

5           **SECTION 4.** 66.1039 (4) (s) 5. of the statutes is created to read:

6           66.1039 (4) (s) 5. Notwithstanding subd. 1., an authority created under sub. (2)  
7 (d) may not impose the taxes authorized under subd. 1. unless the authorizing  
8 resolution under sub. (2) (d) 1., as well as the referendum question on the referendum  
9 ballot specified in sub. (2) (d) 1., each clearly identifies the maximum rate of the taxes  
10 that may be imposed by the authority under subd. 1.

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(END)