

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: **06/10/99**

Received By: **isagerro**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Dyck**

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

Drafter: **isagerro**

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Subject: **Transportation - railroads**

Extra Copies: **PEN
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Pre Topic:

LFB:.....Dyck -

Topic:

Railroad crossing gates in Stevens Point and Fall River

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	isagerro 06/11/99	chanaman 06/11/99	jfrantze 06/11/99	_____	lrb_docadmin 06/11/99		
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1/?	isagerro	CMM 6/11	Job 6/11	JSK 6/11 KSH jt/6/11 <ENDS>			
FE Sent For:		11					

LR 157

Senator Shibilski

fed or state?
182

TRANSPORTATION -- LOCAL TRANSPORTATION PROJECTS

Railroad Crossing Gates in Stevens Point

Motion:

earmark (friendly amendment)

Move to require DOT to provide funding for the installation of railroad crossing gates at the intersections of West Clark Street and Water Street with the Wisconsin Central Railroad tracks, both in the City of Stevens Point, and provide \$287,100 SEG in 1999-00, in the railroads crossing improvement and protection installation appropriation for this purpose. Require the City of Stevens Point to provide a local match equal to at least 10% of the installation costs.

20.395(269)

Note:

DOT estimates that installing railroad crossing gates with constant warning time circuitry at both the locations in Stevens Point would cost \$319,000. The motion would require DOT to fund up to 90% of the cost of installing crossing gates to replace the existing, flashing light signals and would provide \$287,100 for this purpose (90% x \$319,000 = \$287,100). There are about 25 trains that pass through these crossings per day and about 5,500 vehicles at the West Clark Street crossing and 8,800 vehicles at the Water Street crossing per day.

[Change to Bill: \$287,100 SEG]

MO#	Response
Burke	N
Decker	N
Jauch	N
Moore	N
Shibilski	N
Plache	N
Cowles	N
Panzer	N
Gard	N
Porter	N
Kaufert	N
Albers	N
Duff	N
Ward	N
Huber	N
Riley	N

12-4

LRB 1-10-1

Representative Albers

158 TRANSPORTATION -- LOCAL TRANSPORTATION PROJECTS

Railroad Crossing Gate on Swarthout Road Near Fall River

Motion:

Move to require DOT to fund the installation of railroad crossing gates, from the railroad crossing improvement appropriation, at the intersection of Swarthout Road and the Canadian Pacific railroad tracks northwest of Fall River in Columbia County.

Note:

The installation of railroad crossing gates typically costs about \$130,000. The Office of the Commissioner of Railroads plans to conduct a hearing on whether to close this crossing sometime in the next several months. There are about 25 trains daily on this line and an average of 79 vehicles per day that travel across the crossing.

MO#	
Burke	Y
Decker	Y
Jauch	Y
Moore	Y
Shibitski	Y
Plache	Y
Cowles	Y
Panzer	Y
Gard	X
Porter	X
Kaufert	X
Albers	X
Duff	X
Ward	X
Huber	X
Riley	X

9-7

Motion #838



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0624/1
ISR:.....

cmj

LFB:.....Dyck – Railroad crossing gates in Stevens Point and Fall River

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

✓
A note
seem

1 At the locations indicated, amend the bill as follows:

2 1. Page 410, line 21: after that line insert:

3 "SECTION 346m. 20.395 (2) (gr) of the statutes is amended to read:

4 20.395 (2) (gr) *Railroad crossing improvement and protection installation,*
5 *state funds.* As a continuing appropriation, the amounts in the schedule to pay the

6 costs for railroad crossing protection improvements under s. 195.28 (2) and for the
7 installation of railroad crossing gates under 1999 Wisconsin Act (this act), section

8 9150 (for)."

9g

↑
plain space

History: 1971 c. 40 s. 93; 1971 c. 42. 107; 1971 c. 125 ss. 122 to 137. 522 (1); 1971 c. 197. 211, 215, 307; 1973 c. 90, 142, 243, 333, 336; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 200, 224, 270, 288, 340, 422; 1977 c. 29, 377, 418; 1979 c. 34 ss. 322e to 420, 574, 575; 1979 c. 221; 1981 c. 20 ss. 238 to 300, 2202 (51) (c), (e); 1981 c. 165, 234; 1981 c. 314 s. 146; 1981 c. 347 s. 80; 1981 c. 362; 1983 a. 27 ss. 270g to 315, 2202 (20); 1983 a. 243; 1985 a. 29 ss. 357 to 402, 3202 (51) (a); 1985 a. 65, 76, 341; 1987 a. 27, 137, 349, 369, 399, 403; 1989 a. 31, 56; 1991 a. 39, 104, 239, 269; 1993 a. 16, 285, 354, 437; 1995 a. 27, 113, 201, 338, 445; 1997 a. 27, 35, 135, 237, 255.

9 2. Page 1423, line 12: after that line insert:

nonstatute

9g
“(9) INSTALLATION OF RAILROAD CROSSING GATES. (a) The department of

2 transportation shall allocate from the appropriation under section 20.395 (2) (gr) of
3 the statutes, as affected by this act, \$287,100 for the installation of railroad crossing
4 gates at the intersection of West Clark Street and the Wisconsin Central Railroad
5 tracks and at the intersection of Water Street and the Wisconsin Central Railroad
6 tracks, both of which are located in Stevens Point in Portage County. The city of
7 Stevens Point shall provide a local match equal to at least 10% of the installation
8 costs.

9 (b) ~~Non-Statute~~ The department of transportation shall expend from the
10 appropriation under section 20.395 (2) (gr) of the statutes, as affected by this act, the
11 cost of the installation of railroad crossing gates at the intersection of Swarthout
12 Road and the Canadian Pacific railroad tracks northwest of Fall River in Columbia
13 County.”.

14

(END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0624/1dn

ISR:.....

cmh

June 11, 1999

Jon Dyck:

This amendment encompasses Motions 838 and 939.

Note that a Wisconsin court may conclude that this amendment is a "private or local law". Under art. IV, sec. 18, of the Wisconsin Constitution, a "private or local law" is required to be enacted as single-subject legislation. If a court determined that this amendment constituted a "private or local law", the amendment cannot validly be enacted as part of the biennial budget act (which clearly encompasses more than one subject).

Please review this amendment carefully to make sure it reflects your intent. If you have any questions or comments, please feel free to contact me.

Ivy G. Sager-Rosenthal
Legislative Attorney
Phone: (608) 261-4455
E-mail: Ivy.Sager-Rosenthal@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0624/1dn
ISR:cmh:jf

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State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0624/r 2
ISR:cmh/jf
RMR

LFB:.....Dyck - Railroad crossing gates in Stevens Point and Fall River

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

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4 20.395 (2) (gr) *Railroad crossing improvement and protection installation,*
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6 costs for railroad crossing protection improvements under s. 195.28 (2) and for the
7 installation of railroad crossing gates under 1999 Wisconsin Act (this act), section

8 9150 (9g). *gg*

Insert 1-8 →

9 2. Page 1423, line 12: after that line insert:

10 "(9g) INSTALLATION OF RAILROAD CROSSING GATES.

1 (a) The department of transportation shall allocate from the appropriation^S
2 under section 20.395 (2) (gr) ^{and (gx)✓} of the statutes, as affected by this act, \$287,100 for the
3 installation of railroad crossing gates at the intersection of West Clark Street and the
4 Wisconsin Central Railroad tracks and at the intersection of Water Street and the
5 Wisconsin Central Railroad tracks, both of which are located in Stevens Point in
6 Portage County. The city of Stevens Point shall ^{pay} ~~provide a local match equal to~~ at least
7 10% of the installation costs.

8 (b) The department of transportation shall expend from the appropriation^S
9 under section 20.395 (2) (gr) ^{and (gx)✓} of the statutes, as affected by this act, the cost of the
10 installation of railroad crossing gates at the intersection of Swarthout Road and the
11 Canadian Pacific railroad tracks northwest of Fall River in Columbia County.”

12 (END)

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB
ISR:.....

Insert 1-8

SECTION 346q. 20.395 (2) (gx)[✓] of the statutes is amended to read:

20.395 (2) (gx) *Railroad crossing improvement, federal funds.* All moneys received from the federal government for the purposes of railroad crossing protection under s. 195.28 and for the purposes of railroad crossing gates under 1999 Wisconsin Act ... (this act), section 9150 (9g)[✓], for such purposes."

History: 1971 c. 40 s. 93; 1971 c. 42, 107; 1971 c. 125 ss. 122 to 137, 522 (1); 1971 c. 197, 211, 215, 307; 1973 c. 90, 142, 243, 333, 336; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 200, 224, 270, 288, 340, 422; 1977 c. 29, 377, 418; 1979 c. 34 ss. 322e to 420, 574, 575; 1979 c. 221; 1981 c. 20 ss. 238 to 300, 2202 (51) (c), (e); 1981 c. 165, 234; 1981 c. 314 s. 146; 1981 c. 347 s. 80; 1981 c. 362; 1983 a. 27 ss. 270g to 315, 2202 (20); 1983 a. 243; 1985 a. 29 ss. 357 to 402, 3202 (51) (a); 1985 a. 65, 76, 341; 1987 a. 27, 137, 349, 369, 399, 403; 1989 a. 31, 56; 1991 a. 39, 104, 239, 269; 1993 a. 16, 285, 354, 437; 1995 a. 27, 113, 201, 338, 445; 1997 a. 27, 35, 135, 237, 255.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0624/2
ISR:cmh&wlj:km

LFB:.....Dyck - Railroad crossing gates in Stevens Point and Fall River

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3 **2.** Page 1423, line 12: after that line insert:

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9 and the Wisconsin Central Railroad tracks, both of which are located in Stevens
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12 (b) The department of transportation shall expend from the appropriations
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14 of the installation of railroad crossing gates at the intersection of Swarthout Road
15 and the Canadian Pacific railroad tracks northwest of Fall River in Columbia
16 County.”.

17 (END)