

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: 06/23/99

Received By: nilsepe

Wanted: As time permits

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Dake

This file may be shown to any legislator: NO

Drafter: nilsepe

May Contact:

Alt. Drafters:

Subject: Transportation - railroads

Extra Copies: TNF, ISR

Pre Topic:

ARC:.....Dake - Am #303 (9),

Topic:

Commissioner of railroads crossing improvement costs

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>
/?	nilsepe 06/23/99	ygeller 06/23/99		_____			
/1			martykr 06/23/99	_____	lrb_docadmin 06/23/99		

FE Sent For:

<END>

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: 06/23/99

Received By: nilsepe

Wanted: As time permits

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Dake

This file may be shown to any legislator: NO

Drafter: nilsepe

May Contact:

Alt. Drafters:

Subject: **Transportation - railroads**

Extra Copies: **TNF, ISR**

Pre Topic:

ARC:.....Dake ^{Am #} 303 (9),

Topic:

Commissioner of railroads crossing improvement costs

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?	nilsepe	1 6/23 jlg	Am 23	DS 6 Am 23			

FE Sent For:

<END>

FAX TRANSMISSION

WISCONSIN DEPARTMENT OF TRANSPORTATION OFFICE OF GENERAL COUNSEL
Hill Farms State Office Building Room 115B P.O. Box 7910
Madison, Wisconsin 53707
608-266-0253
Fax: 608-267-6734

To: Roger Frings Date: June 3, 1999
Fax #: 7-0304 Pages: 2 including cover sheet
From: Allyn Lepeska
Subject: OCR Draft Legislation

This proposal is to change Sections 2309 and 9150(5) of Assembly Bill 133 so that a crossings entity reviews the orders of OCR relating to crossing improvements to make more efficient use of state and federal railroad crossing protection funds. The crossings entity will be permanent and its members will serve at the pleasure of the appointing authorities. It also provides the OR authority to apportion costs to municipalities.

Substitute the following for the Section 2309:
Section 195.28

Create (1m):

(1m) APPORTIONMENT OF EXPENSE. The office shall fix the proportion of the cost and expense of crossing protection devices and installation, or any other work ordered, to be paid or borne by the parties in interest. In fixing such proportion, the office may order such cost and expense so apportioned to be paid by the parties against which the apportionment shall be made.

(2) Installation costs. The cost of any signal or other crossing protection device which is ordered installed under sub. (1) and the cost of installing any such device apportioned to the department shall be paid by the department from the appropriations under s. 20.395 (2) (gj), (gr) and (gx). This subsection applies only if the railroad highway crossing committee has reviewed the improvement ordered under sub. 1 and ranked them as provided in [Revisor to insert 1999 Wisconsin Act (this act), section 9150(5)], or if, regardless of the recommendation concerning the crossing, the office determines that immediate improvements to the crossing are necessary to protect public safety.

Delete section 9150(5) and create legislation creates a permanent railroad highway crossing board, council, committee or whatever it needs to be called.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb10687?

Am #

WFO -
Fix request
sheet

Pen → JLG

ARC:.....Dake - 303 (9), Commissioner of railroads crossing improvement costs

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1179, line 19: after that line insert:

3 "SECTION 2308gg. 195.28 (1m) of the statutes is created to read:

4 195.28 (1m) APPORTIONMENT OF EXPENSE. The office shall fix the proportion of
5 the cost and expense of crossing protection devices and installation, and any other
6 work ordered under sub. (1), to be paid by the parties in interest. The office may order
7 any party in interest to pay the cost and expenses apportioned to that party under
8 this subsection.

9 SECTION 2308gk. 195.28 (2) of the statutes is amended to read:

sub.

1 195.28 (2) INSTALLATION COSTS. ~~The Subject to ~~§ 195.28~~~~ (1m), the cost of any
 2 signal or other crossing protection device ~~which~~ that is ordered installed under sub.
 3 (1) and the cost of installing any such device shall be paid by the department from
 4 the appropriations under s. 20.395 (2) (gj), (gr) and (gx).^o

History: 1973 c. 155; 1973 c. 243 s. 82; 1975 c. 135; 1977 c. 29 ss. 1654 (8) (b), 1656 (43); 1979 c. 34; 1981 c. 20 ss. 1504, 2202 (51) (c); 1981 c. 347 s. 80 (1); 1985 a. 29 s. 3202 (51); 1987 a. 27; 1989 a. 31; 1991 a. 269; 1993 a. 16, 123; 1997 a. 135.

5 2. Page 1595, line 17: after that line insert:

6 ^{init} ^{3c} ~~app~~ " ~~(1m)~~ RAILROAD CROSSING COSTS. The treatment of section 195.28 (1m) of the
 7 statutes first applies to crossing protection orders made by the office of the
 8 commissioner of railroads on the ^f ~~efective~~ [✓] date of this subsection.".

(END)

9



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1068/1
PEN;jlg:km

ARC:.....Dake - Am #303 (9), Commissioner of railroads crossing
improvement costs

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1179, line 19: after that line insert:

3 **"SECTION 2308gg.** 195.28 (1m) of the statutes is created to read:

4 195.28 (1m) APPORTIONMENT OF EXPENSE. The office shall fix the proportion of
5 the cost and expense of crossing protection devices and installation, and any other
6 work ordered under sub. (1), to be paid by the parties in interest. The office may order
7 any party in interest to pay the cost and expenses apportioned to that party under
8 this subsection.

9 **SECTION 2308gk.** 195.28 (2) of the statutes is amended to read:

