

2001 DRAFTING REQUEST**Bill**Received: **11/06/2001**Received By: **fasttn**Wanted: **Soon**

Identical to LRB:

For: **Marc Duff (608) 266-1190**By/Representing: **Marsha Dake**This file may be shown to any legislator: **NO**Drafter: **fasttn**

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**Extra Copies: **ARG - 1**Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Marquette interchange expansion

Instructions:

redraft LRBb1482/3 as bill

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>
/?	fasttn 11/12/2001	gilfokm 11/12/2001		_____			State
/1			pgreensl 11/13/2001	_____	lrb_docadmin 11/13/2001		State
/2	fasttn 12/10/2001	gilfokm 12/10/2001	pgreensl 12/11/2001	_____	lrb_docadmin 12/11/2001		State
/3	fasttn 12/12/2001	gilfokm 12/12/2001	kfollet 12/12/2001	_____	lrb_docadmin 12/13/2001	lrb_docadmin 12/14/2001	

RE Sent For:

<END>

↳ At Intro.

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/?	fasttn 11/12/2001	gilfokm 11/12/2001		_____			State
/1			pgreensl 11/13/2001	_____	lrb_docadmin 11/13/2001		State
/2	fasttn 12/10/2001	gilfokm 12/10/2001	pgreensl 12/11/2001	_____	lrb_docadmin 12/11/2001		

FE Sent For:

13-12/12
KMG

12/12 <END> 12/12

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/?	fasttn 11/12/2001	gilfokm 11/12/2001		12/11			State
/1		12-12/10 Kmg	pgreensl 11/13/2001	12/11 12/10 P8	lrb_docadmin 11/13/2001		

FE Sent For:

<END>

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/?	fasttn	11/12 King	11/13 P8	11/13 P8 / RS			

FE Sent For:

<END>

2001

Date (time) needed

soon
(turned in 11/12)

LRB - 42001.1

BILL

TNF: King:

Use the appropriate components and routines developed for bills.

AN ACT . . . [generate catalog] *to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .* of the statutes; relating to: *vehicular traffic capacity expansion and reconstruction of the Marquette interchange and I 94 in Milwaukee and Waukesha counties.*

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: create → anal: → title: → head

For the subheading, execute: create → anal: → title: → sub

For the sub-subheading, execute: create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: create → anal: → text

(Attached)

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

SECTION #. CR; 84.014 (5)

ARC:.....Hartsough - AM13, Marquette interchange capacity expansion
FOR 2001-03 BUDGET NOT READY FOR INTRODUCTION
CAUCUS ASSEMBLY AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2001 SENATE BILL 55

84.014(5)

8

- 1 ~~At the locations indicated, amend the substitute amendment as follows:~~
- 2 ~~1. Page 861, line 17 after that line insert:~~
- 3 ~~(8m)~~ The department shall design the reconstruction of the Marquette
- 4 interchange and I 94 in Milwaukee and Waukesha counties to allow for expansion
- 5 of capacity for vehicular traffic on the Marquette interchange and I 94 in these
- 6 counties to meet the projected vehicular traffic capacity needs, as determined by the
- 7 department, for 30 years following the completion of such reconstruction.
- 8 (END)

Analysis

Current law provides funding for reconstruction of the Marquette interchange, lying at or near the junction of I 94, I 43, and I 794, in Milwaukee County by the department of transportation (DOT).

This bill requires DOT to design reconstruction of the Marquette interchange and I 94 in Milwaukee and Waukesha counties to allow for vehicular traffic capacity expansion on the Marquette interchange and I 94 in these counties to meet projected vehicular traffic capacity needs for the 30-year period beginning after reconstruction is completed.

FE-5

Fast, Timothy

From: Fast, Timothy
Sent: Friday, December 07, 2001 4:11 PM
To: Duff, Marc
Subject: RE: LRB-4200 redraft

Rep. Duff,

Greetings. I'll work on the redraft this weekend. Thank you very much for the thank you. I've always enjoyed working with you and your staff. Have a good weekend.

Peace, Tim

-----Original Message-----

From: Duff, Marc
Sent: Thursday, December 06, 2001 2:03 PM
To: Fast, Timothy
Subject: LRB-4200 redraft

Hi Tim. I have some changes to the draft of LRB-4200 that you prepared for me. Thank you for all of your drafting work.

First of all, I would like to change it so that it applies to the "Southeast Wisconsin freeway"....not just the Marquette and I-94. There is already a definition in the statutes that can be used.

Second, I would like to add a requirement that the department also construct it that way...not just design. My worry is that the Department will design it and then construct it differently. If you think this is excessive paranoia, let me know. Maybe requiring the design of it precludes them from constructing it differently...just let me know.

Third, I think the draft might need a "notwithstanding" of the enumeration statutes. I think there may be two sections that may need to be notwithstanding. I just don't want to have them design it one way and then not be able to construct it because of a lack of enumeration.

Finally, I thought I would add that the department should consult with the regional planning commission regarding projected vehicular traffic capacity needs. The department is already working with SEWRPC on this and I thought we should reference this.

Thanks again and please contact me if you have any questions.

marc

Fast, Timothy

From: Fast, Timothy
Sent: Monday, December 10, 2001 12:21 PM
To: Duff, Marc
Subject: FW: LRB-4200 redraft (SE Wisconsin freeway rehabilitation)

Re Item #1 below, I also exempted interim repairs. Sorry I neglected to mention it.

-----Original Message-----

From: Fast, Timothy
Sent: Sunday, December 09, 2001 2:48 PM
To: Duff, Marc
Subject: LRB-4200 redraft (SE Wisconsin freeway rehabilitation)

Rep. Duff,

I finished the redraft of LRB-4200. You should have it Monday afternoon (or Tuesday morning at the latest). Please note the following:

1. The redraft applies to any SE Wisconsin freeway rehabilitation project, except resurfacing. See s. 84.014(1)(d) for the applicable definition of "rehabilitation". It seemed appropriate to exempt mere resurfacing from this requirement.
2. I don't think it is "excessive paranoia" to be concerned about DOT following through on the design requirement. If the statutory provision refers only to design, DOT could make specification changes that (essentially) undo the design requirement with respect to vehicular traffic capacity expansion. Thus "design and construct" is used.
3. In lieu of "notwithstanding" the enumeration statutes, I added the treatment in the Assembly super (LRBb1868/1) to the Joint Finance sub that excludes SE Wisconsin freeway rehabilitation projects from the definition of "major highway project". See Item #1298. I think this meets your intent. On the other hand, if you just wanted to make sure that this design requirement applied to any enumerated SE Wisconsin freeway rehabilitation project, I'd recommend adding a sentence to proposed s. 84.014(5) that reads: "This subsection applies to any project enumerated under s. 84.013(3) after the effective date of this subsection.... [revisor inserts date].".

I think these changes are consistent with your intent. Please let me know if I've headed off in the wrong direction in any way. Thanks.

Regards, Tim

Timothy N. Fast
Senior Legislative Attorney
Legislative Reference Bureau
Phone: (608) 266-9739

WANTED
TUES. 12/11
AM

2001 BILL

any
exempting southeast Wisconsin freeway rehabilitation project from the requirement of enumeration as a major highway project

designing and constructing southeast Wisconsin freeway rehabilitation projects for

Sen. Ost

1 AN ACT *to create* 84.014 (5) of the statutes; **relating to:** vehicular traffic capacity
2 expansion and ~~reconstruction of the Marquette interchange and I 94 in~~
3 ~~Milwaukee and Waukesha counties.~~

Analysis by the Legislative Reference Bureau

Insert
(A)

Current law provides funding for ~~reconstruction of the Marquette interchange,~~ lying at or near the junction of I 94, I 43, and I 794, in Milwaukee County by the department of transportation (DOT).
This bill requires DOT to design reconstruction of the Marquette interchange and I 94 in Milwaukee and Waukesha counties to allow for vehicular traffic capacity expansion on the Marquette interchange and I 94 in these counties to meet projected vehicular traffic capacity needs for the 30-year period beginning after reconstruction is completed.
For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

Insert
(B)

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

4 SECTION 1. 84.014 (5) of the statutes is created to read:
5 84.014 (5) The department shall design ~~the reconstruction of the Marquette~~
6 ~~interchange and I 94 in Milwaukee and Waukesha counties~~ to allow for expansion

and construct any southeast Wisconsin freeway rehabilitation project

BILL

freeway

1 of capacity for vehicular traffic on the ~~Marquette interchange and I 94 in these~~
2 ~~counties~~ to meet the projected vehicular traffic capacity needs, as determined by the
3 department, for 30 years following the completion of ~~such reconstruction.~~

(END)

*in consultation with the
Southeastern Wisconsin
Regional Planning
Commission*

*the project. This subsection does not apply to
a southeast Wisconsin freeway rehabilitation project
that is limited to resurfacing of a freeway
or interim repairs to a freeway*

Insert (A) (page 1 of 2)

rehabilitation of southeast Wisconsin freeways in Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha counties by the department of transportation (DOT). This bill requires DOT to design and construct any southeast Wisconsin freeway rehabilitation project, except those involving ^{only} resurfacing or interim repairs, to allow for vehicular traffic capacity expansion on the freeway to meet the projected vehicular traffic capacity needs, as determined by DOT in consultation with the Southeastern Wisconsin Regional Planning Commission, for the next 30 years.

Insert (A) (page 2 of 2)

1995 ASSEMBLY BILL 536

September 1, 1995 - Introduced by Representatives BLACK, R. POTTER, OLSEN, KRUG, BOCK, NOTESTEIN, FLOMBON, LA FAVE, R. YOUNG, HANSON, RILEY, SPRINGER, PLACHE, ROBSON and BALDWIN, cosponsored by Senators MOEN and BURKE. Referred to Committee on Highways and Transportation.

1 ~~AN ACT to create~~ 84.013 (4m) of the statutes; relating to: major highway
2 ~~projects and public hearings.~~

Analysis by the Legislative Reference Bureau

(generally referred to as "enumeration")

"Major"

Current law requires that any major highway project, unlike other construction projects undertaken by the department of transportation (DOT), receive the approval of the transportation projects commission and the legislature before the project may be constructed. A major highway project is a project having a total cost of more than \$5,000,000 and involving construction of a new highway 2.5 miles or more in length; reconstruction or reconditioning of an existing highway that relocates at least 2.5 miles of the highway or adds one or more lanes 5 miles or more in length to the highway; or improvement of an existing multilane divided highway to freeway standards.

"is defined as"

exempts southeast Wisconsin freeway rehabilitation projects from the definition of

This bill provides that, whenever one or more public hearings are required with respect to a major highway project, at least one public hearing must be conducted so that each person who gives testimony may be heard by other persons attending the hearing. The bill also requires that the testimony be recorded.

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

end of insert

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

3 SECTION 1. 84.013 (4m) of the statutes is created to read:
4 84.013 (4m) Whenever one or more public hearings are required with respect
5 to a major highway project listed under sub. (3), at least one public hearing shall be

thereby eliminating any requirement of enumeration for such rehabilitation projects (end of insert)

Insert (B)

1 **5.** Page 345, line 15: delete the material beginning with “the” and ending with
2 “specified” on line 16 and substitute “any southeast Wisconsin freeway rehabilitation
3 projects”.

4 **6.** Page 345, line 18: delete “*reconstruction*” and substitute “*rehabilitation*”.

5 **7.** Page 345, line 19: delete the material beginning with “reconstruction” and
6 ending with “repair” on line 20 and substitute “rehabilitation”.

7 **8.** Page 346, line 11: delete the material beginning with “the” and ending with
8 “specified” on line 12 and substitute “any southeast Wisconsin freeway rehabilitation
9 projects”.

10 **9.** Page 346, line 14: delete “*reconstruction*” and substitute “*rehabilitation*”.

11 **10.** Page 346, line 15: delete “reconstruction and interim repair” and
12 substitute “rehabilitation”.

13 **11.** Page 857, line 13: after that line insert:

14 ~~§~~SECTION ~~2296r~~ 84.013 (1) (a) (intro.) of the statutes is amended to read:

15 #. 84.013 (1) (a) (intro.) “Major highway project” means a project, except a project
16 providing an approach to a bridge over a river that forms a boundary of the state or
17 a southeast Wisconsin freeway rehabilitation project under s. 84.014, which has a
18 total cost of more than \$5,000,000 and which involves any of the following: ~~“~~

19 ~~**12.** Page 859, line 10: delete “reconstruction” and substitute~~
20 ~~“rehabilitation”.~~

21 ~~**13.** Page 859, line 22: after that line insert:~~



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-4200/2
TNF:kmg:pg
3 (Redraft
maker
has been
run)

WANTED THURS
12/13 AM

2001 BILL

Sen. Cat.

1 AN ACT to amend 84.013 (1) (a) (intro.); and to create 84.014 (5) of the statutes;
2 relating to: designing and constructing southeast Wisconsin freeway
3 rehabilitation projects for vehicular traffic capacity expansion and exempting
4 any southeast Wisconsin freeway rehabilitation project from the requirement
5 of enumeration as a major highway project.

Analysis by the Legislative Reference Bureau

Current law provides funding for rehabilitation of southeast Wisconsin freeways in Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha counties by the department of transportation (DOT). This bill requires DOT to design and construct any southeast Wisconsin freeway rehabilitation project, except those involving only resurfacing or interim repairs, to allow for vehicular traffic capacity expansion on the freeway to meet the projected vehicular traffic capacity needs, as determined by DOT in consultation with the Southeastern Wisconsin Regional Planning Commission, for the next 30 years.

Current law requires that any major highway project, unlike other construction projects undertaken by DOT, receive the approval of the transportation projects commission and the legislature (generally referred to as "enumeration") before the project may be constructed. "Major highway project" is defined as a project having a total cost of more than \$5,000,000 and involving construction of a new highway 2.5 miles or more in length; reconstruction or reconditioning of an existing highway that relocates at least 2.5 miles of the highway or adds one or more lanes 5 miles or more

This requirement does not apply to a project or for which preliminary engineering was begun before the bill becomes law.

BILL

in length to the highway; or improvement of an existing multilane divided highway to freeway standards.

This bill exempts southeast Wisconsin freeway rehabilitation projects from the definition of major highway project, thereby eliminating any requirement of enumeration for such rehabilitation projects.

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

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

1 **SECTION 1.** 84.013 (1) (a) (intro.) of the statutes is amended to read:

2 84.013 (1) (a) (intro.) "Major highway project" means a project, except a project
3 providing an approach to a bridge over a river that forms a boundary of the state or
4 a southeast Wisconsin freeway rehabilitation project under s. 84.014, which has a
5 total cost of more than \$5,000,000 and which involves any of the following:

6 **SECTION 2.** 84.014 (5) of the statutes is created to read:

7 84.014 (5) The department shall design and construct any southeast Wisconsin
8 freeway rehabilitation project to allow for expansion of capacity for vehicular traffic
9 on the freeway to meet the projected vehicular traffic capacity needs, as determined
10 by the department in consultation with the Southeastern Wisconsin Regional
11 Planning Commission, for 30 years following the completion of the project. This
12 subsection does not apply to a southeast Wisconsin freeway rehabilitation project
13 that is limited to resurfacing of a freeway or interim repairs to a freeway.

14

(END)

or to a southeast Wisconsin freeway rehabilitation project for which preliminary engineering was begun before the effective date of this subsection, ... [revisor inserts date]



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

STEPHEN R. MILLER
CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

December 13, 2001

MEMORANDUM

To: Representative Duff

From: Timothy N. Fast, Senior Legislative Attorney

Re: LRB-4200/3 Marquette interchange expansion

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-9739 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.

Barman, Mike

From: Barman, Mike
Sent: Wednesday, December 19, 2001 10:17 AM
To: Rep.Duff
Subject: LRB-4200/3 (attached) (requested by Marsha)



01-4200/3

Emery, Lynn

From: Emery, Lynn
Sent: Wednesday, January 16, 2002 10:08 AM
To: Rep.Duff
Subject: FE by DOT for AB-700 (attached as requested)

Lynn Emery

Lynn Emery - Program Asst. (PH. 608-266-3561)
(E-Mail: lynn.emery@legis.state.wi.us) (FAX: 608-264-6948)

Legislative Reference Bureau - Legal Section - Front Office
100 N. Hamilton Street - 5th Floor
Madison, WI 53703