

**2001 DRAFTING REQUEST**

**Bill**

Received: **04/12/2001**

Received By: **fasttn**

Wanted: **Soon**

Identical to LRB:

For: **Glenn Grothman (608) 264-8486**

By/Representing: **Maggie Grimm**

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

Drafter: **fasttn**

May Contact:

Addl. Drafters:

Subject: **Transportation - mass transit**

Extra Copies: **ARG, PJH - 1**

Submit via email: **YES**

Requester's email: **Rep.Grothman@legis.state.wi.us**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Light rail transit systems

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**Instructions:**

Redraft 1999 AB-659

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**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 12/04/2001	gilfokm 12/05/2001		_____			S&L
/1			pgreensl 12/06/2001	_____	lrb_docadmin 12/06/2001	lrb_docadmin 02/20/2002	

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jackcted      Required

\_\_\_\_\_  
\_\_\_\_\_  
lrb\_docadmin  
01/25/2002

FE Sent For: *at introduction*

<END>

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Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

\_\_\_\_\_  
\_\_\_\_\_

lrb\_docadmin  
01/25/2002

FE Sent For:

<END>

→ requested  
draft sent  
(see attached)  
via e-mail

**2001 DRAFTING REQUEST**

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Wanted: **Soon**

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By/Representing: **Maggie Grimm**

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

Drafter: **fasttn**

May Contact:

Addl. Drafters:

Subject: **Transportation - mass transit**

Extra Copies: **ARG, PJH - 1**

Submit via email: **NO**

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/?	fasttn 12/04/2001	gilfokm 12/05/2001		_____			S&L
/1			pgreensl 12/06/2001	_____	lrb_docadmin 12/06/2001		

FE Sent For:

<END>

2001 DRAFTING REQUEST

Bill

Received: 04/12/2001

Received By: fasttn

Wanted: Soon

Identical to I.R.B.:

For: Glenn Grothman (608) 264-8486

By/Representing: Maggie Grimm

This file may be shown to any legislator: NO

Drafter: fasttn

May Contact:

Addl. Drafters:

Subject: Transportation - mass transit

Extra Copies: ARG, PJH - 1

Submit via email: NO

Pre Topic:

No specific pre topic given

Topic:

Light rail transit systems

Instructions:

Redraft 1999 AB-659

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?	fasttn	1-12/5 Kmgj	12/6 PS	12/6 PS/HEBF			

FE Sent For:

<END>



2001

Date (time) needed

Thurs. PM 12/6

D-NOTE

LRB-308111

BILL

TNF: KMG:

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:

[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

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

SECTION #.



~~1999 ASSEMBLY BILL 659~~

~~January 19, 2000 - Introduced by Representatives GROTHMAN, SUDER, WALKER, ALBERS, DUFF, GOETSCH, NASS, PETTIS and STONE, cosponsored by Senator LAZICH. Referred to Committee on Transportation.~~

mass transit systems

1 ~~AN ACT to amend 66.94 (9m) and 85.205, to create 85.20 (4m) (g) of the statutes~~  
2 ~~and to affect 1999 Wisconsin Act 9, section 9.50 (3bm), relating to~~ light rail  
3 and the urban mass transit operating assistance program.

**Analysis by the Legislative Reference Bureau**

Current law prohibits any mass transit authority, governing body of any county, city, village, or town or any agency, corporation, instrumentality, or subunit of a county, city, village, or town from entering into a contract for any purpose related to a light rail mass transit system, if the cost of any of the contracted items would be paid for or reimbursed by federal interstate cost estimate (ICE) funds or funds received from the state. Current law also prohibits the department of transportation (DOT) from expending or encumbering any federal ICE funds or state funds for any purpose related to a light rail mass transit system. These restrictions on contracting and expending or encumbering funds do not apply to the Kenosha light rail mass transit system currently under construction or to funds expended or activity related to a mass transit system that is done under the memorandum of agreement concerning USH 12. The restrictions expire on June 30, 2001.

This bill eliminates the June 30, 2001, sunset of those restrictions. Under the bill, the restrictions are made permanent.

Also, under current law, DOT makes state aid payments to local public bodies in urban areas to assist the local public bodies with the expenses of operating an urban mass transit system. An urban mass transit system is transportation by bus, shared-ride taxicab, rail, or other conveyance, either publicly or privately owned,

2002

ASSEMBLY BILL 659

the mass transit system before

that provides the public with general or special service on a regular and continuing basis.

This bill prohibits such state aid payments for <sup>any</sup> ~~urban mass transit systems that provide transportation service by rail~~, unless such rail service is established by the date ~~on which this bill becomes law~~ or is provided by Amtrak. unless the service

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

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

SECTION 1. 66.94 (9m) of the statutes, as created by 1999 Wisconsin Act 9, is amended to read:

66.94 (9m) LIMIT ON CONTRACTING FOR LIGHT RAIL. Notwithstanding any other provision of this section, no authority may enter into a contract for any purpose related to a light rail mass transit system if the cost of any of the contracted items would be paid for by, or reimbursed with, federal funds received under P.L. 102-240, section 1045, or P.L. 105-277, section 373, or any funds received from the state. This subsection does not apply to any light rail mass transit system that is being constructed on October 29, 1999. This subsection does not apply to any funds expended or activity related to a mass transit system that is done under the memorandum of agreement concerning USH 12 between Middleton and Lake Delton, Wisconsin, that was executed by the governor, the secretary of transportation, the secretary of natural resources, the county executive of Dane County, the administrative coordinator of Sauk County, and others, and that became effective on April 22, 1999. This subsection does not apply after June 30, 2001.

SECTION 2. 85.20 (4m) (g) of the statutes is created to read:

85.20 (4m) (g) Notwithstanding sub. (3), the department may not pay state aids under this section for ~~a mass transit system that provides~~ transportation services by

any

State

stat

18

**ASSEMBLY BILL 659***mass transit  
system provides*

1 rail unless the transportation services by rail ~~are provided~~ on or before the effective  
 2 date of this paragraph .... [revisor inserts date]. Any increase in the level of  
 3 transportation service by rail of a mass transit system that provides such service on  
 4 or before the effective date of this paragraph .... [revisor inserts date], is eligible for  
 5 an increase in the amount of state aid payable under this section. An eligible  
 6 applicant may not use aids paid under this section to support transportation services  
 7 by rail unless the services are eligible for aid under this section. This paragraph does  
 8 not apply to Amtrak, as defined in s. 85.06 (1) (a).

9 **SECTION 3.** 85.205 of the statutes, as created by 1999 Wisconsin Act 9, is  
 10 amended to read:

11 **85.205 Prohibited expenditures for light rail.** Notwithstanding ss.  
 12 85.022, 85.062 and 85.063, the department may not encumber or expend any federal  
 13 funds received under P.L. 102-240, section 1045, or P.L. 105-277, section 373, or  
 14 state funds for any purpose related to a light rail mass transit system. This section  
 15 does not apply to any light rail mass transit system that is being constructed on  
 16 October 29, 1999. This section does not apply to any funds expended or activity  
 17 related to a mass transit system that is done under the memorandum of agreement  
 18 concerning USH 12 between Middleton and Lake Delton, Wisconsin, that was  
 19 executed by the governor, the secretary of transportation, the secretary of natural  
 20 resources, the county executive of Dane County, the administrative coordinator of  
 21 Sauk County, and others, and that became effective on April 22, 1999. This section  
 22 does not apply after June 30, 2001.

23 **SECTION 4.** 1999 Wisconsin Act 9, section 9150 (3bm) is renumbered 66.941 of  
 24 the statutes, and amended to read:

**ASSEMBLY BILL 659****66.941 Contracting for design or construction of light rail prohibited.**

Notwithstanding any other provision of chapter ch. 59, 60, 61, 62 or 66 of the statutes, no governing body of any city, village, town or county and no agency, corporation, instrumentality or subunit of a city, village, town or county, may enter into a contract for any purpose related to a light rail mass transit system if the cost of any of the contracted items would be paid for by, or reimbursed with, federal funds received under P.L. 102-240, section 1045, or P.L. 105-277, section 373, or any funds received from the state. ~~This subsection~~ section does not apply to any funds expended or activity related to a mass transit system that is done under the memorandum of agreement concerning USH 12 between Middleton and Lake Delton, Wisconsin, that was executed by the governor, the secretary of transportation, the secretary of natural resources, the county executive of Dane County, the administrative coordinator of Sauk County, and others, and that became effective on April 22, 1999.

~~This subsection does not apply after June 30, 2001.~~

(END)

Insert 4-14

D-NOTE

Insert 4-11 (page 1 of 2)

Section #. 85.205 (1) of the statutes is amended to read:

as affected by 2001  
Wisconsin Act 16,

85.205 (1) Notwithstanding ss. 85.022, 85.062, and 85.063, the department may not encumber or expend any federal funds received under P.L. 102-240, section 1045, or P.L. 105-277, section 373, or state funds for any purpose related to a light rail mass transit system on or after September 1, 2001. This subsection does not apply to any light rail mass transit system that is being constructed on October 29, 1999. This subsection does not apply to any funds expended or activity related to a mass transit system that is done under the memorandum of agreement concerning USH 12 between Middleton and Lake Delton, Wisconsin, that was executed by the governor, the secretary of transportation, the secretary of natural resources, the county executive of Dane County, the administrative coordinator of Sauk County, and others, and that became effective on April 22, 1999. This subsection does not apply after June 30, 2002.

History: 1999 a. 9; 2001 a. 16.

Insert (A)

Nonstat File Sequence: **FFF**

LRB 308111

TNF: \_\_\_\_\_

**EFFECTIVE DATE**

1. In the component bar: For the action phrase, execute: ... create → action: → \*NS: → effdate  
For the text, execute: ..... create → text: → \*NS: → effdateA
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

**SECTION # ~~1111~~ • Effective date.**

( #1 ) 1111 ..... This act takes effect  
 on July 1, 2002, or on the day after publication, whichever  
(end of insert) is  
later.

1. In the component bar: For the action phrase, execute: .. create → action: → \*NS: → effdateE  
For the text, execute: ..... create → text: → \*NS: → effdate
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

**SECTION # \_\_\_\_\_ • Effective dates; .....**

..... This act takes effect on the day after publication, except as follows:

( #1 ) ( ) ..... The treatment of  
 sections .....  
 of the statutes takes effect on .....

1. In the component bar: For the budget action phrase, execute: create → action: → \*NS: → 94XX  
For the text, execute: ..... create → text: → \*NS: → effdate
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the 9400 department code.

**SECTION 94 \_\_\_\_\_ • Effective dates; .....**

( #1 ) ( ) ..... The treatment of  
 sections .....  
 of the statutes takes effect on .....

Insert (A) (page 1 of 2)

~~ARC... Hartsough - AM13, Light rail~~

~~FOR 2001 03 BUDGET NOT READY FOR INTRODUCTION~~

~~CAUCUS ASSEMBLY AMENDMENT~~

~~TO ASSEMBLY SUBSTITUTE AMENDMENT~~

~~TO 2001 SENATE BILL 55~~

except as provided in s. 85.20(4m)(g).

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

2 **1.** Page 873, line 18: after that line insert:

3 **"SECTION 2330g.** 85.205 (title) of the statutes is amended to read:

4 **85.205 (title) Prohibited expenditures and construction for light rail.**

5 **SECTION 2330h.** 85.205 of the statutes is renumbered 85.205 (1) and amended

6 to read:

7 85.205 (1) Notwithstanding ss. 85.022, 85.062 and 85.063, the department may

8 not encumber or expend any federal funds received under P.L. 102-240, section 1045,

9 or P.L. 105-277, section 373, or state funds for any purpose related to a light rail mass

10 ~~transit system. This section~~ Notwithstanding any other provision of ch. 59, 60, 61,

Insert (A) (page 2 of 2) county

62, or 66, no governing body of any <sup>or</sup> city, village, town, or county and no agency,  
corporation, instrumentality, or subunit of a city, village, <sup>or</sup> town, or county may enter  
into a contract for any purpose related to a light rail mass transit system if the cost  
of any of the contracted items would be paid for by, or reimbursed with, federal funds  
received under P.L. 102-240, section 1045, or P.L. 105-277, section 373, or any funds  
received from the state. ~~This subsection does not apply to any light rail mass transit~~

~~system that is being constructed on October 29, 1999. This section subsection does  
not apply to any funds expended or activity related to a mass transit system that is  
done under the memorandum of agreement concerning USH 12 between Middleton  
and Lake Delton, Wisconsin, that was executed by the governor, the secretary of  
transportation, the secretary of natural resources, the county executive of Dane  
County, the administrative coordinator of Sauk County, and others, and that became  
effective on April 22, 1999. This section does not apply after June 30, 2001.~~

**SECTION 2330j.** 85.205 (2) of the statutes is created to read:

85.205 (2) A light rail mass transit system may not be constructed in  
Milwaukee County after the effective date of this subsection .... [revisor inserts date],  
unless the Milwaukee County board authorizes construction of the light rail mass  
transit system by resolution and the resolution is ratified by the electors of  
Milwaukee County at a referendum held at the next general election.”.

on or after the effective date  
of this subsection .... [revisor  
inserts date ],

(end of insert)



LRB-3081/1dn  
TNF: KMG:

DRAFTER'S NOTE

ATTN: Maggie Grimm

This bill is a redraft of 1999 AB-659, but includes changes made in AA 1 to ASA 1 to 1999 AB-659. Please note that s. 66.94(9m) is not amended because s. 66.94 was repealed last session. Since the light rail provisions sunset on June 30, 2002, the bill has an effective date of July 1, 2002, or the day after publication, whichever is later. Finally, the bill is not limited to operation or maintenance (as ASA 1 to 1999 AB-659 was), but applies to "any purpose related to a light rail mass transit system".

TNF

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

LRB-3081/1dn  
TNF:kmg:pg

December 6, 2001

ATTN: Maggie Grimm

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Timothy N. Fast  
Senior Legislative Attorney  
Phone: (608) 266-9739  
E-mail: [tim.fast@legis.state.wi.us](mailto:tim.fast@legis.state.wi.us)

**Barman, Mike**

---

**From:** Emerson, James  
**Sent:** Friday, January 25, 2002 10:27 AM  
**To:** Barman, Mike  
**Subject:** LRB 3081

Mike:

Could I please get an electronic copy of Representative Grothman's LRB 3081? It was drafted by Timothy Fast for Representative Grothman.

Thank you.

Jim Emerson  
Rep. Grothman's office



# 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 6, 2001

### MEMORANDUM

To: Representative Grothman

From: Timothy N. Fast, Senior Legislative Attorney

Re: LRB-3081/1 Light rail transit systems

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.