

**2001 DRAFTING REQUEST**

**Bill**

Received: 02/02/2001

Received By: fasttn

Wanted: Today

Identical to LRB:

For: Administration-Budget (608) 266-1039

By/Representing: Etzler

This file may be shown to any legislator: NO

Drafter: fasttn

May Contact:

Alt. Drafters:

Subject: **Transportation - highways**

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

---

**Pre Topic:**

DOA:.....Etzler -

---

**Topic:**

Park East Freeway demolition funding

---

**Instructions:**

Create provision similar to 2nd half of s. 84.11 (5r) re 4/20/99 agreement

---

**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<br>02/02/2001 | gilfokm<br>02/02/2001 |                        | _____          |                            |                 | S&L             |
| /1           |                      |                       | rschluet<br>02/02/2001 | _____          | lrb_docadmin<br>02/02/2001 |                 | S&L             |
| /2           | fasttn<br>02/02/2001 | gilfokm<br>02/02/2001 | haugeca<br>02/05/2001  | _____          | lrb_docadmin<br>02/05/2001 |                 | S&L             |
| /3           | agary<br>02/07/2001  | jdyer<br>02/07/2001   | pgreensl<br>02/07/2001 | _____          | lrb_docadmin<br>02/07/2001 |                 |                 |

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| /?           | fasttn<br>02/02/2001 | gilfokm<br>02/02/2001 |                        |                |                            |                 | S&L             |
| /1           |                      |                       | rschluet<br>02/02/2001 | 2/7<br>Self    | lrb_docadmin<br>02/02/2001 |                 | S&L             |
| /2           | fasttn<br>02/02/2001 | gilfokm<br>02/02/2001 | haugeca<br>02/05/2001  |                | lrb_docadmin<br>02/05/2001 |                 |                 |

FE Sent For:

1/3 2/7 jld  
2/7  
pg

<END>

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|--------------|----------------------|--------------------------|---|-------------------------------------|----------------------------|-----------------|-----------------|
| /?           | fasttn<br>02/02/2001 | gilfokm<br>02/02/2001    |   |                                     |                            |                 | S&L             |
| /1           |                      | <i>12-2/Kmg</i><br>12-01 | rschluet<br>02/02/2001<br><i>CH</i><br><i>2-2</i> | <i>CH</i><br><i>FMA</i><br><i>2</i> | lrb_docadmin<br>02/02/2001 |                 |                 |

FE Sent For:

<END>

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Subject: Transportation - highways

Extra Copies: ARG, PJH - 1

Pre Topic:

DOA:.....Etzler -

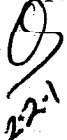
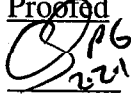
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|--------------|----------------|------------------|--|--|------------------|-----------------|-----------------|
| 1?           | fasttn         | 1-2/Kmg<br>12-01 | <br>2-2-1 | <br>2-2-1 |                  |                 |                 |

FE Sent For:

<END>

case would be an important step in the healing process between the United States and the American Indian community.

As president of the United States, Clinton has a duty to mitigate injustices. Granting clemency to Peltier is not only morally right, but necessary.

**Therese Van Thull**  
Milwaukee

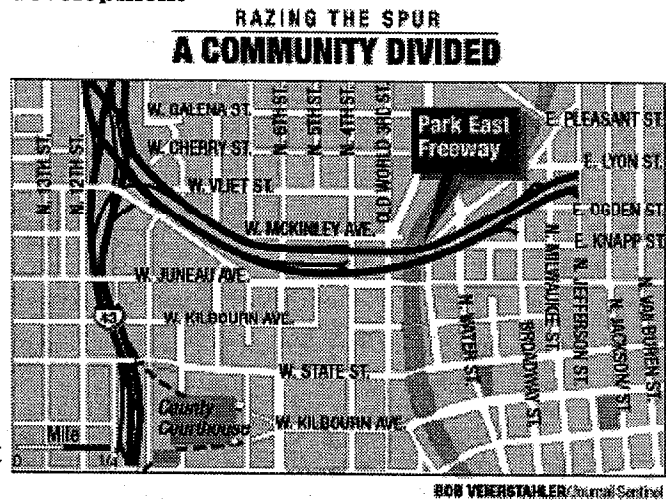
\* \* \*

## Park East Freeway demolition

### It's time to make room for development

The original Park East Freeway proposal was a solution in search of a problem. Neighborhood development over the past 10 years makes its last remnant even more irrelevant. It's time to clear the way for development of this property.

I've lived near the Park East corridor since 1984. I've worked downtown for many years, including eight years on N. Water St., just one block from the Park East.



The area under the freeway is an ugly space, landscaped with acres of underutilized surface parking, weeds and litter of all descriptions. The underside of the structure is rusting and crumbling, despite cosmetic maintenance. Adjacent surface streets that serve as de facto ramps are inhospitable to residential and commercial development and dangerous for both motorists and pedestrians.

Elevated freeways are very expensive to maintain. Even with the so-called "do nothing" option, we would eventually be faced with a major overhaul bill for the Park East stub. Last week's failure of the Hoan Bridge, and estimates approaching \$1 billion for renovation of the Marquette Interchange, illustrate the maintenance liabilities of these structures.

I'm convinced that the catalyst for the fantastic development in the area was the cancellation of the Park East Freeway. I look forward to the time when this will continue to the west.

**Richard Schreiner**  
Milwaukee

**Not all taxpayers want freeway to come down**

On Dec. 13, at the open hearing about the Park East Freeway spur, many of us spoke against the removal and expressed concern about spending tax dollars and possibly implementing additional taxes. When I spoke, I said that the Park East issue could have and should have gone to a public referendum.

On Dec. 16, 1773 - 227 years ago - an event occurred in protest of taxes. It was the Boston Tea Party. The issue: taxation without representation.

Without a referendum, the ability of each Milwaukeean to vote on the fate of the Park East Freeway, we face the same issue. How fitting it is that George Watts, the owner of a tea room, be the leader of the movement - the Milwaukee Tea Party.

**Randy Geipel  
Milwaukee**

Appeared in the Milwaukee Journal Sentinel on Dec. 19, 2000.

[BACK TO TOP](#)



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**Fast, Timothy**

---

**From:** Fast, Timothy  
**Sent:** Friday, February 02, 2001 10:51 AM  
**To:** Schad, Jay  
**Subject:** Park East Freeway demolition

Jay,

Thanks for your help. Thank Pat also. The following language is similar to s. 84.11 (5r), stats:

Proposed s. 84.03 (11)

84.03 (11) PARK EAST FREEWAY CORRIDOR COST SHARING. The costs for any project for the demolition of the abandoned Park East freeway corridor in Milwaukee County shall be paid as specified in an agreement entered into on or after April 20, 1999, by the city and county in which the abandoned freeway corridor is wholly located and this state.

Is this specific enough? Please see s. 66.1105 (4) (gm) 1., stats., which mentions "the abandoned Park East freeway corridor ... in Milwaukee county".

Thanks again. Sorry for the short fuse.

Peace, Tim

Timothy Fast, Senior Legislative Attorney  
Wisconsin Legislative Reference Bureau  
P.O. Box 2037  
Madison, WI 53701-2037  
(608) 266-9739

---

2/2/01 t/c w Jay Schad and Pat Riopelle  
- add language that maximum fed + state funds  
is \$8 m, w \$6.8 m federal ICE funds and  
\$1.2 state funds

TNF

Total Pages Transmitted  
Including  
Transmittal **4**

# FACSIMILE TRANSMITTAL

Date Transmitted  
**2/2/01**

Please deliver the following page(s).

TO: **Tim FASS LRD**

FAX: **4-8522**

TELEPHONE: **6-9739**

FROM: Wisconsin Department of Transportation  
Office of Policy and Budget

FAX: **(608) 261-8626**

TELEPHONE:

- MESSAGE -

*Tim*

*A copy of 4/20/99 agreement*

*as we discussed*

*Jay*





4/20/99

**Letter of Agreement  
on the Allocation of ICE Dollars  
and on Milwaukee Transportation Projects**

**Introduction**

The City of Milwaukee (City), Milwaukee County (County) and the State of Wisconsin (State) agree to the allocation of federal ICE dollars shown below, and the following actions and responsibilities relative to transportation projects in Milwaukee. [ICE dollars are the Interstate Cost Estimate Substitute Project funds provided by Section 1045 of ISTEA, Public Law 102-240, December 8, 1991, as affected by Section 373 of the Omnibus Appropriations Act, Public Law 105-277 (enacted 10/21/98).] The parties agree to cooperate with and support the other parties in carrying out this agreement.

**Basic ICE Allocation**

The total ICE dollars will be allocated 50% to the State and 50% to the City and County (Local) as follows [in millions of dollars]:

| <u>State</u> | <u>Local</u> | <u>Total</u> |
|--------------|--------------|--------------|
| 120.5        | 120.5        | 241.0        |

**Sixth Street Bridge**

The parties agree to a \$60 million cost estimate for the Sixth Street Bridge, which includes final design, real estate, hazardous material remediation and construction. This estimate will be reduced by the amount already expended or encumbered for those purposes when the final project agreement is reached. Of the \$60 million estimate, \$8 million will be divided equally between the State and Local. The balance, estimated to be \$52 million, will be divided 75% State, 12.5% City and 12.5% County. The parties agree to maximize the use of ICE funds on the project. The maximum State commitment will be \$43 million. The resulting distribution of costs is:

| <u>State</u> |       |              | <u>Local</u> |       |              | <u>Grand</u> |
|--------------|-------|--------------|--------------|-------|--------------|--------------|
| ICE          | Match | <u>Total</u> | ICE          | Match | <u>Total</u> | <u>Total</u> |
| 36.5         | 6.5   | 43.0         | 14.5         | 2.5   | 17.0         | 60.0         |

4/20/99

City is the "lead agency" with the State for the design and real estate for the project as specified in City and County agreement with the State Department of Transportation executed December 31, 1991. Lead on construction under existing law, sec. 84.11(7m), Stats., is the State Department of Transportation, but may be affected by the effort to secure design-build authority. The parties agree to cooperate in the design and construction of the project.

### **Park East Freeway**

The parties agree to pursue the termination of the Park East Freeway at Fourth Street. The estimated cost of reducing the length of the current facility, re-establishing a connection to I-43, constructing a new river crossing, and making other street modifications is \$25 million. The State will contribute \$8 million to the project, including any bridge costs. The balance will be Local. The parties agree to maximize the use of ICE funds on the project. The resulting distribution of costs is:

| <u>State</u> |              |              | <u>Local</u> |              |              | <u>Grand</u> |
|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| <u>ICE</u>   | <u>Match</u> | <u>Total</u> | <u>ICE</u>   | <u>Match</u> | <u>Total</u> | <u>Total</u> |
| 6.8          | 1.2          | 8.0          | 14.5         | 2.5          | 17.0         | 25.0         |

County agrees to be the lead agency, in cooperation with the other parties, in the environmental and public processes that will precede any actual removal of the facility. The State Department of Transportation will play the lead role in designing facilities to the local street system for reconnecting to I-43. City will be the lead in the replacement facilities to the local street system and river crossing.

### **Local Transportation Options**

The parties agree that the City and County will allocate the bulk of the remainder of their allocated portion of ICE funds to the projects that result from the study of local transportation options as determined by the Wisconsin District's Transportation Study.

### **Marquette Interchange**

The parties agree that the State will allocate the bulk of its remaining ICE funds to the rebuilding of the Marquette Interchange. The City and the County will have input in the design and construction decisions.

4/20/99

**Summary**

This agreement is intended to implement paragraph (a)(2)(A) of Section 1045 of the Intermodal Surface Transportation Efficiency Act of 1991 [ISTEA], Public Law 102-240, December 8, 1991, as affected by Section 373 of the Omnibus Appropriations Act, Public Law 105-277 (enacted 10/21/98), within six months after its enactment [by April 21, 1999]. The parties agree to cooperate in securing release of the ICE funds from the U.S.DOT for the above purposes. The parties also agree to keep communications ongoing and to revise this agreement in the event that any of the mentioned projects fails to materialize through the study and public processes.

**Signed:**

F. Thomas Ament  
F. Thomas Ament, Milwaukee County Executive

John O. Norquist  
John O. Norquist, Mayor of Milwaukee

Tommy G. Thompson  
Tommy G. Thompson, Governor of Wisconsin

2001

Date (time) needed

~~soon~~ Today (turned in 2/2/01)

D-NOTE

LRB-2387, 1, 1

DOA BUDGET DRAFT

TNF *img*

Use the appropriate components and routines developed for bills.

>>FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION<<

AN ACT ... [DO NOT generate catalog]; relating to: the budget. ....

.....  
.....

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 #

SECTION #. CR; 84.03(3)

84.03 (3) <sup>(CS)</sup> PARK EAST FREEWAY CORRIDOR

<sup>(CS)</sup> COST SHARING: The maximum amount of federal and state funds for the project for the demolition

of the Park East freeway corridor in Milwaukee

County, as provided in an agreement entered into on between

April 20, 1999, <sup>✓</sup> the city of Milwaukee, Milwaukee

County, and the state, shall be \$8,000,000, of

which the ~~minimum~~ <sup>✓</sup> amount of federal funds shall be

\$6,800,000 and the ~~minimum~~ <sup>✓</sup> amount of state funds shall

be \$1,200,000.

(END)

D-NOTE

Analysis

need TRANSPORTATION

sub HIGHWAYS

This bill provides that the maximum amount of federal and state funds for demolition of the abandoned Park East freeway corridor in Milwaukee County is \$8,000,000 (\$6,800,000 in federal funds), as provided in an agreement between the city of Milwaukee, Milwaukee County, and the state.

FE - S/L

LRB-2387/1dn  
TNF: Kmg:

# DRAFTER'S NOTE

ATTN: John Etzler

Drafter's Note  
from the  
Legislative Reference Bureau  
01-0015/P1dn  
PJH/kmg/kri

No 8  
This bill, if included in the compiled budget, may violate art. IV, section 18, of the Wisconsin Constitution, which provides that "No ~~private~~ or local bill which ~~may~~ be passed by the legislature shall embrace more than one subject, and that shall be expressed in the title." If challenged, this bill may be upheld if the general subject matter of the provision relates to a state responsibility of statewide dimension and its enactment will have direct and immediate effect on a specific statewide concern or interest. See, *Milwaukee Brewers v. DH&SS*, 130 Wis.2d 79 (1986).

TNF

LPS:

FROM

~~FOLIO~~

99-1829/P1dn

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

LRB-2387/1dn  
TNF:kmg:rs

February 2, 2001

ATTN: John Etzler

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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)



WANTED TODAY  
2/2/01

DOA:.....Etzler - Park East Freeway demolition funding

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

of which \$6,800,000 are <sup>required to be</sup> federal interstate cost estimate (ICE) funds received by the state. The local share of costs for the project may not be less than \$17,000,000, the amount specified in the agreement between the parties, of which \$14,500,000 are required to be federal ICE funds received by the city or county.

DON'T GEN. CAT

1 AN ACT ... relating to: the budget.

the project involving

**Analysis by the Legislative Reference Bureau**  
**TRANSPORTATION**  
**HIGHWAYS**

share of costs

This bill provides that the maximum ~~amount of federal and state funds~~ for demolition of the abandoned Park East Freeway corridor in Milwaukee County is \$8,000,000 ~~(\$2,800,000 in federal funds)~~, as provided in an agreement between the city of Milwaukee, Milwaukee County, and the state.

For further information see the *state and local* 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:**

2 SECTION 1. 84.03 (3) of the statutes is created to read:

(a)

3 84.03 (3) PARK EAST FREEWAY CORRIDOR COST SHARING. The maximum ~~amount~~

4 ~~of federal and state funds~~ for the project for the demolition of the Park East Freeway

5 corridor in Milwaukee County, as provided in an agreement entered into on April 20,

share of costs

1 1999, between the city of Milwaukee, Milwaukee County, and the state, shall be  
 2 \$8,000,000, of which ~~the amount of federal funds shall be \$6,800,000 and the amount~~  
 3 ~~of state funds shall be \$1,200,000.~~

4 (END)

federal interstate cost estimate funds  
 received by the state

(b) The local share of costs of the project described in par. (a) shall be not less than the amount of \$17,000,000 provided for in the agreement specified under par. (a), of which \$14,500,000 shall be federal interstate cost estimate funds received by the city or county.



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-2387/2

TNF:kmg:ch

DOA:.....Etzler - Park East Freeway demolition funding

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

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*Analysis by the Legislative Reference Bureau*

**TRANSPORTATION**

**HIGHWAYS**

This bill provides that the maximum state share of costs for the project involving demolition of the abandoned Park East Freeway corridor in Milwaukee County is \$8,000,000, as provided in an agreement between the city of Milwaukee, Milwaukee County, and the state, of which \$6,800,000 are required to be federal interstate cost estimate (ICE) funds received by the state. The local share of costs for the project may not be less than \$17,000,000, the amount specified in the agreement between the parties, of which \$14,500,000 are required to be federal ICE funds received by the city or county.

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3 84.03 (3) PARK EAST FREEWAY CORRIDOR COST SHARING. (a) The maximum state

4 share of costs for the project for the demolition of the Park East Freeway corridor in

1 Milwaukee County, as provided in an agreement entered into on April 20, 1999,  
2 between the city of Milwaukee, Milwaukee County, and the state, shall be  
3 \$8,000,000, of which \$6,800,000 shall be federal interstate cost estimate funds  
4 received by the state.

5 (b) The local share of costs of the project described in par. (a) shall be not less  
6 than the amount of \$17,000,000 provided for in the agreement specified under par.  
7 (a), of which \$14,500,000 shall be federal interstate cost estimate funds received by  
8 the city or county.

9 (END)

ARB (RMR) JLD

DOA:.....Etzler - Park East Freeway demolition funding

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

Soon  
I-note

Do not gen

1

AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

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This bill provides that the maximum state share of costs for the project involving demolition of the abandoned Park East Freeway corridor in Milwaukee County is \$8,000,000, as provided in an agreement between the city of Milwaukee, Milwaukee County, and the state, of which \$6,800,000 are required to be federal interstate cost estimate (ICE) funds received by the state. The local share of costs for the project may not be less than \$17,000,000, the amount specified in the agreement between the parties, of which \$14,500,000 are required to be federal ICE funds received by the city or county.

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

2

SECTION 1. 84.03 <sup>(4)</sup> of the statutes is created to read:

3

84.03 <sup>(4)</sup> ← <sup>(3)</sup> PARK EAST FREEWAY CORRIDOR COST SHARING. (a) The maximum state

4

share of costs for the project for the demolition of the Park East Freeway corridor in

1 Milwaukee County, as provided in an agreement entered into on April 20, 1999,  
2 between the city of Milwaukee, Milwaukee County, and the state, shall be  
3 \$8,000,000, of which \$6,800,000 shall be federal interstate cost estimate funds  
4 received by the state.

5 (b) The local share of costs of the project described in par. (a) shall be not less  
6 than the amount of \$17,000,000 provided for in the agreement specified under par.  
7 (a), of which \$14,500,000 shall be federal interstate cost estimate funds received by  
8 the city or county.

9

*(END)*  
*XXXX NOTE: This is reconciled s. 84.03 (4). This*  
*Section has been affected by drafts*  
*with the following LRB #s: 1465/6.*  
*D-Note*

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

LRB-2387/3dn  
TNF&ARG:..:...

JLD

This draft reconciles LRB-1965/6 and LRB-2387/2 by renumbering proposed s. 84.03 (3) to 84.03 (4). Both LRB-1965 and LRB-2387 will continue to appear in the compiled bill. (5.)

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: aaron.gary@legis.state.wi.us

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

LRB-2387/3dn  
TNF&ARC:jld:pg

February 7, 2001

This draft reconciles LRB-1965/6 and LRB-2387/2 by renumbering proposed s. 84.03 (3) to s. 84.03 (4). Both LRB-1965 and LRB-2387 will continue to appear in the compiled bill.

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)

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: [aaron.gary@legis.state.wi.us](mailto:aaron.gary@legis.state.wi.us)





State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-2387/3  
TNF&ARG:kmg&jld:pg

DOA:.....Etzler - Park East Freeway demolition funding

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

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*Analysis by the Legislative Reference Bureau*

**TRANSPORTATION**

**HIGHWAYS**

This bill provides that the maximum state share of costs for the project involving demolition of the abandoned Park East Freeway corridor in Milwaukee County is \$8,000,000, as provided in an agreement between the city of Milwaukee, Milwaukee County, and the state, of which \$6,800,000 are required to be federal interstate cost estimate (ICE) funds received by the state. The local share of costs for the project may not be less than \$17,000,000, the amount specified in the agreement between the parties, of which \$14,500,000 are required to be federal ICE funds received by the city or county.

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

2 SECTION 1. 84.03 (4) of the statutes is created to read:

3 84.03 (4) PARK EAST FREEWAY CORRIDOR COST SHARING. (a) The maximum state  
4 share of costs for the project for the demolition of the Park East Freeway corridor in

**SECTION 1**

1 Milwaukee County, as provided in an agreement entered into on April 20, 1999,  
2 between the city of Milwaukee, Milwaukee County, and the state, shall be  
3 \$8,000,000, of which \$6,800,000 shall be federal interstate cost estimate funds  
4 received by the state.

5 (b) The local share of costs of the project described in par. (a) shall be not less  
6 than the amount of \$17,000,000 provided for in the agreement specified under par.  
7 (a), of which \$14,500,000 shall be federal interstate cost estimate funds received by  
8 the city or county.

\*\*\*\*NOTE: This is reconciled s. 84.03 (4). This SECTION has been affected by drafts  
with the following LRB numbers: LRB-1965/6.

9

(END)