

**2003 DRAFTING REQUEST**

**Assembly Amendment (AA-AB678)**

Received: **01/14/2004**

Received By: **agary**

Wanted: **Today**

Identical to LRB:

For: **John Ainsworth (608) 266-3097**

By/Representing: **Kristina Boardman (aide)**

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

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**

Extra Copies: **PJH**

Submit via email: **YES**

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

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

transportation project plats description for town highways recodification

---

**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	agary 01/14/2004	kfollett 01/14/2004	jfrantze 01/14/2004	_____	Inorthro 01/14/2004	Inorthro 01/14/2004	

FE Sent For:

<END>

2003 DRAFTING REQUEST

Assembly Amendment (AA-AB678)

Received: 01/14/2004

Received By: agary

Wanted: Today

Identical to LRB:

For: John Ainsworth (608) 266-3097

By/Representing: Kristina Boardman (aide)

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: Transportation - highways

Extra Copies: PJH

Submit via email: YES

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

transportation project plats description for town highways recodification

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?	agary	1/14 1/14	1/14	1/14			

FE Sent For:

<END>

## Gary, Aaron

---

**From:** Boardman, Kristina  
**Sent:** Wednesday, January 14, 2004 1:35 PM  
**To:** Gary, Aaron  
**Subject:** FW: AB678--town highways recodification

Aaron:

I hate to even ask....

Would there be time to draft one more TINY amendment? If not - tell me where to go, and I will do the same to DOT.....

I said I would regretfully ask - but did not promise anything.

WisDOT requests an amendment to allow reference to a recorded or filed Transportation Project Plat to serve as a "legal description" of the property under new ch. 82. (AA2 does not accomplish this.) This amendment would treat Transportation Project Plats the same way AB678 treats Certified Survey Maps and Subdivision Plats at page 63, lines 7-9. The following draft language would accomplish this:

Page 63, line 9: after that line insert:

“(c) If the land is depicted in a transportation project plat filed or recorded under s. 84.095, by reference as described in s. 84.095(7)(a).”

\*\*\*\*Note: This section allows reference to a transportation project plat to serve as the legal description of property.

This language was provided by Paul Nilsen - I think he has sent you information on this topic previously.

Let me know.

Kristina

## Gary, Aaron

---

**From:** Nilsen, Paul  
**Sent:** Tuesday, January 13, 2004 1:28 PM  
**To:** Zavos, Nicholas  
**Cc:** Gary, Aaron; Thiel, Jim; Wisner, Fred; Romanski, Randy; Klein, Rose; Gonzalez-Velez, Hector - DOT  
**Subject:** FW: SB 315 / AB 678

Nicholas,

Would you please have "SB315 changes" drafted as an amendment to AB678 for consideration at the hearing. AB 678 relates to reorganization of chs. 80 and 81. AB678 is up for possible exec THIS THURSDAY, January 15, at 10 before Rep. Ainsworth's Committee on Trans, Room 417.

I have drafted some amendments to AB678/SB315 for some minor modifications requested by WisDOT. The amendments effectuate items 1, 2, 5 and 6 of the attached drafting request ("sb315 12\_4\_03.doc"). Items 3, 4, 7 and 8 should not be included in WisDOT's requested amendment to AB678/SB315.

I have included internal emails summarizing communications between WisDOT and Wisconsin Towns Association and others concerning the changes suggested by the drafting request.



SB315  
changes.doc



sb315 12\_4\_03.doc

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

**From:** Thiel, Jim  
**Sent:** Friday, January 09, 2004 3:37 PM  
**To:** Nilsen, Paul  
**Cc:** Wisner, Fred; Gonzalez-Velez, Hector - DOT  
**Subject:** RE: SB 315 / AB 678

Correction, don't draft #4. Do the others first, leave out #3 unless you agree -- it's just not a big deal.

#4 is too substantive for a leg. council recod., but if you want and have time to do a separate draft amendment just on that, o.k. but I doubt if it will get the time of day at this late stage so use your own judgment and discretion.

Rick S. of Towns and Tom Harnisch should get copy of draft as well as to Nicholas Zavos with Leg. Council. Here's what Rick reacted too. He thought #6 was a really good idea in our conversation today. By the way, #5 says we don't cut grass, we still do, just not as much as we used to.



Recodification of  
Chapters 80 ...

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

**From:** Gonzalez-Velez, Hector - DOT  
**Sent:** Friday, January 09, 2004 3:22 PM  
**To:** Nilsen, Paul  
**Cc:** Thiel, Jim; Wisner, Fred  
**Subject:** SB 315 / AB 678

4. Section 66.1031: Propose adding a separate subsection authorizing DOT to map highway corridors to establish uniform setbacks for acquisition for future state trunk highway expansion. This process would be subject to a public hearing prior to the finalization of the highway corridor map. This section currently authorizes counties to carry out mapping to establish setbacks for future highway expansion. This section replaces s. 80.64 relating to the establishment of highway excess widths.
5. Section 66.1037: Propose reinstating original language found in s. 80.01(3). DOT has relied on original language to preserve its highway right-of-way. Also, DOT is not currently cutting grass in the right-of-way to safeguard the natural habitats for various bird species, etc. DOT has invested considerable resources in planning, planting, and maintaining these habitats and the growth and expansion of wild flowers planted on the highway right-of-way. The current language permits the cutting or trimming of grass by any person.
6. Section 82.01(5): Propose adding language to the definition of "legal description" to include reference to s. 84.095 because the process under that section is available to towns. Section 84.095(2) provides for the filing or recording of transportation project plats in connection with a transportation project.
7. Section 82.10: Propose Reconciling any differences with this section and s. 66.1003 related to discontinuance of streets, roads and alleys. Also, propose adding language that provides for notification to the DOT Secretary by a town upon receipt of a petition for discontinuing a street, road or highway under ss. 82.10 and 82.21 or upon a town's own initiative to ensure that the proposed discontinuance of a street, road or highway abutting, intersecting or within one-quarter mile of a state trunk highway will not cause safety problems or that such street, road or highway will not be required for, or be an integral part of a future state trunk highway improvement project.
8. Section 82.21: Same proposals as with s. 82.10. See 7 above.

2003 Assembly Bill 678/Senate Bill 315  
Modifications requested by WisDOT

---

Page 8, line 7: after that line insert:

“Section 13g. 66.1003 (8) is renumbered 66.1003 (8)(b).

Section 13m. 66.1003 (8)(a) is created to read:

66.1003 (8)(a) Upon receiving a petition under sub. (2) or (3) or upon the introduction of a resolution under sub. (4), the city, village, town or county shall deliver a copy of the petition or resolution to the secretary of transportation, if the public way that is the subject of the petition or resolution lies within one-quarter mile of a state trunk highway or connecting highway.”

\*\*\*\*Note: This section delivers notice to WisDOT of proposed discontinuance of public ways proximate to state trunk highways. This section must refer to counties due to s. 236.445, stats., which allows counties to discontinue public ways in the manner provided by this section.

Page 66, line 11: after “(4) (title)” insert “, (a) 5.”

Page 66, line 21: after that line insert:

(a) 5. The secretary of transportation, if the highway that is the subject of the application or resolution lies within one-quarter mile of a state trunk highway or connecting highway.

\*\*\*\*Note: This section delivers notice to WisDOT of proposed discontinuance of public ways proximate to state trunk highways. Page 21, line 3 provides that applications to discontinue a highway under proposed s. 82.21 proceed under s. 82.10 (so this section also provides WisDOT with notices of discontinuance commenced under s. 82.21).

Page 10, line 23: delete “~~public~~” and substitute “public”.

Page 10, line 24: delete “~~authorities city, village, town, or county~~” and substitute “authorities”.

Page 10, line 25: delete “~~Such~~” and substitute “Such”.

Page 11, line 11: delete “~~authorities. The city, village, town or county~~” and substitute “authorities”.

Page 11, line 6: delete “~~other than grass~~”.

Page 11, line 9: after “~~but such~~” insert “, except that a person may cut or trim grass without consent along any highway that is not a state trunk highway”.

\*\*\*\*Note: The treatment of page 10, line 23 to Page 11, line 9 prohibits individuals from cutting grass along state trunk highways without consent.

Page 63, line 9: after that line insert:

“(c) If the land is depicted in a transportation project plat filed or recorded under s. 84.095, by reference as described in s. 84.095(7)(a).”

\*\*\*\*Note: This section allows reference to a transportation project plat to serve as the legal description of property.

(END)

TODAY

ARG: *[Signature]*

**ASSEMBLY AMENDMENT ,  
TO 2003 ASSEMBLY BILL 678**

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

2 **1.** Page 63, line 9: after that line insert:

3 “(c) If the land is depicted in a transportation project plat filed or recorded  
4 under s. 84.095, by reference as described in s. 84.095 (7) (a).”

5 (END)