

2007 DRAFTING REQUEST

Bill

Received: 02/05/2007

Received By: bbalinsk

Wanted: As time permits

Identical to LRB:

For: Charles Benedict (608) 266-9967

By/Representing: Tara Vasby

This file may be shown to any legislator: NO

Drafter: bbalinsk

May Contact:

Addl. Drafters:

Subject: Transportation - highways  
Transportation - motor vehicles

Extra Copies: ARG

Submit via email: YES

Requester's email: Rep.Benedict@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Prohibition on DOT constructing vehicle weighing station and interchange in Rock county and creation of vehicle weighing station surcharge for Rock County.

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> |
|--------------|------------------------|------------------------|------------------------|----------------|-----------------------|-----------------------|-----------------|
| /P1          | bbalinsk<br>02/06/2007 | kfollett<br>02/07/2007 | jfrantze<br>02/07/2007 | _____          | mbarman<br>02/08/2007 |                       | S&L             |
| /1           | bbalinsk<br>02/08/2007 | kfollett<br>02/08/2007 | nnetzke<br>02/08/2007  | _____          | cduerst<br>02/08/2007 | mbarman<br>02/08/2007 | S&L             |

FE Sent For:

*at intro  
2/21*

<END>

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| /1           | bbalinsk<br>02/08/2007 | kfollett<br>02/08/2007 | nmatzke<br>02/08/2007  | _____          | cduerst<br>02/08/2007 |                 | S&L             |

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| /P1          | bbalinsk<br>02/06/2007 | kfollett<br>02/07/2007 | jfrantze<br>02/07/2007 | _____          | mbarman<br>02/08/2007 |                 | S&L             |

FE Sent For:

1/1 KGF  
2/8

<END>

PA's Jacket "1" for Assembly

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|--------------|----------------|-----------------|--------------|-----------------|------------------|-----------------|-----------------|
| /P1          | bbalinsk       | /P1/cjf<br>2/7  | jt<br>2/7    | bbalinsk<br>2/7 |                  |                 |                 |

FE Sent For:

<END>

**Balinsky, Brett**

---

**To:** Hurley, Peggy  
**Subject:** RE: RE: redraft 2005 AB 1169

---

**From:** Vasby, Tara  
**Sent:** Friday, February 02, 2007 11:52 AM  
**To:** Hurley, Peggy  
**Subject:** RE: redraft 2005 AB 1169

Peggy,

Could you please redraft AB 1169 from 2005? I apologize for the short notice, but if we could get it early next week, that would be fabulous. They are breaking ground on the weigh station in May 2007, so the townspeople are a bit anxious.

Thanks!

Tara Vasby

Leg. Assistant

Rep. Chuck Benedict

2007-2008

2005-2006 LEGISLATURE

1837/P1

LRB-48584

PH:jld:rs

3003:lgf

RMNR

Need by  
2/8/07

# 2005 ASSEMBLY BILL 1169

IN 2/6/07

Insert

PWF

April 3, 2006 - Introduced by Representatives BENEDICT, TOWNS, SHERIDAN and DAVIS, cosponsored by Senator ROBSON. Referred to Committee on Transportation.

Reger

1 AN ACT *to amend* 84.01 (21); and *to create* 59.40 (2) (mm), 84.02 (3m), 348.11  
 2 (3), 348.21 (5), 814.75 (22mv), 814.75 (22my), 814.79 (9m) and 814.79 (9r) of the  
 3 statutes; **relating to:** building a certain vehicle weighing station in Rock  
 4 County, building a certain interchange in Rock County, and creating a vehicle  
 5 weighing station surcharge for size and weight violations detected at a certain  
 6 vehicle weighing station in Rock County.

to provide funds to  
the town of La Prairie

### ***Analysis by the Legislative Reference Bureau***

Current law allows the Department of Transportation (DOT) to acquire, construct, and maintain motor vehicle weighing stations for weighing, measuring, or inspecting vehicles and loads operating on any public highway in the state. DOT may also acquire, construct, and maintain interchanges along any public highway in the state <sup>and if certain conditions are met, DOT may construct an interchange at the intersection of Townline Road and I 90 in Rock County</sup>

This bill prohibits DOT from constructing, before January 1, 2057, any motor vehicle weighing station on the southbound lanes of I 39/I 90 in Rock County and prohibits DOT from building an interchange at the intersection of Townline Road and I 90 in Rock County.

Current law also places limits on load, length, width, and weight for vehicles traveling on the highways. Violators may be subject to forfeitures ranging from \$10 to \$300, plus an amount based on how much the violation exceeded permissible limits, depending on the violation. This bill imposes a 10 percent surcharge on all

**ASSEMBLY BILL 1169**

violations that are detected at a vehicle weighing facility located on the northbound lane of I 39/I 90 in Rock County and the surcharge is paid to the town of La Prairie in Rock County.

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:*

✓  
1 SECTION 1. 59.40 (2) (mm) of the statutes is created to read:

2 59.40 (2) (mm) Pay monthly to the treasurer the amounts required by ss. 348.11 ✓  
3 (3) and 348.21 (5) for the motor vehicle weighing facility surcharge. The payments  
4 shall be made by the 15th day of the month following receipt thereof.

5 SECTION 2. 84.01 (21) of the statutes is amended to read: ✓

6 84.01 (21) MOTOR VEHICLE WEIGHING STATIONS. The department, as a part of the  
7 improvement and maintenance of highways, may acquire, construct and maintain  
8 lands and facilities, including scales or weighing stations, for weighing, measuring  
9 or inspecting vehicles and loads operating on any public highway in the state. Lands  
10 necessary may be adjacent or contiguous to the highway and weighing station  
11 facilities may be constructed and maintained upon the traveled portion of the  
12 highway or any other part thereof. The department may not construct a motor ✓  
13 vehicle weighing facility on the southbound lanes of I 39/I 90 in Rock County before  
14 January 1, 2057. ✓

15 Insert 2-15 → SECTION 3. 84.02 (3m) of the statutes is created to read:

16 84.02 (3m) The department may not construct an interchange at the  
17 intersection of Townline Road and I 90 in Rock County. e

18 SECTION 4. 348.11 (3) of the statutes is created to read: ✓

**ASSEMBLY BILL 1169**

1           348.11 (3) (a) If a court imposes a forfeiture under this section for a violation  
2 that is discovered at a motor vehicle weighing facility located on the northbound  
3 lanes of I 39/I 90 in Rock County, the court shall also impose under ch. 814 a motor  
4 vehicle weighing facility surcharge of 10 percent of the forfeiture amount.

5           (b) The clerk of the circuit court shall collect and transmit the amount of the  
6 motor vehicle weighing facility surcharge to the county treasurer as provided in s.  
7 59.40 (2) (mm). The county treasurer shall then pay this amount to the town of La  
8 Prairie in Rock County.

9           **SECTION 5.** 348.21 (5) of the statutes is created to read:

10           348.21 (5) (a) If a court imposes a forfeiture under this section for a violation  
11 that is discovered at a motor vehicle weighing facility located on the northbound  
12 lanes of I 39/I 90 in Rock County, the court shall also impose under ch. 814 a motor  
13 vehicle weighing facility surcharge of 10 percent of the forfeiture amount.

14           (b) The clerk of the circuit court shall collect and transmit the amount of the  
15 motor vehicle weighing facility surcharge to the county treasurer as provided in s.  
16 59.40 (2) (mm). The county treasurer shall then pay this amount to the town of La  
17 Prairie in Rock County.

18           **SECTION 6.** 814.75 (15m) of the statutes is created to read:

19           814.75 (15m) The motor vehicle weighing facility surcharge under s. 348.11  
20 (3).

21           **SECTION 7.** 814.75 (15n) of the statutes is created to read:

22           814.75 (15n) The motor vehicle weighing facility surcharge under s. 348.21  
23 (5).

24           **SECTION 8.** 814.79 (6m) of the statutes is created to read:

25           814.79 (6m) The motor vehicle weighing facility surcharge under s. 348.11 (3).



**ASSEMBLY BILL 1169**

**SECTION 9**

①

SECTION 9. 814.79 <sup>bn</sup> (9f) of the statutes is created to read: ✓

②

814.79 <sup>bn</sup> (9r) The motor vehicle weighing facility surcharge under s. 348.21 (5). ✓

3

(END)

Insert 4-3

1           **INSERT 2-15**

2           SECTION ~~8~~ 84.013 (9) of the statutes is amended to read:

3           84.013 (9) ~~If the department, in consultation with the department of commerce,~~  
4           ~~determines that a business development having a payroll exceeding \$10,000,000 in~~  
5           ~~a calendar year is being located within a 3-mile radius of the intersection of I 90 and~~  
6           ~~Town Line Road in Rock County, the department shall construct an interchange~~  
7           ~~funded from the appropriations under s. 20.395 (3) (cq) to (ex) off of I 90 to Town Line~~  
8           ~~Road. The department may not construct an interchange at the intersection of~~  
9           Townline Road and I 90 in Rock County.

10           History: 1983 a. 27; 1985 a. 29 ss. 1564 to 1566g, 3202 (51); 1987 a. 27 ss. 10cm, 1654un to 1654uws; 1987 a. 403; 1989 a. 31; 1991 a. 39; 1993 a. 16, 237, 246; 1995 a. 27 s. 9116 (5); 1995 a. 113; 1997 a. 27; 1999 a. 9; 2001 a. 16, 109; 2003 a. 33; 2005 a. 25.

11           **INSERT 4-3**

12           **SECTION 1. Initial applicability.**

13           (1) The treatment of sections 348.11 (3) and 348.21 (5) of the statutes first  
14           applies to violations committed on the effective date of this subsection, but does not  
15           preclude the counting of other violations as prior violations for purposes of  
16           sentencing a person.

## Barman, Mike

---

**From:** Barman, Mike  
**Sent:** Thursday, February 08, 2007 10:28 AM  
**To:** Vasby, Tara  
**Cc:** Balinsky, Brett  
**Subject:** RE: Draft review: LRB 07-1837/P1 Topic: Prohibition on DOT constructing vehicle weighing station and interchange in Rock county and creation of vehicle weighing station surcharge for Rock County.

Tara,

It will have to be re-drafted to a "/1" ... I will forward your request to the drafting attorney of this bill ... Brett Balinsky (PH. 267-7380).

**Mike Barman** (Senior Program Assistant)

State of Wisconsin - Legislative Reference Bureau

Legal Section - Front Office

1 East Main Street, Suite 200, Madison, WI 53703

(608) 266-3561 / [mike.barman@legis.wisconsin.gov](mailto:mike.barman@legis.wisconsin.gov)

---

**From:** Vasby, Tara  
**Sent:** Thursday, February 08, 2007 9:51 AM  
**To:** Barman, Mike  
**Subject:** RE: Draft review: LRB 07-1837/P1 Topic: Prohibition on DOT constructing vehicle weighing station and interchange in Rock county and creation of vehicle weighing station surcharge for Rock County.

Mike, looks good. Can I get it jacketed?

Tara Vasby  
Leg. Assistant  
Rep. Chuck Benedict

---

**From:** Barman, Mike  
**Sent:** Thursday, February 08, 2007 7:48 AM  
**To:** Rep.Benedict  
**Subject:** Draft review: LRB 07-1837/P1 Topic: Prohibition on DOT constructing vehicle weighing station and interchange in Rock county and creation of vehicle weighing station surcharge for Rock County.

**Following is the PDF version of draft LRB 07-1837/P1.**



State of Wisconsin  
2007 - 2008 LEGISLATURE

LRB-1837/P1

BAB:kjff

RMR

No changes Today

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

IN 2/8/07

Regen

1 AN ACT to amend 84.01 (21) and 84.013 (9); and to create 59.40 (2) (mm), 348.11  
 2 (3), 348.21 (5), 814.75 (22mv), 814.75 (22my), 814.79 (9m) and 814.79 (6n) of the  
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 6 vehicle weighing station in Rock County to provide funds to the town of La  
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Current law also places limits on load, length, width, and weight for vehicles traveling on the highways. Violators may be subject to forfeitures ranging from \$10

to \$300, plus an amount based on how much the violation exceeded permissible limits, depending on the violation. This bill imposes a 10 percent surcharge on all violations that are detected at a vehicle weighing facility located on the northbound lane of I 39/I 90 in Rock County and the surcharge is paid to the town of La Prairie in Rock County.

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

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10 necessary may be adjacent or contiguous to the highway and weighing station  
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17 lanes of I 39/I 90 in Rock County, the court shall also impose under ch. 814 a motor  
18 vehicle weighing facility surcharge of 10 percent of the forfeiture amount.

19 (b) The clerk of the circuit court shall collect and transmit the amount of the  
20 motor vehicle weighing facility surcharge to the county treasurer as provided in s.  
21 59.40 (2) (mm). The county treasurer shall then pay this amount to the town of La  
22 Prairie in Rock County.

23 **SECTION 5.** 814.75 (15m) of the statutes is created to read:

24 814.75 (15m) The motor vehicle weighing facility surcharge under s. 348.11 (3).

25 **SECTION 6.** 814.75 (15n) of the statutes is created to read:



**Duerst, Christina**

---

**From:** Vasby, Tara  
**Sent:** Thursday, February 08, 2007 11:40 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 07-1837/1 Topic: Prohibition on DOT constructing vehicle weighing station and interchange in Rock county and creation of vehicle weighing station surcharge for Rock County.

Please Jacket LRB 07-1837/1 for the ASSEMBLY.