

2007 DRAFTING REQUEST

Bill

Received: 02/07/2007

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Roger Breske (608) 266-2509

By/Representing: Beth Piliouras (aide)

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: Transportation - highways

Extra Copies: BAB

Submit via email: YES

Requester's email: Sen.Breske@legis.wisconsin.gov

Carbon copy (CC:) to: aaron.gary@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Designating veterans memorial bridge in Tomahawk

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>
/?	agary 02/07/2007	jdyer 02/07/2007		_____			
/1			nnatzke 02/07/2007	_____	sbasford 02/07/2007	sbasford 02/20/2007	

FE Sent For:

<END>

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/?	agary	1 2/7 jld	nwn 2/7	nwn 2/7			

FE Sent For:

<END>

Gary, Aaron

From: Gary, Aaron
Sent: Wednesday, February 07, 2007 1:38 PM
To: Piliouras, Elizabeth
Subject: RE: Breske draft request of AB48 (LRB 0280)

Hi Beth,

I have redrafted this as LRB-1858 and am putting it into editing.

There is kind of an oddity to this bill - bill section 1. The bill originated as 2005 AB-1183, introduced on April 18, 2006, during the last floor periods of last session. When the bill was on the assembly floor, I got a call for an amendment to it. Somebody was told that DOT had a concern with the bill but couldn't tell me what that concern was. I speculated and drafted what is now bill section 1 in 2007 AB-48 (then 2005 AA1 to AB-1183), but my speculation was wrong. After last session's floor periods were finished, I learned that DOT's problem was actually that they didn't believe the bridge could be "marked" on the bridge and, since the bridge was a local bridge, they didn't have sufficient highway right-of-way under their jurisdiction to put markers at the end of the bridge. So bill section 1 doesn't solve anything. If the local authority is OK with DOT putting up the markers at the end of the bridge, then there is no problem and bill section 1 is unnecessary. If the local authority is not OK with it, then bill section 1 doesn't help address the problem and the bill should instead require the local authority to dedicate a sufficient right-of-way at each end of the bridge to allow DOT to locate the markers there.

In sum, I don't believe bill section 1 is necessary in the draft. I raised this issue in redrafting 2005 AB-1183 to 2007 AB-48, but the bill's sponsor wanted me to put bill section 1 (AA1 from 2005) in anyway.

I assume you still want the bill to be identical to the assembly version. But you may want to confer with DOT on this issue or confer with the assembly sponsor. It is possible that bill section 1 could eventually be amended out of AB-48 or the senate version.

Aaron

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Piliouras, Elizabeth
Sent: Wednesday, February 07, 2007 1:12 PM
To: Gary, Aaron
Subject: Breske draft request of AB48 (LRB 0280)

Hi Aaron:

Roger would like to have a senate version of AB48 drafted.

Thanks!
Beth

Beth Piliouras

02/07/2007

Senator Roger Breske

608-266-2509

in 2/7
son
LRB-02801
ARG/jld:jf
1858/1
Stays
RMNR

2007 ASSEMBLY BILL 48

g
January 30, 2007 - Introduced by Representatives FRISKE, PETROWSKI, BIES, ZIEGELBAUER, MEYER, MURSAU, NERISON, GUNDERSON, JESKEWITZ, KERKMAN, M. WILLIAMS, MUSSER, ALBERS and OWENS, cosponsored by Senators BRESKE, S. FITZGERALD, LASSA, A. LASEE, MILLER, KAPANKE, GROTHMAN and SULLIVAN. Referred to Committee on Transportation.

Regen

1 AN ACT *to amend* 84.10 (1); and *to create* 84.1024 of the statutes; **relating to:**
2 designating and marking a bridge across the Wisconsin River in the city of
3 Tomahawk as Veterans Memorial Bridge.

Analysis by the Legislative Reference Bureau

Under current law, certain highway routes and bridges have been designated and marked to memorialize, commemorate, or recognize certain individuals, groups, or events. This bill directs the Department of Transportation to designate and, upon receipt of sufficient contributions from interested parties, mark the 4th Street bridge across the Wisconsin River in the city of Tomahawk as "Veterans Memorial Bridge" as a living memorial to and in honor of all Wisconsin veterans, living and dead, of all wars in which the United States has engaged. No state funds, other than from contributions from interested parties, may be used for the erection or maintenance of any marker to identify the bridge as "Veterans Memorial Bridge."

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

4 SECTION 1. 84.10 (1) of the statutes is amended to read:
5 84.10 (1) The amounts allocated under s. 20.395 (3) (cq) and (eq) for the
6 purposes described in this subsection shall be expended by the department for the

ASSEMBLY BILL 48**SECTION 1**

1 maintenance and operation of bridges not on the state trunk highway system which
2 were constructed, reconstructed, or purchased under s. 84.11 before August 9, 1989,
3 and under s. 84.12 and free bridges located in connecting highways in 4th class cities,
4 and towns, which have a length, not including approaches, of 300 feet or more, or a
5 swing or lift span. Except as provided in a jurisdictional transfer agreement under
6 s. 84.16, all matters relating to the maintenance and operation of such bridges shall
7 be under the control of the department. Maintenance and operation shall not include
8 the roadway lighting system and shall not include snow and ice removal and control
9 for bridges located on connecting highways. Notwithstanding any other provision
10 of law, the department shall designate and mark the bridge specified in s. 84.1024
11 in the manner and under the conditions specified in s. 84.1024. The department may
12 arrange with any county highway committee or with any city, village or town for the
13 operation or maintenance or both of any such bridge; and any county highway
14 committee, city, village or town may enter into such arrangement. This subsection
15 does not apply to sub. (2).

16 **SECTION 2.** 84.1024 of the statutes is created to read:

17 **84.1024 Veterans Memorial Bridge. (1)** The department shall designate
18 and, subject to sub. (2), mark the 4th Street bridge, under the department's
19 jurisdiction under s. 84.10 (1), on CTH "L" across the Wisconsin River in the city of
20 Tomahawk in Lincoln County as "Veterans Memorial Bridge" as a living memorial
21 to and in honor of all Wisconsin veterans, living and dead, of all wars in which the
22 United States has engaged.

23 **(2)** Upon receipt of sufficient contributions from interested parties, including
24 any county, city, village, or town, to cover the costs of erecting and maintaining
25 markers at the bridge specified in sub. (1) to clearly identify to motorists the

ASSEMBLY BILL 48

1 designation of the bridge as “Veterans Memorial Bridge,” the department shall erect
2 and maintain the markers. No state funds, other than from the receipt of
3 contributions under this subsection, may be expended for the erection or
4 maintenance of the markers.

5 (END)

Barman, Mike

From: Piliouras, Elizabeth

Sent: Monday, February 19, 2007 4:42 PM

To: LRB.Legal

Subject: Draft Review: LRB 07-1858/1 Topic: Designating veterans memorial bridge in Tomahawk

Please Jacket LRB 07-1858/1 for the SENATE.