

2009 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB282)

Received: **04/20/2010**

Received By: **agary**

Wanted: **As time permits**

Companion to LRB:

For: **Robin Vos (608) 266-9171**

By/Representing: **Jenny Toftness**

May Contact:

Drafter: **agary**

Subject: **Transportation - mass trnst/rail**

Addl. Drafters:

Extra Copies: **JK**

Submit via email: **YES**

Requester's email: **Rep.Vos@legis.wisconsin.gov**

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

Pre Topic:

No specific pre topic given

Topic:

Regional transit authorities, item 9, Dane 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>
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FE Sent For:

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/?	agary	1bjk 4/20		<u>4/20</u>			

FE Sent For:

<END>

Gary, Aaron

From: Toftness, Jennifer
Sent: Tuesday, April 20, 2010 9:55 AM
To: Gary, Aaron
Subject: Request for amendments to RTA

Hi Aaron,

Robin and I met with Scott Grosz this morning about the RTA bill and Robin has come up with a list of amendments that I am submitting at this time. Feel free to ask me any questions, or you can also ask Scott, as he was present and understands Robin's intent on all of them and also has a much better idea of what parts of the statutes needs to be addressed.

1. Remove Ozaukee, Washington, Waukesha, and Walworth Counties from the definition of southeastern counties eligible to form IRTAs
2. Must have at least two municipalities to form an IRTA. Under the current bill, the city of Racine could form its own IRTA unilaterally if it operates an existing transit system.
3. Specify that no municipal membership fee may be funded through a wheeltax
4. If a referendum fails in one municipality that attempts to form an IRTA, specify that that municipality may not contract on its own for any expansion of service.
5. Eliminate the power of eminent domain for IRTA and SERTA. Specify that they must ask the affected municipality to grant the eminent domain. A declaration in either the negative or the positive must be made by said municipality. (In other words, they must take an action and not refuse to act).
6. Specify that no IRTA may be formed unless a referendum is held asking the voters if one should be formed. This should be asked at the same time as the sales tax question. Scott suggested that I say for this we would like you to draft the legislative council model for referenda.
7. Delete the provision that Milwaukee County's 2008 referendum serves as a vote in the affirmative for an IRTA. Scott said by deleting this language Milwaukee would then be subject to the same requirement as the rest of southeastern Wisconsin. That is Robin's intent.
8. Specify that a referendum must be held during a regularly scheduled referendum
9. Use previous AB 75 language relating to allowing Dane COUNTY RTA to use revenue towards Roads. I know this was struck from the final bill. Robin would like to use this language but remove the 25% limitation.
10. Delete any reference to an appropriation in ASA 1.
11. Specify that no public funding could be used for lobbying.
12. Delete the bonding references

Robin is proposing deletion of the funding to take away the Governor's ability to line item out the referendum requirement in the bill. The question has come up as to whether or not the presence of bonding in the proposal in any way allows the Governor the privilege of line item veto. Do you know?

Thanks,

Jenny

Jenny Toftness
 Office of State Representative Robin Vos
 63rd Assembly District
 (888) 534 0063

04/20/2010

Jenny,

Item 12 is already done, so I'll have to redraft that. Do you want to send the jacket back or do you want me to just enter a new LRB number? Aaron

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

From: Toftness, Jennifer
Sent: Tuesday, April 20, 2010 3:46 PM
To: Gary, Aaron
Subject: RE: Request for amendments to RTA

↗ For item 9, revenue could be used for roads in all RTAs (existing and nonexistent) including IRTA and SERTA.

For item 12, I made a mistake and I'm sorry for that. Please remove all the bonding authority from SERTA, but specify that bonding could exist if each county board in the SERTA approved a bonding level determined by SERTA.

Jenny Toftness
Office of State Representative Robin Vos
63rd Assembly District
(888) 534 0063

From: Gary, Aaron
Sent: Tuesday, April 20, 2010 3:05 PM
To: Toftness, Jennifer
Subject: RE: Request for amendments to RTA

Jenny,

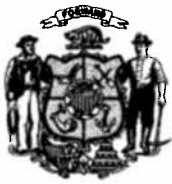
For item 9., who could use revenue for roads? Dane County RTA? Any RTA? Any IRTA? The SERTA?

For item 12., do you mean the expanded bonding authority for both SERTA and the RTAs?

Thanks. Aaron

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

04/20/2010



Now

in 4/20

Lbjk

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 282**

bh
SA
X-ref

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

2 **1.** Page 12, line 20: after “subdivision” insert “and subd. 9”.

3 **2.** Page 17, line 3: after that line insert:

4 “9. Notwithstanding subds. 7. and 8., after the department of transportation
5 provides the first notice specified in s. 66.1041 (7) (a), the authority may transfer
6 revenues received by the authority to any political subdivision within the authority’s
7 jurisdictional area to fund highway projects within the authority’s jurisdictional
8 area. If any transfer is made under this subdivision ~~subsection~~, the authority’s board shall
9 determine the recipients and amounts of all such transfers.”.

10 **3.** Page 31, line 20: after that line insert:

11 “SECTION 51m. 66.1039 (12) of the statutes, as created by 2009 Wisconsin Act
12 28, is amended to read:

1 66.1039 (12) BUDGETS; RATES AND CHARGES; AUDIT. The board of directors of an
 2 authority shall annually prepare a budget for the authority. Rates Except as
 3 provided in sub. (16), rates and other charges received by an authority shall be used
 4 only for the general expenses and capital expenditures of the authority, to pay
 5 interest, amortization, and retirement charges on bonds, and for specific purposes
 6 of the authority and may not be transferred to any political subdivision. The
 7 authority shall maintain an accounting system in accordance with generally
 8 accepted accounting principles and shall have its financial statements and debt
 9 covenants audited annually by an independent certified public accountant.”.

History: 2009 a. 28.

4. Page 34, line 12: after that line insert:

11 ↙ SECTION 55m. 66.1039 (16) of the statutes is created to read:

12 66.1039 (16) FUNDING OF HIGHWAY PROJECTS. An authority may transfer
 13 revenues from taxes imposed by the authority under sub. (4) (s) to any political
 14 subdivision within the authority’s jurisdictional area to fund highway projects
 15 within the authority’s jurisdictional area. If any transfer is made under this
 16 subsection, the authority’s board shall determine the recipients and amounts of all
 17 such transfers.”.

5. Page 40, line 20: after that line insert:

18 “(c) An authority may transfer revenues received by the authority to any
 19 political subdivision within the authority’s jurisdictional area to fund highway
 20 projects within the authority’s jurisdictional area. If any transfer is made under this
 21 subsection, the authority’s board shall determine the recipients and amounts of all
 22 subsections, the authority’s board shall determine the recipients and amounts of all
 23 paragraphs such transfers.”.