

**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

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Regional transit authorities, item 5, eminent domain

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**Instructions:**

See attached

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**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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FE Sent For:

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**Gary, Aaron**

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**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



Now

in 4/20

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

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

2 **1.** Page 2, line 20: delete the material beginning with that line and ending with  
3 page 4, line 22.

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

5 "9. Although the authority lacks any power of condemnation under ch. 32, after  
6 the department of transportation provides the first notice specified in s. 66.1041 (7)  
7 (a), the authority may request that a municipality exercise its power of  
8 condemnation under ch. 32 and the municipality is authorized to exercise this power  
9 for the benefit of the authority."

10 **3.** Page 40, line 20: after that line insert:

11 "(c) Although an authority lacks any power of condemnation under ch. 32, the  
12 authority may request that a municipality exercise its power of condemnation under

✓  
1 ch. 32 and the municipality is authorized to exercise this power for the benefit of the  
2 authority.”

3 (END)