

2009 DRAFTING REQUEST

Bill

Received: 10/26/2009

Received By: **emueller**

Wanted: **As time permits**

Identical to LRB:

For: **Sondy Pope-Roberts (608) 266-3520**

By/Representing: **Tom McCarthy**

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

Drafter: **emueller**

May Contact:

Addl. Drafters:

Subject: **Transportation - mass trnst/rail
Local Gov't - munis generally**

Extra Copies: **ARG, MES**

Submit via email: **YES**

Requester's email: **Rep.Pope-Roberts@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Exempt regional transit authority position from prohibition on board members of local governments serving in position under board authority.

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	emueller 11/06/2009	bkraft 11/18/2009	mduchek 11/18/2009	_____	lparisi 11/18/2009		
/P2	emueller 11/25/2009	bkraft 12/02/2009	rschluet 12/02/2009	_____	lparisi 12/02/2009		
/1	emueller 12/07/2009	bkraft 12/07/2009	mduchek 12/07/2009	_____	lparisi 12/07/2009	lparisi 12/07/2009	

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/2	emueller 03/02/2010	bkraft 03/02/2010	rschluet 03/02/2010	_____	sbasford 03/02/2010	sbasford 03/02/2010	

FE Sent For: *NONE*

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/1	emueller 12/07/2009	bkraft 12/07/2009	mduchek 12/07/2009	_____ <i>for 3/1/2</i>	lparisi 12/07/2009	lparisi 12/07/2009	

Jacket
returned
3/1/10

for 3/1/2
[Signature]

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

1/2 bjk 3/2

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*Jacket for
Assembly please*

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FE Sent For: *2009 12/7/09 /1 bjk 12/7* *12/17*

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/P1	emueller 11/06/2009	bkraft 11/18/2009	mduchek 11/18/2009	<i>Km 12</i> <i>JJ 12</i>	lparisi 11/18/2009		

/P2 *Em*
11/25/09
FE Sent For:

/P2 bjk 12/2

224

<END>

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1?	emueller	Pl bjk 11/18		_____			
1/1	Sum 11/6/09		11/18	_____			

FE Sent For:

<END>

Tom @ Rep. Pope-Roberts

- 66.0501(2) doesn't allow elected officials to serve on Reg. Trans. Auth. Bd.
- want to exempt RTAs from this prohibition

66.1039 cr. in budget
59.587



RMR

bjk

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

In 11/6/09

SA
X-ref

911

1 AN ACT ...; relating to: the appointment of members of the governing body of a
2 political subdivision to a transit authority board of directors.

Analysis by the Legislative Reference Bureau

Unless expressly authorized by another statute, a provision of current law generally prohibits member of a town, village, or county board or city council (officer), during the term for which the officer is elected, from being eligible for any office or position which during that term has been created by, or the selection to which is vested in, the board or council. This bill expressly authorizes an officer to be appointed as a member of the board of directors of a regional transit authority.

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

3 SECTION 1. 59.58 (7) (c) 1m. of the statutes is created to read:

4 59.58 (7) (c) 1m. A member of a ^{g l e} town, village, or county board or city council
5 may be appointed as a member of the board of directors of the authority.

6 SECTION 2. 66.1039 (3) (fs) of the statutes is created to read:

1 66.1039 **(3)** (fs) A member of the governing body of a political subdivision may
2 be appointed as a member of the board of directors of an authority.

3 **(END)**

1/19 Tom @ Rep. Pope-Roberts

- redraft 3745 /PI
- no more than 1/2 of bd. members can be member of a gov. body
- only statewide RTAs? No, see email

Mueller, Eric

From: Mueller, Eric
Sent: Friday, November 20, 2009 2:15 PM
To: McCarthy, Tom
Subject: RE: RTA draft

Tom,

Yes, I believe that clarifies things. Thanks.

Eric

From: McCarthy, Tom
Sent: Friday, November 20, 2009 1:52 PM
To: Mueller, Eric
Subject: RE: RTA draft

Eric,

We would like the membership limitation to apply to all of the RTA boards. KMR would also be caught up in this membership issue if this wasn't changed, correct? If that is true, we want to extend the opportunity to serve on boards to all current electeds that would be captured by the current law. In other words, if they couldn't have locals serving on the RTA board, we would like this bill to allow them to do so. Does that make sense?

-tom

Tom McCarthy
tom.mccarthy@legis.wi.gov

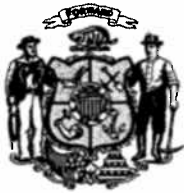
From: Mueller, Eric
Sent: Friday, November 20, 2009 1:48 PM
To: McCarthy, Tom
Subject: RTA draft

Tom,

LRB 09-3745, in its current form, would allow a member of a town, village or county board or a city council (local officer) to be appointed as a member of an RTA board of directors. As currently drafted this change would apply to both the statewide RTAs under s. 66.1039, stats., and the Kenosha, Milwaukee, Racine (KMR) RTA under s. 59.58, stats. Yesterday when we spoke, you indicated that you wanted 09-3745 redrafted to allow an RTA board of directors to be composed of no more than ½ local officers. You also said that you only wanted this to apply to statewide RTA's under s. 66.1039, stats.

Do you want the current treatment of the KMR RTA removed from the draft? Or do you wish to allow local officers to serve on the KMR board, but not be subject to the ½ of RTA board membership limitation?

Eric Mueller
Attorney, Legislative Reference Bureau
Phone: (608)261-7032
eric.mueller@legis.wisconsin.gov



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-3745/P1

EVM:bjk:md

stays

1/P2

CMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

In 11/25/09

except that no more than one-half of the members of the board of directors of a regional transit authority may be an officer.

- regen.

1 **AN ACT to create** 59.58 (7) (c) 1m. and 66.1039 (3) (fs) of the statutes; **relating**
2 **to:** the appointment of members of the governing body of a political subdivision
3 **to a transit authority board of directors.**

Analysis by the Legislative Reference Bureau

Unless expressly authorized by another statute, a provision of current law generally prohibits member of a town, village, or county board or city council (officer), during the term for which the officer is elected, from being eligible for any office or position which during that term has been created by, or the selection to which is vested in, the board or council. This bill expressly authorizes an officer to be appointed as a member of the board of directors of a regional transit authority.

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5 59.58 (7) (c) 1m. A member of a town, village, or county board or city council
6 may be appointed as a member of the board of directors of the authority.

7 **SECTION 2.** 66.1039 (3) (fs) of the statutes is created to read:

except that not more than one-half of the members of the board of directors of the authority may be a member of a town, village, or county board or city council.



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-3745/P2

EVM:bjk:rs

stays

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

12/7/09

one changes

SA

regen.

1 **AN ACT to create** 59.58 (7) (c) 1m. and 66.1039 (3) (fs) of the statutes; **relating**
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1 not more than one-half of the members of the board of directors of the authority may
2 be a member of a town, village, or county board or city council.

3 **SECTION 2.** 66.1039 (3) (fs) of the statutes is created to read:

4 66.1039 (3) (fs) A member of the governing body of a political subdivision may
5 be appointed as a member of the board of directors of an authority, except that not
6 more than one-half of the members of the board of directors of an authority may be
7 a member of a governing body of a political subdivision.

8 (END)

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

Tom @ Rep. Pope - Roberts

- draft / 1 and jacket

Tom @ Rep. Sage - Roberts

09-3745 p2, l1 change to less than 1/2
- minority of members may be elected
officials
- both sections

- will return jacket



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-3745/2 ← Version stays "1/2"
EVM:bjk:md
/ stays

→ INSERTS

2009 BILL

ln 3/2/10

→ RMR

Soon

SA x-ref

regen

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The total number

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

INSERT 1-1

4 SECTION [#] 59.58 (7) (c) 1m. of the statutes is created to read:

5 59.58 (7) (c) 1m. A member of a town, village, or county board or city council
6 may be appointed as a member of the board of directors of the authority, except that

the total number of these appointees when calculated as a percentage of the total number of members of the board of directors shall be less than 50 percent

governing body

BILL

1 not more than one-half of the members of the board of directors of the authority may
2 be a member of a town, village, or county board or city council

INSERT
2-2

3 SECTION ~~2~~[#] 66.1039 (3) (fs) of the statutes is created to read:

4 66.1039 (3) (fs) A member of the governing body of a political subdivision may
5 be appointed as a member of the board of directors of an authority, except that not

6 more than one-half of the members of the board of directors of an authority may be
7 a member of a governing body of a political subdivision

INSERT
2-7

8 (END)

**2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3745/2ins
EVM:hjk:md

1 **INSERT 1-4**

2

3 **SECTION 1.** 59.58 (7) (a) 2s. of the statutes is created to read:

4 59.58 (7) (a) 2s. "Governing body" means a town, village, or county board or city
5 council.

6

7 **INSERT 2-2**

8

9 ^{NO}~~OR~~ the total number of these appointees, when calculated as a percentage of the
10 total number of members of the board of directors of the authority, shall be less than
11 50 percent,^e

12

13 **INSERT 2-7**

14

15 ^{NO}~~OR~~ the total number of these appointees, when calculated as a percentage of the
16 total number of members of the board of directors of an authority, shall be less than
17 50 percent,^e