2015 DRAFTING REQUEST

Bill						
Received: 3/4/2016				Received By:	emueller	
For:	Joan Ba	llweg (608) 266-8	077	Same as LRB:		
May Contact:				By/Representing: Bethany		
Subjec	Subject: Transportation - mass trnst/rail			Drafter:	emueller	
				Addl. Drafters:		
				Extra Copies:		
Submit via email: Requester's email: Carbon copy (CC) to: YES Rep.Ballweg@legis.wis eric.mueller@legis.wis zachary.wyatt@legis.w				nsin.gov		
Pre To	ppic:	·····				
No spe	ecific pre topic gi	ven				
Topic:						
Rail pr	oject competitive	e bidding requirem	nents			
Instru	ctions:					·
See att	ached					
Drafti	ng History:					, , , , , , , , , , , , , , , , , , ,
Vers.	Drafted	Reviewed	<u>Proofed</u>	Submitted	<u>Jacketed</u>	Required
/?	emueller 3/8/2016	eweiss 3/9/2016				
/P1	emueller 4/4/2016			sbasford 3/9/2016		State
/1		wjackson 4/4/2016		lparisi 4/4/2016	mbarman 4/5/2016	State

FE Sent For:

<**END**>

Mueller, Eric

From:

Anderson, Bethany

Sent:

Friday, March 04, 2016 10:28 AM

To: Subject:

Mueller, Eric Drafting Request

Hi Eric,

Thanks for your help. Rep. Ballweg's drafting request is as follows:

- 1. Delete s. 85.077(2)(c), Wis. Stats.; and
- 2. Amend s. 85.077(3), Wis. Stats., as follows:
 - a. (3) The department or the recipient of public funds may not subdivide a project into more than one contract, allocate work or workers in any manner, or transfer the jurisdiction of a project to avoid the requirements of sub. (1)-, except that a railroad recipient may perform work on a publicly-funded project with its own employees without bidding that work, if the work only involves rail property or rail property improvements owned or leased by the railroad.

Let me know if you have any questions, Bethany

Bethany Anderson Office of Rep. Ballweg o | 608.266.8077

e | Bethany.Anderson@legis.wi.gov



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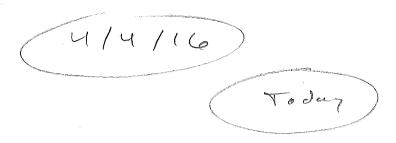
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State of Misconsin 2015 - 2016 LEGISLATURE

LRB-4830/P1 EVM:cjs&emw

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION



AN ACT to repeal 85.077 (2) (c); to amend 85.077 (1); and to create 85.077 (3m)

of the statutes; relating to: bidding requirements for certain railroad projects.

Analysis by the Legislative Reference Bureau

This bill modifies certain bidding requirements related to rail projects that are funded in any part with public funds.

Under current law, subject to several exceptions, a project involving the construction, rehabilitation, improvement, demolition, or repair of rail property or rail property improvements that is funded in any part with public funds must be let by contract on the basis of competitive bids and the contract must be awarded to the lowest responsible bidder. Current law also provides that DOT or the recipient of public funds may not subdivide a project into more than one contract, allocate work or workers in any manner, or transfer the jurisdiction of a project to avoid these bidding requirements. Under one of the exceptions, the bidding requirements do not apply if the project involves only rail property or rail property improvements owned or leased by a railroad and the project is to be performed by the railroad using its own employees.

Under this bill, the exception from the bidding requirements for a project involving only rail property or rail property improvements being performed by the railroad's own employees is eliminated. In place of this exception, the bill provides that a railroad may perform any portion of a project using its own employees without complying with the bidding requirements as to that portion of the project if the portion of the project involves only rail property or rail property improvements owned or leased by the railroad.

For further information see the *state* 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:

SECTION 1. 85.077 (1) of the statutes is amended to read:

85.077 (1) Except as provided in subs. (2), (3m), and (4), if a project involving the construction, rehabilitation, improvement, demolition, or repair of rail property or rail property improvements is funded in any part with public funds, the department or the recipient of the public funds shall let the project by contract on the basis of competitive bids and shall award the contract to the lowest responsible bidder.

SECTION 2. 85.077 (2) (c) of the statutes is repealed.

Section 3. 85.077 (3m) of the statutes is created to read:

85.077 (3m) Notwithstanding sub. (3), a recipient of public funds that is a railroad may perform any portion of a project using its own employees without complying with sub. (1) as to that portion of the project if that portion of the project involves only rail property or rail property improvements owned or leased by the railroad.

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Milford, Renae

From:

Anderson, Bethany

Sent:

Monday, April 04, 2016 4:56 PM

To:

LRB.Legal

Subject:

Draft Review: LRB -4830/1

Please Jacket LRB -4830/1 for the ASSEMBLY.