

**2017 DRAFTING REQUEST**

**Bill**

For: **Jesse Kremer (608) 266-9175** Drafter: **emueller**  
 By: **Nik** Secondary Drafters:  
 Date: **1/19/2017** May Contact:  
 Same as LRB: **-1998**

Submit via email: **YES**  
 Requester's email: **Rep.Kremer@legis.wisconsin.gov**  
 Carbon copy (CC) to: **eric.mueller@legis.wisconsin.gov**  
**zachary.wyatt@legis.wisconsin.gov**  
**marc.shovers@legis.wisconsin.gov**

**Pre Topic:**

No specific pre topic given

**Topic:**

Prohibit state money for certain commuter rail in city of Milwaukee

**Instructions:**

Redraft 2015 AB 562 with AA1

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	emueller 1/19/2017	wjackson 1/20/2017			
/P1	emueller 2/2/2017		rmilford 1/20/2017		
/1		kmochal 2/2/2017	mbarman 2/2/2017	lparisi 2/16/2017	

FE Sent For:

<END>

↳ Not Needed

## **Mueller, Eric**

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**From:** Rettinger, Nik  
**Sent:** Thursday, January 19, 2017 12:52 PM  
**To:** Mueller, Eric  
**Subject:** Rep. Kremer Fixed Rail in a First Class City Reintroduction  
**Attachments:** ab562.pdf; aa1\_ab562.pdf

Eric,

Rep. Kremer would like to reintroduce AB562 (LRB-3817/1) this Session and would like the language from the Assembly Amendment 1, to AB 562 (LRMa1344/1) to be included in the new P1. We were hoping to get this back as soon as possible. Feel free to give our office a call if you have any questions.

Thank you,

-Nik

***Nik Rettinger III***

Research Assistant  
Office of Representative Jesse Kremer  
59<sup>th</sup> Assembly District  
608-266-9175



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-3817/1 1710/PI  
EVM(kjf) EWJ  
RMR

INSERT

2015 ASSEMBLY BILL 562

1/20/17

December 4, 2015 - Introduced by Representatives KREMER, QUINN, HORLACHER, BRANDTJEN, BORN, R. BROOKS, DUCHOW, GANNON, HUTTON, JAGLER, JARCHOW, KLEEFISCH, KNODL, KOYENGA, T. LARSON, PETERSEN, SANFELIPPO, TITTL, THIESFELDT and CRAIG, cosponsored by Senators WANGGAARD, NASS and VUKMIR. Referred to Committee on Transportation.

regen

1 AN ACT *to repeal* 85.062 (3) (b); *to renumber and amend* 85.066 (3); and *to*  
2 *create* 85.066 (3) (a) to (c) and 85.20 (9) of the statutes; **relating to:**  
3 expenditures relating to the operation of a rail fixed guideway transportation  
4 system in a first class city.

**Analysis by the Legislative Reference Bureau**

This bill limits the state's authority to incur expenses and expend moneys for a rail fixed guideway transportation system in the city of Milwaukee.

Under current law, a "rail fixed guideway transportation system" is a public transportation system being designed, engineered, constructed, or operated that is intended to operate upon a fixed guideway and that is not subject to regulation by the Federal Railroad Administration. Under current law, a county containing a first class city, currently only Milwaukee County, may not incur any expenses relating to the operation of a rail fixed guideway transportation system in the first class city, currently only the city of Milwaukee, unless the expense incurred will be fully reimbursed by the first class city. Under this bill, the state and it's agencies are also prohibited from incurring these expenses.

This bill also removes the enumeration of any project resulting from the Milwaukee Downtown Transit Connector Study of the Wisconsin Center District from the list of major transit capital improvement projects eligible for construction and specifies that money provided for urban mass transit operating assistance

The bill also provides that if a person prohibited from incurring these expenses incurs these expenses, the first class city must reimburse the person.

**ASSEMBLY BILL 562**

program aids may not be used for any purpose relating to the operation of a rail fixed guideway transportation system in a first class city.

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

1 SECTION 1. 85.062 (3) (b) of the statutes is repealed.

2 SECTION 2. 85.066 (3) of the statutes, as created by 2015 Wisconsin Act 55, is  
3 renumbered 85.066 (3) (intro.) and amended to read:

4 85.066 (3) ~~COUNTIES CONTAINING~~ EXPENDITURES RELATED TO CERTAIN  
5 TRANSPORTATION SYSTEMS IN A FIRST CLASS CITY. (intro.) ~~A county containing a 1st class~~  
6 city The following may not incur any direct or indirect expenses, including the  
7 forfeiture of any revenue, relating to the operation <sup>or construction</sup> of a rail fixed guideway  
8 transportation system in ~~the~~ a 1st class city unless the expense incurred or revenue  
9 forfeited will be fully reimbursed by the 1st class city.:

10 SECTION 3. 85.066 (3) (a) to (c) of the statutes are created to read:

11 85.066 (3) (a) ~~The~~ state.

except as required to comply with the requirements under 69 USC 5329, the

12 (b) An agency, as defined in s. 16.52 (7).

13 (c) A county in which the 1st class city is located.

INS  
2-13

14 SECTION 4. 85.20 (9) of the statutes is created to read:

15 85.20 (9) PROHIBITED EXPENDITURES. An eligible applicant may not use aids  
16 provided under this section for any purpose related to the operation of a rail fixed  
17 guideway transportation system, as defined in s. 85.066 (1), in a 1st class city.

(END)



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRBa1344/1  
EVM:amn

~~ASSEMBLY AMENDMENT 1,  
TO ASSEMBLY BILL 562~~

INSERT

~~January 14, 2016 - Offered by Representatives KREMER and SANFELIPPO.~~

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 7: after "operation" insert "or construction".

3 2. Page 2, line 11: delete "The" and substitute "Except as required to comply  
4 with the requirements under 49 USC 5329, the".

5 3. Page 2, line 13: after that line insert:

6 "SECTION 3m. 85.066 (4) of the statutes is created to read:

7 85.066 (4) REIMBURSEMENT. If a person restricted from incurring expenses  
8 under sub. (3), with the approval of the 1st class city, incurs a direct or indirect  
9 expense, including the forfeiture of any revenue, relating to the operation or  
10 construction of a rail fixed guideway transportation system in a 1st class city, the 1st  
11 class city shall fully reimburse the person for the expense.

12 (END)

INS  
2-13



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-1710/P1  
EVM:wlj

RMR

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

No changes

2/2/17 AM

1     **AN ACT to repeal** 85.062 (3) (b); **to renumber and amend** 85.066 (3); and **to**  
2             **create** 85.066 (3) (a) to (c), 85.066 (4) and 85.20 (9) of the statutes; **relating to:**  
3             expenditures relating to the operation of a rail fixed guideway transportation  
4             system in a first class city.

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***Analysis by the Legislative Reference Bureau***

This bill limits the state's authority to incur expenses and expend moneys for a rail fixed guideway transportation system in the city of Milwaukee.

Under current law, a "rail fixed guideway transportation system" is a public transportation system being designed, engineered, constructed, or operated that is intended to operate upon a fixed guideway and that is not subject to regulation by the Federal Railroad Administration. Under current law, a county containing a first class city, currently only Milwaukee County, may not incur any expenses relating to the operation of a rail fixed guideway transportation system in the first class city, currently only the city of Milwaukee, unless the expense incurred will be fully reimbursed by the first class city. Under this bill, the state and its agencies are also prohibited from incurring these expenses. The bill also provides that if a person prohibited from incurring these expenses incurs these expenses, the first class city must reimburse the person.

This bill removes the enumeration of any project resulting from the Milwaukee Downtown Transit Connector Study of the Wisconsin Center District from the list of major transit capital improvement projects eligible for construction and specifies that money provided for urban mass transit operating assistance program aids may

not be used for any purpose relating to the operation of a rail fixed guideway transportation system in a first class city.

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

1           **SECTION 1.** 85.062 (3) (b) of the statutes is repealed.

2           **SECTION 2.** 85.066 (3) of the statutes is renumbered 85.066 (3) (intro.) and  
3 amended to read:

4           **85.066 (3) COUNTIES—CONTAINING EXPENDITURES RELATED TO CERTAIN**  
5 **TRANSPORTATION SYSTEMS IN A FIRST CLASS CITY.** (intro.) ~~A county containing a 1st class~~  
6 ~~city~~ The following may not incur any direct or indirect expenses, including the  
7 forfeiture of any revenue, relating to the operation or construction of a rail fixed  
8 guideway transportation system in ~~the a~~ 1st class city unless the expense incurred  
9 or revenue forfeited will be fully reimbursed by the 1st class city.:

10           **SECTION 3.** 85.066 (3) (a) to (c) of the statutes are created to read:

11           **85.066 (3) (a)** Except as required to comply with the requirements under 59  
12 USC 5329, the state.

13           (b) An agency, as defined in s. 16.52 (7).

14           (c) A county in which the 1st class city is located.

15           **SECTION 4.** 85.066 (4) of the statutes is created to read:

16           **85.066 (4) REIMBURSEMENT.** If a person restricted from incurring expenses  
17 under sub. (3), with the approval of the 1st class city, incurs a direct or indirect  
18 expense, including the forfeiture of any revenue, relating to the operation or  
19 construction of a rail fixed guideway transportation system in a 1st class city, the 1st  
20 class city shall fully reimburse the person for the expense.

21           **SECTION 5.** 85.20 (9) of the statutes is created to read:





**Parisi, Lori**

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**From:** Rettinger, Nik  
**Sent:** Thursday, February 16, 2017 12:27 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -1710/1

Good afternoon,

Please Jacket LRB -1710/1 for the ASSEMBLY.

If I could get it sometime tomorrow, that would be wonderful.

Thanks,

-Nik

***Nik Rettinger III***  
Research Assistant  
Office of Representative Jesse Kremer  
59<sup>th</sup> Assembly District  
608-266-9175