2017 DRAFTING REQUEST

Bill

For:

Joe Sanfelippo (608) 266-0620

Drafter:

emueller

By:

David Moore

Secondary Drafters:

Date:

8/31/2016

May Contact:

Same as LRB:

Submit via email:

YES

Requester's email:

Rep.Sanfelippo@legis.wisconsin.gov

Carbon copy (CC) to:

eric.mueller@legis.wisconsin.gov zachary.wyatt@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Milwaukee County high-wide route

Instructions:

See attached

D.	·afting	History:
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Vers.	<u>Drafted</u>	<u>Reviewed</u>	Submitted	<u>Jacketed</u>	Required
/?	emueller 8/31/2016	aernsttr 9/1/2016			
/P1	emueller 9/15/2016		lparisi 9/1/2016		
/P2	emueller 1/9/2017	aernsttr 9/16/2016	lparisi 9/16/2016		
/P3	emueller 1/18/2017	aernsttr 1/10/2017	rmilford 1/10/2017		
/P4	emueller	aernsttr	mbarman		

Vers.	<u>Drafted</u>	Reviewed	Submitted	<u>Jacketed</u>	<u>Required</u>
	3/21/2017	1/19/2017	1/19/2017		
/1		wjackson	mbarman	mbarman	State
/ 1		3/21/2017	3/21/2017	4/7/2017	S&L

FE Sent For:

<**END>**

From:

Hoisington, Joshua

Sent:

Monday, August 29, 2016 3:18 PM

To: Subject:

Mueller, Eric LRB 4996

Good afternoon Eric,

Would you please amend LRB 4996 to include at the end of line 20 on page 3?

mori in charge of mount

Also, is it possible to draft general language to allow high-wide loads to deviate from the specified route with a special permit/order issued by the DOT and/or the applicable municipalities along the route for a specified amount of time (in the case of a bridge out or other possible issue?

Thank you for your help, Eric.

Best regards,

Josh Hoisington
Office of Representative Joe Sanfelippo
15th Assembly District
608.266.0620

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"RESEARCH APPENDIX"

... Drafting History Reproduction Request Form ...

DRAFTING ATTORNEYS:

PLEASE COMPLETE THIS FORM AND GIVE TO MIKE BARMAN
(Request Made By: \(\sum_{\text{out}} \) (Date: \(\sum_{\text{out}} \) (\(\sum_{\text{out}} \
Note: BOTH DRAFTS SHOULD HAVE THE SAME "REQUESTOR" (exception: companion bills)
Please transfer the drafting file for
Please <u>transfer</u> the drafting file for 2015 LRB 4996 (For: Rep.) Sen. Sanfel: 100
to the drafting file for
2017 LRB 0014 (For: Rep.)/Sen. Sanfelips
OR
Please copy the drafting file for
2017 LRB / (For: Rep./Sen.
and price in in the drawing file for 2017 LRB
Are These "Companion Bills" ?? Yes No If yes, who in the initial requestor's office authorized the copy/transfer of the drafting history
("guts") from the original file:



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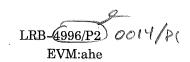
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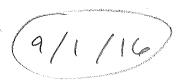
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State of Misconsin 2015 - 2016 LEGISLATURE





PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION



59V reger

AN ACT to create 86.50 of the statutes; relating to: the Milwaukee County high-wide route.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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

- **Section 1.** 86.50 of the statutes is created to read:
- 4 86.50 Milwaukee County high-wide route. (1) Definitions. In this section:
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3	(c) "Political subdivision" means a city, village, town, or county.
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17	(s) Ending at the intersection of South Carferry Drive and South Lincoln
18	Memorial Drive.
19	(3) PERMITTING. No person may operate a high-wide load on the route described
20	under sub. (2) without a permit from the department.
21	(4) PROHIBITIONS. After the effective date of this subsection [LRB inserts]
22	date], no person may do any of the following within the affected area:
23	(a) Install any permanent structure without the authorization of the
24	department.
	or the authority in charge of maintenance of the highway to be used

(b)	Take	any	action	that	would	make	any	portion	of	the	affected	area
permanei	ntly ur	avai	lable for	r use l	by a hig	gh-wid	e loa	d.				

- (c) Install any structure other than a structure that may be moved within 5 business days notice.
- (5) Local cooperation. Political subdivisions in which any portion of the Milwaukee County high-wide route is located shall attempt to reach agreements among themselves and with persons using the high-wide route for high-wide loads regarding the allocation of costs and provision of services related to removing permanent structures that interfere with the use of any portion of the affected area by high-wide loads.

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(END)

(6) TEMPORARY ROUTE CHANCES. The department or

the kintharities in charge of maintenance of the highways to

the world may designate temporary changes to the route

be used may designate temporary changes to the route

described under sub. (2), Substation (11) does not apply

to a highway temporarity designated under this subscetion.

It may way?

From:

Hoisington, Joshua

Sent:

Tuesday, September 13, 2016 1:20 PM

To: Subject: Mueller, Eric LRB 0014/P1

Attachments:

17-0014_P1.pdf

Good afternoon Eric,

Please amend (4)(c) to ensure that if any obstructions are placed along the high-wide route, they must be removed within 5 business days at no cost to the shipper or carrier.

It would be similar with the state's implements of husbandry standard (348.27(19)(b)1.?) adopted a couple years ago requiring farmers to obtain no-fee permits from the state, county, or town on roads in which they operate.

The intent is to preserve the 23' clearance along the route for moves along the high-wide route and not to inadvertently allow the shipper or carrier to be charged for removing obstacles along the route.

Thanks for your help, Eric.

Best regards,

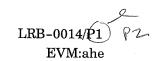
Josh Hoisington
<u>Office of Representative Joe Sanfelippo</u>
15th Assembly District
608.266.0620

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State of Misconsin 2017 - 2018 LEGISLATURE





PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION



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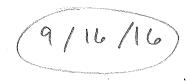
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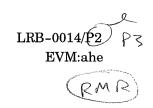
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18	Memorial Drive.
19)	(3) PERMITTING. No person may operate a high-wide load on the route described
20	under sub. (2) without a permit from the department or the authority in charge of
21	maintenance of the highway to be used.
22	(4) PROHIBITIONS. After the effective date of this subsection [LRB inserts
23	date], no person may do any of the following within the affected area:
24	(a) Install any permanent structure without the authorization of the
25	department.

1	(b) Take any action that would make any portion of the affected area
2	permanently unavailable for use by a high-wide load.
3	(c) Install any structure other than a structure that may be moved within 5
4)	Susiness days notice. without first obtaining a permit value sub. C
5	(5) LOCAL COOPERATION. Political subdivisions in which any portion of the
6	Milwaukee County high-wide route is located shall attempt to reach agreements
7	among themselves and with persons using the high-wide route for high-wide loads
8	regarding the allocation of costs and provision of services related to removing
9	permanent structures that interfere with the use of any portion of the affected area
10	by high-wide loads.
11	(6) TEMPORARY ROUTE CHANGES. The department or the authorities in charge of
12	maintenance of the highways to be used may designate temporary changes to the
13	route described under sub. (2). Subsection (4) does not apply to a highway
14	temporarily designated under this subsection.
	****Note: Do you want to limit this authority in any way?
15	(END)

1	INS 3-21
2	
3	(b) No person may install any structure within the affected area without a
4)	permit from the department. A permit under this section shall require the permittee,
5	upon request, to remove any obstruction to the use of the high-wide route by a
6	high-wide load within 5 days notice without cost to the user of the high-wide route
7	for a high-wide load. The department may not charge a fee for a permit under this
8	section.



State of Misconsin 2017 - 2018 LEGISLATURE



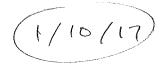
PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION



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19	(3) PERMITTING. (a) No person may operate a high-wide load on the route
(20)	described under sub. (2) without a permit from the department or the authority in
(21)	charge of maintenance of the highway to be used. the city of Milwaykee
22	(b) No person may install any structure within the affected area without a
(23)	permit from the department. A permit under this paragraph shall require the
24	permittee, upon request, to remove any obstruction to the use of the high-wide route
25	by a high-wide load within 5 days notice without cost to the user of the high-wide

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route for a high-wide load. The department may not charge a fee for a permit under 1 2 this paragraph.

- (4) PROHIBITIONS. After the effective date of this subsection [LRB inserts date], no person may do any of the following within the affected area:
- 5 Install any permanent structure without the authorization of the the city of Milwaukee (6)
 - (b) Take any action that would make any portion of the affected area permanently unavailable for use by a high-wide load.
 - (c) Install any structure without first obtaining a permit under sub. (3) (b).
 - (5) LOCAL COOPERATION. Political subdivisions in which any portion of the Milwaukee County high-wide route is located shall attempt to reach agreements among themselves and with persons using the high-wide route for high-wide loads regarding the allocation of costs and provision of services related to removing permanent structures that interfere with the use of any portion of the affected area city of Milwankee by high-wide loads.
 - (6) TEMPORARY ROUTE CHANGES. The department or the authorities in charge of maintenance of the highways to be used may designate temporary changes to the route described under sub. (2). Subsection (4) does not apply to a highway temporarily designated under this subsection.

(END)

Do you want to limit the location of the changed route to just the city of milwaukee? Political subdivisions already affected by the high-wide route?

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2017-2018 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

1	INS 4-10
2	
3	(a) The city of Milwaukee shall consult with all political subdivisions in which
4	any portion of the Milwaukee County high-wide route is located before issuing or
5	denying a permit under sub. (3), making an authorization under sub. (4) (a), or
6	designating a temporary route under sub. (4).
7	(b) The city of Milwaukee shall share the permit fee collected for a permit under
(8)	sub. (3) proportionately among the political subdivisions affected by the permitted
9	high-wide load.
	****Note: Do you want to elaborate on the calculation of the permit sharing?
10	(c)

From:

Hoisington, Joshua

Sent:

Thursday, December 29, 2016 12:25 PM

To:

Mueller, Eric

Subject:

Requested changes to LRB 0014

Good afternoon Eric,

Would you please make the following changes to LRB 0014? Thanks for your help. Also, Please see below for feedback for the DOT.

- Page 1 line 7, page 2, line 1 23'h x 28'w
- Page 3, line 19 (remove state) Permits for this shall be issued by the 1st class city, in consultation with (5) political subdivisions along the route. Shall share fee proceeds pursuant to an agreement among appropriate parties
- Page 3, line 22 (b) change department to 1st class city
- Page 4, line 6 change department to 1st class city (prohibit permanent structures)
- Page 4, (6) remove the dept.

Note *Permit fee sharing agreement with authorities in charge of roads (general idea on permits.

Best regards,

Josh Hoisington
Office of Representative Joe Sanfelippo
15th Assembly District
608.266.0620

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From: Yahn, Nate - DOT

Sent: Wednesday, December 21, 2016 10:58 PM

To: Hoisington, Joshua < Joshua. Hoisington@legis.wisconsin.gov>

Subject: Follow-up

In follow-up to our conversation this afternoon, below are the certain portions of our budget proposal, relating to weight allowances for milk transport, that I was referring to on the phone. (Note: The information below is slightly modified from our original proposal to more closely fit the context of your current proposal.) Passing along just for information.

- One exclusive local permitting authority.
- If the roads desired to be used by the applicant involve streets or highways other than those under the jurisdiction of the permitting authority, the application shall be accompanied by a written statement of route approval by the officer in charge of maintenance of the other highway.
 - If a local maintaining authority denies approval of any highway, or portion thereof, under its jurisdiction, it shall notify the applicant in writing of the denial and the notice shall include a reasonable and structurally based explanation of the denial that relates to the preservation of the roadway.

<u>Note:</u> The requirement that the notice from a local authority include "a reasonable and structurally based explanation", relating to the preservation of the roadway, is consistent with the provision set forth in s. 348.27(19)(b)4., Wis. Stats., for implements of husbandry and agricultural commercial motor vehicles.

- For purposes of this section, "adverse determination" means the denial of an approval by a local maintaining authority for transport on a local highway, or the denial of an application for issuance of a permit by the permitting authority.
 - Any person aggrieved by an adverse determination by a municipality or county may obtain review of the adverse determination in a manner similar to the manner specified in s. 348.27(19)(e)2., Wis. Stats.

Nate Yahn

Legislative Advisor
Office of the Secretary
Wisconsin Department of Transportation

Phone: (608) 266-1114 Email: nate.yahn@dot.wi.gov

From:

Hoisington, Joshua

Sent:

Friday, January 13, 2017 3:45 PM

To: Subject: Mueller, Eric LRB 0014

Attachments:

17-0014_P3.pdf

Good afternoon Eric,

Would you please make the following changes to LRB 0014?

1. On page 4, lines 1 & 2, delete:

The city of Milwaukee may not charge a fee for a permit under this paragraph.

2. On page 4, in (5), add language to the effect of:

(d) Political subdivisions along the route shall attempt to ensure law enforcement escorts are furnished in a timely manner for high-wide load traveling along the route.

Thanks for your help, Eric. Have a nice weekend.

Best regards,

<u>Josh Hoisington</u>
<u>Office of Representative Joe Sanfelippo</u>
15th Assembly District
608.266.0620

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State of Misconsin 2017 - 2018 LEGISLATURE

LRB-0014/P3



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION



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2.	high_wide route

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3	(4) Prohibitions. After the effective date of this subsection [LRB inserts
4	date], no person may do any of the following within the affected area:
5	(a) Install any permanent structure without the authorization of the city of
6	Milwaukee.
7	(b) Take any action that would make any portion of the affected area
8	permanently unavailable for use by a high-wide load.
9	(c) Install any structure without first obtaining a permit under sub. (3) (b).
0	(5) LOCAL COOPERATION. (a) The city of Milwaukee shall consult with all
1	political subdivisions in which any portion of the Milwaukee County high-wide route
2	is located before issuing or denying a permit under sub. (3), making an authorization
3	under sub. (4) (a), or designating a temporary route under sub. (6).
4	(b) The city of Milwaukee shall share the permit fee collected for a permit under
5	sub. (3) (a) proportionately among the political subdivisions affected by the
6	permitted high-wide load.
7	****NOTE Do you want to elaborate on the calculation of the permit sharing? Do you want permit fees under sub. (3)(b) to be should? (c) Political subdivisions in which any portion of the Milwaukee County
8	high-wide route is located shall attempt to reach agreements among themselves and
9	with persons using the high-wide route for high-wide loads regarding the allocation
0	of costs and provision of services related to removing permanent structures that
1	interfere with the use of any portion of the affected area by high-wide loads.
2	(6) TEMPORARY ROUTE CHANGES. The city of Milwaukee may designate
3	temporary changes to the route described under sub. (2). Subsection (4) does not
4	apply to a highway temporarily designated under this subsection. and with persons high-wide route for high-wide route for high-high-wide route for high-high-wide route is to eated shall attempt to reach agreements to timely provide traffic officer escorts for persons using the high-wide route
	timely provide traffic officer escorts for persons using the high-wide row

****Note: Do you want to limit the location of the changed route to just the city of Milwaukee? Political subdivisions already affected by the high-wide route?

(END)

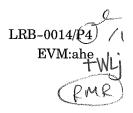
1

1	(k) At the intersection of South 6th Street and West Waterford Avenue,
2	proceeding north on South 6th Street.
3	(L) At the intersection of South 6th Street and West Howard Avenue,
4	proceeding east on West Howard Avenue.
5	(m) At the intersection of South Howell Avenue and West Howard Avenue,
6	proceeding north on South Howell Avenue.
7	(n) At the intersection of South Howell Avenue and South Kinnickinnic Avenue,
8	proceeding north on South Kinnickinnic Avenue.
9	(o) At the intersection of South Kinnickinnic Avenue and East Bay Street,
10	proceeding east on East Bay Street.
11	(p) At the intersection of the high-wide route railroad crossover and East Bay
12	street, proceeding east on the high-wide route railroad crossover.
13	(q) At the intersection of the high-wide route railroad crossover and South
14	Carferry Drive, proceeding north on South Carferry Drive.
15	(r) At the intersection of South Carferry Drive and East Bay Street, proceeding
16	east on East Bay Street.
17	(s) Ending at the intersection of South Carferry Drive and South Lincoln
18	Memorial Drive.
19	(3) PERMITTING. (a) No person may operate a high-wide load on the route
20	described under sub. (2) without a permit from the city of Milwaukee.
21	(b) No person may install any structure within the affected area without a
22	permit from the city of Milwaukee. A permit under this paragraph shall require the
23	permittee, upon request, to remove any obstruction to the use of the high-wide route

by a high-wide load within 5 days notice without cost to the user of the high-wide



State of Misconsin 2017 - 2018 LEGISLATURE



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION



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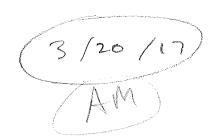
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6

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9



AN ACT to create 86.50 of the statutes; relating to: the Milwaukee County high-wide route.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.



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

Section 1. 86.50 of the statutes is created to read:

86.50 Milwaukee County high-wide route. (1) Definitions. In this section:

- (a) "Affected area" means the entire width of the right-of-way of the route described in sub. (2) extended to a height of 23 feet above the roadway.
- (b) "High-wide load" means a motor vehicle transporting property on any portion of the route described in sub (2) if any portion of the motor vehicle or the

the vehicle rerects
limitations on size
imposed by eh. 348

1	transported property has a greater width than 28 feet or a greater height than 23
2	feet.
3	(c) "Political subdivision" means a city, village, town, or county.
4	(2) ROUTE. The following route through Milwaukee County is designated as the
5	Milwaukee County high-wide route:
6	(a) Commencing at the intersection of South 70th Street and West Washington
7	Street in the city of West Allis and proceeding south on South 70th Street.
8	(b) At the intersection of South 70th Street and West Greenfield Avenue,
9	proceeding east on West Greenfield Avenue.
10	(c) At the intersection of South 60th Street and West Greenfield Avenue,
11	proceeding south on South 60th Street.
12	(d) At the intersection of South 60th Street and West Beloit Road, proceeding
13	west on West Beloit Road.
14	(e) At the intersection of South 76th Street and West Beloit Road, proceeding
15	south on South 76th Street.
16	(f) At the intersection of South 76th Street and West Oklahoma Avenue,
17	proceeding east on West Oklahoma Avenue.
18	(g) At the intersection of South 20th Street and West Oklahoma Avenue,
19	proceeding south on South 20th Street.
20	(h) At the intersection of South 20th Street and West Howard Avenue,
21	proceeding east on West Howard Avenue.
22	(i) At the intersection of South 13th Street and West Howard Avenue,
23	proceeding south on South 13th Street.
24	(j) At the intersection of South 13th Street and West Waterford Avenue,
25	proceeding east on West Waterford Avenue.

1	(k) At the intersection of South 6th Street and West Waterford Avenue,
2	proceeding north on South 6th Street.
3	(L) At the intersection of South 6th Street and West Howard Avenue,
4	proceeding east on West Howard Avenue.
5	(m) At the intersection of South Howell Avenue and West Howard Avenue,
6	proceeding north on South Howell Avenue.
7	(n) At the intersection of South Howell Avenue and South Kinnickinnic Avenue,
8	proceeding north on South Kinnickinnic Avenue.
9	(o) At the intersection of South Kinnickinnic Avenue and East Bay Street,
10	proceeding east on East Bay Street.
11	(p) At the intersection of the high-wide route railroad crossover and East Bay
12	street, proceeding east on the high-wide route railroad crossover.
13	(q) At the intersection of the high-wide route railroad crossover and South
14	Carferry Drive, proceeding north on South Carferry Drive.
15	(r) At the intersection of South Carferry Drive and East Bay Street, proceeding
16	east on East Bay Street.
17	(s) Ending at the intersection of South Carferry Drive and South Lincoln
18	Memorial Drive.
19	(3) PERMITTING. (a) No person may operate a high-wide load on the route
20	described under sub. (2) without a permit from the city of Milwaukee.
21	(b) No person may install any structure within the affected area without a
22	permit from the city of Milwaukee. A permit under this paragraph shall require the
23	permittee, upon request, to remove any obstruction to the use of the high-wide route
24	by a high-wide load within 5 days notice without cost to the user of the high-wide
25	route for a high-wide load.

23

1	(4) PROHIBITIONS. After the effective date of this subsection [LRB inserts
2	date], no person may do any of the following within the affected area:
3	(a) Install any permanent structure without the authorization of the city of
4	Milwaukee.
5	(b) Take any action that would make any portion of the affected area
6	permanently unavailable for use by a high-wide load.
7	(c) Install any structure without first obtaining a permit under sub. (3) (b).
8	(5) LOCAL COOPERATION. (a) The city of Milwaukee shall consult with all
9	political subdivisions in which any portion of the Milwaukee County high-wide route
10	is located before issuing or denying a permit under sub. (3), making an authorization
11	under sub. (4) (a), or designating a temporary route under sub. (6).
12	(b) The city of Milwaukee shall share the permit fee collected for a permit under
13	sub. (3) (a) proportionately among the political subdivisions affected by the
14	permitted high-wide load.
	****Note: Do you want permit fees under sub. (3) (b) to be shared?
15	(c) Political subdivisions in which any portion of the Milwaukee County
16	high-wide route is located shall attempt to reach agreements among themselves and
17	with persons using the high-wide route for high-wide loads regarding the allocation
18	of costs and provision of services related to removing permanent structures that
19	interfere with the use of any portion of the affected area by high-wide loads.
20	(d) Political subdivisions in which any portion of the Milwaukee County
21	high-wide route is located shall attempt to reach agreements among themselves and

with persons using the high-wide route for high-wide loads to timely provide traffic

officer escorts for persons using the high-wide route for high-wide loads.

1	(6) TEMPORARY ROUTE CHANGES. The city of Milwaukee may designate
2	temporary changes to the route described under sub. (2). Subsection (4) does not
3	apply to a highway temporarily designated under this subsection.
4	(END)

2017-2018 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-0014/1ins EVM:ahe

1	INS-Analysis
2	
	This bill designates a route in Milwaukee County upon which high-wide loads may be operated with a permit from the city of Milwaukee. A "high-wide" load is a motor vehicle that exceeds general state limitations on motor vehicle size, that is transporting property, and that is not more than 28 feet wide or 23 feet tall. Under this bill, in general, no person may install any structure along the route within the area necessary for the passage of a high-wide load without the authorization of the city of Milwaukee. Also, no person may take any action that would make any portion of the route permanently unavailable for use by a high-wide load. For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.
3	
4	INS 3-18
5	
6	At the intersection of East Bay Street and the port of Milwaukee's private
7	access road, proceeding east on the private access road.
8	(q) At the intersection of the port of Milwaukee's private access road and South
9	Car Ferry Drive, proceeding north on South Car Ferry Drive.
10	(r) Ending at the northern terminus of South Car Ferry Drive.

From:

Hoisington, Joshua

Sent:

Friday, March 17, 2017 12:56 PM

To:

Mueller, Eric

Subject:

FW: Draft review: LRB -0014/P4

Attachments:

17-0014/P4.pdf

Eric, would you please make the changes listed below and send an introducible draft? Thanks for your help.

Best regards,

Josh Hoisington
Office of Representative Joe Sanfelippo
15th Assembly District
608.266.0620

Follow Rep. Sanfelippo on Facebook and Twitter.

NOTE: Emails sent to and from this account may be subject to open records requests and should not be considered private.

- Section 1(b) Definition should state that High-Wide loads are greater than "legal loads" not requiring permits, but no wider than 28' or taller than 23'.
- Section 2(p), (q), (r) and (s). The High-Wide loads enter the Port via a private access road on East Bay Street that intersects South Car Ferry Drive.

We could say:

- o Enter the Port of Milwaukee at the intersection of East Bay Street and the Port's private access road, preceding east on private access road.
- O At the intersection of the private access road and South Car Ferry Drive, preceding north on South Car Ferry Drive to the designated unloading area.

Barman, Mike

From:

Hoisington, Joshua

Sent:

Friday, April 07, 2017 9:11 AM

To:

LRB.Legal

Subject:

Draft Review: LRB -0014/1

Please Jacket LRB -0014/1 for the ASSEMBLY.