

1993 Assembly Bill 986

Date of enactment: **April 18, 1994**

Date of publication*: **May 2, 1994**

1993 WISCONSIN ACT 354

AN ACT to amend 20.395 (2) (bu); to repeal and recreate 20.395 (2) (bu); and to create 85.085 of the statutes, relating to: funding the rebuilding of private road crossings.

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

SECTION 1. 20.395 (2) (bu) of the statutes, as created by 1993 Wisconsin Act 16, is amended to read:

20.395 (2) (bu) *Freight rail infrastructure improvements, state funds.* As a continuing appropriation, the amounts in the schedule for loans under s. 85.08 (4m) (e) and to make payments under s. 85.085 and 1993 Wisconsin Act 16, section 9154 (4n).

SECTION 2. 20.395 (2) (bu) of the statutes, as affected by 1993 Wisconsin Act 16, section 338g, and 1993 Wisconsin Act (this act), is repealed and recreated to read:

20.395 (2) (bu) *Freight rail infrastructure improvements, state funds.* As a continuing appropriation, the amounts in the schedule for loans under s. 85.08 (4m) (e) and to make payments under s. 85.085.

SECTION 3. 85.085 of the statutes is created to read:

85.085 Private road crossings. (1) The department shall make payments from the appropriation under s. 20.395 (2) (bu) to fund the rebuilding of any private road crossing across the tracks of a rail transit commission within this state if the applicable tracks of the rail transit commission were rehabilitated during the 1992–93 fiscal

year or thereafter, the private road crossing has not been rebuilt since the tracks were rehabilitated and the private road crossing user obtains a private road crossing permit from the applicable rail transit commission.

(2) The department shall make payments from the appropriation under s. 20.395 (2) (bu) to reimburse any private road crossing user for costs incurred by the user in financing the rebuilding of a private road crossing across the tracks of a rail transit commission within this state if the applicable tracks of the rail transit commission were rehabilitated during the 1992–93 fiscal year or thereafter and the private road crossing user has obtained a private road crossing permit from the applicable rail transit commission.

(3) The department shall not make any payment under this section unless the applicable private road crossing permit provides that the rail transit commission shall, at the user's sole cost and expense, maintain, repair and renew the private road crossing.

SECTION 4. Effective dates. This act takes effect on the day after publication, except as follows:

(1) The repeal and recreation of section 20.395 (2) (bu) of the statutes takes effect on July 1, 1994.