



1999 ASSEMBLY BILL 659

January 19, 2000 - Introduced by Representatives GROTHMAN, SUDER, WALKER, ALBERS, DUFF, GOETSCH, NASS, PETTIS and STONE, cosponsored by Senator LAZICH. Referred to Committee on Transportation.

1 **AN ACT to amend** 66.94 (9m) and 85.205; **to create** 85.20 (4m) (g) of the statutes;
2 and **to affect** 1999 Wisconsin Act 9, section 9150 (3bm); **relating to:** light rail
3 and the urban mass transit operating assistance program.

Analysis by the Legislative Reference Bureau

Current law prohibits any mass transit authority, governing body of any county, city, village or town or any agency, corporation, instrumentality or subunit of a county, city, village or town from entering into a contract for any purpose related to a light rail mass transit system, if the cost of any of the contracted items would be paid for or reimbursed by federal interstate cost estimate (ICE) funds or funds received from the state. Current law also prohibits the department of transportation (DOT) from expending or encumbering any federal ICE funds or state funds for any purpose related to a light rail mass transit system. These restrictions on contracting and expending or encumbering funds do not apply to the Kenosha light rail mass transit system currently under construction or to funds expended or activity related to a mass transit system that is done under the memorandum of agreement concerning USH 12. The restrictions expire on June 30, 2001.

This bill eliminates the June 30, 2001, sunset of those restrictions. Under the bill, the restrictions are made permanent.

Also, under current law, DOT makes state aid payments to local public bodies in urban areas to assist the local public bodies with the expenses of operating an urban mass transit system. An urban mass transit system is transportation by bus, shared-ride taxicab, rail, or other conveyance, either publicly or privately owned,

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that provides the public with general or special service on a regular and continuing basis.

This bill prohibits such state aid payments for urban mass transit systems that provide transportation service by rail, unless such rail service is established by the date on which this bill becomes law or is provided by Amtrak.

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:

1 **SECTION 1.** 66.94 (9m) of the statutes, as created by 1999 Wisconsin Act 9, is
2 amended to read:

3 **66.94 (9m) LIMIT ON CONTRACTING FOR LIGHT RAIL.** Notwithstanding any other
4 provision of this section, no authority may enter into a contract for any purpose
5 related to a light rail mass transit system if the cost of any of the contracted items
6 would be paid for by, or reimbursed with, federal funds received under P.L. 102-240,
7 section 1045, or P.L. 105-277, section 373, or any funds received from the state. This
8 subsection does not apply to any light rail mass transit system that is being
9 constructed on October 29, 1999. This subsection does not apply to any funds
10 expended or activity related to a mass transit system that is done under the
11 memorandum of agreement concerning USH 12 between Middleton and Lake
12 Delton, Wisconsin, that was executed by the governor, the secretary of
13 transportation, the secretary of natural resources, the county executive of Dane
14 County, the administrative coordinator of Sauk County, and others, and that became
15 effective on April 22, 1999. ~~This subsection does not apply after June 30, 2001.~~

16 **SECTION 2.** 85.20 (4m) (g) of the statutes is created to read:

17 **85.20 (4m) (g)** Notwithstanding sub. (3), the department may not pay state aids
18 under this section for a mass transit system that provides transportation services by

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1 rail unless the transportation services by rail are provided on or before the effective
2 date of this paragraph [revisor inserts date]. Any increase in the level of
3 transportation service by rail of a mass transit system that provides such service on
4 or before the effective date of this paragraph [revisor inserts date], is eligible for
5 an increase in the amount of state aid payable under this section. An eligible
6 applicant may not use aids paid under this section to support transportation services
7 by rail unless the services are eligible for aid under this section. This paragraph does
8 not apply to Amtrak, as defined in s. 85.06 (1) (a).

9 **SECTION 3.** 85.205 of the statutes, as created by 1999 Wisconsin Act 9, is
10 amended to read:

11 **85.205 Prohibited expenditures for light rail.** Notwithstanding ss.
12 85.022, 85.062 and 85.063, the department may not encumber or expend any federal
13 funds received under P.L. 102-240, section 1045, or P.L. 105-277, section 373, or
14 state funds for any purpose related to a light rail mass transit system. This section
15 does not apply to any light rail mass transit system that is being constructed on
16 October 29, 1999. This section does not apply to any funds expended or activity
17 related to a mass transit system that is done under the memorandum of agreement
18 concerning USH 12 between Middleton and Lake Delton, Wisconsin, that was
19 executed by the governor, the secretary of transportation, the secretary of natural
20 resources, the county executive of Dane County, the administrative coordinator of
21 Sauk County, and others, and that became effective on April 22, 1999. ~~This section
22 does not apply after June 30, 2001.~~

23 **SECTION 4.** 1999 Wisconsin Act 9, section 9150 (3bm) is renumbered 66.941 of
24 the statutes, and amended to read:

ASSEMBLY BILL 659**1 66.941 Contracting for design or construction of light rail prohibited.**

2 Notwithstanding any other provision of chapter ~~ch.~~ 59, 60, 61, 62 or 66 of the statutes,
3 no governing body of any city, village, town or county and no agency, corporation,
4 instrumentality or subunit of a city, village, town or county, may enter into a contract
5 for any purpose related to a light rail mass transit system if the cost of any of the
6 contracted items would be paid for by, or reimbursed with, federal funds received
7 under P.L. 102-240, section 1045, or P.L. 105-277, section 373, or any funds received
8 from the state. This subsection section does not apply to any funds expended or
9 activity related to a mass transit system that is done under the memorandum of
10 agreement concerning USH 12 between Middleton and Lake Delton, Wisconsin, that
11 was executed by the governor, the secretary of transportation, the secretary of
12 natural resources, the county executive of Dane County, the administrative
13 coordinator of Sauk County, and others, and that became effective on April 22, 1999.
14 This subsection does not apply after June 30, 2001.

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(END)