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State of Misconsin 2009 - 2010 LEGISLATURE

## 2009 SENATE BILL 343

October 9, 2009 – Introduced by Senators Cowles, Hopper, Kedzie, Harsdorf, Schultz and Olsen, cosponsored by Representatives Mursau, Vos, Montgomery, Nygren, Roth, Brooks, LeMahieu, Davis, Murtha, Lothian, Ripp, Petersen, A. Williams, A. Ott, Kaufert, Nass, Gunderson, Bies, Suder, Knodl and Townsend. Referred to Committee on Transportation, Tourism, Forestry, and Natural Resources.

1 AN ACT to amend 85.06 (2) (b) of the statutes; relating to: the rail passenger

service assistance and promotion program.

## Analysis by the Legislative Reference Bureau

Under current law, the Department of Transportation (DOT) administers a rail passenger service assistance and promotion program. In administering the program, DOT may conduct financial and technical planning for rail passenger service, evaluate existing rail passenger service, conduct or contract for marketing studies and promotional activities to increase rail passenger service ridership, and acquire equipment or facilities for the purpose of providing rail passenger service or support services for rail passenger service. DOT may also contract with Amtrak, railroads, or others to provide rail passenger service or support services, equipment, or facilities for rail passenger service. The contract may provide for the sale or lease of any equipment or facilities acquired by DOT for the purpose of providing rail passenger service or support service. The contract may provide for the sale or lease of any equipment or facilities acquired by DOT for the purpose of providing rail passenger service or support services for rail passenger service. The contract may be made without competitive bidding or competitive sealed proposals.

This bill eliminates the exception allowing DOT to contract, without competitive bidding or competitive sealed proposals, for rail passenger service or support services, equipment, or facilities for rail passenger service, including the sale or lease of equipment or facilities acquired by DOT for the purpose of providing rail passenger service or support services for rail passenger service.

## **SENATE BILL 343**

For further information see the *state and local* 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.** 85.06 (2) (b) of the statutes is amended to read:  $\mathbf{2}$ 85.06 (2) (b) Contract with Amtrak, railroads or other persons to provide rail 3 passenger service or support services, equipment, station improvements, passenger platforms, equipment maintenance shops, parking areas or other support facilities 4  $\mathbf{5}$ for rail passenger service. The contract may provide for the sale or lease of any 6 equipment or facilities acquired by the department under par. (g). Notwithstanding 7 s. 16.75 (1) and (2m), the department may contract under this paragraph without 8 competitive bidding or competitive sealed proposals. 9 **SECTION 2. Initial applicability.** 10 This act first applies to contracts entered into by the department of (1)
- 11 transportation on the effective date of this subsection.
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(END)