



WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

Memo No. 2

TO: MEMBERS OF THE SPECIAL COMMITTEE ON REGIONAL TRANSPORTATION
AUTHORITY

FROM: Larry Konopacki and Scott Grosz, Staff Attorneys

RE: List of Potential Bill Draft Discussion Topics

DATE: November 5, 2008

The following list includes potential discussion topics outlined in Memo No. 1., submitted by committee members, or otherwise identified following the October 9, 2008 meeting of the Special Committee on Regional Transportation Authority. This list is intended to organize the committee's discussion of WLC: 0063/P1.

REGIONAL TRANSIT AUTHORITY (RTA) FORMATION

Political Subdivision Identical Resolutions

- The procedures for enacting identical resolutions to create an RTA and for a political subdivision to join an existing RTA.
- The provisions to be included in the identical resolutions.
- Whether RTAs should be required to set objective criteria for adding additional political subdivisions to an existing RTA.

Referendum Approval

- The requirement for referendum approval.
- The specific requirements for referendum questions.
- The evaluation of referendum results at the political subdivision level.

Population Thresholds and Other Requirements

- The thresholds for creation of an RTA.
- The thresholds for provision of fixed-route transit service.
- The prohibition on participation in more than one RTA.
- The role of counties in RTAs.
- The obstacles to participation by counties in RTAs.
- Whether a tiered RTA system should be created, with organizational options in each tier, that incorporates considerations about population, urbanization, jurisdictional area, and other factors.
- Requiring the minimum participation of area political subdivisions in an RTA to be linked to a specific assessment of the core area that should be served in a region.
- Whether RTAs should be allowed to include political subdivisions in other states, and how to accomplish this.

Counties That Include a First Class City

- The Milwaukee County-specific provisions.
- Whether Milwaukee County should be able to form an RTA without joining with an additional political subdivision.

RTA FUNDING

Sales Tax

- The use of sales tax as the revenue source to fund RTAs.
- The extent of sales tax authority of an RTA.

Other Funding Sources

- The limits on locally generated revenue.
- The type and extent of other taxation or revenue generation authority to provide to an RTA.

Other Issues

- Re-authorization of funding.

- Uniformity of tax rates.
- The percent of tax revenue allocated for administration by the Department of Revenue.

RTA POWERS

- The extent of RTA powers generally.
- The exercise of authority outside of jurisdictional boundaries and the power to contract with nonparticipating political subdivisions.
- The common carrier protections.
- The extent of an RTA's bonding authority.
- The extent of an RTA's authority to enter on public property for reasons related to the RTA's facilities.
- Whether to authorize RTAs to operate public safety departments and employ peace officers.
- How and to what extent RTAs should be able to provide specialized transportation services and mobility management.
- The extent of an RTA's eminent domain authority.

RTA WITHDRAWAL OR DISSOLUTION

- The practical effects of the withdrawal and dissolution procedures.
- The continuation of the sales tax in a withdrawing political subdivision after existing obligations are satisfied.

OTHER ISSUES

- The treatment of the existing Southeastern Wisconsin Regional Transit Authority.
- Whether to create "transit improvement district" authority for areas that will experience transit-oriented development.
- Whether to require RTA board members to be elected members of the legislative bodies of participating political subdivisions, and whether to control the board appointment process.
- Whether to specify the size range of an RTA board.
- Whether the state should encourage RTAs through state funding or other means.
- Whether to specify required content of a transit plan.

- Other definition changes?
- Ethics – should RTA board members be included in ch. 19, Stats.?
 - “Official required to file” – financial disclosures.
 - “State public official” vs. “local public official” – code of conduct and conflicts of interest.

LAK:SG:ksm