Legislative Fiscal Bureau
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Alternative 3 board OK

May 29, 2001 | Joint Committee on Finance | Paper #830

Use of County Shared Revenue
(Shared Revenue and Tax Relief -- Direct Aid Payments)

[LFB 2001-03 Budget Summary: Page 605, #3]

CURRENT LAW

The shared revenue program is comprised of two separate distributions and funding levels -- one for counties and one for municipalities. The funding level for counties is set at $168,981,800. An additional $20,763,800 is distributed to counties under the mandate relief program. From the two programs, funding totals $189,745,600, annually. The aid under these programs is characterized as unrestricted state aid, which means that counties can use the funds for whatever purposes they deem necessary. The Department of Revenue administers the shared revenue and mandate relief programs.

GOVERNOR

Require counties to use aid payments received under the shared revenue and mandate relief programs to pay expenses related to certain programs that are not funded by other state or federal aid or a designated revenue source before the aid is used for other county costs that would otherwise be funded through the property tax, beginning with payments received after the effective date of the bill. Specify that this requirement would extend priority treatment to costs for the following programs: probation and parole holds in county jails, circuit courts, community aids and youth aids.

DISCUSSION POINTS

1. Historically, counties have been recognized as an administrative arm of the state. In addition to providing traditional local services such as law enforcement, transportation and parks,

counties have performed state-mandated functions in the judicial and human services areas. Over time, counties have identified functions related to the court system, juvenile justice, corrections and human services as mandates that are particularly burdensome. Counties find these programs burdensome because their costs exceed the level of state support they receive for the services and because they feel they have little discretion over the level of services they must provide.

2. Probation and Parole Holds. The Department of Corrections reimburses counties up to $40 per day for felons being held in county jails pending revocation of their probation or parole for non-criminal rules violations. Payments are prorated if the number of reimbursable days exceeds the appropriated amount. In 2000-01, counties were reimbursed $4.0 million, at a rate of $37.29 per day for 1999-00 costs. At the $40 rate, reimbursements would have totaled $4.3 million. Actual county costs for probation and parole holds, both reimbursable and non-reimbursable, are not known. Non-reimbursable holds are those for misdemeanant probationers and felons held as a result of a new criminal charge.

3. Circuit Courts. The Wisconsin Constitution organizes the court system on the basis of circuits where judges are elected within each circuit. In general, each county comprises a circuit, except for three two-county circuits. The state has assumed funding of costs related to compensation for judges, reserve judges, court reporters, district attorneys and public defenders. Counties fund costs associated with the clerks of court, court commissioners, probate registrars, court security, support staff and law libraries. Also, counties fund the capital, maintenance and utility costs related to circuit court facilities. The state defrays some of the counties' costs through the circuit court support and guardian ad litem grant programs. Combined funding for these programs totals $23.5 million annually. For 1999, counties reported costs of $90.8 million related to their court operations, excluding costs related to security, rent, utilities, maintenance, remodeling and construction.

4. Community Aids. State law directs counties to provide human services in two broad functional areas. First, counties must provide social services for low-income persons and for children in need of protection and services. Second, counties must provide services for persons with needs related to mental illness, substance abuse or developmental disabilities. Community aids are state and federal funds that are distributed by the Department of Health and Family Services to counties for providing these services. State law requires counties to provide matching funds equal to 9.89% of the state and federal aid amounts. Most counties provide county funds in excess of the required match. These are called "overmatch" expenditures. County overmatch expenditures have increased from $49.2 million in 1987 to $212.6 million in 1999. Community aids funding totaled $295.5 million in 1999. This implies a required county match of $29.2 million. When combined with the overmatch funds, counties expended $241.8 million in 1999, in addition to the $295.5 million in state community aids allocations.

5. Youth Aids. The state's youth aids program is the major state funding source that assists counties in paying for juvenile justice activities. Generally, a circuit court judge issues a dispositional order for juveniles who are adjudicated delinquent that lists the services that must be provided to the juvenile in terms of supervision, care and treatment. The orders require either in-

home or out-of-home placements. For in-home placements and non-secure, out-of-home placements, the juvenile remains under the supervision of the county of residence, and county officials make decisions about treatment, subject to the dispositional order. A range of alternatives exists for out-of-home placements. The least costly alternative is placement in the home of a relative. More costly alternatives include placement in a licensed child caring institution and placement in a state-operated, secured juvenile correctional facility. For juveniles with a disposition to state secure care, the county is billed for the costs associated with these placements and for the cost of state-provided aftercare services. Through the youth aids program, state and federal dollars are combined to provide each county with an annual allocation to help pay for these juvenile justice costs. In 1999, counties reported out-of-home placement costs totaling $105.8 million, which was $19.2 million higher than the $86.6 million provided under the youth aids program. Because out-of-home placements are court-ordered, counties have little discretion with regard to these expenditures.

6. The preceding information indicates that counties are expending own-source revenues well in excess of the $189.7 million in shared revenue and mandate relief funding. Requiring counties to earmark revenues for expenditure in the designated areas would cause counties to implement additional accounting procedures, thereby imposing an additional mandate. The bill would neither impose penalties on counties that do not track their aid payments in the required fashion nor provide the Department of Revenue with resources to administer the provision. DOR has indicated that it may rely on counties' auditing firms to ensure that the requirement is met. In recognition of these observations, it is not clear what policy would be achieved by requiring counties to track their aid in the proposed manner.

7. The Executive Budget summary indicates that the provision is intended to "increase citizen understanding of the state-local relationship." While acknowledging that the previously described categorical aid programs do not fully fund state-mandated services, DOA indicates that the proposal would make taxpayers aware that other state assistance can be used to fund mandated services. Crediting shared revenues against the designated expenditure items would demonstrate the degree to which state versus local revenues are used as funding. This would distinguish where the state's role ends and the county's role begins. DOA indicates that shared revenue payments could be treated like the state accounts for program revenue. Therefore, counties could continue to deposit their shared revenue payments in their general fund.

8. The Executive Budget summary identifies this provision as one of nine items in the budget that are based on a recommendation of the Governor's Commission on State-Local Partnerships for the 21st Century. At meetings over a ten-month period, the Commission examined the organization, functions and finances of local governments and how local governments relate to state government. The Commission made 139 recommendations. Recommendation #63 reads, "Both human services and the state justice services programs should be state responsibilities. Statewide functions should not be funded by the property tax. Hence, as a general principle, Wisconsin ought to move, as soon as possible, to state funding for these functions."

9. The Commission realized that the conversion to full state funding could not occur immediately and recommended a phase-in over several years. One reason the Commission

recommended delaying the conversion is that reliable and consistent cost data pertaining to the four areas is not available. The Commission recommended audits to identify the county costs that the state would assume.

10. Concerns have been raised previously regarding the quality and consistency of expenditure data in the identified areas. A provision in 1995 Act 27 requires counties to report annual court expenditures on all court functions except costs related to courtroom security, rent, utilities, maintenance, remodeling and construction. However, the Director of State Courts Office, which reviews and compiles the data, has identified a number of inconsistencies in reporting among the counties. The Commission on State-Local Partnerships for the 21st Century cited the "lack of timely and detailed data" and the "potential lack of uniformity of data" with regard to county health and human services functions. Through the "human services reporting system," counties report expenditures and related information to the Department of Health and Family Services regarding services provided under the community aids and youth aids programs, as well as under other state programs.

11. Annually, counties report revenue and expenditure information to DOR, but that data lacks detail in the judicial and human services areas and may be inconsistent between counties. The Governmental Accounting Standards Board has adopted new procedures with regard to how government revenues and expenditures should be reported. The Board's rule is referred to as GASB 34. In response to GASB 34, DOR anticipates modifying its financial report form effective for 2002 (reports filed in 2003).

12. If the Legislature is interested in pursuing full state funding of county judicial and human services functions, improved information on counties' expenditures appears to be needed. The Legislature could direct the Department of Administration to assemble a committee consisting of representatives from the Department of Health and Family Services, the Department of Corrections, the Department of Revenue and the Director of State Courts to develop a financial reporting system. The system should achieve consistent cost definitions and treatment between counties, conform to generally accepted accounting principles, provide information on a timely basis and include sufficient detail to allow the development of future state funding alternatives. The committee could also include representatives of county government and members of the accounting profession. The committee's report could be submitted to the Legislature for its review.

ALTERNATIVES TO BASE

1. Approve the Governor's recommendation to require counties to use aid payments received under the shared revenue and mandate relief programs to pay expenses related to certain programs that are not funded by other state or federal aid or a designated revenue source before the aid is used for other county costs that would otherwise be funded through the property tax, beginning with payments received after the effective date of the bill. Specify that this requirement would extend priority treatment to costs for the following programs: probation and parole holds in county jails, circuit courts, community aids and youth aids.

2. Direct the Department of Administration to assemble a committee consisting of representatives from the Department of Health and Family Services, the Department of Corrections, the Department of Revenue, the Director of State Courts, a representative of county government and a member of the accounting profession to develop a financial reporting system for counties. Specify that the system should achieve consistent treatment between counties, conform to generally accepted accounting principles, provide information on a timely basis and include sufficient detail to allow the development of future state funding alternatives. Require the committee to report on the system to the Legislature by March 1, 2002.

3. Take no action.

Prepared by: Rick Olin

MO#_____

BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A

AYE_____ NO_____ ABS_____

modification

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May 29, 2001 | Joint Committee on Finance | Paper #831

State Aid for Exempt Computers
(Shared Revenue and Tax Relief -- Direct Aid Payments)

[LFB 2001-03 Budget Summary: Page 606, #5]

CURRENT LAW

The state aid payment for computers was created in the 1998 budget adjustment bill (1997 Act 237) to compensate local governments for tax base lost due to the property tax exemption for computers, software and related equipment. Aid payments are calculated using a procedure that results in an aid amount equal to the amount of taxes that would be paid if the property was taxable. Under the procedure, computer owners report the value of exempt computers to assessors, and local governments calculate their tax rates as if the exempt value was taxable. Aid payments are calculated by multiplying the two amounts. Base funding for payments is $71,000,000.

GOVERNOR

Increase funding by $6,016,000 GPR in 2001-02 and $10,171,000 GPR in 2002-03 to reflect growth in the value of exempt computers. Total aid payments under the sum sufficient appropriation are estimated at $77,016,000 GPR in 2001-02 and $81,171,000 GPR in 2002-03. Payments are made from the sum sufficient appropriation to compensate local governments for the tax base lost due to the property tax exemption for computers and related equipment.

MODIFICATION TO BASE

Increase funding by $5,600,000 GPR in 2001-02 and $7,400,000 GPR in 2002-03 to reflect reestimates of the sum sufficient aid payments at $76,600,000 GPR in 2002 and $78,400,000 GPR in 2003.

Explanation: State aid payments will equal the value of exempt computers in each municipality multiplied by the municipality's tax rate for all purposes, except for the 0.2 mil state forestry tax rate. The reestimate of computer aid reflects an analysis of preliminary reports for 2001 on exempt computer values filed by manufacturing taxpayers and local officials with DOR. To receive the exemption, taxpayers are required to file requests for the exemption with DOR, if a manufacturer, or with local assessors, if a business other than a manufacturer. The requests include information on the exempt property's original cost and its year of acquisition, which assessors use to estimate its value. Based on the reports for 2001, which will be used to calculate payments in 2002, the value of exempt computers is estimated at $3.07 billion for 2001 and $3.20 billion for 2002. The tax rates used in the calculation are based on actual tax rates for 2000(01), adjusted to reflect estimated changes in tax levies and values over the next two years. The reestimated amounts represent reductions of $416,000 GPR in 2001-02 and $2,771,000 GPR in 2002-03, compared to amounts in the bill.

Modification	GPR
2001-03 FUNDING (Change to Base)	$13,000,000
[Change to Bill	*- $3,187,000]*

MO# modification

Prepare

BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A

AYE _____ NO _____ ABS _____

Representative Duff

SHARED REVENUE AND TAX RELIEF -- DIRECT AID PAYMENTS

Exclude Certain Property from Computer Aid Payments

Motion:

Move to specify that computer aid is not paid on property that is exempt both under the property tax exemption for computers and under any other provision in Chapter 70 of the statutes that exempts property from general property taxes. Modify the property tax exemption for computers by deleting the reference to custom software. Specify that these provisions would first apply to property assessed as of January 1, 2002.

Note:

This motion would clarify DOR's current treatment of exempt computer property. Custom software is one type of property where DOR has disallowed an aid payment. When the exemption was enacted in 1997 Act 237, LFB Paper #1043 reported that custom software was already exempt as an intangible, under s. 70.112(1) of the statutes. However, because custom software was specified in the Act 237 provision creating the computer exemption, some owners of custom software have included it on the reporting form that identifies property subject to an aid payment. In one instance, DOR disallowed over $3 million in exempt value that would have resulted in about $70,000 in aid payments. This motion is identical to LRB 2812/P2.

[Change to Base: None]

MO#_____

BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
2 GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A

AYE 16 NO 0 ABS 0

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May 29, 2001 | Joint Committee on Finance | Paper #835

Homestead and Farmland Preservation Tax Credit Reestimates (Shared Revenue and Tax Relief -- Property Tax Credits)

[LFB 2001-03 Budget Summary: Page 606, #1 and #2]

CURRENT LAW

The adjusted base level funding is $96,800,000 GPR for the homestead tax credit and $16,000,000 GPR for the farmland preservation tax credit.

GOVERNOR

Decrease funding by $5,800,000 GPR in 2001-02 and $8,800,000 GPR in 2002-03 for the homestead tax credit sum sufficient appropriation to reflect anticipated costs of the credit in the biennium. With these adjustments, estimated total funding would be decreased to $91,000,000 GPR in 2001-02 and $88,000,000 GPR in 2002-03.

Decrease funding by $1,400,000 GPR in 2001-02 and $1,500,000 GPR in 2002-03 for the farmland preservation tax credit sum sufficient appropriation to reflect anticipated costs of the credit in the biennium. With these adjustments, estimated total funding would be decreased to $14,600,000 GPR in 2001-02 and $14,500,000 GPR in 2002-03.

MODIFICATION TO BASE

Reestimate the sum sufficient appropriations at $91,900,000 GPR in 2001-02 and $90,000,000 GPR in 2002-03 for the homestead tax credit and at $17,200,000 GPR in 2001-02 and $17,800,000 GPR in 2002-03 for the farmland preservation tax credit.

Explanation: The reestimate of the homestead tax credit reflects an analysis of the number of claimants that would claim the credit as a result of the tax year 2000 formula

changes enacted under 1999 Act 9 and projected changes in claimant income and property taxes in the biennium. The reestimate reflects a decrease of $4,900,000 GPR in 2001-02 and $6,800,000 GPR in 2002-03, compared to the base, and an increase of $900,000 GPR in 2001-02 and $2,000,000 GPR in 2002-03, compared to the bill.

The reestimate of the farmland preservation tax credit reflects the following: (a) an error in calculating the base level funding of the credit, as indicated in a budget errata submitted by DOA, that results in an increase in the credit, compared to the bill, of $900,000 GPR annually; and (b) estimated increases in property taxes subsequent to the complete phase in of use value assessment and the shifting of property taxes back to farmland and improvements under use value assessment. The reestimate reflects an increase of $1,200,000 GPR in 2001-02 and $1,800,000 GPR in 2002-03, compared to the base, and an increase of $2,600,000 GPR in 2001-02 and $3,300,000 GPR in 2002-03, compared to the bill.

Modification	GPR
2001-03 FUNDING (Change to Base)	- $8,700,000
[Change to Bill	*$8,800,000]*

Prepared by: Al Runde

MO#_____

BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A

AYE _____ NO _____ ABS _____

modification
Farmland
Preservation credit
(per Prang)

SHARED REVENUE AND TAX RELIEF

Property Tax Credits

Base Agency

LFB Summary Item for Which No Issue Paper Has Been Prepared

Item #	Title
5	Municipal Lottery and Gaming Credit Payment Corrections

LFB Summary Item for Introduction as Separate Legislation

Item #	Title
3	Farmland Preservation Liens and Conversion Fees

LFB Summary Item Addressed at a Committee's Previo

Item #	Title
4	Lottery and Gaming Tax Credit (Paper #810)

Decker motion - increase Homestead $ 2450 & 2750 eligibility; increases exclusion for dependents

MO# item 5

1	BURKE	Y	N	A
	DECKER	Y	N	A
	MOORE	Y	N	A
	SHIBILSKI	Y	N	A
	PLACHE	Y	N	A
	WIRCH	Y	N	A
	DARLING	Y	N	A
	WELCH	Y	N	A
2	GARD	Y	N	A
	KAUFERT	Y	N	A
	ALBERS	Y	N	A
	DUFF	Y	N	A
	WARD	Y	N	A
	HUEBSCH	Y	N	A
	HUBER	Y	N	A
	COGGS	Y	N	A

AYE ____ NO ____ ABS ____

Representative Gard
Senator Decker

TRANSPORTATION

Transportation Package

Motion:

Move to modify the Governor's recommendations as follows:

1. **Revenue Bonding Increases -- Bonding Policy (Paper #897, Alt. 2)** -- Modify the Governor's recommendation to limit the use of bonding in the major highway development program by setting the limit at 55% and specifying that the limit would apply to encumbrances over any consecutive three years, beginning with the three-year period between 2002-03 and 2004-05.

2. **Driver's License and Vehicle Registration Abstract Fees (Paper #898, Mod.)** -- Specify that the fee increases for driver abstract fees are effective on the first day of the sixth month beginning after the effective date of the bill, instead of the first day of the seventh month beginning after the effective date of the bill.

3. **Tax Exemption for Air Carriers with Hub Terminal Facilities -- Aeronautics Funding (Paper #900, Alt. 3)** -- Delete the Governor's recommendation with respect to the funding mechanism for aeronautics assistance. Instead, require a transfer from the general fund to the transportation fund, beginning on July 1, 2004, and annually thereafter, of the amount that the airlines that qualify for the exemption paid in ad valorem taxes in the last year in which they paid those taxes, which would require the general fund to absorb the approximate amount of the revenue loss associated with the exemption, beginning in 2004-05, but not more than that amount. Modify the Governor's recommendation with respect to the Airport Financing Study Committee to reflect the decision on the aeronautics assistance funding mechanism.

4. **Local Roads for Job Preservation Debt Service (Paper #901, Alt. 3)** -- Modify the Governor's recommendation by reducing funding by $329,800 GPR in 2001-02 and $702,900 GPR in 2002-03 to reflect a reestimate of debt service payments and delete $8,000,000 in bonding authorization for the program.

5. **Terminal Tax Transfer (Paper # 902, Mod.)** -- Increase funding by $72,600 SEG in 2001-02 and $125,900 SEG in 2002-03 to reflect a reestimate of terminal tax payments at $1,130,000 SEG in 2001-02 and $1,183,300 SEG in 2002-03.

6. **General Transportation Aid -- Funding Level (Paper #905)** -- Modify the Governor's recommendation by providing annual general transportation aid increases (SEG) for

2002 and 2003 at 3% and 2%, respectively. Set the county and municipal distributions, establish the mileage aid rate and change the general transportation aid appropriations as shown below:

Calendar Year County Distribution		SEG Change to Bill	
2002	2003	2001-02	2002-03
$86,581,300	$88,312,900	-$1,008,700	-$1,471,900

Calendar Year Municipal Distribution		Calendar Year Rate Per Mile		SEG Change to Bill	
2002	2003	2002	2003	2001-02	2002-03
$272,395,300	$277,843,200	$1,755	$1,790	-$2,644,600	-$2,676,600

7. **Grants to Local Professional Football Stadium Districts (Paper #906, Alt. A3 plus changes)** --Modify the Governor's recommendation by specifying that the grants to a local professional football stadium district could only be used for the development, construction, reconstruction or improvement of parking lots, garages, transportation facilities or other functionally-related or auxiliary facilities or structures on the existing parking lot facility of a professional football stadium.

Require that the Department of Transportation provide the $9.1 million grant to the local professional football stadium district in January, 2002.

Require the local professional football stadium district to provide the entire $9.1 million in grant proceeds to a professional football team to be used for the purposes specified within 30 days of receiving the grant funds. Increase estimated transportation fund revenue by $205,000 in 2001-02 to reflect additional investment earnings due to the delayed payment.

8. **Mass Transit Operating Assistance -- Funding Level (Paper #907)** -- Modify the Governor's recommendation by providing annual mass transit aid increases (SEG) for 2002 and 2003 at 4% and 2%, respectively. Set the distributions for each tier and change the mass transit aid appropriations as shown below:

	Calendar Year Distribution Amounts		Change to Bill	
	2002	2003	2001-02	2002-03
Tier A-1	$55,697,800	$56,811,800	-$803,300	$1,081,800
Tier A-2	14,869,500	15,166,900	-214,400	288,900
Tier B	20,596,400	21,008,300	-297,000	400,100
Tier C	5,563,100	5,674,400	-80,200	100,800
	$96,726,800	$98,661,400	-$1,394,900	$1,878,900

Modify the Governor's recommendations to specify that for the purposes of determining which systems are in Tier B and Tier C, the 1990 census shall be used for calendar year 2001 aid payments, with the 2000 census used for calendar year 2002 payments and thereafter.

9. **Supplemental Mass Transit Aids (Paper #908, Alt. 3)** -- Maintain current law. Delete $3,237,500 SEG in 2002-03 to reflect this change.

10. **Lift Bridge Aid (Paper #909, Alt. 2)** -- Provide $77,500 SEG in 2001-02 and $90,000 SEG in 2002-03 to increase funding for lift bridge aid.

11. **Transportation Economic Assistance Program -- Funding Level (Paper #910, Alts. A4 and B2)** -- Delete $1,750,000 SEG and $1,750,000 SEG-L in 2001-02 and $3,500,000 SEG and $3,500,000 SEG-L in 2002-03 for the transportation economic assistance program.

Specify that DOT may not provide more than 80% of the state funds or loan repayments appropriated for the TEA program in the form of grants, effective with funds appropriated in 2002-03. Require DOT to give priority to funding projects for which the applicant has indicated a willingness to accept a TEA loan for all or a part of the state share.

12. **Local Roads Improvement Program -- Town Road and Municipal Street Discretionary Program (Paper #911)** -- Delete the Governor's recommendation and instead provide $750,000 SEG and $750,000 SEG-L annually.

Require DOT to allocate the following amounts for discretionary programs: (a) $1,000,000 annually for the municipal street improvement program; (b) $750,000 annually for the town road discretionary improvement program; and (c) $5,250,000 annually for the county highway discretionary improvement program.

13. **Local Roads Improvement Program -- Basic Allocation (Paper #912, Alt. 2g)** -- Modify the Governor's recommended funding level provided for the program as shown in the table below to provide the percentage increases shown (both SEG and SEG-L would be adjusted by these amounts) for the basic allocation component.

Annual Percentage Increase	Change to Bill 2001-02	Change to Bill 2002-03	Biennial Change
6%	$329,000	$631,000	$960,000

14. **Freight Rail Infrastructure Improvement Program (Paper #913, Alt. 2)** -- Modify the Governor's recommendation by decreasing funding by $500,000 SEG in 2001-02 and $1,000,000 SEG in 2002-03 to maintain the program at its current size of $5,579,800 annually.

15. **Kenosha Transit Parking Facility (Paper #914, Alt. 1)** -- Approve the Governor's recommendation to provide $420,700 SEG in 2001-02 in the demand management and ride-sharing

grant program and require DOT to make a grant of that amount in 2001-02 to Kenosha County (instead of the City of Kenosha) to provide 50% of the local share required for a CMAQ program grant for a parking facility in the City of Kenosha. Specify that this grant may not be awarded unless Kenosha County (instead of the City of Kenosha) contributes an amount equal to the DOT grant toward the project. Reduce funding by $420,700 SEG-L in 2001-02 in the local match appropriation for the CMAQ program to reflect a reduction in the local match that would be required if DOT provides the grant. [The SEG-L reduction is not reflected in the bill, so this reduction represents a technical modification to the bill's funding.]

16. **State Highway Rehabilitation -- Funding Level (Paper #922)** -- Modify the Governor's recommended funding level provided for the program as shown in the following table to provide the percentage increases shown.

Annual Percentage Increase	SEG Change to Bill 2001-02	SEG Change to Bill 2002-03
3.5%	$4,260,400	$7,086,400

17. **Park East Freeway (Paper #923, Mod.)** -- Specify that of the $17,000,000 minimum local share for the Park East Freeway project, $14,450,000, instead of $14,500,000 under the bill, shall be ICE funds received by the City or County.

18. **Major Highway Development -- Funding Level (Paper #924)** -- Modify the Governor's recommendation by providing $5,500,000 SEG in 2001-02 and $5,000,000 SEG in 2002-03 and by deleting $4,529,100 SEG-S in 2002-03 to provide total funding increases for the major highway development program of $9,496,200 SEG and $2,363,600 SEG-S in 2001-02 and $16,049,400 SEG and $5,499,600 SEG-S in 2002-03. Increase estimated transportation fund revenue by $50,800 in 2002-03 to reflect a reduction in the amount of revenue bond debt service.

19. **State Highway Maintenance and Traffic Operations (Paper #925, Alts. 3h, and 4)** -- Modify the Governor's recommended funding level provided for the program as shown in the following table to provide the percentage increases shown.

Annual Percentage Increase	SEG Change to Bill 2001-02	SEG Change to Bill 2002-03
2.7/1.8%	-$3,739,500	-$9,399,000

Provide $3,500,000 SEG in 2001-02 for the purchase of a salt reserve.

20. **General Obligation Debt Service Reestimate** -- Decrease debt service on general obligation bonds for transportation facilities funded from the transportation fund by $506,000 SEG in 2001-02 and $730,600 in 2002-03 to reflect a reestimate of debt service. General obligation debt service for transportation facilities would total $5,024,600 in 2001-02 and $4,929,800 in 2002-03.

21. **Expressway Policing Aids** -- Provide $31,200 SEG in 2001-02 and $63,400 SEG in 2002-03 to provide a 3% annual increase in expressway policing aid to Milwaukee County. Base level funding for expressway policing aid to Milwaukee County is $1,040,800 SEG from the transportation fund.

22. **Interchange on USH 141 and CTH B in Marinette County** -- Require DOT to construct a grade-separated interchange at the intersection of USH 141 and CTH B near the Village of Coleman in Marinette County when the Department reconstructs USH 141 to four lanes.

23. **Interchange on STH 57 and CTH P in Brown County** -- Require DOT to construct a grade-separated interchange at the intersection of STH 57 and CTH P in Brown County when the Department reconstructs STH 57 to four lanes.

24. **Wausau City Square Park Pedestrian Pathway** -- Require DOT to approve a grant under the transportation enhancements program during the 2001-03 biennium to the City of Wausau for a project known as the City Square Park Pedestrian Pathway if the City provides funds toward the cost of the project equal to at least 20% of the cost of the project.

25. **Pedestrian Crossing of USH 45 in Winnebago County** -- Require DOT to construct a pedestrian facility crossing USH 45 in the Town of Clayton in Winnebago County if the town provides 50% of the cost of the project.

26. **Leo Frigo Memorial Bridge in the City of Green Bay** -- Require DOT to designate and mark the bridge on I-43 over the Fox River in the City of Green Bay as the "Leo Frigo Memorial Bridge."

27. **Electronic Alcohol Sensing Devices** -- Prohibit law enforcement agencies from using any device designed to chemically or electronically detect the presence of alcohol in the breath of a person without the knowledge or consent of the person.

28. **Funding for Port Arthur Road Extension in the City of Ladysmith** -- Require DOT to allocate funds to the City of Ladysmith during the 2001-03 biennium from the SEG appropriation for local transportation facility improvement assistance to close a section of College Avenue and extend Port Arthur Road east to STH 27, if the City provides funds toward the cost of the project equal to 20% or more of the total cost of the project. Specify that the amount allocated by DOT shall be equal to 80% of the cost of the project or $200,000, whichever is less.

29. **Harbor Assistance Program Eligibility** -- Require DOT to amend its administrative rules for the harbor assistance program during the 2001-03 biennium to recognize ferries and cruise

ships as commercial transportation for the purposes of determining the eligibility of harbor facilities for assistance under the program.

30. **Aviation Career Education Program** -- Provide $25,000 SEG in 2001-02 and $25,000 SEG in 2002-03 for the aviation career education program and require DOT to offer the program to participants in Green Bay if there are interested and eligible participants in Green Bay.

31. **Payment of Damages to a Local Gravel Road Caused by Unofficial Detours** -- Require DOT to pay, in part or in whole, a claim submitted by a local unit of government for damages to a gravel road that is not part of an officially designated detour route if the Department determines, after reasonable consideration, that some or all of the damages that are the subject of the claim were caused by traffic detoured off of a state trunk highway as the result of an improvement project on that highway. Specify that DOT shall consider the following factors in making this determination: (a) the proximity and convenience of the local road to the detour route or the state trunk highway; (b) the condition of the road at the time that the claim is made and the condition of the road prior to the commencement of the state trunk highway improvement project, if known; (c) the prevalence of heavy truck traffic in the vicinity of the local road or the state trunk highway improvement project; and (d) any other factors or evidence that the local unit of government submits with the claim.

32. **Reconstruction of USH 12 in the Village of Cambridge** -- Prohibit DOT from widening USH 12 between the intersection of USH 12 and USH 18 and the Koshkonong Creek bridge in the Village of Cambridge when the Department reconstructs or otherwise repairs that highway prior to January 1, 2012.

33. **Highway Signs Identifying Wayland Academy** -- Require DOT to install highway signs on USH 151 in the vicinity of STH 33 directing motorists to Wayland Academy.

34. **"Gateway to the North" Bridge in the Village of Tigerton** -- Require DOT to designate and mark the bridge on USH 45 across the South Branch of the Embarrass River in the Village of Tigerton in Shawano County as the "Gateway to the North."

35. **USH 12 Improvements** -- Require DOT to construct USH 12 between Fern Dell Road and Old Highway 33 in Sauk County to five lanes and prohibit DOT from requiring a local match to be paid for this improvement from any County, City, Village or Town government.

36. **Agricultural Tourism Signs** -- Require DOT to develop and implement a plan to promote and maximize the erection of agricultural tourism signs on state highways and county roads to identify and provide directional information to agricultural tourism facilities. Require DOT to consult with the Department of Agriculture, Trade and Consumer Protection in developing the plan.

37. **Speed Limit on STH 58 in Juneau County** -- Require DOT to reduce the posted speed limit on STH 58 in Juneau County from 55 miles per hour to 35 miles per hour between the

north corporate limits of Mauston and Fairway Lane and from 55 miles per hour to 45 miles per hour between Fairway Lane and Welsh Prairie Road.

38. **Sidewalk Reconstruction in Wisconsin Rapids** -- Provide $2,000 SEG in 2001-02 for reconstruction of a sidewalk in Wisconsin Rapids on the south side of Plover Road between the railroad tracks and 36th Street to fund the cost of constructing the sidewalk for wider and thicker than the standard for this area. Specify that the sidewalk to be constructed would be 7 feet wide and 6 inches thick.

39. **Halfway Creek Bike Trail in the Village of Holmen** -- Require DOT to approve a grant under the transportation enhancements program during the 2001-03 biennium to the Village of Holmen for a project known as the Halfway Creek Bike Trail if a local sponsor provides funds toward the cost of the project equal to at least 20% of the cost of the project.

40. **Vehicle Sanction and Occupational License Provisions for Repeat OWI Offenses** -- Increase to one year the period of time that a person must wait, after a period of license revocation begins, before becoming eligible to receive an occupational license, for persons whose operating privilege is revoked for a second or subsequent operating while intoxicated (OWI) offense. The period increases for specific offenses would be as follows: (a) from 60 days to one year for persons convicted of an offense of operating a motor vehicle while intoxicated and who have one prior OWI offense; (b) from 90 days to one year for persons convicted of an offense of operating a motor vehicle while intoxicated and who have two or more prior OWI offenses; (c) from 90 days to one year for persons whose operating privilege is revoked for an improper refusal to provide a sample of blood, breath or urine for chemical testing upon request of a law enforcement officer and who have one prior OWI offense; (d) from 120 days to one year for persons whose operating privilege is revoked for an improper refusal and who have two or more prior OWI offenses; (e) from 60 days to one year for persons who are convicted of causing injury by the intoxicated use of a vehicle and who have one or more prior OWI offenses; and (f) from 120 days to one year for persons who are convicted of causing great bodily harm or death by the intoxicated use of a vehicle and who have one or more prior OWI offenses. Specify that these provisions would first apply to offenses committed on September 30, 2001, but that this would not preclude the counting of other convictions, suspensions or revocations as prior convictions, suspensions or revocations for the purposes of administrative action by DOT, sentencing by a court or revocation or suspension of motor vehicle operating privileges.

Require courts, instead of, under current law provisions that take effect on January 1, 2002, permitting them, to order either one of the following vehicle sanctions for persons convicted of a second or subsequent OWI offense, including the offense of improperly refusing to provide a sample of blood, breath or urine for chemical testing: (a) an operating privilege restriction that permits the person to drive only "Class D" vehicles equipped with an ignition interlock device; or (b) the immobilization of each motor vehicle owned by the person. Provide an exception to this requirement if the court orders the seizure of the motor vehicle used in committing the offense, as is allowed under current law for a third or subsequent OWI offense. Prohibit courts from ordering both an ignition interlock device operating privilege restriction and

immobilization and specify that courts cannot order a vehicle seizure if the court imposes either of these sanctions. Specify that, if a court orders an ignition interlock device operating privilege restriction, the period of the restriction would begin one year after the offender's operating privilege revocation began. Specify that, if a court orders vehicle immobilization, the period of immobilization would begin on the first day that the offender's operating privilege is revoked for the OWI offense. Specify that these provisions would first apply to offenses committed on September 30, 2001, but that this would not preclude the counting of other convictions, suspensions or revocations as prior convictions, suspensions or revocations for the purposes of administrative action by DOT, sentencing by a court or revocation or suspension of motor vehicle operating privileges.

Require a court to order a minimum of 30 days of community service if community is ordered in lieu of imprisonment for a second OWI offense, first applying to offenses committed on September 30, 2001.

[Change to Bill: -$1,032,700 GPR, -$5,844,200 SEG, -$4,529,100 SEG-S, -$5,693,900 SEG-L, $255,800 SEG-REV, -$8,000,000 BR]

MO#_____

BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A

AYE 16 NO ____ ABS ____

Senator Wirch

TRANSPORTATION -- LOCAL TRANSPORTATION PROJECTS

Carthage College Pedestrian Bridge Over STH 32

Motion:

Move to require DOT to approve funding for a project known as the Carthage College pedestrian bridge over STH 32 in the City of Kenosha before approving any other project for funding in the congestion mitigation and air quality (CMAQ) improvement program, provided that the project is eligible for funding under the program and a local sponsor agrees to provide funds toward the project equal to at least 20% of the cost of the project.

Note:

This motion would require DOT to approve the Carthage College pedestrian bridge for a CMAQ grant as long as the project is eligible under the program and a local sponsor agrees to pay the required 20% match for the federal CMAQ funds. The estimated cost of this project is $1.0 million, so the CMAQ grant would be $0.8 million. DOT expects to award CMAQ grants in the fall. Funding under the bill for the CMAQ program is $12,498,500 FED annually.

MO#			
BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A
AYE 8	NO 8	ABS	

Motion #923

Senator Wirch

TRANSPORTATION -- LOCAL TRANSPORTATION PROJECTS

Local Roads Improvement Project Allocation for 85th Street in the Village of Pleasant Prairie

Motion:

Move to require DOT to allocate $609,000 during the 2001-03 biennium to the Village of Pleasant Prairie from the funds appropriated for the local roads improvement program for improvements to 85th Street. Specify that this allocation shall be made before allocating funds under the basic allocation component of the program.

Note:

The local roads improvement program provides up to 50% of the cost of capital improvements on local roads and streets. This motion would require DOT to allocate, as a first draw on funds appropriated for the program, funds for the Village of Pleasant Prairie for the improvement of 85th Street. The funds allocated would equal 50% of the estimated cost of these projects.

Under the bill, funding for the local roads improvement program would be set at $22,436,100 SEG in 2001-02 and $24,518,500 SEG in 2002-03. Of these amounts, DOT would be required to allocate $6,779,000 in 2001-02 and $8,204,200 in 2002-03 for discretionary projects for counties, municipalities and towns and would allocate the remaining $15,657,100 in 2001-02 and $16,314,300 in 2002-03 for the basic allocation component of the program. This motion would require the allocation to the projects in Pleasant Prairie to be made before allocating funds to the basic allocation program, reducing the amounts in this component by $609,000.

MO#_____

2 BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
1 DARLING	Y	N	A
WELCH	Y	N	A
GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A

AYE 8 NO 8 ABS ____

Representative Huber

TRANSPORTATION -- STATE HIGHWAY PROGRAM

Stoplight in the City of Spooner

Motion:

Move to require DOT to install a traffic signal at the intersection on STH 63 in the City of Spooner.

MO#_____

2 BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
1 HUBER	Y	N	A
COGGS	Y	N	A

AYE 15 NO 1 ABS ____

Motion #866

Representative Huber

TRANSPORTATION -- STATE HIGHWAY PROGRAM

Signs for the Mountain Bay State Trail

Motion:

Move to require DOT to install traffic signs on STH 29 in the vicinity of CTH X in Marathon County directing motorists to the Mountain Bay State Trail.

MO#_____

2 BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
1 HUBER	Y	N	A
COGGS	Y	N	A

AYE 8 NO 8 ABS ____

Motion #867

Representative Coggs

TRANSPORTATION -- LOCAL TRANSPORTATION PROJECTS

Local Roads Improvement Program Funds for Town Roads Damaged by Heavy Truck Loads

Motion:

Move to require DOT to give priority in the town road improvement and discretionary town road improvement components of the local roads improvement program to awarding grants to projects on town roads that have suffered damage caused by heavy truck loads.

Note:

This motion would require DOT to give priority in the town road improvement and discretionary town road improvement components of the local roads improvement program to town roads that have been damaged by heavy truck loads.

MO#_____

2 BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
1 COGGS	Y	N	A

AYE 8 NO 9 ABS ____

Motion #974

Senator Burke

TRANSPORTATION -- STATE HIGHWAY PROGRAM

Study of STH 11/USH 14 between Janesville and I-43

Motion:

Move to require DOT to conduct a study of the transportation corridor between Janesville and I-43 along STH 11 and USH 14. Specify that the study shall develop and evaluate various alternatives for improving the capacity and safety of transportation in the corridor. Specify that DOT shall consult with local units of governments on the study design and methodology and shall cooperate with the City of Janesville, Rock County and Walworth County in the completion of the study. Specify that if the study's recommended solution for improvements in the corridor involve construction of a major highway development project on STH 11/USH 14, the Department shall present this project for consideration by the Transportation Projects Commission (TPC) when the Commission meets to consider potential projects for enumeration as a major highway development project in 2002. Specify that current law provisions that prohibit DOT from performing an environmental impact statement or an environmental assessment for a potential major highway development project before receiving an approval of the TPC do not apply to the preparation of an environmental impact statement or environmental assessment for STH 11/USH 14 between Janesville and I-43.

Note:

This motion would require DOT to conduct a study of the transportation corridor along STH 11/USH 14 between Janesville and I-43, in consultation with the City of Janesville, Rock County and Walworth County. If the study recommends that the highway be constructed as a major highway development project, DOT would be required to present the project to the TPC for consideration in 2002.

Under current law, DOT is prohibited from preparing an environmental impact statement or environmental assessment on a potential major highway development project unless the Transportation Projects Commission approves such an impact statement or assessment. The motion would provide an exception for this provision, which would allow DOT to prepare an environmental impact statement or environmental assessment for the project without the approval of the TPC.

MO#_____

1 BURKE	Y	N	A
2 DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A

AYE 8 NO 8 ABS _____

Representative Gard
Senator Decker

TRANSPORTATION -- STATE HIGHWAY PROGRAM

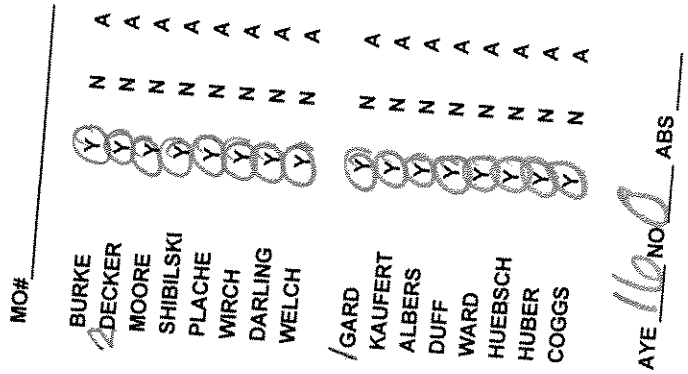
Highway Reports

Motion:

Move to require DOT to produce the following: (a) a report, produced on an annual basis, that shows the schedule for enumerated major highway development projects, including the projected expenditures in each year for each project; (b) a report, produced on a biennial basis, that provides statistics on the condition and performance of state trunk highways, including pavement smoothness and distress, geometric deficiencies, safety problems, structural and functional bridge deficiencies and traffic congestion; and (c) a report, produced on a biennial basis, showing the funding provided for transportation programs and transportation revenues for at least the previous 15 years, including changes to funding levels following the enactment of biennial budget bills and an explanation of any major changes made to base funding levels in the most recent biennial budget.

Note:

This motion would establish three reporting requirements for the Department of Transportation.



Motion #861

Senator Decker

TRANSPORTATION -- LOCAL TRANSPORTATION PROJECTS

Enhancements Grant to the City of Ashland

Motion:

Move to require DOT to approve a grant during the 2001-03 biennium to the City of Ashland for the restoration of a railroad depot, if a local sponsor provides funds toward the cost of the project equal to 20% of the cost of the project. Specify that the amount of the grant shall be $1,000,000 or 80% of the cost of the project, whichever is less.

MO#_____

1 BURKE	Y	N	A
2 DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A

AYE 8 NO 8 ABS ____

Motion #872

Senator Plache
Senator Moore
Senator Shibilski
Representative Duff

TRANSPORTATION -- TRANSPORTATION FINANCE

Retroactive Ad Valorem Tax Exemption for Airlines

[LFB Paper #899]

Motion:

Move to modify the Governor's recommendation to provide an ad valorem tax exemption by changing the effective date from property assessed as of January 1, 2002, to property assessed as of January 1, 2001. Reduce estimated transportation fund revenue by an additional $2,500,000 in 2001-02.

[Change to Bill: -$2,500,000 SEG-REV]

MO#

BURKE	Y	N	A
DECKER	Y	N	A
2 MOORE	Y	N	A
SHIBILSKI	Y	N	A
1 PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A

AYE 14 NO 2 ABS

Motion #881

Representative Coggs

TRANSPORTATION -- STATE HIGHWAY PROGRAM

Small Business Enterprise Contract Set Aside Program

Motion:

Move to modify a current law provision that requires DOT to allocate $4,000,000 annually from the appropriations for the major highway development, state highway rehabilitation and state highway maintenance and traffic operations programs for the awarding of contracts under those programs to disadvantaged businesses, as follows: (a) require DOT to allocate funds for contracts for small businesses, instead of disadvantaged businesses; (b) increase the annual amount that DOT must allocate from $4,000,000 to $25,000,000; and (c) include the appropriations for local bridge and local transportation facility improvement assistance and aeronautics assistance in the list of appropriations from which the allocation may be made. Define a "small business" as a business whose average gross receipts over the previous three years is not greater than $4.5 million and whose owner or owners have a net worth not greater than $750,000. Require DOT to consult with representatives of the transportation contracting industry, including minority- and women-owned businesses, in deciding which contracts are included in the allocation under this program. Specify that the estimated cost of contracts under the small business allocation shall be between $50,000 and $750,000 and specify that joint ventures that include a small business are eligible to bid on or negotiate for contracts allocated under the program.

Note:

Under current law, DOT is required to set aside $4,000,000 annually from the appropriations for the state highway program for contracts exclusively for disadvantaged businesses, which are defined as businesses that are at least 51% owned by minority group members, women or other individuals found to be socially or economically disadvantaged. However, the courts have ruled that set-asides based on race or sex are unconstitutional unless the federal government specifically requires such set-asides. In 1999, the Federal Highway Administration promulgated rules in conformity with new federal law that prohibits the discrimination in contracting on the basis of race, color, sex or national origin. Consequently, the $4,000,000 set-aside provision is inactive. This motion would modify the set-aside program to apply to small businesses, instead of disadvantaged businesses, and would raise the amount of the annual set-aside to $25,000,000.

MO#_____

2 BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
1 COGGS	Y	N	A

AYE 8 NO 8 ABS _____

Senator Burke
Representative Huebsch

TRANSPORTATION -- STATE HIGHWAY PROGRAM

Emergency Preemption Devices on Traffic Signals Installed on the State Trunk Highway System

Motion:

Move to require DOT to install an emergency preemption device and a confirmation signal on any traffic control signal installed by the Department on the state trunk highway system if the following apply: (a) the political subdivision (defined as a county, city, village or town) in which the signal is located requests the installation of such a device; and (b) one or more political subdivisions contributes 50% of the additional cost of the emergency preemption device and confirmation signal. Require DOT to do all of the following before installing a new traffic control signal on a state trunk highway: (a) notify the political subdivision of the planned installation and the additional cost of equipping the traffic control signal with an emergency preemption device and confirmation signal; and (b) allow the political subdivision the opportunity to request that the traffic control signal be equipped with an emergency preemption device and confirmation signal. Specify that these provisions do not prohibit DOT from installing any traffic control signal equipped with an emergency preemption device and confirmation signal on a state trunk highway at the Department's expense and specify that the Department may do so without notifying the political subdivision or allowing the political subdivision to request the installation of such a device. Require DOT, when installing a new emergency preemption device under these circumstances, to also install a confirmation signal.

Specify that any traffic control signal installed by the Department on a state trunk highway after the first day of the seventh month beginning after the effective date of the bill shall include all electrical wiring necessary to equip the signal with an emergency preemption device and confirmation signal if the traffic control signal is not equipped with an emergency preemption device.

Require DOT to promulgate rules to implement and administer these provisions, including procedures and deadlines for the Department's notification of political subdivisions and the subsequent requests and contributions to the Department.

Specify that any traffic control signal that is equipped with an emergency preemption device and that is installed by local authorities after the first day of the seventh month beginning after the effective date of the bill must be installed with a confirmation signal.

Define the following terms: (a) "emergency preemption device" as an electrical device located on or within a traffic control signal that is designed to receive an electronic, radio, or sonic transmission from an approaching authorized emergency vehicle that alters the normal sequence of the traffic control signal to provide or maintain a green signal for the authorized emergency vehicle to proceed through the intersection; (b) "confirmation signal" as a white signal located on or near a traffic control signal equipped with an emergency preemption device that is designed to be visible to the operator of an approaching authorized emergency vehicle and that confirms to the operator that the emergency preemption device has received a transmission from the operator; (c) "traffic control signal" as any electrical device by which traffic is alternately directed to stop and permitted to proceed by means of exhibiting different colored lights successively; (d) "authorized emergency vehicle" as police vehicles, vehicles of a fire department or fire patrol and publicly or privately owned ambulances that are authorized as emergency vehicles; and (e) "additional cost" as the difference in cost between installation of a traffic control signal that is equipped with an emergency preemption device and confirmation signal and installation of a traffic control signal that is not so equipped, including the difference in incidental costs such as electrical wiring.

Specify that these provisions first apply to traffic control signals that are installed on the first day of the seventh month beginning after the effective date of the bill.

Note:

This motion requires DOT to install an emergency preemption device and confirmation signal with each signal installed on the state trunk highway system if a local government requests such an installation and pays 50% of the additional cost of the installation. It also requires DOT to equip any signal installed on the state trunk highway system with the wiring necessary to accommodate an emergency preemption device and confirmation signal if no such device is requested by a local government at the time of the installation. The motion would require local governments to equip each signal that they install with a confirmation signal if they install the signal with an emergency preemption device.

DOT generally installs between 25 to 35 traffic signals on the state trunk highway system each year. The additional cost of installing an emergency preemption device and confirmation signal is estimated at $5,500 per signal.

MO#

BURKE	A	N	Y
DECKER	A	N	Y
MOORE	A	N	Y
SHIBILSKI	A	N	Y
PLACHE	A	N	Y
WIRCH	A	N	Y
DARLING	A	N	Y
WELCH	A	N	Y
GARD	A	N	Y
KAUFERT	A	N	Y
ALBERS	A	N	Y
DUFF	A	N	Y
WARD	A	N	Y
HUEBSCH	A	N	Y
HUBER	A	N	Y
COGGS	A	N	Y

AYE 15 NO 1 ABS

Motion #880

Representative Huebsch

TRANSPORTATION -- STATE HIGHWAY PROGRAM

Traffic Signal in the Village of Grantsburg

Motion:

Move to require DOT to install a traffic signal at the intersection of STH 48 and STH 70 in the Village of Grantsburg.

Note:

This motion would require DOT to install traffic signals at the intersection of two state trunk highways in the Village of Grantsburg in Burnett County. DOT indicates that the installation of signals at this location would cost $100,000.

MO#_____

BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
2 GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
1 HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A

AYE 14 NO 2 ABS ____

Motion #957

Senator Burke

TRANSPORTATION -- LOCAL TRANSPORTATION PROJECTS

Railroad Crossing Funds for the Village of Shorewood Hills

Motion:

Move to require the Office of the Commissioner of Railroads to allocate $971,000 from funds appropriated for railroad crossing improvements for safety measures at five railroad crossings in the Village of Shorewood Hills to bring those crossings into compliance with provisions in a Federal Railroad Administration proposed rule for the establishment of locomotive quiet zones.

Note:

Current federal law requires the Federal Railroad Administration (FRA) to promulgate administrative rules requiring trains to sound their horns before crossing every public, at-grade railroad crossing. The FRA is given authority, however, to specify certain supplemental safety measures (in addition to standard gates and flashing lights) that may be implemented at crossings so that communities may establish quiet zones, also known as "whistle bans." The supplemental safety measures identified in the proposed rule, which was submitted in January, 2000, include the installation of a raised median to prevent vehicles from driving around crossing gates, gates that cross completely across all lanes of traffic, or the temporary closing of the crossing during periods of the horn ban. The requirements in the final rule, which has not been published yet, may be different than the requirements in the proposed rule. The rules would become effective one year after the final rules are published.

This motion would require OCR to allocate funds for the implementation of safety measures at five crossings in the Village of Shorewood Hills to comply with the quiet zone provisions in FRA's proposed rule. Total funding in the bill for railroad crossing improvements would be set at $4,749,400 in 2001-02 and $5,249,300 in 2002-03.

MO#_____

1	BURKE	Y	N	A
	DECKER	Y	N	A
2	MOORE	Y	N	A
	SHIBILSKI	Y	N	A
	PLACHE	Y	N	A
	WIRCH	Y	N	A
	DARLING	Y	N	A
	WELCH	Y	N	A
	GARD	Y	N	A
	KAUFERT	Y	N	A
	ALBERS	Y	N	A
	DUFF	Y	N	A
	WARD	Y	N	A
	HUEBSCH	Y	N	A
	HUBER	Y	N	A
	COGGS	Y	N	A

AYE 8 NO 8 ABS _____

Senator Burke

TRANSPORTATION -- LOCAL TRANSPORTATION AID

Mass Transit Operating Assistance

Motion:

Move to direct the Department of Transportation to forgive any amounts owed by the City of Rhinelander for repayment of state mass transit operating aid associated with the City's calendar year 1997 through 1999 mass transit contracts. Reduce estimated transportation fund revenue by $62,400 in 2001-02 to reflect this provision.

Note:

Based on financial audits of the City of Rhinelander's mass transit contracts for calendar years 1997, 1998 and 1999, the Department of Transportation discovered that a portion of the calendar year costs submitted by the private transit operator, who is contracted with by the City, were not eligible transit aid costs. As a result, the Department has determined that the City of Rhinelander is required to repay the state $62,400 due to the overpayment of state aid associated with the over-reported annual costs. Repayments of mass transit contract amounts due to audits are deposited to the segregated transportation fund.

[Change to Bill: -$62,400 SEG-REV]

MO#_____

1	BURKE	Y	N	A
2	DECKER	Y	N	A
	MOORE	Y	N	A
	SHIBILSKI	Y	N	A
	PLACHE	Y	N	A
	WIRCH	Y	N	A
	DARLING	Y	N	A
	WELCH	Y	N	A
	GARD	Y	N	A
	KAUFERT	Y	N	A
	ALBERS	Y	N	A
	DUFF	Y	N	A
	WARD	Y	N	A
	HUEBSCH	Y	N	A
	HUBER	Y	N	A
	COGGS	Y	N	A

AYE 16 NO 0 ABS _____

Senator Moore
Senator Plache
Representative Duff

TRANSPORTATION -- STATE HIGHWAY PROGRAM

Major Highway Program Funding

Motion:

Move to delete $2,500,000 SEG and provide $2,500,000 SEG-S in 2001-02 in the major highway development program. Increase the level of authorized revenue bonds by $2,500,000. Reduce estimated transportation fund revenue by $27,500 in 2001-02 and $151,000 in 2002-03 to reflect the additional bonding.

[Change to Bill: -$2,500,000 SEG, $2,500,000 SEG-S and -$178,500 SEG-REV]

MO#_____

BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
~~WELCH~~ Excused	Y	N	A
GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A

AYE 16 NO 0 ABS ____

Motion #886