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IEWS

Posted Jan. 24, 2004

# Editorial: Snow-plow funding still needs a solution

From the department of "Hey, don't forget this" comes a reminder of the little problem we had last month about snow plowing.

You might remember that the state Department of Transportation, which contracts with counties to keep state roads plowed, said it was cutting back on plowing during off-peak hours. You might also remember that was a bad idea.

You might remember there was some intra-Madison fighting between the DOT and the Legislature about whose fault it was that there wasn't enough money. And you might remember that Gov. Jim Doyle took both sides by the scruffs of their necks, cracked their heads together and told them to find the money.

They haven't found the money, yet. But the DOT, the Legislature's transportation committees and its Joint Finance Committee are still working on it.

Does that mean snow-plowing still might get cut back? It depends on the county you live in and its faith that it'll see the money eventually.



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If the talks fall through, road maintenance will suffer at some point. We're still hoping it won't be this winter.

And we're hoping this funding problem gets worked out soon.

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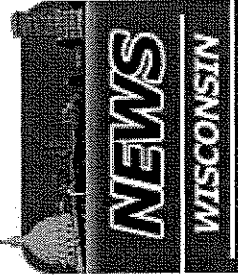


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## State wary about firing road firms

### Impact would delay construction, cost jobs

By STEVEN WALTERS  
swalters@journalsentinel.com

Posted: Jan. 26, 2004

**Madison** - Two highway construction companies whose executives are charged with bid rigging have been awarded so much work that firing the firms outright would disrupt road-building schedules, state officials warned Monday.

State Transportation Secretary Frank Busalacchi said he has no reason to believe that the bid-rigging scandal will grow beyond the indicted executives for Sireu Construction Co. of Two Rivers and Vinton Construction Co. of Manitowoc.

He noted that those firms have been awarded \$194.6 million in state contracts since 1997.

"This is very, very serious to the state," Busalacchi told the Legislature's Joint Audit Committee, which held a hearing Monday on

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an audit that documented cost overruns in major highway projects statewide.

Also, Busalacchi said, he is worried about the jobs of up to 800 workers that might end if the state suspends current contracts with the firms or orders that they not be allowed to bid on any state work for three or more years.

"These are good-paying jobs, with good benefits," Busalacchi said.

The 800 workers should not be penalized by the "lunatic" actions alleged by federal prosecutors against the company executives, said Busalacchi, whose agency recently threw out bids for four new highway projects submitted by the two companies.

Legislators said no state highway contracts should go to out-of-state construction companies if the Vinton and Streu firms are disqualified.

"I don't want you to go out of state," said Rep. Dean Kaufert (R-Neenah), co-chairman of the Legislature's Joint Finance Committee, told Busalacchi.

Kaufert said many local officials are worried that road projects involving the two firms will be delayed or cost more because the bidding investigation.

"There are a lot of people who are pretty scared right now," Kaufert said.

But state Sen. Carol Roessler (R-Oshkosh) called a three-year suspension for the two construction companies "very minimal," in light of the serious allegations against the executives.

Charged with conspiring to fix bids on about 30 projects since 1996 are: Ernest Streu, 55, and John Streu, 47, of Streu Construction; and James Maples, 73, and Michael Maples, 51, of the Vinton firm.

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State officials Monday said the largest contract awarded to the Vinton firm since 1997 was \$8.4 million for work on I-43 near Port Washington, while the most expensive contract awarded to Streu was \$11.7 million to rebuild Highway 151 near Belmont in southwest Wisconsin.

Also Monday, state Sen. Bob Cowles (R-Green Bay) said he will introduce a bill that would improve financial oversight of major state highway projects as a result of the audit that documented cost overruns of up to 262% in specific projects.

Cowles said his bill would require closer accounting of environmental cleanup costs for each project; require a new annual report of costs on major rebuilding projects; make public costly changes approved as projects go from design to construction; and detail what the state must pay for real estate it buys as it rebuilds highways.

Also Monday, state officials explained why the cost of one project, the rebuilding of U.S. Highway 10 between Fremont and Appleton, soared from \$38 million in 1992 to \$79 million in 2002.

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**LOCAL NEWS**

Posted Jan. 25, 2004

# Bill would keep closer tabs on roadwork costs

## Lawmaker calls for improved accountability

**By John Dipko**  
*Gannett Wisconsin Newspapers*

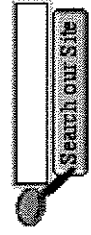
MADISON — Big-ticket road projects would undergo greater scrutiny under a bill in response to the whopping cost increases revealed in a recent audit of a major state highways program.

State Sen. Robert Cowles, R-Allouez, said he is having the bill drafted because the program suffers from a lack of accountability.

"The state Legislature has been walking around blindly in regards to tracking these costs on highway projects," Cowles said Friday. "The bill is an effort to try and get our arms around that."

The program is partially funded by transportation revenue bonds, which are repaid with proceeds from vehicle registrations, title transfers and other fees.

Cowles said the bill would adopt recommendations made in a November state audit that showed Department of Transportation spending on the program increased 69.5 percent over 10 years and totaled \$284.2 million in 2002-03. The bill would:



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- Develop comprehensive accounting for spending on real estate, relocation, engineering and other environment-related costs.
- Require detailed annual reports on spending for all major highway projects, which would be sent to the state Transportation Projects Commission and full Legislature. The 15-member commission reviews and recommends major highway projects for enumeration by the Legislature and the governor.

- Require regular updates on changes in project design and scope so all stakeholders will be aware of cost overruns.

- Detail costs for all DOT real-estate purchases for major highway projects before recommendation to the commission.

Cowles said future spending commitments for projects like in the aging Milwaukee area point to a need for greater oversight.

The senator also cited the bid-rigging charges leveled this month against four Northeastern Wisconsin road construction executives over state projects exceeding \$100 million.

"It's very important we get a handle on these costs," Cowles said. "I want to move as aggressively as I can."

Bob Cook, executive director of the Transportation Development Association of Wisconsin, said major highway construction is essential to the state's economy and transportation system, and it would be beneficial to improve communication between the DOT and Legislature about project need and cost.

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LOCAL NEWS

Posted Jan. 27, 2004

# DOT feels heat from lawmakers

## Transportation chief grilled on key issues

Gannett Wisconsin Newspapers

MADISON — Legislators reviewing an audit of Wisconsin's biggest road projects used a hearing Monday to question state officials about cost overruns, winter maintenance dollars and a recent scandal over construction bids.

Members of the Joint Audit Committee also said they look forward to a report due Monday in which the state Department of Transportation will detail the ideas it's taking from a 2002 study that showed some \$382 million in potential savings for 21 enumerated or proposed projects.

The hearing follows a November audit that showed spending on the state's major highways program increased by 69.5 percent over 10 years to \$284.2 million in 2002-03 from \$167.6 million in 1993-94.

State Rep. Suzanne Jeskewitz, R-Menomonee Falls, wondered if more gate-keeping power should be vested in the 15-member Transportation Projects Commission. The panel reviews and recommends major highway projects for future construction.



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The audit shows the Legislature recently approved some \$828 million in projects that the commission did not recommend.

DOT Secretary Frank Busalacchi said several steps are under way to address recommendations made in the audit.

To fulfill one of them, the DOT plans to report to the committee no later than Monday what savings it will achieve from the 2002 value engineering study it commissioned for 21 projects.

Busalacchi fielded questions on funding for winter road maintenance, saying the agency and lawmakers need to work out a solution for this and next year.

About \$165 million appropriated for road maintenance and operations this and next fiscal year, reflecting a reduction from recent years, DOT executive assistant Randy Romanski said.

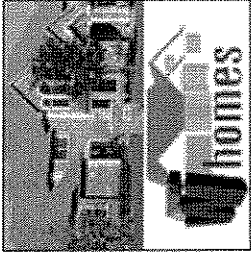
"A lot of depends on the weather, but based on the historical situation, it's likely to be short by the end of winter," said state Sen. Robert Cowles, R-Green Bay, a member of the committee. "How much short I don't know."

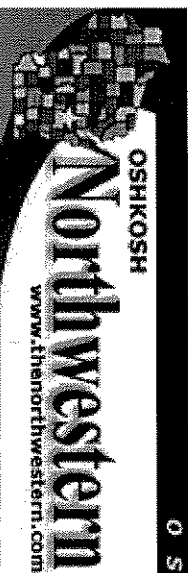
Busalacchi also addressed what his agency is doing in response to recent federal bid-rigging allegations against leaders of two lakeshore road construction companies, Vinton Construction of Manitowoc and Streu Construction of Two Rivers.

The firms have been suspended from state and federal highway projects.

However, Busalacchi said excluding them from future road projects could create problems for the DOT because there would be fewer in-state companies available to do projects.

*Filed by the Green Bay Press-Gazette*

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**OPINION**

Posted Jan. 29, 2004

## Editorial: Highway officials on slippery road

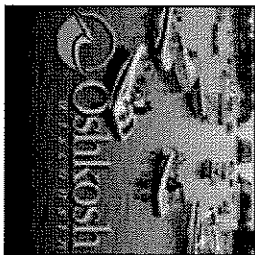
One of the critical skills of an informed tax payer is knowing when something is a conversion or a cover.

Consider the latest Wisconsin Department of Transportation spin on an audit of its cost overruns.

The state DOT made clear this week in an Appleton convention of county highway agencies that an audit of highway project cost overruns will reveal an important point. The audit will show that the agency is "underfunded." That means that the agency doesn't think it got enough money.

One of the reasons for the agency audit was the more than 150 percent cost overrun on the new U.S. Highway 45 project between Oshkosh and Highway 10 here in Winnebago County. Four other projects went \$20 million or more over budget.

Sometimes, it's hard for an agency used to the old ways to make changes. Wisconsin spends 40 percent about the national average on road construction. A new study showed contractors who helped former Gov. Tommy Thompson's



campaigns got better contracts. The agency snubbed former Gov. Scott McCallum's request for budget cuts by asking for increases.

What we're seeing are elements of the conversion process at work. A government agency is learning that it has to set priorities and stick to them. This isn't anything new. It's just that one of the larger government agencies happens to be going through the process.

That's how you get funky comments like an audit of cost overruns will show that an agency needs more money.

Now, credit must be given where it is due. A DOT official stood accountable before the Wisconsin County Highway Association convention in Appleton. The DOT has had to make budget cuts. Roadside mowing has decreased. The agency is getting part of the message that we have to do more with less in Wisconsin.

But it is hard to have confidence in an agency that played a role in the ridiculous situation on Highways 41 and 10 north of Oshkosh.

Drivers can't go north on 41 from eastbound 10. Almost as bad is that drivers on 41 north cannot access Highway 10 west. It is almost beyond belief to think that a project with a major cost overrun neglected this.

Also, the community of Butte des Morts also will continue to have a hard time now that U.S. 45 bypasses it.

A lot has to happen for this agency to ask its future messages to be believed. Its recent pleas for sympathy in the face of cost overruns locally seem more of a cover than a conversion.

Then again, these bumps in the process often are part of a conversion process in the long run. That may be about the only way to make sense of a situation that locally has produced a lot of mistrust and confusion.

**The Final Thought:** Wisconsin's transportation department needs to work harder if it wants to gain the confidence of local taxpayers.

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## Asbjornson, Karen

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**From:** Leonard Sobczak [lsobczak@eastmore.com]  
**Sent:** Monday, February 09, 2004 3:46 PM  
**To:** sen.roessler@legis.state.wi.us; rep.jeskewitz@legis.state.wi.us;  
sen.cowles@legis.state.wi.us; sen.darling@legis.state.wi.us; sen.plale@legis.state.wi.us;  
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rep.cullen@legis.state.wi.us; rep.pocan@legis.state.wi.us  
**Subject:** Thoughts from a citizen member of the TPC

This is to follow up on my testimony the other day at the hearing.

I recommended increasing the power of the TPC in the following ways:  
Remove the ability for the legislature to override recommendations by the TPC. The check and balance function that this Commission was designed play is being subverted if the legislature can override us. Require the TPC's review and approval of cost increases on highway projects.

By giving us this power, you can remove some of the political agenda behind approval of some these unneeded projects.

In addition, I pointed out 6 projects that were approved by the legislature against the recommendations of the TPC and DOT not to build them. There should be a moratorium called on all of these projects until a review is performed to determine why these projects were approved.

Regarding your concern about the disposition of the firms whose owners are convicted in the price fixing indictment. I want to remind you that this is about business, competition and the marketplace. There are many competent contractors out there who would love the opportunity to build highways. They'd step into the shoes of these company owners, buy the companies, hire the employees, buy the equipment and go into business.

Let the marketplace work in this situation.

Leonard Sobczak

**Asbjornson, Karen**

---

**From:** Ward Lyles [ward@1kfriends.org]

**Sent:** Monday, February 09, 2004 10:54 AM

**To:** Ward Lyles

**Subject:** 1000 Friends of Wisconsin Introduces its "Wisconsin Ideas" Series of Land Use and Transportation Issue Papers

Dear Legislator,

1000 Friends of Wisconsin is pleased to announce a new series of Land Use and Transportation Issue Papers called "Wisconsin Ideas." These monthly issue papers will provide analysis of a land use or transportation policy issue and discuss possible policy changes.

The first paper in this series focuses on the need for a Fix-it-First policy emphasizing the need to fund the maintenance and repair of our existing roads and highways before funding highway expansion. The paper outlines why the preservation of our existing highways is so important and uses Wisconsin Department of Transportation budget figures to show that the state's spending priorities have been misguided over the last fifteen years. It also provides background information regarding movements towards Fix-it-First policies in other states, as well as a review of policy options here in Wisconsin.

Please feel free to contact Ward Lyles, Transportation Policy Director, at 608-663-1097 with any questions.

Ward Lyles

Transportation Policy Director

1000 Friends of Wisconsin

16 North Carroll Street Suite 810

Madison, WI 53703

608-663-1097



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# WISCONSIN IDEAS

Land Use and Transportation

## Fix it First

Perfecting the Places We Live to Protect the Places We Don't

### Idea Background

"Fix-it-First" is a concept with wide applicability. Simply put, Fix-it-First means making reinvestment in what already exists the top priority. Expansion, growth, and new purchases come only after existing infrastructure has been taken care of properly.

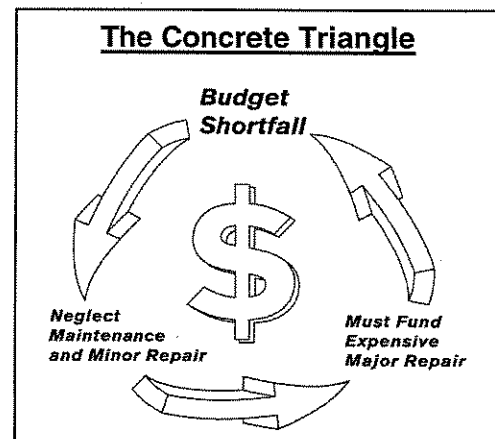
When it comes to roads and highways, Fix-it-First means making sure that maintenance and repair are adequately funded before funding expansion. Regular maintenance such as filling potholes, applying protective coatings, and snowplowing all ensure a longer lifespan for roads. Similarly, regular repair, more intensive resurfacing, reconditioning, or reconstruction of a roadway ensure that little problems that can be handled in a cost-effective manner are not neglected and allowed to become expensive major projects. Each year, the State of Wisconsin invests more than \$1 billion in our state highways alone – it makes sense to take care of those investments.

### Preservation

Well-maintained roads are essential for safe, efficient transportation, for both automobiles and public transit. Potholes, cracks in the roads, and frost heaves all contribute to less safe driving conditions and exact a significant financial toll on auto-users. (In neighboring Michigan it is estimated that motorists pay \$300 million per year for car repair resulting from poor road conditions.)

A Fix-it-First road policy would ensure that we protect past investments in roads, which is the responsibility of the Wisconsin Department of Transportation (WisDOT.) It would also help reduce the long-term costs of repair by slowing the deterioration of existing roads.

One danger of not implementing a Fix-it-First policy is the 'Concrete Triangle.' Major repair is more expensive than minor repair, which is more expensive than maintenance. Yet, once the need arises, major repair on highway 'A' cannot be neglected because of safety concerns. Therefore, minor repair and maintenance on highway 'B' are then neglected because of a limited budget. This leads to the need for major repair on highway 'B' in the future. When the next budget cycle comes around, we are back in the situation we started with, except highway 'B' gets major repair and the maintenance and repair of highway 'A' is neglected.



This cycle need not occur because the lifespans of roads and the schedules for maintenance and repair are well documented and predictable. Therefore, it should be easy to systematize funding so that there is always money available at the right time for scheduled repair. For example, Wisconsin Department of Transportation schedules indicate that the original pavement of a concrete road will last 24-30 years, followed by 10-15 years of 'patching' and 'grinding,' followed by 18 years of resurfacing



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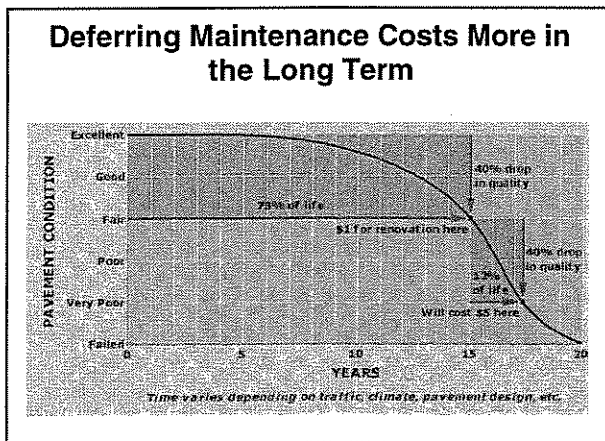
Land Use and Transportation

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before a full reconstruction. (Similar figures are available for asphalt roads.)

Repair needs increase substantially as a road ages. However, if preventive maintenance measures, such as applying protective coatings and patching cracks and holes, are not taken, then water reaches the foundation of the road, weakening the structure, and shortening the time before more expensive repair or full reconstruction work is needed. Every \$1.00 of early maintenance that is postponed leads to repairs that cost \$4.00 to \$5.00.



(Source: STPP Transportation Decoder #9; also Transportation Development Association of Wisconsin)

### Wisconsin

As long as WisDOT knows when a road was built, or when the last repair was done, it can predict when the next stage of repair or reconstruction will be necessary. There is no excuse for not having the funding set aside to meet these anticipated repair schedules. Yet, a look at Wisconsin's state highway spending over

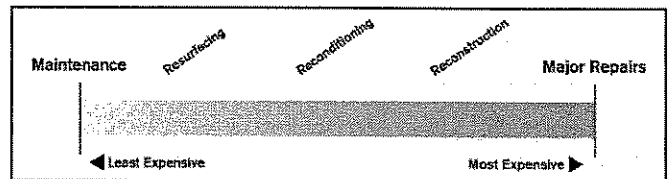
the last 15 years indicates this is just what is happening.

Before one can understand the numbers, however, WisDOT's terminology needs to be explained. The Wisconsin Department of Transportation uses a vocabulary for classifying its spending on highway projects that is confusing.

The key terms are Maintenance, Major Highway Projects and Rehabilitation. Conceptually, highway work falls within a spectrum, ranging from Maintenance, which is generally the least complicated and least costly, to Major Highway Projects, which are the most complicated and most expensive.

Rehabilitation, which falls in middle of the spectrum, is sub-classified into the 3 R's: Resurfacing, Reconditioning, and Reconstruction. Resurfacing projects are generally the least complicated and expensive, followed by Reconditioning projects, with Reconstruction projects the most complicated and expensive.

### Spectrum of Highway Work



The major problem with WisDOT's system of project classification is that it does not delineate clearly enough the difference between projects that involve maintenance and repair of existing roads and highways and those projects that involve road and highway expansion. It is important to note that the distinction between Reconstruction projects and Major Highway





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Projects is a combined fiscal and project length threshold – not repair versus expansion.

Even when taking WisDOT's own language at face value, its spending over the last fifteen years has disproportionately focused on expansion projects. In 2003, WisDOT spent 28% of its budget on the Major Highway Projects program, which includes many of the most costly expansion projects, and debt service on revenue bonds to pay for Major Highway Projects.

In the period from 1988 to 2003, WisDOT spending on Major Highway Projects has increased 101%, and spending on debt service to pay for prior Major Highway Projects has increased 360%. Meanwhile, spending on Rehabilitation has increased 40% (less than both the State Highways Budget and WisDOT's overall budget), and spending on Maintenance has actually *decreased* 3%. These spending patterns indicate that Wisconsin is caught in the concrete triangle – paying more and more for its road system because maintenance and repair are neglected.

Analysis of Federal Highway Administration data published in 2003 by the Surface Transportation Policy Project (STPP) indicates that in 1994, 59.1% of Wisconsin's roads were not in 'good' condition. In 2001, that percentage was 42.5%. While this decrease signifies an improvement in road quality, it also means that *more than 40%* of our roads are still not in 'good' condition. The study also found that *more than 75%* of Wisconsin's urban and suburban roads are not in 'good' condition.

### Other States

Other states are already implementing Fix-it-First policies, notably Michigan, Massachusetts, and New Jersey. These

advances have been made by Democratic and Republican governors.

With the poor condition of its roads a major public concern, in 1997 Michigan's Department of Transportation pledged to bring 90% of all roads into 'good or fair' condition by 2007. Michigan has some of the worst road conditions in the entire country – as much as 65% of its roads were not in 'good' condition in 2001 – and the amount of roads not in 'good' condition actually increased between 1994 and 2001. (After making that pledge, however, the former administration and Michigan DOT dropped the word 'fair' and changed its definition of 'good' by diluting it and making the life expectancy of a 'good' road just 3 years – meaning that 'good' roads will actually be in need of repair soon after the deadline.)

With the inauguration of Governor Jennifer Granholm in 2003, Michigan appears poised to keep its promise on maintenance and repair needs. The Michigan DOT announced a 'Preserve First' program in April 2003. Governor Granholm remarked, "During these tight budgetary times, we must focus our efforts on fixing our existing infrastructure before we look at expanding our transportation system." As a result of its 'Preserve First' focus, the Michigan DOT revised its 5 Year Road and Bridge Program and provided a detailed list of expansion projects that would be deferred until 90% of the state's roads are in 'good' condition.

In January 2003, Massachusetts Governor Mitt Romney implemented a 'Fix-it-First' policy that gives priority to the repair of existing streets, roads and bridges. (This policy was coupled with a 'Community-Friendly Solutions' policy that focuses on community sensitive project design.) The stated purposes of the



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policies are to: "prevent sprawl; recognize all the Commonwealth's citizens and communities as its transportation agencies' customers; avoid the costs associated with unnecessary road widenings and the conflicts they entail, and thereby use available funding to complete more projects in more communities and to produce more construction jobs; and, provide enhanced mobility for sustainable transportation modes (walking, bicycling, and public transportation.)"

In early 2003, New Jersey Governor James McGreevey also enacted a 'Fix-it-First' policy, citing the need to focus "on improving aging bridges and rehabilitating highways, rail and aviation systems first, instead of pursuing an expansion policy."

### Policy Options

A 'Fix-it-First' policy is fairly simple. The Legislature and Governor simply require the Department of Transportation to prioritize maintenance and repair work before funding expansion work so that all state roads are in good condition. Roads in good condition should have smooth, safe surfaces for automobiles and - where applicable - accommodations for pedestrians and bicyclists, as well as sensitivity to the surrounding communities and natural environments.

A Fix-it-First policy would be complemented by several related policies. First, in addition to its current categorization of state highway projects, WisDOT should be required to specifically track projects based on maintenance, repair and new capacity criteria for all of its state highway projects. (This tracking could be used as a model for local governments, as well.) A second policy change related to this should be a

review of WisDOT's terminology for road projects - possibly resulting in a revision that makes the project classifications more accessible to the public.

It would also be useful to have a comprehensive review of all scheduled and/or planned highway projects that include widening or expansion to determine a cost-benefit priority list that analyzes the cost of expansion versus the potential repairs that are lost elsewhere.

### References:

1. Governor Mitt Romney, "Draft: Commonwealth of Massachusetts Statewide Road and Bridge Policy." January 27, 2003.
2. Kelly Thayer, Michigan Land Use Institute, "Look Close: Flood of Money, Words Yield Scant Improvement in State Roads." March 3, 2003.
3. Michigan Transportation and Land Use Coalition, "Fact Sheet: Fix It First."
4. Michigan Transportation and Land Use Coalition, "Fix It First Issues Sheet." January 31, 2003.
5. State of Michigan Press Release, "Preserve First focuses on protecting what we already have." April 3, 2003.
6. State of New Jersey, "Executive Order #43." January 7, 2003.
7. Surface Transportation Policy Project, "The State of Our Nation's Road." January 2003.
8. Transportation Development Association of Wisconsin, "Wisconsin's State Trunk Highway System Rehabilitation Program." September 1998
9. Wisconsin Department of Transportation, "Transportation Budget Trends." August 2002.

**Asbjornson, Karen**

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**From:** Kelly, Jessica  
**Sent:** Monday, February 09, 2004 12:02 PM  
**To:** Asbjornson, Karen  
**Subject:** Cowles' LRB 4069/1

Karen - how does this legislation compare with what you guys are doing with the TPC? I just spoke to Randy Romanski this morning who stated that you had a draft...

We're just wondering what's going on.

Thanks.

**Jessica Ford Kelly**  
Office of Senator Julie Lassa  
State Capitol, 3-South  
P.O. Box 7882  
Madison, WI 53707-7882  
608-266-3123 (Madison)  
1-800-925-7491 (Toll Free)  
608-267-6797 (Facsimile)

2-11  
OK called to  
Lassa

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## Halt highway spending abuses

9:47 PM 2/14/04

The Legislature should make it a top priority to close the holes that have been allowing the state's major highway program to waste hundreds of millions of dollars. <

A bill to improve legislative oversight of highway project costs is a good start. But lawmakers shouldn't stop until they have summoned the courage to stand up to road builders and complete a thorough overhaul of what has been an outrageously uncontrolled spending process. <

Legislation prepared at the request of Sen. Robert Cowles, R-Allouez, follows several recommendations issued by the Legislative Audit Bureau, which last year reviewed state highway spending over the previous several years. That review provided ironclad proof that reform is needed. The auditors found cost overruns of \$20 million or more each on seven projects and further discovered that the Transportation Department had rejected independent advice that would have saved \$382 million on 21 projects. <


The review also found that in the midst of the cost overruns and waste the Legislature added to the spending spree by approving road-building projects that the state Transportation Department didn't even plan to do. <

Moreover, the review found that as the number of highway projects grows, the time between project approval and completion has grown to an average of 12 years. Consequently, during the long lag time, inflation drives up costs, compounding the problem. <

As if that weren't reason enough to adopt reforms, Transportation Department officials and federal prosecutors have subsequently discovered evidence of bid-rigging on as many as 30 contracts for highway projects. <

In unvarnished English, it's a mess that lawmakers need to clean up. <

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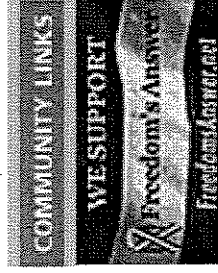
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Clearly, highway construction and repair is important to Wisconsin. Road builders employ thousands of people, and they keep our highways in good repair and updated to handle traffic volume. But that's no excuse for waste and fraud. <

The victims of uncontrolled highway spending are Wisconsin drivers who pay the vehicle registration charges and other fees that go into the fund that pays for major highway projects. They deserve better. <

The Legislature's Joint Audit Committee hearings on highway spending are likely to yield ideas for improvement. But some conclusions are already clear. <

The state needs to make better use of a process called value engineering to eliminate unnecessary costs. Value engineering, encouraged by the Federal Highway Administration, involves submitting projects to team review to find ways to accomplish results as cost-effectively as possible. <

Accounting procedures need to be improved to allow better tracking of spending on real estate, engineering, relocation and other environment-related costs. <

Detailed annual reports on spending for all major highway projects should be sent to the state Transportation Projects Commission and the Legislature for review. The reports should be supplemented by updates on any changes in the design and scope of projects so that projects cannot expand substantially without additional scrutiny. <

Transportation Secretary Frank Busalacchi has noted that most of the problems uncovered by the Legislative Audit Bureau occurred under previous administrations. But that should not dissuade the Legislature from putting new controls into law. Reform should be implemented before the public is fleeced further.

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WISCONSIN STATE LEGISLATURE

Joint Audit Committee

Committee Co-Chairs:  
State Senator Carol Roessler  
State Representative Suzanne Jeskewitz

February 19, 2004

Mr. Frank Busalacchi, Secretary  
Department of Transportation  
4802 Sheboygan Avenue  
Madison, Wisconsin 53707

Dear Mr. Busalacchi:

On behalf of the members of the Joint Legislative Audit Committee, please accept our thanks for your participation in the January 26<sup>th</sup> public hearing held on the Legislative Audit Bureau's evaluation of the Major Highway Program (report 03-13). The testimony offered by you and your staff was informative and reflected an open and dedicated commitment to work cooperatively to improve the management of this program vital to Wisconsin. We look forward to working closely with you in the weeks and months ahead.

The Legislative Audit Bureau recommended that the Department report to the Committee by February 2, 2004, concerning the amount of savings expected as a result of the 2002 value engineering study. We acknowledge receipt of this report and will be reviewing it closely in the weeks ahead. As we consider appropriate follow-up steps, we ask that you testify before the Committee again in June 2004 to discuss the value engineering study and the implementation status of other recommendations from the Legislative Audit Bureau report, as well as to respond to additional follow-up questions.

We also ask that you consider the testimony and questions raised by committee members and others at the January hearing in preparing for your June testimony. For example, Representative John Ainsworth raised concerns about the length of time devoted to local informational hearings before project enumeration and suggested that a prolonged period of speculation about a potential highway project creates uncertainties for adjoining landowners regarding future land use decisions. Representative Ainsworth also suggested that the Department should consider listing excess properties with local realtors in order to expedite sales more quickly. How does the Department plan to address these concerns?

As you know, in response to the testimony received in January, we plan to introduce legislation that would strengthen the role of the Transportation Projects Commission in providing oversight and ensuring greater accountability over the Major Highway Program. On February 26th, we anticipate that the Joint Legislative Audit Committee will hold a hearing on the bill drafts in Room 411 South of the State Capitol at 8:30 a.m. We look forward to continuing our close working

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relationship with you and your staff on the details of this legislative proposal and thank you, in advance, for the testimony the Department will offer the Committee on February 26th.

Thank you for your cooperation and assistance.

Sincerely,



Senator Carol A. Roessler, Co-chair  
Joint Legislative Audit Committee



Representative Suzanne Jeskewitz, Co-chair  
Joint Legislative Audit Committee

cc: Senator Robert Cowles  
Senator Alberta Darling  
Senator Jeffrey Plale  
Senator Julie Lassa

Representative Samantha Kerkman  
Representative Dean Kaufert  
Representative David Cullen  
Representative Mark Pocan

Representative John Ainsworth

Janice Mueller, State Auditor

**Asbjornson, Karen**

---

**From:** Tom [twalker@wtba.org]  
**Sent:** Thursday, February 19, 2004 6:20 PM  
**To:** Sen.roessler@legis.state.wi.us  
**Subject:** FW: TPC Reform Legislation



TPC, Information  
Available on ...

-----Original Message-----

**From:** Tom Walker [mailto:twalker@wtba.org]  
**Sent:** Thursday, February 19, 2004 6:18 PM  
**To:** 'Sen.'  
**Cc:** 'Bill Mc Coshen'; 'Eric Petersen  
(eric.petersen@capitolconsultants.net)'  
**Subject:** TPC Reform Legislation

Senator,

Let me start by again thanking you for offering an opportunity to work with you to make a few improvements to the outstanding proposal you are putting together.

I will limit my suggestion to three issues:

1. RE. Increased reporting, I believe that an annual report will best disclose significant changes in project concepts and costs. Change happens slowly over time; providing the TPC with a report that visualizes those changes and the reasons for them is best captured with reasonable point to point comparisons that show real change. While quarterly or semi-annual reports are feasible, they are more likely to provide a series of snapshots at a detail the Commission might not find nearly as useful as regular, more comprehensive reports. Quarterly reports would require staff to be working almost continuously on the next report, with some probable loss in the quality of communication. DOT does not have the staff today even to deliver the approved program. You might also consider changing the language applying the requirement from "each project approved by the Commission" to "each project brought by the Department to the TPC." This will provide assurance that reports cover projects from the beginning, and not just when they are enumerated. This is the point in the process where most design decisions occur.

2. RE. TPC review of the actual FEIS or FEA document. These documents are massive; very few people actually read them. Will TPC members really want to review them and discuss them? You could not even fit them onto the table where meetings are held. What seemed to make sense at the hearing is that enumeration should not take place without a final

*Concerns ability to pass bill*  
*1.*  
*Max wolfson*  
*6-5791*  
*fax 266-9912*  
*need comments*



EIS or EA, so that the costs reported in the point above are a more accurate basis for projecting final project costs.

3. Attached is an issue we drafted that assures easy public access to official documents sent to the Commission, such as regular reports. It also assures public access to materials that will be discussed at TPC meetings, in advance of the actual meeting. This should improve decision-making, stimulate consensus, and reduce the incentive for the Legislature to enumerate projects without TPC approval.

Again, thanks for the opportunity to comment.

Tom Walker

1. frequency of reporting TPC  
 2. approval of TPC  
 3. add 2 members

Put into place  
 No DOT  
 get reports  
 back to DOT  
 + then TPC then  
 says go ahead DOT  
 TPC approve

once enumerated  
 Public input → report TPC  
 No Pt. after enumeration  
 talked to Randy -  
 don't want approve  
 ok if this happens  
 5. fix micromanager  
 amendment - sub  
 keep mtg -  
 mtg T/w  
 DOT  
 text - read letters  
 about issues

Pam Shannon  
 134 person

## **Information Available on the Internet**

**Section 7.** 13.489(5) of the statutes is created to read:

13.489(5). The Department of transportation shall maintain on the internet and allow for public access to the following information, within the prescribed timelines:

(a). Any report prepared by the department of transportation for the commission. Any report shall be available on the internet within 5 business days of completion of the report and transmittal to the Commission.

(b). Any materials or documents prepared by the department of transportation for use at a meeting of the commission. Any materials or documents prepared for a meeting of the commission must be available to the public on the internet at least 5 business days prior to the meeting.

(c). Any other information prescribed by the commission. This information must be available to the public on the internet within the time prescribed by the commission.

1) Making information available on the Internet.  
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(c). Any other information prescribed by the commission. This information must be available to the public on the internet within the time prescribed by the commission.

2) Add language - similar to language in 4145/2 (and 4144/2) draft, page 3, starting on line 15 for approval of design changes. If the DOT wants to make any of the below design changes, they must first submit a report to the TPC identifying the desired design changes and get their approval before any of these changes can be implemented.

- Upgrade from highway to expressway to freeway
- At-grade intersections to interchanges
- Changing from 2-lanes to 4-lanes

3) Change the frequency of reporting from quarterly to annually, or as needed. As needed would apply when a design change is requested.

## Asbjornson, Karen

---

**From:** Tom Walker [twalker@wtba.org]  
**Sent:** Thursday, February 26, 2004 9:30 AM  
**To:** 'Asbjornson, Karen'  
**Cc:** Bill Mc Coshen  
**Subject:** RE: TPC Reform Legislation

Thanks for sharing this with us. I apologize for not getting back sooner. I was in Washington until late last night.

I really appreciate the Senator's adding #1 and #3. Works perfectly.

However, I do have real concerns with where this bill is going in #2. From my perspective, the Commission's sole statutory role is to select which projects that meet the statutory definition of a major project can be constructed.

I see three concerns:

1. This bill would extend oversight to SE Freeway Projects which are statutorily exempt from the TPC process. Many SE WI Freeway projects are small and typically 3R projects funded in the rest of WI through the STH Rehabilitation appropriation. Expansion projects are integral to and typically only 20% of full reconstruction of a corridor.
2. This added section would require TPC approval for specified design changes. This is the first step toward independent approval of DOT's project management choices, making them only recommendations. Where this has occurred in other states, it has been a major problem. Citizens and interest groups will use the TPC to try to override DOT. The Department works hard to find community consensus, and meet all federal and state environmental restraints. By the time the Commission might see a request to approve the design change, a broad consensus on what to do will have evolved, and approval received by other state and federal agencies with jurisdiction. DOT must have that flexibility to bring a project to closure.

In my view, the key value of this bill is to require regular disclosure of project costs and an explanation for those changes. That alone will focus DOT on making sure those changes are really needed and appropriate. I am quite confident that the TPC and Legislators will be reassured when they see the details as they are evolving, rather than sticker shock at the end of the process. It will also tell you something about emerging cost drivers, which might be correctable.

Finally, I wanted to let the Senator know that I get the sense that DOT is concerned with the added commission membership. We want to avoid inadvertently setting up a poison pill  
In the bill.

Again, thanks for letting me offer some comments.

Tom Walker

-----Original Message-----

From: Asbjornson, Karen [mailto:Karen.Asbjornson@legis.state.wi.us]

Sent: Wednesday, February 25, 2004 9:55 AM

To: 'Tom'; Bill McCoshen (E-mail)

Subject: RE: TPC Reform Legislation

Hi Tom and Bill,

Carol asked me to forward to you the changes to SB 478 that are currently being drafted.

Due to the short time frame and the inability for everyone to meet to discuss this prior to Thursday's hearing, the drafter is being asked to draft the following changes:

1) Making information available on the Internet.  
Section 7. 13.489(5) of the statutes is created to read:

13.489(5). The Department of transportation shall maintain on the internet and allow for public access to the following information, within the prescribed timelines:

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- . Upgrade from highway to expressway to freeway
- . At-grade intersections to interchanges
- . Changing from 2-lanes to 4-lanes

- 3) Change the frequency of reporting from quarterly to annually, or as needed. As needed would apply when a design change is requested.

Karen Asbjornson  
Office of Senator Carol Roessler  
(608) 266-5300/1-888-736-8720 Karen.Asbjornson@legis.state.wi.us

-----Original Message-----

From: Tom [mailto:twalker@wtba.org]  
Sent: Thursday, February 19, 2004 6:20 PM  
To: Sen.roessler@legis.state.wi.us  
Subject: FW: TPC Reform Legislation

-----Original Message-----

From: Tom Walker [mailto:twalker@wtba.org]  
Sent: Thursday, February 19, 2004 6:18 PM  
To: 'Sen.'  
Cc: 'Bill Mc Coshen'; 'Eric Petersen  
(eric.petersen@capitolconsultants.net)'  
Subject: TPC Reform Legislation

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enumerated. This is the point in the process where most design decisions occur.

2. RE. TPC review of the actual FEIS or FEA document. These documents are massive; very few people actually read them. Will TPC members really want to review them and discuss them? You could not even fit them onto the table where meetings are held. What seemed to make sense at the hearing is that enumeration should not take place without a final EIS or EA, so that the costs reported in the point above are a more accurate basis for projecting final project costs.

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Again, thanks for the opportunity to comment.

Tom Walker



WISCONSIN STATE LEGISLATURE

## Joint Audit Committee

Committee Co-Chairs:  
State Senator Carol Roessler  
State Representative Suzanne Jeskewitz

**FOR IMMEDIATE RELEASE**

**February 26, 2004**

**For further information, contact:**

Sen. Carol Roessler (608) 266-5300  
Rep. Suzanne Jeskewitz (608) 266-3796

### **Roessler-Jeskewitz Introduce DOT Major Highways Legislation** **Joint Legislative Audit Committee passes the bills**

In response to the findings and recommendations presented in the Legislative Audit Bureau's evaluation of the Department of Transportation's (DOT) *Major Highway Program* (report 03-13), and reflective of testimony offered before the Joint Legislative Audit Committee in a public hearing on January 26, 2004, co-chairpersons Senator Carol Roessler (R-Oshkosh) and Representative Suzanne Jeskewitz (R-Menomonee Falls) introduced legislation that would increase involvement and oversight in managing major highway program expenditures. The legislation makes procedural and process changes to the operations of the Transportation Projects Commission (TPC). The identical co-chair bills were heard and unanimously (9-0) approved as amended in the Joint Legislative Audit Committee today.

"Given the audit findings and testimony on the major highways program, we concur that we need more than just reporting requirements from DOT, we need to give the TPC better approval authority on major highway project expenditure and major design changes," said Roessler. "Changing the process to require the TPC receipt of the final environmental statement or assessment for major highway projects ensures full disclosure of costs for the TPC enumeration."

"Major design changes need to be reported and reviewed by the TPC since changes in the project scope add costs that must be analyzed and approved," said Jeskewitz. "We must have accountability for these high cost overruns on transportation projects."

Roessler went on to say, "A change management system is something the current DOT administration has implemented for the Southeast Wisconsin freeway project. We want this system in place so that a team of people can provide fiscal and management oversight for all major highway projects."

Jeskewitz added, "Taking the politics out of the enumeration of major highway projects by prohibiting the legislature from approving projects without TPC approval is crucial."

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The legislation makes the following changes:

1. **TPC approval:** the Transportation Projects Commission may not enumerate a major highway project until it has received the final environmental impact statement or environmental assessment.
2. **Creation of a Change Management System:** This system will include a review of changes in project cost, design, and timeline by senior officials in the Department.
3. **DOT Reports to TPC:** DOT will report on a semi-annual basis to the Transportation Projects Commission on the activities of the Department's change management system relating to major highway projects and other projects in Southeast Wisconsin.
4. **Project enumeration:** Prohibits the legislature from enumerating major highway projects. Only the Transportation Projects Commission shall have statutory authority to enumerate a major highway project.
5. **TPC Membership:** Increase the membership of the Transportation Projects Commission by two legislative members.
6. **Approval of certain design changes:** TPC would have a 14 day passive review, similar to the Joint Finance Committee review, of certain changes such as upgrading from freeway to expressway, increasing the number of traffic lanes, at-grade intersection to an interchange, or interchange to accommodate higher-speed traffic.
7. **Availability of Reports to Public:** Requires DOT to make certain information and reports given to the TPC available on the internet following the TPC meetings.

The two companion bills as amended, Senate Bill 478 and Assembly Bill 893, passed the Joint Legislative Audit Committee and will be available for scheduling in both the Assembly and Senate.

###

## Asbjornson, Karen

---

**From:** Klein, Rose  
**Sent:** Friday, February 27, 2004 8:26 AM  
**To:** Matthews, Pam; Asbjornson, Karen; Shannon, Pam  
**Subject:** Updated Language for Majors/SE Oversight Legislation

I am forwarding the following e-mail on behalf of Randy Romanski.

-----Original Message-----

**From:** Wolfgram, Mark  
**To:** Romanski, Randy  
**Cc:** Klein, Rose  
**Sent:** 2/26/04 6:06 PM  
**Subject:** Updated Language for Majors/SE Oversight Legislation

Here is what we suggest as changes to the proposed legislation and the amendment (Assembly versions, which I assume are identical to the Senate versions):

**Issue:** TPC review of the FEIS/EA before a project can be enumerated  
**Objective:** Allow enumeration to proceed as long as the TPC has received the FEIS/EA, which are often hundreds of pages long.  
**Proposal:**

Drop the words "and reviewed" from AB 893's proposed language for 13.489(4)(a)1.a. and 13.489(4)(a)1.b.

In both cases the amended language would become ".....and the commission has received a final environmental impact statement or environmental assessment for the project approved by the federal highway administration."

**Issue:** TPC reports on SE projects and Change management requirements for SE projects

**Objective:** Focus extra steps/reporting on pavement, bridge and interchange reconstruction projects, eliminating requirements for resurfacing and reconditioning projects.  
**Proposal:**

Change the word "rehabilitation" to "reconstruction" in AB 893's proposed language for 13.489(5)(a)1. and 85.052

The last portion of 13.489(5)(a)1. would become ".....and of each southeast Wisconsin freeway reconstruction project under s. 84.014."

The last portion of 85.052 would become ".....and all southeast Wisconsin freeway reconstruction projects funded from any appropriation specified in s. 84.014(2)."

Issue: Expressway language in LRB 2408/1 proposal for 13.489(2m)  
Proposal: After further thought, there is no confusion caused by the proposed language, the only recommendation is to remove the words "from a highway".

Relevant portions of 13.489(2m) would read ".....changes that involve upgrading any portion of the project to a freeway or expressway....."  
The committee had intended to make this change already.

One other item of concern that the committee was to provide language on and we should watch for:

The provision of TPC meeting materials on the internet BEFORE the meeting.....we all agreed it would be after the meeting.



# NEWS

## Wisconsin Department of Transportation

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FOR INFORMATION CONTACT: Peg Schmitt, (608)266-7744  
peg.schmitt@dot.state.wi.us

### **STATE TAKES ACTION ON TWO SUSPENDED COMPANIES Streu Construction Company debarred; Streu-Gulseth released from suspension**

The Wisconsin Department of Transportation (WisDOT) today took action on two companies that were suspended after their principle owners were implicated in alleged bid rigging activities.

WisDOT announced the immediate debarment of Streu Construction Company, Manitowoc. The debarment means the company may not enter into any contracts with the state as a prime contractor. An agreement will allow the company to participate as a subcontractor only after it makes changes to its management and financial structure.

WisDOT lifted the suspension of Streu-Gulseth Construction Company, Manitowoc. That action means the department may consent to subcontracts with the company and the company, as reorganized, may attempt to be pre-qualified as a prime contractor contingent on changes to its management and financial structure. WisDOT noted that Streu-Gulseth was not named in federal complaints filed by the U.S. Attorney's Office, but the company was suspended because of its links to Streu Construction Company and owners Ernest J. and John R. Streu.

Ernest and John Streu remain suspended indefinitely. WisDOT's agreements with Streu and Streu-Gulseth prohibit either individual from having any primary management or supervisory responsibilities with the companies or any reorganized companies or other entities that do business with WisDOT.

WisDOT Secretary Frank Busalacchi said the actions provide current Streu and Streu-Gulseth employees the opportunity to continue employment in the Manitowoc area and help ensure an adequate labor and work capacity is available to handle the concrete paving services needed for state highway, bridge and airport projects.

"We understand how important good-paying jobs are to communities in the eastern part of the state," Busalacchi said. "But, our first obligation is to take the appropriate actions to ensure the integrity of the bid process and get the most competitive prices for the state of Wisconsin."

Legal agreements lay out specific actions each company must take. The agreement with Streu Construction Company requires the company or its assets to be sold by April 1, 2005. Once the sale is complete, the newly formed company could submit a request to be pre-qualified to submit bids as a prime contractor. The company will pay WisDOT \$25,000 for the cost of administering the agreement.

Streu-Gulseth must also reorganize under new management and sell the company or its assets by April 1, 2005.

Busalacchi said the actions came after a careful consideration of all the facts and a thorough review of each company's response to the department's notice of intent to suspend issued on January 15, 2004. "Our review and agreements meet all legal requirements and are consistent with established department policies," he said.

The state is continuing to cooperate with federal authorities in its investigation. The agreements do not impact the progress of federal actions or the ability of WisDOT to obtain payments of restitution or other damages attributed to the alleged bid rigging or false claims.

WisDOT made no change to the continuing suspension of Vinton Construction Company, Manitowoc, but is continuing to meet with company representatives. WisDOT will not allow Vinton Construction Company or James J. or Michael J. Maples to perform any new contract or subcontract work since they were suspended.

###

NOTE: This document can be viewed on the Internet at: <http://www.dot.wisconsin.gov/news>

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## DOT cancels consulting contract with man in George investigation

(Published Tuesday, February 17, 2004 09:10:05 AM CST)

Associated Press

MADISON, Wis. -- The state Department of Transportation has canceled a \$510,000-a-year consulting contract with a man who is cooperating with federal authorities in an investigation of alleged kickbacks made to former state Sen. Gary George.

Transportation Secretary Frank Busalacchi has notified Richard V. Bowles that the contract to help minority businesses under which his brother, John, had worked would be terminated.

Richard Bowles' company, Progressive Training Consultants of Milwaukee, was the prime contractor, while John Bowles' company, Milwaukee First, served as a subconsultant on the contract.

The DOT has awarded the brothers a series of contracts during the last seven years worth \$3 million to help minority businesses compete for government contracts.

But a review completed late last week concluded it was impossible to tell whether the work done by the two resulted in any increase in the number of minority- and women-owned businesses or their ability to compete for state DOT contracts.

The DOT review released Monday said the agency did not follow its own policies in managing the contract, including repeatedly

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extending contracts without the DOT secretary's approval.

Busalacchi ordered the review Dec. 11 after federal grand jury indictments against George said John Bowles acknowledged paying the senator up to \$120,000 to obtain unspecified state business.

George has pleaded guilty to one of the five counts and has agreed to cooperate in exchange for no more than five years in prison and a \$250,000 fine.

Bowles has not been charged and has been described as cooperating with the investigation by U.S. Attorney Steven Biskupic in Milwaukee.

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The attached paper summarizes some of the issues we discussed yesterday, provides justifications, and suggests statutory language.

I hope this is helpful.

Please tell Rep. Jeskewitz how much we appreciate her taking the time to meet with us in these hectic final session days. Your input to that discussion was also quite helpful.

If you have any questions, please do not hesitate to call. I can best be reached today on my cell: 209-1000.

Tom Walker  
Executive Director  
Wisconsin Transportation Builders Association  
256-6891



MAR 15 2004



**Wisconsin Transportation Builders Association**  
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March 12, 2004

Sen. Carol Roessler  
18<sup>th</sup> Senate District  
P.O. Box 7882  
Madison, WI 53707-7882

Dear Senator Roessler:

I wanted to personally thank you for all of the work you did in the recently completed legislative session on Transportation Projects Commission (TPC) reform. The initiatives contained in Assembly Bill 893 address many of the fundamental problems that have frustrated participants of the TPC process over the past decade.

These changes will not only improve the Legislature's oversight role of important state highway investments, but they will also enhance the public's ability to follow and participate in the process.

These improvements to the TPC process would not have been possible without your assistance, for which WTBA is grateful.

Sincerely,

Tom Walker  
Executive Director



WISCONSIN STATE LEGISLATURE

## Joint Audit Committee

Committee Co-Chairs:  
State Senator Carol Roessler  
State Representative Suzanne Jeskewitz

**FOR IMMEDIATE RELEASE**

**March 12, 2004**

**For further information, contact:**

Rep. Suzanne Jeskewitz (608) 266-3796  
Sen. Carol Roessler (608) 266-5300

### **Major Highway Project Legislation On Its Way to the Governor for Signature**

Legislation authored by Joint Legislative Audit Committee co-chairpersons Representative Suzanne Jeskewitz (R- Menomonee Falls) and Senator Carol Roessler (R-Oshkosh) to increase involvement and oversight in managing major highway program expenditures was passed by the Legislature and is on its way to the Governor for signature. The legislation makes procedural and process changes to the operations of the Transportation Projects Commission (TPC):

“We were able to accomplish our goal of making the Major Highway Program more accountable and addressing the unacceptable cost overruns,” said Jeskewitz. A key component of Assembly Bill 893 is requiring the Department of Transportation (DOT) to submit a final environmental impact statement before bringing a project forward for approval. This will allow the TPC, and ultimately the Legislature, a better understanding of project scopes and their cost.

Starting with the recommendations contained in the nonpartisan Legislative Audit Bureau’s audit of the Major Highway Program, and comments from the public hearing before the Joint Legislative Audit Committee, the two co-chairs worked to draft legislation that was in the best interest of the taxpayer. “Creating a change management system puts in place a professional team for financial and management oversight for all major highway projects,” stated Roessler. “The reporting requirements in this bill will make certain the Department and the Legislature more closely scrutinize how taxpayer dollars are being spent on transportation.”

Jeskewitz added, “I am so pleased that we were able to take the politics out of the enumeration of major highway projects by prohibiting the Legislature from approving projects without TPC approval.”

“As Co-Chairs of the Audit Committee, we are serious about reigning in cost overruns on our major transportation projects,” Roessler stated.

The legislation makes the following changes:

1. **TPC approval:** the Transportation Projects Commission may not enumerate a major highway project until it has been notified of federal approval of the final environmental impact statement or environmental assessment.

17th 10 2004



**1000 FRIENDS  
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email:friends@1kfriends.org www.1kfriends.org www.PictureSmartGrowth.org

Senator Carol A. Roessler  
Room 8 South  
State Capitol  
P.O. Box 7882  
Madison, WI 53707-7882

Representative Suzanne Jeskewitz  
Room 314 North  
State Capitol  
P.O. Box 8952  
Madison, WI 53708

March 15, 2004

Dear Senator Roessler and Representative Jeskewitz:

On behalf of 1000 Friends of Wisconsin and our more than 2,700 members, I would like to thank you for the wonderful work you have done as Co-Chairs of the Joint Committee on Audits this session, particularly in regards to Major Highway Projects. The audit of that program which your committee commissioned and the passage of the bill you developed as a result of the audit are both strong steps forwards to much needed transportation reform.

We are scheduled to meet within the next few weeks, but in case this letter reaches you first I would like to provide a little background information about us. 1000 Friends of Wisconsin is a not-for-profit organization educating citizens and policy makers about the benefits of responsible land use and a balanced transportation system. In regards to transportation, two of our major goals are a 1) Fix-it-First policy requiring full funding of highway maintenance and repair before funding expansion work and 2) a shift in budget prioritization towards a better balance of local transportation aids, pedestrian, biking, rail, and other modal programs, and state highways.

By immediately taking the findings of the Major Highway Projects audit and introducing strong bills that went beyond the recommendations contained therein, you opted for the tough, commendable path of not just pointing out problems, but putting forth a solution. The fact that Assembly Bill 893 passed both houses of the Legislature speaks to your understanding of the need for fiscal responsibility, transparency in government, and transportation reform. Your actions will increase the public's ability to understand how its tax dollars are being spent on highway expansion, as well as reduce the ability of special interests to manipulate the approval process to irresponsibly spend taxpayer money.

We will encourage the Governor to sign this bill. If he elects to do so, this legislature and the governor, due to your leadership, will have made one of the most significant steps towards transportation reform taken in Wisconsin in recent memory.

We look forward to meeting with you soon and hopefully partnering with you in the future on further measures to build on this good first step.

Perfecting the Places We Live  
to Protect the Places We Don't



If you need to contact me, please feel free to do so at 608-259-1000 or [ward@1kfriends.org](mailto:ward@1kfriends.org).

Thank you again for all of your efforts.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Lyles', written in a cursive style.

Ward Lyles  
Transportation Policy Director

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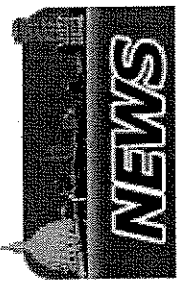


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## Regional News Briefs

From the Journal Sentinel

Posted: March 19, 2004

### Teen arrested in 3 fatal shootings

An 18-year-old man has been arrested on suspicion of killing three people and wounding three others in a shooting spree on Milwaukee's south side early Sunday, police said Thursday.

The man, whom police did not identify, told detectives he is a member of a south side gang and confessed to the homicides Wednesday night, said Capt. Timothy Burkee.

Police arrested the man Monday on an unrelated warrant during the course of the homicide investigation, Burkee said. Police began presenting their case to the district attorney Thursday, but Burkee said it would take two to three days.

Oscar Valadez, 18, of the 1400 block of W. Dakota St. and Marco A. Lomeli, 15, of the 2000 block of 11th St. were killed in the first

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shooting shortly after midnight Sunday in the 1900 block of S. 7th St. Three others were injured in the shooting. A 16-year-old boy remains in critical condition.

At 3:15 a.m. Sunday in the 900 block of W. Hayes St., Victor Homero Perea-Mayorga, 33, of the 1100 block of N. 26th St. was killed as he sat in his van.

**Anchoring of WWII cruiser advances**

U.S. Navy veterans proposing to anchor a World War II cruiser on Lake Michigan downtown received a boost Thursday from the Milwaukee County Board.

After extended and sometimes acrimonious debate, supervisors approved exploratory talks involving backers of the proposed floating museum and various governmental entities.

Although a far cry from final approval, the 19-6 vote gives veterans with the USS Des Moines Historic Naval Ship Project something to show naval officials who are deciding whether to scrap the 716-foot-long vessel mothballed at a Philadelphia shipyard.

In its final pre-election meeting, the board also approved another ethics move borne of the pension scandal, passing a prohibition on campaign donations to county officials from contractors while they are competing for county work.

The donation timeout, an unusual provision at the local government level, should remove any perception that private vendors have to "pay to play," said Supervisor Dan Diliberti, the measure's sponsor.

**Bill would tighten road cost controls**

In light of an audit that found \$381 million in highway cost overruns, the Legislature has approved a bill to tighten cost controls on major road projects.

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Transportation Secretary Frank Busalacchi has already implemented one of the bill's major requirements, starting with reconstruction of Milwaukee's Marquette Interchange, said his executive assistant, Randy Romanski. That's a "change management system" that tracks the cost of design changes.

The bill, sponsored by Sen. Carol Roesler (R-Oshkosh) and Rep. Suzanne Jeskewitz (R-Menomonee Falls), also would prohibit the Legislature from approving major highway projects over the objections of the Transportation Projects Commission, a group of state officials and citizens that reviews road plans.

Gov. Jim Doyle has not decided whether to sign the bill, Doyle spokesman Josh Morby said.

### Troubled building ruled legal

Milwaukee authorities have decided a troubled north side building isn't an illegal halfway house, and the facility's manager is making progress toward fixing building code violations, a city spokesman said Thursday.

After finding more than a dozen residents living in filth, some of them mentally disabled, the Department of Neighborhood Services initially ruled last month that the facility at 4475 N. Hopkins St. was in violation of zoning rules and building codes, prompting manager Charlene Smith to appeal to the Board of Zoning Appeals.

On Thursday, Smith dropped her appeal and a new inspection found no zoning violations, department spokesman Todd Weiler said. Smith also has fixed some of the 49 fire and building code violations that inspectors found, and she has an option to buy the building from owners Joseph and Kathryn Fons, Weiler said.

### Worker sentenced in theft of money

A woman charged last year with taking thousands of dollars from

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Divine Savior Holy Angels High School while employed in the school's business office was sentenced Thursday in Milwaukee County Circuit Court.

Betty E. Banse was ordered to serve 30 days in the House of Correction with work-release privileges and three years of probation, according to online court records.

As a condition of her sentence, Banse is forbidden from having any contact with the school. She also must pay \$23,095 in restitution to the school's insurance company.

The court stayed a sentence that would have sent Banse to prison for 15 months and tacked on 15 months of extended supervision after her release.

Banse was convicted of stealing about \$28,000 by improperly using school credit cards. She used the cards to have her nails and hair done at salons in Mequon, to buy movies and CDs at Sam's Club, and to pay her cable television bill.

### **Police identify dead in Madison**

Madison police Thursday identified three people found dead in an environment with high carbon monoxide levels as Kenneth M. Slavik, 35, Richard R. Rogalla, 28, and Kimberly E. Rogalla, 29.

The three were discovered dead in an apartment and the garage of an adjacent apartment in the 700 block of N. Thompson Drive about 10:40 a.m. Wednesday. An 8-year-old girl was found in the apartment above the garage and taken to a local hospital with injuries that are not life-threatening. The deaths may have occurred late Tuesday or early Wednesday, police said.

From the March 19, 2004 editions of the Milwaukee Journal Sentinel



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