

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3488/P1dn
BAB:kjf:rs

December 19, 2007

ATTN: Kimber Liedl

The attached draft has been prepared in preliminary form. Please review the draft carefully to ensure that it is consistent with your intent. While the draft does require the Department of Transportation (DOT) to cover the costs of erecting and maintaining markers for these military memorial highways and bridges, the impact of the bill may be limited. First, under current law, DOT must bear the cost of erecting and maintaining memorial markers if legislation does not provide otherwise, so this draft simply establishes what is already the default arrangement if proposed legislation does not expressly require funding by contributions. Second, future legislation designating military memorial highways and bridges can create an exception to created s. 84.101, which would circumvent the intent behind this draft.

For any existing military memorial marker that was created under a statute that prohibits state funds to be used for erecting and maintaining the marker, DOT presumably has collected funds from interested parties that were sufficient both to erect the memorial marker and to maintain the marker. You may wish to consult with DOT to determine if they have a pool of funds for the purpose of maintaining any such markers, and if so, please advise how you would like to address those moneys in this draft.

Additionally, I recommend inquiring of DOT whether there are any military memorial highways or bridges created in chapter 84 that do not yet have a marker because of insufficient funding from interested parties. If there are any such highways or bridges without markers, please advise whether you would like this draft to require DOT to bear the cost of erecting those markers. If you do not want DOT to pay for the cost of those markers, I can exclude them with an initial applicability provision.

The draft requires DOT to bear the cost of maintaining a number of military memorial markers notwithstanding that the statutes that created the memorials require funding from interested parties for maintenance of those markers. I have included in this group the Citizen Soldier Highway under s. 84.1031. Is this acceptable? Would you also like to require DOT to bear the cost of maintaining the memorial markers for the Wisconsin Fire Fighters-EMT/Citizen Soldier Bridge under s. 84.1028 and the Wisconsin Law Enforcement/Citizen Soldier Bridge under s. 84.1029?

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