

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-AB133)**

Received: 05/11/99

Received By: nilsepe

Wanted: As time permits

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Dyck

This file may be shown to any legislator: NO

Drafter: nilsepe

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Alt. Drafters:

Subject: **Transportation - miscellaneous**

Extra Copies: **tnf**

**Pre Topic:**

LFB:.....Dyck - Paper 965.

**Topic:**

Additional traffic officers

**Instructions:**

See Attached

**Drafting History:**

| <u>Vers.</u> | <u>Drafted</u>      | <u>Reviewed</u>     | <u>Typed</u>         | <u>Proofed</u> | <u>Submitted</u>         | <u>Jacketed</u> | <u>Required</u> |
|--------------|---------------------|---------------------|----------------------|----------------|--------------------------|-----------------|-----------------|
| /?           | nilsepe<br>05/13/99 | gilfokm<br>05/13/99 |                      | _____          |                          |                 |                 |
| /1           |                     |                     | jfrantze<br>05/14/99 | _____          | lrb_docadmin<br>05/14/99 |                 |                 |

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|--------------|----------------|------------------|--------------|-----------------|------------------|-----------------|-----------------|
| 1?           | nilsepe        | 1-5-13-99<br>fmg | Jb 5/14      | Jb / RM<br>5/14 |                  |                 |                 |

FE Sent For:

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## Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

May 11, 1999

Joint Committee on Finance

Paper #965

### Additional Traffic Officers (DOT -- State Patrol)

60294

[LFB 1999-01 Budget Summary: Page 606, #1]

#### CURRENT LAW

The Department of Transportation is authorized to hire 385 traffic officers, plus a person in the classified service who is designated to head the traffic officers (the State Patrol Colonel). Of this number, 322 are classified as troopers. The remainder are sergeants, lieutenants, captains or other managerial positions. Of the 322 troopers, 320 are assigned to regular traffic patrol, while one provides security for the Governor and one is responsible for statewide calibration of speed-detection equipment. DOT also has 112 authorized positions for sworn officers who are classified as motor vehicle inspectors, whose primary responsibility is commercial motor vehicle enforcement.

Although the statutes state that the primary duty of traffic officers is the enforcement of traffic laws, the officers have the authority to make arrests for any offense. The traffic officers are prohibited, however, from conducting investigations of any crime covered under the state's criminal code.

#### GOVERNOR

Provide \$321,900 SEG, \$189,000 SEG-S and 9.0 SEG positions in 1999-00 and \$808,600 SEG, \$143,600 SEG-S and 14.0 SEG positions in 2000-01 to increase the size of the state traffic patrol. Increase the statutory number of traffic officers that DOT may employ by 15, from 385 to 400. The SEG amounts provided would be for salary and fringe benefits, fleet costs, materials and supplies and training costs associated with hiring additional state troopers. The SEG-S amounts would provide additional expenditure authority for DOT's fleet service center, which would be used for the purchase of 14 vehicles and related insurance, fuel and repair costs.

## DISCUSSION POINTS

1. Of the SEG amounts provided by the bill, \$194,300 in 1999-00 and \$113,500 in 2000-01 would be one-time funding for the training and equipment costs for the 14 additional troopers. Of the remainder, \$127,600 in 1999-00 and \$573,800 in 2000-01 would be for salary and fringe benefit costs and \$121,300 in 2000-01 would be for on-going fleet and in-state travel costs (meal per diem).

2. A reestimate of the costs of providing 14 additional troopers produces slightly smaller total costs of \$321,400 SEG in 1999-00 and \$790,500 SEG in 2000-01. Of these amounts, \$194,300 in 1999-00 and \$126,600 in 2000-01 would be one-time funding, while \$127,100 in 1999-00 and \$569,600 in 2000-01 would be for salary and fringe benefit costs and \$94,300 in 2000-01 would be for on-going fleet and in-state travel costs.

3. The cost per trooper added in the first year would be \$35,700 in 1999-00 and \$53,500 in 2000-01, while the cost per trooper added in the second year would be \$61,800 in 2000-01. In addition, the increase in expenditure authority in the Department's fleet service center appropriation associated with each trooper added in the first year is \$21,000 SEG-S in 1999-00 and \$3,100 SEG-S in 2000-01. For each trooper added in the second year, an increase of \$23,100 SEG-S in 2000-01 in the fleet service center would be required.

4. Nine of the additional 14 troopers would begin training in March, 2000, and would graduate in August, 2000. The remaining five troopers would begin training in September, 2000, and would graduate in February, 2001. This schedule is based on the maximum number of troopers that can be trained beginning in March, 2000, given space limitations in training academy recruit classes. An earlier class is scheduled to start in July, 1999, but recruits in that class, which would be filled to the maximum capacity of 40 recruits, would fill vacancies in current positions. Current plans call for a September, 2000, class of 25 recruits, so it would be possible to increase the number of additional troopers in this biennium by up to 15 above the Governor's recommendation.

5. Since the first group of nine additional troopers would not be hired until March, 2000, and the second group of five troopers would not be hired until September, 2000, the fiscal year funding amounts do not represent the annualized costs of the additional troopers. The full, annualized cost of 14 additional troopers, not including the one-time costs for training and equipment, would be \$751,800, or \$53,700 per trooper. This includes, per trooper: (a) \$30,300 for salary; (b) \$13,400 for fringe benefits; (c) \$7,600 for fleet costs; (d) \$1,900 for per diem costs; and (e) \$500 for ongoing equipment replacement.

6. The additional troopers would be used to increase the patrols on certain high-traffic highways. Examples of such highways cited by the administration include: (a) USH 151, southwest and northeast of Madison; (b) STH 29, between Green Bay and Chippewa Falls; (c) USH 53, north of Chippewa Falls; (d) USH 14, between Madison and La Crosse; and (e) USH 41 and STH 57, in Brown County.

7. The last increase in the number of authorized trooper positions was in the 1983-85 biennium (from 375 to 385). Prior to 1983-85, the last increase was in 1968 (from 300 to 375).

8. The 1983-85 budget increased the statutory limit on the number of traffic officers that DOT could hire to 400, but only authorized enough additional positions to hire 385. In the following biennial budget, the Governor proposed providing an additional 15 positions so that DOT could hire 400 traffic officers, but the Legislature deleted this recommendation and reduced the statutory limit to 385. The current proposal would restore the statutory limit of 400, but would authorize only 14 positions.

9. Under current law, DOT is authorized to hire 385 traffic officers plus the person in the classified service designated to head them (the State Patrol Colonel), for a total of 386. Under the bill, the treatment of the person designated to head the traffic patrol would not change, so the total number of persons in the traffic patrol would increase by 15, from 386 to 401. In order to limit the statutory increase in the number of officers that DOT could hire to 14, the statutory number of traffic officers should be established at 399.

10. One argument given for increasing the number of state troopers is that the size of Wisconsin's traffic patrol is small, relative to the state's population, compared to the traffic patrols in other states. According to a 1996 census of law enforcement officers conducted by the U.S. Department of Justice (DOJ), Wisconsin had 1.0 sworn State Patrol officer (including motor vehicle inspectors) per 10,000 residents, while nationwide there were 2.1 officers per 10,000 residents. Other than Hawaii, which has no state traffic patrol, no other state ranked lower on this measure than Wisconsin. Minnesota ranked the next-lowest, also with 1.0 officers per 10,000 residents, but has added 27 officers since these data were collected.

11. Unlike Wisconsin, about half of the states have state police forces that, in addition to providing traffic patrol, have the authority to conduct criminal investigations unrelated to traffic laws. In these states, the total number of sworn officers is likely to be relatively higher than in states that have only state traffic patrols. Consequently, the DOJ census may not provide a true comparison of the relative size of traffic patrols. Nevertheless, Wisconsin still ranks lowest in the number of sworn officers per 10,000 residents of the states that have exclusively traffic patrols.

12. States that have smaller traffic patrols may tend to rely more on local law enforcement agencies, such as sheriffs' departments, to perform highway patrol activities. According to the DOJ study, Wisconsin had 7.5 sworn officers in sheriffs' departments, which ranked ninth-highest among the 50 states on this measure. The national average was 5.8 officers per 10,000 residents.

13. DOT indicates that, despite resistance to the idea of adding a large number of troopers by some sheriffs, the Department has already received numerous requests from other sheriffs requesting the deployment of additional troopers in their counties, if the Governor's proposal is approved. DOT indicates that it will likely not be able to honor all of these requests.

14. Another argument made in support of additional troopers is that traffic has increased steadily during the last several years, without an accompanying increase in state troopers. Over the past decade, the number of annual vehicle miles traveled has increased by about 35%.

15. Several state highways have been upgraded from two-lanes to four-lanes during the last several years, such as portions of STH 29, USH 53 and USH 151. As these highways have been improved, the amount of traffic on them has increased. While the State Patrol maintains 24-hour patrols on I-90 and I-94, there are not enough troopers to have similar patrols on these highways, even though they have begun to function like the interstates. Similarly, there are not enough troopers to maintain the current patrols in most counties and also provide 24-hour coverage on I-39 and I-43. The State Patrol indicates that about 43 additional troopers would be required to provide 24-hour patrols on I-39 and I-43.

16. One objective of adding state troopers may be to increase highway safety through greater enforcement. National data on traffic fatalities collected by the National Highway Traffic Safety Administration (NHTSA), however, indicate that Wisconsin is already a relatively safe state for highway travel. The number of traffic fatalities per 100 million vehicle-miles traveled was 1.3 in Wisconsin in 1997, which was below the national average of 1.6. Furthermore, the fatality rate has fallen faster in Wisconsin during the last two decades than it has in the nation as a whole.

17. Another item in the bill would provide funding to conduct an additional state patrol cadet class (in addition to the two normally conducted per biennium), in order to reduce vacancies. Due to a high rate of retirements and other turnover, the number of vacancies among sworn staff (troopers, inspectors and management) was as high as 42 in November, 1998, which is a vacancy rate of 8.4%. By conducting an additional recruit class, DOT hopes that the number of vacancies will be substantially reduced. This initiative should restore highway patrols to the level experienced in previous biennia, without increasing the number of authorized positions. One alternative may be to not increase the number of troopers this biennium, but to instead reevaluate the need to add troopers next biennium, when the impact of a lower vacancy rate can be considered.

18. If an additional 14 troopers is considered too many, but an increase is desired, one alternative would be to increase the number of troopers by half that amount. The cost of adding seven troopers would be \$249,900 SEG and \$147,000 SEG-S in 1999-00 and \$374,500 SEG and \$21,700 SEG-S in 2000-01.

19. The Senate Committee on Insurance, Tourism, Transportation and Corrections adopted a motion, on a vote of five to two, to support the Governor's recommendation.

20. During hearings on the budget, the Committee received testimony supporting both the Governor's recommendation and proposals to hire even more additional troopers. The cost of an additional 15 troopers (for a total increase of 29 troopers, the most that could be trained in the biennium), would be \$927,000 SEG and \$345,000 SEG-S in 2000-01.

**ALTERNATIVES**

1. Approve the Governor's recommendation to provide \$321,900 SEG, \$189,000 SEG-S and 9.0 SEG positions in 1999-00 and \$808,600 SEG, \$143,600 SEG-S and 14.0 SEG positions in 2000-01 to increase the size of the state traffic patrol. Increase the statutory number of traffic officers that DOT may employ by 15, from 385 to 400.

400 399

2. Modify the Governor's recommendation based on a reestimate of the costs to provide 14 additional troopers by reducing the amount provided by \$500 SEG in 1999-00 and \$18,100 SEG in 2000-01. In addition, reduce the statutory number of traffic officers that DOT may hire to 399 to reflect the intent to limit the increase in the number of troopers that may be hired to 14.

| <u>Alternative 2</u>             | <u>SEG</u> |
|----------------------------------|------------|
| 1999-01 FUNDING (Change to Bill) | - \$18,600 |

3. Reduce the amount provided by \$72,000 SEG, \$42,000 SEG-S and 2.0 SEG positions in 1999-00 and \$434,100 SEG, \$121,900 SEG-S and 7.0 SEG positions in 2000-01 to reduce the number of additional troopers to seven. Establish the statutory number of traffic officers that DOT may hire at 392.

| <u>Alternative 3</u>               | <u>SEG</u>  | <u>SEG-S</u> | <u>TOTAL</u> |
|------------------------------------|-------------|--------------|--------------|
| 1999-01 FUNDING (Change to Bill)   | - \$506,100 | - \$163,900  | - \$670,000  |
| 2000-01 POSITIONS (Change to Bill) | - 7.00      | 0.00         | - 7.00       |

4. Increase the amount provided by \$927,000 SEG, \$345,000 SEG-S and 15.0 SEG positions in 2000-01 to increase the number of additional troopers to 29. Establish the statutory number of traffic officers that DOT may hire at 414.

| <u>Alternative 4</u>               | <u>SEG</u> | <u>SEG-S</u> | <u>TOTAL</u> |
|------------------------------------|------------|--------------|--------------|
| 1999-01 FUNDING (Change to Bill)   | \$927,000  | \$345,000    | \$1,272,000  |
| 2000-01 POSITIONS (Change to Bill) | 15.00      | 0.00         | 15.00        |

5. Delete provision.

| <u>Alternative 5</u>               | <u>SEG</u>    | <u>SEG-S</u> | <u>TOTAL</u>  |
|------------------------------------|---------------|--------------|---------------|
| 1999-01 FUNDING (Change to Bill)   | - \$1,130,500 | - \$332,600  | - \$1,463,100 |
| 2000-01 POSITIONS (Change to Bill) | - 14.00       | 0.00         | - 14.00       |

Prepared by: Jon Dyck



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb02947  
PEN...King

A handwritten signature in black ink, appearing to be 'King', written over the printed text 'PEN...King'.

LFB:.....Dyck - Paper 965, Additional traffic officers

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**LFB AMENDMENT**

**TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45**

1 At the locations indicated, amend the bill as follows:

2 / 1. Page 979, line 9: delete "400" and substitute "399".

3 (END)





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0294/1  
PEN:kmg:jf

LFB:.....Dyck - Paper 965, Additional traffic officers

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

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