

Fiscal Estimate - 2003 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 03-4188/1	Introduction Number SB-456
Subject Transfer of OCR to DOT and allowing DOT bypass of OCR regarding railroad highway crossings	
Fiscal Effect	
State:	
<input checked="" type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate	
<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs
Local:	
<input checked="" type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate	
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory
5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
Fund Sources Affected	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS NONE	
Affected Ch. 20 Appropriations	
Agency/Prepared By RRC/ Doug Wood (608) 266-9536	Authorized Signature Doug Wood (608) 266-9536
Date 2/16/2004	

Fiscal Estimate Narratives

RRC 2/16/2004

LRB Number 03-4188/1	Introduction Number SB-456	Estimate Type Original
Subject Transfer of OCR to DOT and allowing DOT bypass of OCR regarding railroad highway crossings		

Assumptions Used in Arriving at Fiscal Estimate

SB-456 would allow DOT to bypass the Office of the Commissioner of Railroads and issue its own orders in cases related to rail-highway crossings under s. 84.05 Stats., where DOT has authority to construct the highway. The bill would not add or remove FTEs. The OCR is funded by assessments on railroads under 195.60. DOT only has authority to construct a small percentage of highways (and thus crossings). DOT has authority to construct highways on the state trunk system and when federal-aid is being used to fund a highway project. The vast majority of rail-highway crossings in the state would not fall in to either of these categories.

Long-Range Fiscal Implications

In addition to the above, SB-456 prohibits decisions made by DOT from being reviewed in court, unlike decisions made by the Office of the Commissioner of Railroads, which can be judicially reviewed. This provision would eliminate the need for the Department of Justice to defend the Commissioner's decisions in court and for courts to review these decisions. Such judicial review occurs about once per year.