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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Job Creation, Economic Development and Consumer Affairs (SC-JCEDCA)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Senate

Record of Committee Proceedings

Committee on Job Creation, Economic Development and Consumer Affairs

Assembly Bill 678

Relating to: annual or consecutive month permits for certain overweight vehicles or vehicle combinations, creating an overweight vehicle surcharge, requiring certain motor carriers to maintain weight records, and providing a penalty.

By Representatives Friske, Sherman, Gard, Gronemus, Ainsworth, Petrowski, Mursau, Hahn, Musser, Albers, LeMahieu, M. Williams, Wood, Suder, Gunderson and Pettis; cosponsored by Senators Zien, Brown, Schultz, Kanavas, Leibham, Grothman and Jauch.

February 27, 2006 Referred to Committee on Job Creation, Economic Development and Consumer Affairs.

March 1, 2006 **PUBLIC HEARING HELD**

Present: (4) Senators Kanavas, Zien, Lassa and Decker.
Absent: (1) Senator Reynolds.

Appearances For

- Don Friske, Madison — Representative, Wisconsin State Assembly
- Bill Johnson, Hayward — Johnson Timber Corp.
- Henry Schienebeck — Timber Producers Assoc.
- Wayne Hamann — Professional Loggers Assoc.
- Pat Schillinger, De Pere — WI Paper Council
- R.J. Pirlot, Madison — Wisconsin Manufacturers & Commerce
- Dennis Kruger, Oregon — WI Troopers Assoc.

Appearances Against

- Bob Seitz, Monticello — Coalition Against Bigger Trucks
- Matt Stohr, Madison — WI Counties Assoc.

Appearances for Information Only

- None.

Registrations For

- Michael Kretz, Antigo — Kretz Lumber Co. Inc.
- Dave Kluesner, Madison — International Paper
- Tony Langenohl, Madison — Plum Creek Timber Co.
- Gene Francisco, Sun Prairie — WI Professional Loggers

Registrations Against

- Jolene Ploutz, Madison — WI Towns Assoc.

March 1, 2006

EXECUTIVE SESSION HELD

Present: (4) Senators Kanavas, Zien, Lassa and Decker.

Absent: (1) Senator Reynolds.

Moved by Senator Zien, seconded by Senator Decker that **Assembly Bill 678** be recommended for concurrence.

Ayes: (4) Senators Kanavas, Zien, Lassa and Decker.

Noes: (0) None.

Absent: (1) Senator Reynolds.

CONCURRENCE RECOMMENDED, Ayes 4, Noes 0

James Michel
Committee Clerk

ASSEMBLY BILL 678 (LRB -3402)

An Act to amend 348.01 (2) (bt), 348.22, 348.27 (9m) (a) 1. and 348.27 (9m) (b); and to create 25.40 (1) (in), 348.195, 348.215, 348.27 (9m) (a) 4., 814.75 (17m), 814.79 (6m) and 814.81 (7m) of the statutes; relating to: annual or consecutive month permits for certain overweight vehicles or vehicle combinations, creating an overweight vehicle surcharge, requiring certain motor carriers to maintain weight records, and providing a penalty.

2005

09-20. A. Introduced by Representatives **Friske, Sherman, Gard, Gronemus, Ainsworth, Petrowski, Mursau, Hahn, Musser, Albers, LeMahieu, M. Williams, Wood, Suder, Gunderson and Pettis**; cosponsored by Senators **Zien, Brown, Schultz, Kanavas, Leibham, Grothman and Jauch**.

09-20. A. Read first time and referred to committee on Transportation 467

10-06. A. Public hearing held.

10-10. A. Fiscal estimate received.

11-29. A. Assembly substitute amendment 1 offered by Representatives Friske and Sherman (**LRB s0293**) 631

12-01. A. Executive action taken.

12-01. A. Assembly amendment 1 to Assembly substitute amendment 1 offered by committee on Transportation (**LRB a1605**) 638

2006

01-18. A. Department of Transportation Vehicle report received pursuant to s. 13.096, Wisconsin Statutes.

01-25. A. Fiscal estimate received.

01-26. A. Executive action taken.

01-26. A. Assembly amendment 2 to Assembly substitute amendment 1 offered by committee on Transportation (**LRB a2168**) 751

01-26. A. Report Assembly Amendment 1 to Assembly Substitute Amendment 1 adoption recommended by committee on Transportation, Ayes 15, Noes 0 755

01-26. A. Report Assembly Amendment 2 to Assembly Substitute Amendment 1 adoption recommended by committee on Transportation, Ayes 15, Noes 0 755

01-26. A. Report Assembly Substitute Amendment 1 adoption recommended by committee on Transportation, Ayes 15, Noes 0 755

01-26. A. Report passage as amended recommended by committee on Transportation, Ayes 15, Noes 0 755

01-26. A. Referred to committee on Rules 755

01-26. A. Placed on calendar 1-31-2006 by committee on Rules.

01-31. A. Read a second time 772

01-31. A. Assembly amendment 1 to Assembly substitute amendment 1 **adopted** 772

01-31. A. Assembly amendment 2 to Assembly substitute amendment 1 **adopted** 772

01-31. A. Assembly amendment 3 to Assembly substitute amendment 1 offered by Representative Gottlieb (**LRB a2212**) 772

01-31. A. Assembly amendment 3 to Assembly substitute amendment 1 **adopted** 772

01-31. A. Assembly substitute amendment 1 **adopted** 772

01-31. A. Ordered to a third reading 772

01-31. A. Rules suspended 772

01-31. A. Read a third time and **passed**, Ayes 71, Noes 25 772

01-31. A. Ordered immediately messaged 772

02-01. S. Received from Assembly 573

02-01. S. Read first time and referred to committee on Natural Resources and Transportation 573

02-07. S. Withdrawn from committee on Natural Resources and Transportation and rereferred to committee on Judiciary, Corrections and Privacy, pursuant to Senate Rule 46 (2)(c) 586

02-14. S. Public hearing held.

02-27. S. Withdrawn from committee on Judiciary, Corrections and Privacy and rereferred to committee on Job Creation, Economic Development and Consumer Affairs, pursuant to Senate Rule 46 (2)(c) 634

03-01. S. Public hearing held.

03-01. S. Executive action taken.

03-04. S. Report concurrence recommended by committee on Job Creation, Economic Development and Consumer Affairs, Ayes 4, Noes 0 684

03-04. S. Available for scheduling.

03-06. S. Placed on calendar 3-7-2006 by committee on Senate Organization.

03-07. S. Read a second time 706

03-07. S. Ordered to a third reading 706

03-07. S. Rules suspended 706

03-07. S. Read a third time and **concurred in**, Ayes 23, Noes 10 706

03-07. S. Ordered immediately messaged 707

03-07. A. Received from Senate concurred in 910

03-14.	A.	LRB correction (Assembly amendment 1 to Assembly substitute amendment 1)	973
03-14.	A.	Report correctly enrolled	973
03-21.	A.	Presented to the Governor on 3-20-2006	987
03-21.	A.	Report approved by the Governor on 3-21-2006. 2005 Wisconsin Act 167	988
03-23.	A.	Published 4-4-2006	991

Vote Record
Committee on Job Creation, Economic Development and Consumer Affairs

Date: 3/1/2006

Moved by: Zien

Seconded by: Decker

AB 678 SB ~~_____~~ Clearinghouse Rule _____
 AJR _____ SJR _____ Appointment _____
 AR _____ SR _____ Other _____

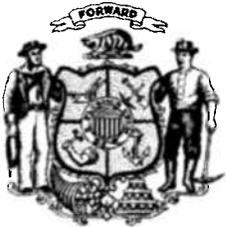
A/S Amdt _____
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- Be recommended for:
- Passage Adoption Confirmation Concurrence Indefinite Postponement
 - Introduction Rejection Tabling Nonconcurrence

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Senator Ted Kanavas, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator David Zien	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Thomas Reynolds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Julie Lassa	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Russell Decker	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	_____	_____	_____	_____



WISCONSIN STATE LEGISLATURE



Remarks for Senate Committee on Job Creation, Economic Development and Consumer Affairs
Regarding AB 678 – Forest Product Trucking Weights
State Representative Donald Friske
March 1, 2006

Thank you Chairman Kanavas and Committee members for holding this hearing today and scheduling this legislation for consideration.

As amended, AB 678 will allow heavy haulers who install an additional axle to haul 98,000 lbs with a single permit. Installing an additional axle will disperse the additional weight and reduce the damage occurring on Wisconsin's state and local highways.

There are three very important factors necessitating passage of AB 678:

- First and foremost is the fact current law actually encourages the violation of heavy load permits.
- Second, as the price of fuel increases, individual truck maintenance funds are used for gasoline and backfilled with funds from the log hauler's paycheck.
- Finally, given the increasing cost and decreasing availability of rail cars to transport forest products from the woods to the mills and on to market, more and more trucks are traveling the roads, causing an increasing amount of degradation to occur.

AB 678 will discourage overweight violations of the law. Under current law, dishonest haulers consider the risk of being pulled over and resulting negotiated penalties as the cost of doing business. Violators haul heavy, damage roads, make more money and use those funds to outbid law abiding haulers on jobs with deeper pockets. AB 678 dramatically increases the penalties for violating the weight provisions.

I originally drafted the bill to have a non-negotiable penalty surcharge set at \$250 for first-time violators, \$500 for second offenses and \$750 for subsequent violations. A three-year stretch without a violation will allow a hauler to graduate back to the \$250 surcharge. Seeing the failure of the surcharges to account for degrees of violation seriousness, I looked to current law to develop the sliding scale for the penalty section in the amended version of the bill, which overwhelmingly passed the Assembly.

Further, log buyers who own scale shacks will be required to retain weight scale records from the past 30 days, allowing law enforcement to identify bad actors hauling in violation of the law and to be used in court to establish a pattern of behavior. Haulers who consistently haul overweight will not have their fines negotiated down by a DA. Failure to produce scale slips to a DA will result in a \$1,000 fine.

AB 678 will save roughly \$50 – \$75 per trip for log haulers. Averaging 11 trips per week, this will save log haulers roughly \$43,000 per year. These important cost savings will help keep log haulers in business and positives contributors for Wisconsin's forest product industry.

In addition, the state will benefit from the added \$43,000 to the tax base. A 98,000 lb permit would add anywhere between an additional \$1,300 and \$3,400 in either individual or corporate income tax paid per hauler.

Considering the reduced availability of rail cars, AB 678 will ensure the three trucks per road used to make up for the rail access loss will incur less damage due to the reduction in pounds per square inch on the roads. This will provide loggers, mills and secondary manufacturers a reasonable alternative to ship and receive their forest products.

In a wide variety of areas, such as the energy and utility market, multiple options provide flexibility to compete financially without being held hostage to a single provider. This holds true in business transportation, as well. Increased profitability and reduced road damage from trucking will force efficiencies in trucking, rail and lake shipping within Wisconsin.

AB 678 provides the current frozen road declaration system should be sunset to cease existing 5 years after the enactment. The average life of a log truck is about 4 years. Such a provision would allow haulers who have already invested in equipment to continue using their equipment, bought under current law conditions, to avoid being forced by the State of Wisconsin to incur the cost of retrofitting equipment that will be scheduled to be retired within a short time.

DOT has contacted Representative Friske, asking for changes to the bill. First, they believe a definition of "intermediary lumber" should be placed in statute. Representative Friske believes the term "intermediary lumber" is an industry defined term in and of itself needing no statutory definition. Representative Sherman may be able to shed some light on this subject.

Finally, county highway commissioners will testify today they wish to see tougher penalties. They would like to see three areas addressed, permit revocation, fines made applicable back to 80,000 lbs rather than the permit weight (98,000 lbs), and surcharges that adequately deter log haulers from violating the 98,000 lb permitted weight.

I do not believe the State is in a position to allow revocation of permits based on overweight violations. Under current law, a permit may only be revoked for violating a condition of a permit, of any kind. As ironic as it may sound, being at or below the allowable permit weight is not a condition of the permit. If the legislature were to pursue adding being overweight to the list of permit conditions (attached), it would be applied to every area of trucking in the State of Wisconsin, including agriculture, waste haulers and motor carriers. AB 678 was designed to apply only to raw forest product haulers. Such an expansion would effectively end this opportunity for log haulers to lead by example how to increase weights and enforcement while reducing damage to our roads.

As for changing the current law formula to apply back to 80,000 lbs rather than the permit weight (98,000 lbs), this too, would affect every area of trucking and hauling in Wisconsin. To set the formula back to 80,000 would be to impact too many other groups who have, to this point, been unconcerned about this legislation because it is tailored to apply only to raw forest product haulers.

Finally, as for the DOT highway impact report, I find the conclusions in the report flawed. The report relied on information from other studies conducted by the Coalition Against Bigger Trucks, the parent group of the Wisconsin Safe Highways Initiative, which is funded by rail groups like Canadian National who stand to lose business to a competitive trucking alternative for Wisconsin businesses and shippers.

The study claims minor improvements in the condition of Wisconsin's highways and severe damage to Wisconsin's bridges. The fact is that DOT leadership was much more enthusiastic about the potential road benefits. Secondly, after speaking with DOT's engineers, we know there is no difference between a frozen bridge and a thawed bridge. Today, trucks are carrying 98,000 pounds on Wisconsin's bridges ... on five axles. Add an axle and there is neither more nor less stress on a bridge.

20% of Wisconsin's bridges are structurally deficient or functionally obsolete. The DOT study is an indictment on the current status of Wisconsin's bridges. It is flawed in its assumptions and amounts to no more than a low level bureaucrat thumbing his nose at DOT and legislative leaders who were more than willing to discuss implementing 120,000 lb weight limit with two additional axles.

Thank you for the opportunity to testify before you today. I will be happy to answer any questions the Committee may have regarding AB 678.



WISCONSIN STATE LEGISLATURE





March 1, 2006

Mr. Chairman, members of the committee, thank you for holding this hearing today on a very important issue for the forest products industry. As I'm sure you are all aware the forest products industry is the second largest industry in the State of Wisconsin with annual shipments valued at \$28 billion dollars. In 42 of Wisconsin's 72 counties, the forest products industry ranks 1st, 2nd, or 3rd as the largest employer with an average wage of \$38,000 annually.

In Wisconsin, over 90% of the harvested timber is used by Wisconsin manufacturers which has helped make Wisconsin the number one paper making state in the nation for the past 50 years. This claim to fame is under attack however. With access to harvestable timber on the decline stumpage rates have climbed to record levels. Fuel prices continue to soar adding burden to production and maintenance costs, as well as transportation costs.

A.B. 678 is a bill that can help ease the pressure of record wood cost here in our State. By allowing the forest products industry the ability to transport raw forest products year round at 98,000 pounds you will begin to ease the burden that 157,000 employees in this State are presently feeling.

Foreign ownerships of many of the mills in Wisconsin are no longer looking at regional prices for product. They are looking at global prices. Currently, Wisconsin is not being judged against Minnesota or Michigan, but against Chile, China, Finland, and Brazil. The wood prices in these foreign countries are many times less than here in the Lake States. For this reason these foreign ownerships are not re-investing in Wisconsin.

We, as a State, must continue to work together to build efficiencies that will once again make the State of Wisconsin a location for investment in the forest products industry.

Current law allows raw forest products to be hauled with 5 axels at 98,000 pounds during frozen road conditions, 90,000 pounds during the summer and fall, and 80,000 pounds during spring-break up. A.B. 678 would allow product to be hauled with 6 axels at a weight not to exceed 98,000 year round. By hauling 98,000 pounds year round with 6 axels independent truckers as well as trucking firms who haul forest products will be able to reduce costs.

Not only will independent truckers and trucking firms benefit, the public will as well. By putting a sixth axel under these trucks the Equivalent Single Axel Load (ESAL) will decrease. Currently a tractor/trailer at 90,000 has an ESAL factor of 3.76. Under A.B. 678 a tractor/trailer at 98,000 would have an ESAL factor of 2.85. The same results occur for a truck and pup. Currently a truck and pup at 90,000 pounds has an ESAL factor of 4.38. Under A.B. 678

COMPLETE
PULPWOOD
CHIPPING
FACILITIES IN
HAYWARD,
ASHLAND,
HIXTON,
WISCONSIN

a truck and pup would have an ESAL factor of 3.11. By lessening the ESAL factor these trucks will not only be making less trips for the same amount of product, they will also be doing less damage to our roads due to the extra axel, and they will be decreasing breaking distance due to the extra rubber on the road due to the extra axel, thereby making each truck a little safer.

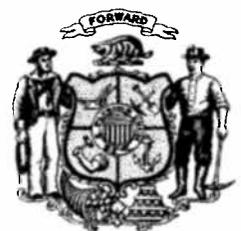
Mr. Chairman, committee members, you have the opportunity to help Wisconsin's forest products industry remain competitive in today's global market. A.B. 678 is one, and hopefully not last, piece of legislation that can have an immediate impact on this great industry. I ask for your support of A.B. 678 as a member of the forest products industry. An industry my family has been actively participating and working in since 1973 and hopefully long into the future. I also ask for your support of A.B. 678 as a taxpayer of our state. With the added sixth axel A.B. 678 will relieve stress put on our roads. And finally; as a father and husband I ask for your support. By support A.B. 678 you will be protecting all Wisconsin travelers a little more by decreasing the number of trucks on the road; therefore, making Wisconsin roads a little safer.

Thank you

Bill Johnson
Johnson Timber Corp.
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WISCONSIN STATE LEGISLATURE





MEMORANDUM

TO: Honorable Members of the Senate Committee on Job Creation, Economic Development and Consumer Affairs

FROM: Matthew J. Stohr, WCA Legislative Associate
Daniel J. Fedderly, P.E., R.L.S., WCHA Administrative Coordinator

DATE: March 1, 2006

SUBJECT: 2005 Assembly Bill 678

The Wisconsin Counties Association (WCA) and the Wisconsin County Highway Association (WCHA) are strongly opposed to Assembly Substitute Amendment to 2005 Assembly Bill 678 (AB 678).

Pursuant to state statute 13.096 (3), the Wisconsin Department of Transportation (DOT) was required to prepare a report to determine the impact of AB 678 on Wisconsin roads and bridges. DOT determined that "the bill would impact life expectancy of the highway system and have significant cost implications related to the preservation of the highway infrastructure". In particular, DOT highlighted a separate report which concluded that "nearly 1400 state highway bridges are unable to accommodate truck weights that would be allowed as a result of this bill". Further, the report states "in a worst-case scenario for those state highway bridges between 30 feet and 300 feet in length, replacing bridges that are inadequate to accommodate the heavier loads would cost approximately \$1.75 billion".

WCA and WCHA have indicated from the beginning of the bill drafting process that AB 678 lacks meaningful enforcement measures. WCA and WCHA have worked in partnership with logging organizations to present a reasonable penalty structure to the author of the legislation; however, the reasonable penalty structure is not part of the current draft of the bill. Strict penalties serve as a disincentive for bad actors (overweight loads) to violate the conditions of the permit. Since AB 678 does not contain strict penalties, AB 678 makes it more profitable for bad actors to violate the permit and risk a penalty as compared to actually being in compliance of the permit.

Page 2
AB 678
March 1, 2006

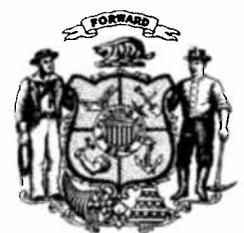
With or without strict penalties, the majority of local roads in Wisconsin are not capable of handling weight in excess of 80,000 lbs. If AB 678 becomes law, towns, cities, villages and counties may be left with no choice but to post weight limits on their respective roads. The posting of weight limits on local roads may be the only tool local governments will have to preserve local roads from severe damage. This practical outcome could be devastating to the forestry industry and local economies, but essential to protect public safety and property taxpayers.

WCA and WCHA respectfully request that you oppose AB 678. Thank you for considering our comments.

Please feel free to contact us at 608.663.7188 if you have any questions.



WISCONSIN STATE LEGISLATURE



**Testimony Before the
Senate Committee on Job Creation, Economic Development and
Consumer Affairs
March 1, 2006**

In Regards to AB678

Good afternoon Mr. Chairman and committee members. My name is Gene Francisco; I am the Executive Director of the Wisconsin Professional Loggers Association and the Timber Producers Association. I am here to express our support for the provisions outlined in AB 678.

WPLA and TPA represent over 800 members who own logging and sawmilling businesses throughout the state, some of which are third generation family businesses. Wisconsin's Forest Industry, our second largest industry, is extremely important to our economy.

- A 28 billion dollar industry and 8% of the states total industrial output.
- A direct employer of 96,000 manufacturing jobs, the largest component of Wisconsin's manufacturing workforce.
- The nation's second largest investor in forest industry capital equipment, \$811 million annually, 20% of all Wisconsin manufacturing.
- An employer of high paying, high skilled jobs, paying an average \$38,000 annual salary, which is \$8,000 more than the state average.
- An industry that has been the backbone of Wisconsin's economy.

Wisconsin's forest industry is in trouble.

- Approximately 5000 jobs have been lost in the pulp and paper making industries since 2000.
- Between 1997 and 2000 the number of logging contractors has decreased by over 20%.
- 15 medium to large sawmills have closed in the last 5 years.
- Not long ago Jefferson County lost 550 jobs in the printing industry which is closely tied to our paper industry.
- Last year Georgia Pacific shut down 3 tissue machines costing 850 jobs in Green Bay and a pulp mill in Wausau closed costing another 60 jobs.
- Smart Papers closed it's pulping operation in Park falls last week and this week Gladfelter announced closing its paper mill in Appleton costing 200 jobs.

Most if not all of these mill closures and job losses are related to the cost of doing business in Wisconsin. We must stop the hemorrhaging of jobs that is occurring in our forest products industry. AB 678 is a small step in that direction

On March 23, 2005 over 100 logging trucks converged on the capitol with over 150 loggers and forest industry representatives to express our concern about these job losses and request help from the legislature to turn this trend around.

We thank the sponsors of this forest products trucking legislation for listening and taking action to help resolve our trucking concerns, a situation that has only worsened since our rally.

The Canadian National Railroad continues to close down small sidings that were primarily used for log and pulpwood transportation virtually eliminating rail transportation as an option for loggers. In addition fuel prices have escalated to a level that is driving more truckers and loggers out of business.

Currently log trucks are allowed to carry 98,000 # of raw forest products during frozen road conditions (about 4 months per year) with 5 axles and 90,000# the remainder of the year. AB 678 if enacted will allow log trucks to carry 98,000 year around if they add another axle under their load effectively spreading the haul weight over more axles and reducing road wear.

Critics of this legislation claim it will:

- Would cost approximately \$1.75 billion in bridge replacement costs. *This assumption was drawn from a report bought and paid for by "The Coalition Against Bigger Trucks" a nationally based lobby group funded primarily by railroad companies. We find it appalling and self serving that the Department of Transportation would base their analysis of this bill on a biased report funded by the bills opponent. The facts are that log trucks have been hauling 98,000# over Wisconsin's bridges for over 30 years and this is the first we have heard of this concern. DOT cannot blame our aging highway infrastructure on logging trucks. Further, the implication of the Departments report is that there is no cost to log truckers. On the contrary, just to add another axle will cost small trucking businesses in excess of \$10 million. In addition, the forest products industry contributes significantly to the transportation fund through fuel tax, vehicle registration and permits.*
- Create "More Dangerous Trucks". *Log trucks are already hauling 98,000# during the winter when the most hazardous driving conditions occur. Adding another axle also adds another set of brakes increasing braking power by 17%. Common sense suggests that this additional braking power would improve control and reduce the risk of accidents as compared to current law. Further adding an additional 8,000# during the rest of the year will reduce the number of trips by about 16% thereby reducing the volume of trucks on the road. There are no studies to substantiate that carrying 8000 more pounds will cause additional truck accidents. Michigan trucks are allowed to haul 164,000# and to our knowledge have not experienced any increase in log truck accidents.*
- Cause "Higher County and Local property Taxes". *There is no evidence to substantiate this claim. The reality is that we are at risk of losing our forest products industry if we cannot improve the business climate. Wisconsin Counties earn over \$23 million/year on revenues from the sale of raw forest product from county owned lands. In addition, the loss of the forest products industry would cost billions of dollars in taxes and wages to local economies.*

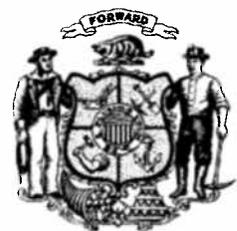
AB678 is a win-win for the forest industry, the roads and the public by reducing the wear on our roads, saving fuel and making our highways safer.

Wisconsin Professional Loggers and Timber Producers care about our environment, roads and economy. Therefore we request your assistance in saving our jobs and protecting our roads by approving this important legislation.

Thank you for the opportunity to present our position on AB 678. I would be happy to answer questions at this time.



WISCONSIN STATE LEGISLATURE





March 1, 2006

**TESTIMONY OF PATRICK SCHILLINGER,
PRESIDENT OF THE WISCONSIN PAPER COUNCIL,
IN SUPPORT OF AB 678**

Members of the Senate Committee on Job Creation, Economic Development and Consumer Affairs:

My name is Pat Schillinger and I am President of the Wisconsin Paper Council. The Wisconsin Paper Council is the trade association of the pulp and paper industry in this state. Our industry employs over 38,000 people in Wisconsin who earn the highest manufacturing wages at nearly \$50,000 annually. We have also been the number one papermaking state in the nation for over 50 years.

Unfortunately, our industry is under tremendous economic and competitive pressures. Just last week, SMART Papers in Park Falls announced the closing of their pulp mill and Glatfelter in Neenah announced the closing of their Neenah mill. About 230 people, in the highest paying manufacturing industry in Wisconsin, are now out of work. In the last five years, Wisconsin has lost 15,000 jobs in the pulp and paper industry.

Both of the mills that closed last week cited the high cost of transportation as a factor in the decision to shut down those mills. Wisconsin is not a designation location and, therefore, shipping costs are high here. Compounding this situation are the recent developments in rail costs which used to be economically feasible.

The cost of rail transportation in Wisconsin has skyrocketed while the level and days of service have been drastically curtailed. Shipping by rail is now very costly and unpredictable. We need higher truck weight limits in order to compete with the high costs of rail transportation.

Sadly, much of the opposition to AB 678 is coming from groups underwritten by the railroad industry. In essence, they want to have their cake and eat it too. They want to raise costs and reduce service but they don't want to allow the trucking industry any opportunity to try and take up the slack.

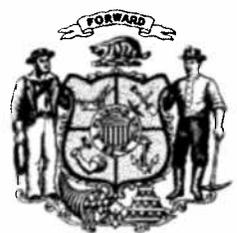
AB 678 is, ultimately, an economic development bill. We are asking you to help level the transportation playing field. Jobs are at stake.

Wisconsin has a long history of being the leader of the forest and products industry in this country. You can assist us in helping maintain that lead. We respectfully request you to support AB 678.

Thank you for your time and consideration.



WISCONSIN STATE LEGISLATURE





Wisconsin Troopers' Association

Casey Perry – Executive Director

Glen Jones – President

2099 Ironwood Drive, Green Bay, Wisconsin 54304-1972
Phone: (Toll Free: 1-800-232-1392) Fax: (Toll Free: 1-800-232-1392)
<http://www.wi-troopers.org/>

**Testimony in opposition to AB 678
Before the Senate Committee on Job Creation, Economic Development and
Consumer Affairs**

**March 1, 2006
330 Southwest, State Capitol**

**Denny Kruger, Legislative Liaison
Wisconsin Troopers Association**

Good afternoon Chairman Kanavas and members. Thank you for the opportunity to testify on behalf of the Wisconsin Troopers Association (WTA) in opposition to AB 678. My name is Denny Kruger and I am in the process of retiring from the State Patrol after more than 31 years of patrolling as a Trooper.

Although the WTA did not take a position on AB 678 until the Department of Transportation (DOT) report was released, we expressed initial concerns in October. For this reason, the WTA met with Rep. Friske to discuss our apprehension to the bill relating specifically to potential infrastructure damage and the effect on highway safety. **Upon careful evaluation of the DOT report, the WTA concluded that we must oppose this legislation.**

Our primary concern is the report's substantial cost implications. The anticipated damage to highway infrastructure and the *extremely* high cost estimate for bridge repair and replacement would be far too great.

The DOT report states, **"In a worst-case scenario... replacing bridges that are inadequate to accommodate the heavier loads would cost approximately \$1.75 billion dollars.... The similar, worst-case estimate to replace [county-owned] bridges is estimated to be about \$400 million."** Even a fraction of these costs would be detrimental to the DOT budget – one fourth of the estimate is still \$500 million.

Moreover, the WTA has concerns with the report's conclusion that the situation with illegally overloaded trucks could worsen. "Damage from noncompliant trucks," according to the report, "is expected to increase should the permitted limits increase without an effective enforcement approach such as paper enforcement."

The report goes on to find that the bill's enforcement provisions "are not expected to encourage higher levels of compliance."

The DOT study raises substantial questions that have not yet been addressed.

One of these is the risk of noncompliance with the Federal Bridge Formula.

In the report, DOT points to an area of confusion in the bill, and indicates that "as axle weights and spacings are key elements of determining impacts; using the Bridge Formula, a 98,000 pound load would require eight axles spread over 56 feet or nine axles over 46 feet; a six axle vehicle, using the Bridge Formula Table, would be limited to no more than 90,000 pounds." Yet the bill allows 98,000 pound trucks on six axles. ***It is not clear whether this noncompliance will cause the State of Wisconsin to lose critical federal funding for our roads.***

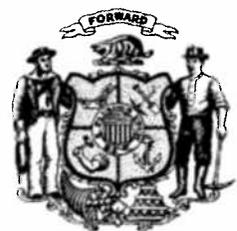
One additional item of concern is the assumption made that the gross weight increases will result in fewer truck trips. As a State Trooper, I see first hand that that increasing weight loads does not reduce the number of trips made. Why would it? It simply means that businesses will have the opportunity to increase their profit margin, and who would blame them for that?

The bill, as drafted, would be detrimental to Wisconsin's infrastructure and therefore, the DOT budget. We urge you to oppose this legislation. **Wisconsin cannot afford to pass any bill with the potential cost of nearly \$2 billion.**

Thank you for the opportunity to testify and I would be happy to answer any questions you have at this time.



WISCONSIN STATE LEGISLATURE





**Wisconsin
Manufacturers
& Commerce**

**Wisconsin Manufacturers'
Association • 1911**
**Wisconsin Council
of Safety • 1923**
**Wisconsin State Chamber
of Commerce • 1929**

James S. Haney
President

James A. Buchen
Vice President
Government Relations

James R. Morgan
Vice President
Education and Programs

Michael R. Shoys
Vice President
WMC Service Corp.

To: Chairperson Ted Kanavas
Members of the Senate Committee on Job Creation, Economic
Development and Consumer Affairs
From: R.J. Pirlot, Director of Legislative Relations
Date: March 1, 2006
Subject: **Support AB 678**, relating to 98,000 pound trucks hauling forest
products.

Assembly Bill 678 will allow trucks hauling raw forest products such as log, pulpwood and, under this bill, intermediary lumber, to weigh up to 98,000 pounds, provided they receive an appropriate permit from the Wisconsin Department of Transportation, are properly equipped, and retain certain weight records. **We respectfully request you support AB 678.**

Allowing these heavier trucks will give Wisconsin companies the ability to more greatly and more cost-effectively utilize truck shipping services in order to get raw materials into our factories. This will help businesses keep costs down and, most importantly, help retain the good-paying jobs we have created in Wisconsin.

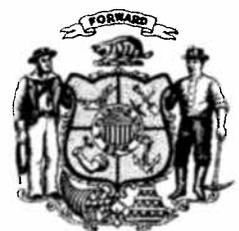
As a heavy manufacturing industry state, Wisconsin faces many challenges including several with respect to transportation services and, ultimately, our state's long-term economic health. Strong, robust multimodal transportation service networks help keep Wisconsin stores open, factories running, and payrolls being made. For Wisconsin manufacturers, a key issue is access to certain and reliable shipping and receiving services, while meeting such needs in the most efficient and cost-effective manner possible. Wisconsin is at a geographical disadvantage when it comes to transportation, so maintaining a variety of low-cost transportation systems is vital to our state's economic well-being. AB 678 will do just that.

While many factors contribute to a good business climate — such as low taxes, a predictable and consistent regulatory climate, reasonable health care costs — access to reliable, reasonably-priced transportation services is an absolute necessity for our jobs, our economy and our families.

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P.O. Box 352
Madison, WI 53701-0352
Phone: (608) 258-3400
Fax: (608) 258-3413
www.wmc.org



WISCONSIN STATE LEGISLATURE



Plum Creek Timber Co.
1411 N 4th Street
Tomahawk, WI 54487
(715) 453-6992



TO: Chairman Ted Kanavas
Members of the Senate Job Creation Committee

FROM: Lynn Wilson
Senior Resource Manager- Wisconsin

DATE: March 1, 2006

SUBJECT: Assembly Bill 678- Relating to Weight Limit for Certain Vehicles

On behalf of the nearly 130 independent contractors who harvest and transport our trees and the 60 mills that process them, Plum Creek Timber Company strongly supports Assembly Bill 678 - legislation that would increase statutory weight limits for vehicles transporting raw forest products.

As Wisconsin's largest private landowners with nearly 500,000 acres, Plum Creek contracts with local loggers and mills to harvest and process wood from our land. By increasing the weight limits for trucks transporting our logs, this legislation would allow our partners to decrease the number of trips from the woods to the mill, saving time, energy and reducing accident exposure for loggers, truckers and mill workers.

AB 678 would allow log truck loads to increase on town, county and state highways from 90,000 pounds to 98,000 pounds by adding an additional axle. Loggers estimate this change could decrease the number of trips from harvest sites to mills by one third. Such a dramatic drop in the number of trips necessary to bring the raw product to market will substantially reduce time, fuel and accident costs. And while the extra weight of logging trucks may create concerns regarding pavement stress, the additional axle would allow weight distribution on these larger load to be less than that of a school bus or feed truck.

By substantially reducing the cost of raw forest products, AB 678 will help the Wisconsin timber industry better compete with companies in the Lakes States region. Michigan for example, currently enjoys a significant transportation cost advantage over Wisconsin by allowing 164,000 pound log loads.

We believe AB 678 balances the needs of the timber industry with the concerns of the transportation industry and the general public. We encourage you to support AB 678.

Contact information:

Lynn Wilson

Senior Resource Manager - Wisconsin

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Tomahawk, WI 54487

Lynn.Wilson@plumcreek.com

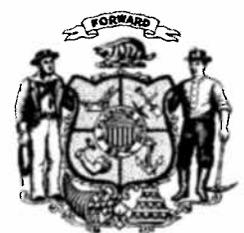
(715) 453-6992 ext 114 Office

(715) 966-1112 Cell

(715)453-8162 Fax



WISCONSIN STATE LEGISLATURE



Wayne Hamann

Date ?
Bill #
AB678
??

1. Here Representing Logging & Trucking Industry.
2. Logging 40 years, Trucking 34 years.
3. Member of Wisconsin Professional Loggers. Timber producers Assn., Forest Resource Assn. and Mid West Regional Delegate for American Loggers Council.
4. Been working on this bill for over 5 years, While Vice President and President of Wisconsin Professional Loggers Assn.

I would like to clear up some statements that were miss quoted in some articles.

- A. Maneuvering: The 6 axle has shorter turning radius than 5 axles, because of Placement of the axles.
- B. I've been driving truck for 43 years and with today's engines, transmissions, cruise control computers, it doesn't take a measurable time to get up to speed and stay there with 98,000 pounds as we are doing it as we speak with our Frozen Road Declaration.
- C. Bridges: We are presently doing 98,000 on our bridges for thirty plus years. Two lane bridge posted at 50 ton at each end actually can hold 100 ton if two trucks were on the bridge at the same time. Plus we are only hauling our loads out not coming back. So the majority of the time we don't have this heavy load on both sides of the bridge.

D. I did some work with the Michelin Tire Engineers in Minneapolis to come up with pounds per square inch on our roadways today.

Log truck	18 tires	5 axles	80,000 = 58.3 P.S.I.
Log truck	18 tires	5 axles	90,000 = 65.61 P.S.I.
Log truck	22 tires	6 axles	98,000 = 58.5 P.S.I.
School Bus	6 tires	2 axles	38,100 = 90.58 P.S.I.
Big School Bus	6 tires	2 axles	43,100 = 102.47 P.S.I.
¾ Ton Pickup	4 tires	2 axles	12,168 = 65.58 P.S.I.

E. Stopping Capabilities:

5 axles	80,000	has	635 pounds per 1 inch of shoe width.
5 axles	90,000	has	714 pounds per 1 inch of shoe width.
6 axles	98,000	has	636 pounds per 1 inch of shoe width.

This leaves us with 10.92 % more stopping capabilities with 98,000, 6 axles than our present 90,000, 5axles' configurations we are using today.

This is the end of my testimony. I feel we worked hard to make this a win=win for everyone involved. We will be saving fuel, putting safer and less trucks on the road and help us to complete with our global markets we have today.

Thank you.