

2007 DRAFTING REQUEST

Bill

Received: 11/20/2006

Received By: **bbalinsk**

Wanted: **As time permits**

Identical to LRB:

For: **Steve Wieckert (608) 266-3070**

By/Representing: **Scott Becher**

This file may be shown to any legislator: **NO**

Drafter: **bbalinsk**

May Contact:

Addl. Drafters:

Subject: **Transportation - miscellaneous**

Extra Copies: **ARG**

Submit via email: **YES**

Requester's email: **Rep.Wieckert@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

DOT review of site planning for school construction

Instructions:

Redraft 2005 AB 292, incorporating AA1, AA2 and AA3

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>
/P1	bbalinsk 12/20/2006	wjackson 01/08/2007		_____			
/1	bbalinsk 02/26/2007	wjackson 02/26/2007	jfrantze 01/09/2007	_____	cduerst 01/09/2007		State
/2			nmatzke 02/26/2007	_____	mbarman 02/26/2007	cduerst 09/21/2007	State

FE Sent For: 01/11/2007, 02/28/2007.

(1/1") (1/2")
↪ ↗

<END>

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/2			nmatzke 02/26/2007	_____	mbarman 02/26/2007		State

FE Sent For: 01/11/2007.

→ ("1") ← old version

<END>

→ ("1/2")
02-28-2007 ← Per Scott

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/P1	bbalinsk 12/20/2006	wjackson 01/08/2007		_____			
/1			jfrantze 01/09/2007	_____	cduerst 01/09/2007		State

FE Sent For: *01-11-2007*

"1/1" per Scott Becher

*nwn nwn/rs
2/26 2/26*

<END>

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May Contact:

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Extra Copies: **ARG**

Submit via email: **YES**

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Pre Topic:

No specific pre topic given

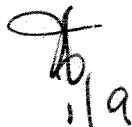
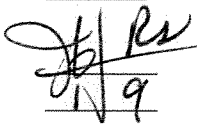
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/P1	bbalinsk	1 wj 1/8	 1/9	 1/9			

FE Sent For:

<END>

Balinsky, Brett

From: Becher, Scott
Sent: Monday, November 20, 2006 3:16 PM
To: Gary, Aaron; Balinsky, Brett
Subject: RE: Redraft of 2005 AB-292

Brett-

Please include all the amendments in the redraft of Assembly Bill 292..

Scott

From: Gary, Aaron
Sent: Monday, November 20, 2006 3:11 PM
To: Becher, Scott
Cc: Balinsky, Brett
Subject: Redraft of 2005 AB-292

Hi Scott,

I got your phone message. Brett Balinsky, the other transportation drafter, will be handling this request. Last session, AA1, AA2, and AA3 were recommended for adoption by committee. Did you want any or all of those amendments included in the redraft of AB-292 for the upcoming session? Thanks. Aaron

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

**ASSEMBLY AMENDMENT 1,
TO 2005 ASSEMBLY BILL 292**

May 19, 2005 – Offered by Representative WIECKERT.

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

2 **1.** Page 2, line 10: after “s. 340.01 (22)” insert “, pedestrian facilities, bicycling
3 facilities, and public transportation facilities. In this subsection, “pedestrian
4 facility” means any physical infrastructure that allows for or promotes walking and
5 other forms of pedestrian movement as a form of travel, and “bicycling facility”
6 means any road, path, or way that is in some manner specifically designated for the
7 use of bicycles, either exclusively, or shared with other vehicles.”.

8 **2.** Page 3, line 3: after “facilities on” insert “pedestrian, bicycle, or”.

9 **3.** Page 3, line 10: after “children” insert “, pedestrians, bicyclists,”.

10

(END)

**ASSEMBLY AMENDMENT 2,
TO 2005 ASSEMBLY BILL 292**

May 19, 2005 – Offered by Representative WIECKERT.

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

2 **1.** Page 2, line 3: on lines 3, 6, 8 and 13, after “school board” insert “or the
3 governing body of a private or charter school”.

4 **2.** Page 3, line 4 : after “school board” insert “or governing body of a private or
5 charter school”.

6 **3.** Page 3, line 8 : after “school board” insert “, or any governing body of a
7 private or charter school,”.

8 **4.** Page 3, line 14: after “school board” insert “, or governing body of a private
9 or charter school,”.

10 **5.** Page 3, line 17 : after “school board” insert “or a governing body of a private
11 or charter school”.

12 (END)

**ASSEMBLY AMENDMENT 3,
TO 2005 ASSEMBLY BILL 292**

June 1, 2005 – Offered by Representative WIECKERT.

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

2 **1.** Page 3, line 6: delete “may not assess any fee” and substitute “shall assess
3 a fee, not to exceed the cost to the department.”.

4 **2.** Page 3, line 11: delete “may” and substitute “shall”.

5 (END)

EJK/Es
RAB:Wlj

IN
12/20/06

2005 ASSEMBLY BILL 292

Insert

Need by 1/12/07

April 4, 2005 - Introduced by Representatives WIECKERT, PETROWSKI, GRONEMUS, PETTIS, HAHN, ZEPNICK, MUSSER, LEHMAN, VRAKAS, HINES and MOLEPSKE, cosponsored by Senators STEPP, BRESKE, OLSEN, ROESSLER, GROTHMAN and DARLING. Referred to Committee on Transportation.

LPS: Please PWF

Regen

- 1 AN ACT ^{to create} 84.01 (33) of the statutes; **relating to:** requiring the
- 2 Department of Transportation to provide transportation planning and
- 3 assistance in reviewing the site plan of proposed school construction or
- 4 enlargement and granting rule-making authority.

Analysis by the Legislative Reference Bureau

Current law requires the Department of Transportation (DOT) to advise cities, villages, and towns (municipalities) and counties with regard to the construction and maintenance of any highway or bridge, when requested. DOT may, upon request, perform any supervision or engineering work necessary in connection with highway improvements by any municipality or county and may charge the municipality or county its costs. Current law also prohibits any person from opening a driveway onto a state trunk highway without first obtaining a permit issued by DOT and requires DOT to review the transportation plan of proposed land subdivisions.

This bill requires DOT, upon request of a school board, to review the site plan of any proposed enlargement of school grounds or proposed construction or enlargement of school buildings or facilities. A school board may request a DOT review after the site plan has been reviewed by the county traffic safety commission. In its review, DOT must determine the effect of the proposed enlargement or construction on existing and anticipated highways, and must provide guidance to the school board with regard to transportation-related matters, such as roadways, sidewalks, bicycle paths, and school bus loading and unloading areas, in a manner that adequately protects children in the school zone, ensures motor vehicle access to

or governing body of a private or charter school

ASSEMBLY BILL 292

or governing body of a private or charter school

the school, and minimizes any adverse impact of the enlargement or construction of the school on motor vehicle traffic. DOT may but is not required to, use transportation impact analysis processes in its review. The bill specifies that a school board is not required to comply with DOT's recommendations and that DOT ~~may not~~ ^{MUST} assess a fee for its services ~~not exceeding the cost to DOT~~

The bill also requires DOT to make available to any school board safety courses, educational materials, and other assistance related to ensuring the convenience and safety of children and motor vehicle traffic in school zones. DOT ^{MUST} assess a fee, not to exceed DOT's cost, for these services. Finally, the bill requires DOT to ~~annually~~ ^{annually} provide to each school board ^{annual} written notice of DOT's obligations and services under this bill.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

or the governing body of a private or charter school

SECTION 1. 84.01 (33) of the statutes is created to read:

84.01 (33) TRANSPORTATION PLANNING AND ASSISTANCE FOR NEW SCHOOLS. (a) 1

2 A school board ^(b) may request the county traffic safety commission to review the site
3 plan of any proposed enlargement of school grounds, or proposed construction or
4 enlargement of school buildings or facilities. Following the review by the county
5 traffic safety commission, the school board may request the department to review the
6 site plan. Upon receiving a request, the department shall review the site plan
7 submitted to the department by the school board and shall review the effect of the
8 proposed enlargement or construction on existing and anticipated highways, as
9 defined in s. 340.01 (22) ^{and on pedestrian facilities, bicycling facilities and public transportation facilities}. The department is not required to use transportation
10 impact analysis processes in its review of a site plan, but may apply the principles
11 of transportation impact analysis in its review of the site plan.

12 (c) ^{3.2} The department shall provide guidance to the school board on the laying out
13 of sidewalks, bicycle paths and racks, roadways for vehicular traffic, school bus
14 loading and unloading areas, and access to highways, in a manner that adequately
15

Insert 2-3

ASSEMBLY BILL 292

or governing body of a private or charter school

1 protects children in the school zone; ^{that} ensures motor vehicle, pedestrian, and
2 bicycle access to the school grounds, buildings, or facilities; ^{and that} minimizes any
3 adverse impact of the school grounds, buildings, or facilities on ^{pedestrian, bicyclist, or} motor vehicle traffic.

4 No school board ^{is} required to comply with the department's recommendations and
5 the department is not responsible for any costs associated with implementation of
6 any of its recommendations. ~~The department may not assess any fee for services~~ ^{shall assess a fee not to exceed the cost to the department}
7 provided under this paragraph.

8 (d) ~~(b)~~ Upon request, the department shall make available to any school board
9 safety courses, educational materials, and other assistance not described in par. ^{(b) or (c) or any governing body of a private or charter school}
10 related to ensuring the convenience and safety of children ^{pedestrians, bicyclists} and motor vehicle traffic
11 in school zones. The department ^{shall} ~~may~~ assess a fee, not to exceed the cost to the
12 department, for services provided under this paragraph.

13 (e) ~~(d)~~ Annually, after May 1 and before September 1, the department shall provide
14 to each school board ^a written notice of the department's obligations and available
15 services under pars. ^b (a) and ^c (b).

SECTION 2. Initial applicability.

17 (1) This act first applies to requests for assistance received from a school board ^{or a governing body of a private or charter school}
18 on the effective date of this subsection.

SECTION 3. Effective date.

19 (1) This act takes effect on January 1, 2006, ^{8 e} ~~or~~ ^{or the day}
20 after publication, ^{whichever is later}
21 (END)

2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0862/P1ins
BAB:.....

Insert 2-3

In this subsection:

Woff

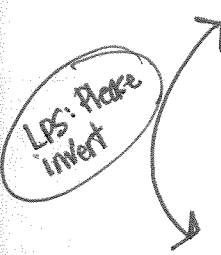
2. k

a. "Pedestrian facility" means any physical infrastructure that allows for or promotes walking and other forms of pedestrian movement as a form of travel.

1. 24

b. "Bicycling facility" means any road, path, or way that is in some manner specifically designed for the use of bicycles, either exclusively or shared with other vehicles.

LDS: Make insert



2-26-07

07-0862

Re f Scott Becken

- Every year DOT will
send out notice of option
to review to school boards

(c) → change from "shall" to
"if requested, ^{DOT} shall"



Balinsky, Brett

From: Becher, Scott
Sent: Friday, February 23, 2007 11:21 AM
To: Balinsky, Brett
Subject: FW: LRB-0862/1(School Planning Bill)

Brett-

Could you make these changes..

Scott Becher
Rep. Wieckert

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

From: Moss, Richard - DOT
Sent: Thursday, February 22, 2007 11:02 AM
To: Becher, Scott
Subject: FW: LRB-0862/1(School Planning Bill)

Paul Nilsen of our Office of General Counsel had these comments.

> -----Original Message-----

> From: Nilsen, Paul
> Sent: Monday, February 05, 2007 1:20 PM
> To: Woltmann, Mark
> Subject: RE: LRB-0862/1(School Planning Bill)

>
> My response to LRB would be that 'although services are requested
> under
> (b) our response would be provided as directed under (c) and would be
> subject to a fee'. If fees are payable for services under pars a, b
> and c, create a par (dm) stating that DOT may assess fees not
> exceeding costs for services under a-c.

>
> Rick is correct that the draft is ambiguous and the it should be
> clarified so munis are not shocked when we send them a bill in
> response to request for services under b.
> You are correct that we can probably charge fee under c in response to
> request for services under b, but the munis will balk because b
> appears to be fee-free. Better to have the draft clear to avoid
> misunderstandings between school boards and DOT.

>
>
>

Balinsky, Brett

From: Becher, Scott
Sent: Friday, February 23, 2007 11:23 AM
To: Balinsky, Brett
Subject: FW: LRB-0862/1(School Planning Bill)

Brett-

Could we make these changes?

Scott Becher
Rep. Wieckert

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

From: Moss, Richard - DOT
Sent: Thursday, February 22, 2007 10:56 AM
To: Becher, Scott
Subject: FW: LRB-0862/1(School Planning Bill)

- > 2007 LRB-0862/1 has a number of problems.
- > 1. Although the LRB summary, in paragraph 2, indicates DOT can bill
> school boards/governing bodies for both review of the site plan (2 (b)
> in the
> bill) and provide guidance (2(c) in the bill) "on the laying out of
> sidewalks, bicycle paths and racks, roadways....," the actual text
> for
> 2(b) does not indicate DOT can bill the school board/governing bodies
> for the review of the site plan. I would think at the end of paragraph
> 2 (b), the bill needs "The department shall assess a fee, not to
> exceed the cost to the department, for services provided under this paragraph."
>
- > 2. In 2 (c), the bill indicates "The department shall provide
> guidance....," but does not indicate this is to be done if the school
> boards/governing bodies request this guidance. As worded, the
> department is to provide guidance whether the school board/governing
> bodies want it or not.
>
- > 3. In 2 (d), line 21, I believe the drafter wants "charter school"
> rather than "charger school."
>
- > 4. In 2 (d), the bill requires the department to charge the school
> boards/governing bodies for providing educational materials and other
> services. Transportation safety staff in State Patrol say they have
> been providing some of these services without fee and they think it is
> useful these materials be provided. The concern is, if a fee were
> assessed, some schools would not avail themselves of these useful
> materials. The department could of course charge only a nominal fee.
>
>

2/5/07

T/C f Paul Nilson

0862/1

① Issue re: DOT charging fees → No fees listed under (b) but info would be pursuant to (c) + (d)

Have reporter call Paul

② (c) → is DOT required to provide guidance even if there is no request?

Problem is there were a # of ^{amendments} incorporated

③ p. 3 line 21 → "charter" not "charges"

Thinks I should redraft from scratch.

suggestion: create separate § on fees for services under (b), (c) or (d)

Fiscal Estimate - 2007 Session

Original Updated Corrected Supplemental

LRB Number 07-0862/1	Introduction Number	
Description Requiring the Department of Transportation to provide transportation planning and assistance in reviewing the site plan of proposed school construction or enlargement and granting rule-making authority		
Fiscal Effect		
State:		
<input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs		
Local:		
<input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue 5. Types of Local Government Units Affected <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <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 checked="" type="checkbox"/> SEG <input type="checkbox"/> SEGS (3)(EQ) 365		
Affected Ch. 20 Appropriations		
Agency/Prepared By	Authorized Signature	Date
DOT/ Richard Moss (608) 267-7830	Julie Johnson (608) 267-3703	3/2/2007

Copy To
 Rep. Wiedert
 03-02-2007

Based on old
 "1" version

Draft Is
 Now A
 "2"

Fiscal Estimate Narratives
DOT 3/2/2007

LRB Number 07-0862/1	Introduction Number	Estimate Type Original
Description Requiring the Department of Transportation to provide transportation planning and assistance in reviewing the site plan of proposed school construction or enlargement and granting rule-making authority		

Assumptions Used in Arriving at Fiscal Estimate

1. Annual Notification Requirement - 84.01 (33)(e)

The bill requires, if requested, the Department of Transportation assist school boards or governing bodies of private or charter schools in the review of the transportation impacts of proposed new schools or additions and modifications to existing school buildings and facilities. The Department is also required to provide information to schools on an annual basis regarding the availability of assistance. In the original 2005 bill, based upon the precedent of usage in other statutory references, the term "school board" was assumed to apply exclusively to public schools. In other words, it was assumed that private schools are not addressed by this bill. However, amendments to the 2005 bill included private and charter schools. The 2007 bill in its original form includes school boards or governing body of private or charter schools.

The required annual notice would be developed by DOT and coordinated for delivery with routine communications with school boards by the Department of Public Instruction. There would be no additional postal costs.

2. Planning & Assistance for New Schools – 84.01 (33)

Based on historical data, it is estimated 10-15 new public schools have typically been constructed and 30-40 existing public schools undergo major improvements/additions annually and could be candidates for DOT review as a result of this legislation. This fiscal estimate assumes 25 annual reviews would be requested of WISDOT under this bill.

It is estimated for the purposes of this fiscal estimate, that a school board would request DOT assistance for all of the new schools and for half of the major reconstructions. It is assumed that review by the DOT would require an average of 4 hours of engineering time. Also assume reactive DOT review and mitigation is currently required for hazardous locations effectively created by poor school planning in the absence of this bill on the state highway network. Assume any cost impacts of DOT services required by the bill along the state highway network may be offset by the avoidance of expected reactive review costs, if such needs were addressed.

Assume 40% of the reviews requested annually of WISDOT would be off of the state highway network. These reviews (approximately 10 annually) are not currently conducted by WISDOT and would not have costs offset by the rationale in the previous paragraph. The net staff time impact of this review demand would be 40 person-hours (i.e. a person-week).

3. Transportation Engineering Guidance – 84.01 (33)

Upon request, the Department would be required to provide traffic engineering and transportation engineering guidance to school boards. Implicit in this guidance is an array of traffic engineering services related to site design, pedestrian and vehicular traffic engineering analysis, traffic safety engineering analysis, and roadway design. There are a total of 2,182 public schools in Wisconsin in 2003 (Wisconsin Department of Public Instruction web site - <http://www.dpi.state.wi.us/>) If five percent of these schools request some type of transportation engineering guidance on an annual basis, there would be over 109 such requests for service at Departmental expense.

As noted, it is again assumed any cost impacts of DOT services required along the state highway network by the bill may be offset by the avoidance of expected reactive review costs, if such needs were addressed. For the assumed 40% of reviews requested for schools not located on the state highway network (i.e. 44 reviews annually), the staff time impacts of 4 hours per review would constitute a 176 hour annual impact (i.e. 4.4 person-weeks).

A TOTAL OF 6 PERSON WEEKS (FROM ADDING THE PERSON WEEKS FROM NUMBERS ONE AND TWO ABOVE) WOULD BE REQUIRED ANNUALLY OF EXISTING WISDOT STAFF TO ACCOMMODATE THE REVIEW OF SCHOOL LOCATIONS OFF OF THE STATE HIGHWAY NETWORK.

$6 \times (40 \text{ HRS/WEEK}) \times (\$60/\text{HR INCLUDING FRINGE \& OVERHEAD}) = \$14,400$. However, 84.01 (33)2(b) does not indicate the department can bill for these services which are estimated to be one person week, or $40 \text{ HRS} \times \$60/\text{HR} = \2400 . This \$2400 would therefore not be reimbursed to the department.

The 2007 bill would allow the department to bill schools for the cost of some of these services. It is anticipated this will decrease demand for department services. However, this decrease in demand could be offset by making private and charter schools eligible for these services.

5. The department anticipates increased revenues will offset some increased costs. School boards or governing bodies of private or charter schools could apply for federal grant money to offset at least some of their costs.

Long-Range Fiscal Implications

A TOTAL OF 6 PERSON WEEKS WOULD BE REQUIRED ANNUALLY OF EXISTING WISDOT STAFF TO ACCOMMODATE THE REVIEW OF SCHOOL LOCATIONS OFF OF THE STATE HIGHWAY NETWORK.

$6 \times (40 \text{ HRS/WEEK}) \times (\$60/\text{HR INCLUDING FRINGE \& OVERHEAD}) = \$14,400$. One person-week or \$2400 of this \$14,400 would not be reimbursed to the department.

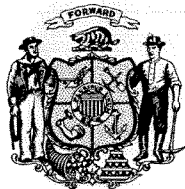
The remaining costs could be offset by increased revenues from billing schools for these services.

Fiscal Estimate Worksheet - 2007 Session

Detailed Estimate of Annual Fiscal Effect

Original
 Updated
 Corrected
 Supplemental

LRB Number 07-0862/1		Introduction Number	
Description Requiring the Department of Transportation to provide transportation planning and assistance in reviewing the site plan of proposed school construction or enlargement and granting rule-making authority			
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
	State Operations - Salaries and Fringes	\$14,400	\$
	(FTE Position Changes)		
	State Operations - Other Costs		
	Local Assistance		
	Aids to Individuals or Organizations		
	TOTAL State Costs by Category	\$14,400	\$
B. State Costs by Source of Funds			
	GPR		
	FED		
	PRO/PRS		
	SEG/SEG-S	14,400	
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)			
		Increased Rev	Decreased Rev
	GPR Taxes	\$	\$
	GPR Earned		
	FED		
	PRO/PRS		
	SEG/SEG-S	12,000	
	TOTAL State Revenues	\$12,000	\$
NET ANNUALIZED FISCAL IMPACT			
		State	Local
	NET CHANGE IN COSTS	\$14,400	\$
	NET CHANGE IN REVENUE	\$12,000	\$
Agency/Prepared By		Authorized Signature	Date
DOT/ Richard Moss (608) 267-7830		Julie Johnson (608) 267-3703	3/2/2007



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-0862/4

BAB:wlj:jf

12

RMNR

2007 BILL

IN 2/26/07
Need by 2/27/07

Regen

1 AN ACT ^{Regen} to create 84.01 (33) of the statutes; relating to: requiring the
 2 Department of Transportation ^{§ upon request} to provide transportation planning and
 3 assistance in reviewing the site plan of proposed school construction or
 4 enlargement and ~~granting rule-making authority.~~

Analysis by the Legislative Reference Bureau

Current law requires the Department of Transportation (DOT) to advise cities, villages, and towns (municipalities) and counties with regard to the construction and maintenance of any highway or bridge, when requested. DOT may, upon request, perform any supervision or engineering work necessary in connection with highway improvements by any municipality or county and may charge the municipality or county its costs. Current law also prohibits any person from opening a driveway onto a state trunk highway without first obtaining a permit issued by DOT and requires DOT to review the transportation plan of proposed land subdivisions.

This bill requires DOT, upon request of a school board or governing body of a private or charter school, to review the site plan of any proposed enlargement of school ground or proposed construction or enlargement of school buildings or facilities. A school board or governing body of a private or charter school may request a DOT review after the site plan has been reviewed by the county traffic safety commission. In its review, DOT must determine the effect of the proposed enlargement or construction on existing and anticipated highways; ~~and~~ ^{DOT} must provide guidance to the school board or governing body of a private or charter school with regard to transportation-related matters, such as roadways, sidewalks, bicycle

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paths, and school bus loading and unloading areas, in a manner that adequately protects children in the school zone, ensures motor vehicle access to the school, and minimizes any adverse impact of the enlargement or construction of the school on motor vehicle traffic. DOT may use transportation impact analysis processes in its review. The bill specifies that a school board or governing body of a private or charter school is not required to comply with DOT's recommendations and that DOT must assess a fee for its services not exceeding the cost to DOT.

may

The bill also requires DOT to make available to any school board or governing body of a private or charter school safety courses, educational materials, and other assistance related to ensuring the convenience and safety of children and motor vehicle traffic in school zones. DOT ~~must~~ assess a fee, not to exceed DOT's cost, for these services. Finally, the bill requires DOT to provide to each school board annual written notice of DOT's obligations and services under this bill.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 84.01 (33) of the statutes is created to read:

2 84.01 (33) TRANSPORTATION PLANNING AND ASSISTANCE FOR NEW SCHOOLS. (a) In
3 this subsection:

4 1. "Bicycling facility" means any road, path, or way that is in some manner
5 specifically designed for the use of bicycles, either exclusively or shared with other
6 vehicles.

7 2. "Pedestrian facility" means any physical infrastructure that allows for or
8 promotes walking and other forms of pedestrian movement as a form of travel.

9 (b) A school board or the governing body of a private or charter school may
10 request the county traffic safety commission to review the site plan of any proposed
11 enlargement of school grounds or proposed construction or enlargement of school
12 buildings or facilities. Following the review by the county traffic safety commission,
13 the school board or the governing body of a private or charter school may request the
14 department to review the site plan. Upon receiving a request, the department shall

BILL

1 review the site plan submitted to the department by the school board or the
2 governing body of a private or charter school and shall review the effect of the
3 proposed enlargement or construction on existing and anticipated highways, as
4 defined in s. 340.01 (22), and on pedestrian facilities, bicycling facilities, and public
5 transportation facilities. The department is not required to use transportation
6 impact analysis processes in its review of a site plan but may apply the principles of
7 transportation impact analysis in its review of the site plan.

Upon requests

8 (c) The department shall provide guidance to the school board or governing
9 body of a private or charter school on the laying out of sidewalks, bicycle paths and
10 racks, roadways for vehicular traffic, school bus loading and unloading areas, and
11 access to highways in a manner that adequately protects children in the school zone;
12 ensures motor vehicle, pedestrian, and bicycle access to the school grounds,
13 buildings, or facilities; and minimizes any adverse impact of the school grounds,
14 buildings, or facilities on pedestrian, bicycle, or motor vehicle traffic. No school board
15 or governing body of a private or charter school is required to comply with the
16 department's recommendations, and the department is not responsible for any costs
17 associated with implementation of any of its recommendations. The department

18 shall assess a fee, not to exceed the cost to the department, for services provided
19 under ~~this paragraph~~ *par. (b) and (c)*

→ Insert 4-4

20 (d) Upon request, the department shall make available to any school board or
21 to any governing body of a private or ~~charter~~ *Charter* school safety courses, educational
22 materials, and other assistance not described in par. (b) or (c) related to ensuring the
23 convenience and safety of children, pedestrians, bicyclists, and motor vehicle traffic
24 in school zones. The department ~~shall~~ *may* assess a fee, not to exceed the cost to the
25 department, for services provided under this paragraph.

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1 (e) Annually, after May 1 and before September 1, the department shall provide
2 to each school board or governing body of a private or charter school written notice
3 of the department's obligations and available services under pars. (b) and (c).

4 (F) *Insert 4-9J*

SECTION 2. Initial applicability.

5 (1) This act first applies to requests for assistance received from a school board
6 or governing body of a private or charter school on the effective date of this
7 subsection.

SECTION 3. Effective date.

8 (1) This act takes effect on January 1, 2008, or the day after publication,
9 whichever is later.
10

11 (END)

Duerst, Christina

From: Field, Adam
Sent: Friday, September 21, 2007 9:15 AM
To: LRB.Legal
Subject: LRB 0862/2

Attachments: 07-08622.pdf

Please Jacket LRB 0862/2 for introduction. Thanks!



07-08622.pdf (16
KB)

Adam Field
Office of Rep. Steve Wieckert
Wisconsin State Assembly
(608) 266-3070

Memo

To: Representative **Wieckert**

(The Draft's Requester)

Per your request ... the attached fiscal estimate was prepared for your un-introduced 2007 session draft.

LRB Number: 2007 LRB-0862

Version: " /2 "

Fiscal Estimate Prepared By: (agency abbr.) DOT

If you have questions about the enclosed fiscal estimate, you may contact the state agency representative that prepared the fiscal estimate. If you disagree with the enclosed fiscal estimate, please contact the LRB drafter of your proposal to discuss your options under the fiscal estimate procedure.

Entered In Computer And Copy Sent To Requester Via E-Mail: 04 / 02 / 2007

*** * * * ***

To: LRB – Legal Section PA's

Subject: *Fiscal Estimate Received For An Unintroduced Draft*

> **If redrafted** ... please insert this cover sheet and attached early fiscal estimate into the drafting file ... after the draft's old version (the version that this fiscal estimate was based on), and before the markup of the draft on the updated version.

> **If introduced** ... and the version of the attached fiscal estimate is for a **previous version** ... please insert this cover sheet and attached early fiscal estimate into the drafting file ... after the draft's old version (the version that this fiscal estimate was based on), and before the markup of the draft on the updated version. Have Mike (or Christina) get the ball rolling on getting a fiscal estimate prepared for the introduced version.

> **If introduced** ... and the version of the attached fiscal estimate is for the **current version** ... please write the draft's introduction number below and give to Mike (or Christina) to process.

THIS DRAFT WAS INTRODUCED AS: 2007

Barman, Mike

From: Barman, Mike
Sent: Monday, April 02, 2007 8:44 AM
To: Rep.Wieckert
Cc: Becher, Scott
Subject: LRB 07-0862/2 (un-introduced) (FE by DOT - attached - for your review)

Attachments: FE_Wieckert.PDF



FE_Wieckert.PDF
(605 KB)

Mike Barman (Senior Program Assistant)
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