

2007 DRAFTING REQUEST

Bill

Received: **07/27/2006**

Received By: **agary**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 266-1039**

By/Representing: **Kornely**

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

Drafter: **bbalinsk**

May Contact:

Add. Drafters:

Subject: **Transportation - highways**
Transportation - traffic laws

Extra Copies: **ARG**

Submit via email: **NO**

Pre Topic:

DOA:.....Kornely, BB0189 -

Topic:

Safe routes to school program

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>
/?	bbalinsk 09/13/2006	kfollett 09/14/2006		_____			S&L
/P1	bbalinsk 10/12/2006	kfollett 10/12/2006	rschluet 09/15/2006	_____	mbarman 09/15/2006		S&L
/P2			pgreensl 10/12/2006	_____	lparisi 10/12/2006		S&L
/P3	bbalinsk 10/18/2006	kfollett 10/18/2006	rschluet 10/18/2006	_____	mbarman 10/18/2006		S&L
/1	bbalinsk 11/30/2006	kfollett 12/01/2006	jfrantze 12/01/2006	_____	sbasford 12/01/2006		

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

2007 DRAFTING REQUEST

Bill

Received: **07/27/2006**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Transportation**

By/Representing: **Jim Donlin**

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

Drafter: **bbalinsk**

May Contact:

Addl. Drafters:

Subject: **Transportation - highways
Transportation - traffic laws**

Extra Copies: **ARG**

Submit via email: **YES**

Requester's email: **kristie.nielson@dot.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Safe routes to schools ^{ok} program

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>
/?	bbalinsk 09/13/2006	kfollett 09/14/2006		_____			S&L
/P1	bbalinsk 10/12/2006	kfollett 10/12/2006	rschluet 09/15/2006	_____	mbarman 09/15/2006		S&L
/P2			pgreensl 10/12/2006	_____	lparisi 10/12/2006		S&L
/P3	bbalinsk	kfollett	rschluet	_____	mbarman		

11/15/06
12/1/06
12/1/06
12/1/06

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	10/18/2006	10/18/2006	10/18/2006	_____	10/18/2006		

FE Sent For:

<END>

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Bill

Received: 07/27/2006

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Identical to LRB:

For: Administration-Budget 266-1039

By/Representing: Kornely

This file may be shown to any legislator: NO

Drafter: bbalinsk

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**
Transportation - traffic laws

Extra Copies: ARG

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DOA:.....Kornely, BB0189 -

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/P2			pgreensl 10/12/2006	_____	lparisi 10/12/2006		S&L
/P3	bbalinsk 10/18/2006	kfollett 10/18/2006	rschluet 10/18/2006	_____	mbarman 10/18/2006		S&L

FE Sent For:

11/15/06
11/30/06
12/1/06
12/1/06

2007 DRAFTING REQUEST

Bill

Received: 07/27/2006

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Transportation

By/Representing: Jim Donlin

This file may be shown to any legislator: NO

Drafter: bbalinsk

May Contact:

Addl. Drafters:

Subject: Transportation - highways
Transportation - traffic laws

Extra Copies: ARG

Submit via email: YES

Requester's email: kristie.nielson@dot.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Safe routes to schools program

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>
/?	bbalinsk 09/13/2006	kfollett 09/14/2006		_____			S&L
/P1	bbalinsk 10/12/2006	kfollett 10/12/2006	rschluet 09/15/2006	_____	mbarman 09/15/2006		S&L
/P2		<i>10/18</i> kif	pgreensl 10/12/2006	_____	lparisi 10/12/2006		

88
10/18
5H

FE Sent For:

<END>

2007 DRAFTING REQUEST

Bill

Received: 07/27/2006

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Transportation

By/Representing: Jim Donlin

This file may be shown to any legislator: NO

Drafter: bbalinsk

May Contact:

Addl. Drafters:

Subject: Transportation - highways
Transportation - traffic laws

Extra Copies: ARG

Submit via email: YES

Requester's email: kristie.nielson@dot.state.wi.us

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Safe routes to schools program

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/?	bbalinsk 09/13/2006	kfollett 09/14/2006		<u>10</u>			S&L
/P1		1/2 kjf 10/12	rschluet 09/15/2006	<u>10</u> <u>10</u>	mbarman 09/15/2006		

FE Sent For:

<END>

2007 DRAFTING REQUEST

Bill

Received: **07/27/2006**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Transportation**

By/Representing: **Jim Donlin**

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

Drafter: **bbalinsk**

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**
Transportation - traffic laws

Extra Copies: **ARG**

Submit via email: **YES**

Requester's email: **kristie.nielson@dot.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

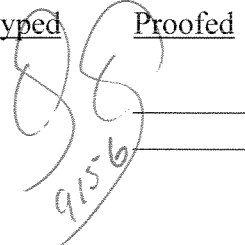
Topic:

Safe routes to schools program

Instructions:

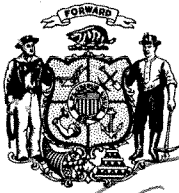
See Attached

Drafting History:

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/?	bbalinsk	1P/1GJF 9/14					

FE Sent For:

<END>



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-0004/?

BAB:...

P1
kjf

Soon

In 9/7/06

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

LPS:
Fix
components
pls.

Gen

1 AN ACT ; **relating to:** creating a safe routes to school program and making
2 appropriations.

Analysis by the Legislative Reference Bureau

This bill creates a safe routes to school program to promote children walking or riding bicycles to school and to increase the safety and reduce traffic in the vicinity of schools. This program must be consistent with the federal Safe Routes to School Program and incorporates regulations under that federal law. The program this bill creates is funded exclusively from federal and local moneys.

FESL →

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

3
4
5
6
7

SECTION 1. 20.395 (2) (mv) of the statutes is created to read:

20.395 (2) (mv) *Safe routes to school, local funds.* All moneys received from any local unit of government for the safe routes to school program under s. 85.029, for such purpose.

SECTION 2. 20.395 (2) (mx) of the statutes is created to read:

1 20.395 (2) ^{9x} ~~(mx)~~ *Safe routes to school, federal funds.* All moneys received from
 2 the federal government for the safe routes to school program under s. 85.029, for such
 3 purpose.

4 **SECTION 3.** 85.029 of the statutes is created to read:

5 **85.029 Safe routes to school program.** The department may administer a
 6 safe routes to school program to award grants of assistance to any state agency, as
 7 defined in s. 20.001 (1), county, local governmental unit, as defined in s. 59.72 (1) (c),
 8 or private nonprofit organization, to be used for infrastructure-related projects, as
 9 described in P.L. 109-59, section 1404 (f) (1), or noninfrastructure-related activities,
 10 as described in P.L. 109-59, section 1404 (f) (2), or both, to promote children walking
 11 and bicycling to school and to increase safety and reduce traffic in the vicinity of
 12 schools. If the department establishes a program under this section, the program
 13 shall be consistent with P.L. 109-59, section 1404, and any regulation adopted under
 14 P.L. 109-59, section 1404. The department shall award any grant under the program
 15 from the appropriations under s. 20.395 (2) ~~(mv)~~ ^{9x} and ~~(mx)~~ ^{9x}.

(END)

Barman, Mike

From: Barman, Mike
Sent: Tuesday, October 10, 2006 8:32 AM
To: Gary, Aaron
Cc: Nielson, Kristie; Donlin, James
Subject: RE: Draft review: LRB 07-0004/P1 Topic: Safe routes to schools program

I forwarded your message on to the LRB drafting attorney (Aaron Gary) ... he is the one you need to communicate with in regards to this draft.

Thanks,

Mike Barman (Senior Program Assistant)

State of Wisconsin - Legislative Reference Bureau

Legal Section - Front Office

1 East Main Street, Suite 200, Madison, WI 53703

(608) 266-3561 / mike.barman@legis.wisconsin.gov

From: Donlin, James
Sent: Monday, October 09, 2006 10:57 AM
To: Barman, Mike
Cc: Nielson, Kristie
Subject: RE: Draft review: LRB 07-0004/P1 Topic: Safe routes to schools program

We have reviewed this and concerns have been raised with the current draft. The concerns are related to the eligibility of school districts and non-profits for the infrastructure part of the program because it is foreseen that most of those projects would be on land/facilities owned by someone else - the county, municipality, or state. The recommendation is to separately state the eligible applicants for infrastructure and non-infrastructure and to restate the eligibility for infrastructure along the lines of the Transportation Enhancements program under s. 85.026.

Thanks.

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

From: Nielson, Kristie
Sent: Tuesday, September 19, 2006 8:39 AM
To: Donlin, James
Subject: FW: Draft review: LRB 07-0004/P1 Topic: Safe routes to schools program

For your review...

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

From: Barman, Mike [<mailto:Mike.Barman@legis.wisconsin.gov>]
Sent: Friday, September 15, 2006 9:24 AM
To: Nielson, Kristie
Subject: Draft review: LRB 07-0004/P1 Topic: Safe routes to schools program

Following is the PDF version of draft LRB 07-0004/P1.

10/10/2006

Balinsky, Brett

From: Gary, Aaron
Sent: Tuesday, October 10, 2006 11:11 AM
To: Balinsky, Brett
Subject: FW: Draft review: LRB 07-0004/P1 Topic: Safe routes to schools program

Brett,
You'll need to redraft this per e-mail below. I can assist as needed, so let me know if you need anything. Aaron

From: Barman, Mike
Sent: Tuesday, October 10, 2006 8:32 AM
To: Gary, Aaron
Cc: Nielson, Kristie; Donlin, James
Subject: RE: Draft review: LRB 07-0004/P1 Topic: Safe routes to schools program

I forwarded your message on to the LRB drafting attorney (Aaron Gary) ... he is the one you need to communicate with in regards to this draft.

Thanks,

Mike Barman (Senior Program Assistant)
State of Wisconsin - Legislative Reference Bureau
Legal Section - Front Office
1 East Main Street, Suite 200, Madison, WI 53703
(608) 266-3561 / mike.barman@legis.wisconsin.gov

From: Donlin, James
Sent: Monday, October 09, 2006 10:57 AM
To: Barman, Mike
Cc: Nielson, Kristie
Subject: RE: Draft review: LRB 07-0004/P1 Topic: Safe routes to schools program

We have reviewed this and concerns have been raised with the current draft. The concerns are related to the eligibility of school districts and non-profits for the infrastructure part of the program because it is foreseen that most of those projects would be on land/facilities owned by someone else - the county, municipality, or state. The recommendation is to separately state the eligible applicants for infrastructure and non-infrastructure and to restate the eligibility for infrastructure along the lines of the Transportation Enhancements program under s. 85.026.

Thanks.

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

From: Nielson, Kristie
Sent: Tuesday, September 19, 2006 8:39 AM

To: Donlin, James

Subject: FW: Draft review: LRB 07-0004/P1 Topic: Safe routes to schools program

For your review...

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

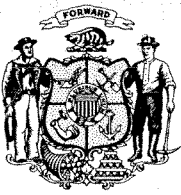
From: Barman, Mike [mailto:Mike.Barman@legis.wisconsin.gov]

Sent: Friday, September 15, 2006 9:24 AM

To: Nielson, Kristie

Subject: Draft review: LRB 07-0004/P1 Topic: Safe routes to schools program

Following is the PDF version of draft LRB 07-0004/P1.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-0004/P1

BAB:kjf:
m stays

Fn 10-10-08

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Insert

Need by 10/16

Regen

1 AN ACT to create 20.395 (2) (qv), 20.395 (2) (qx) and 85.029 of the statutes;
2 relating to: creating a safe routes to school program and making
3 appropriations.

Analysis by the Legislative Reference Bureau

This bill creates a safe routes to school program to promote children walking or riding bicycles to school and to increase the safety and reduce traffic in the vicinity of schools. This program must be consistent with the federal Safe Routes to School Program and incorporates regulations under that federal law. The program this bill creates is funded exclusively from federal and local moneys.

For further information see the *state and local* 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:

4 SECTION 1. 20.395 (2) (qv) of the statutes is created to read:
5 20.395 (2) (qv) *Safe routes to school, local funds.* All moneys received from any
6 local unit of government for the safe routes to school program under s. 85.029, for
7 such purpose.

1 SECTION 2. 20.395 (2) (qx) of the statutes is created to read:

2 20.395 (2) (qx) *Safe routes to school, federal funds.* All moneys received from
3 the federal government for the safe routes to school program under s. 85.029, for such
4 purpose.

5 SECTION 3. 85.029 of the statutes is created to read:

INSERT 2-6

6 **85.029 Safe routes to school program.** The department may administer a
7 safe routes to school program to award grants of assistance to any state agency, as
8 defined in s. 20.001 (1), county, local governmental unit, as defined in s. 59.72 (1) (c),
9 or private nonprofit organization, to be used for infrastructure-related projects, as
10 described in P.L. 109-59, section 1404 (f) (1), or noninfrastructure-related activities,
11 as described in P.L. 109-59, section 1404 (f) (2), or both, to promote children walking
12 and bicycling to school and to increase safety and reduce traffic in the vicinity of
13 schools. If the department establishes a program under this section, the program
14 shall be consistent with P.L. 109-59, section 1404, and any regulation adopted under
15 P.L. 109-59, section 1404. The department shall award any grant under the program
16 from the appropriations under s. 20.395 (2) (qv) and (qx).

17 (END)

1

2 **85.029 Safe routes to school program. (1)** In this section:

3 (a) "Local governmental unit" has the meaning given in s. 59.72 (1) (c).

4 (b) "Political subdivision" has the meaning given in s. 85.026 (1) (a).

5 (c) "State agency" has the meaning given in s. 20.001 (1).

6 (2) The department may administer a safe routes to school program to award
7 grants of assistance as provided in subs. (3) and (4). The department may award to
8 the same recipient grants under both subs. (3) and (4).

9 (3) The department may award grants under this section to any political
10 subdivision or state agency for infrastructure-related projects, as described in P.L.
11 109-59, section 1404 (f) (1).

12 (4) The department may award grants under this section to any state agency,
13 county, local governmental unit, or private nonprofit organization for
14 noninfrastructure-related activities, as described in P.L. 109-59, section 1404 (f) (2).

****NOTE: The terms "county" and "local governmental unit" in this subsection
together cover a "political subdivision" but also cover a regional planning commission.
Is this consistent with your intent, or would you prefer to instead use the term "political
subdivision"?

15 (5) If the department establishes a program under this section, the program
16 shall be consistent with P.L. 109-59, section 1404, and any regulation adopted under
17 P.L. 109-59, section 1404.

18 (6) The department shall award any grant under this section from the
19 appropriations under s. 20.395 (2) (qv) and (qx).

Balinsky, Brett

From: Gary, Aaron
Sent: Tuesday, October 17, 2006 2:44 PM
To: Donlin, James; Nielson, Kristie; Balinsky, Brett
Cc: Hammer, Paul; Baetsen, Karen
Subject: RE: Draft review: LRB 07-0004/P2 Topic: Safe routes to schools program

Hi Jim,

As indicated in the ****NOTE within the bill, RPC's are covered in this draft, but Indian Tribes are not. We can redraft to add Indian Tribes.

As for the second comment, this is drafting convention and I would prefer that the language stay.

Thanks. Aaron

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

From: Donlin, James
Sent: Tuesday, October 17, 2006 2:37 PM
To: Nielson, Kristie; Gary, Aaron; 'Loi.Parisi@leis.wisconsin.gov'
Cc: Hammer, Paul; Baetsen, Karen
Subject: RE: Draft review: LRB 07-0004/P2 Topic: Safe routes to schools program

The changes addressed the comments of the program folks and office of general counsel. However, the program folks have a couple of additional comments:

1. It seems reasonable to me to make RPCs and Indian Tribes eligible applicants for non-infrastructure grants like training, planning, outreach, etc. under sub (4). This would be similar to the Transportation Enhancements and Congestion Mitigation and Air Quality programs.
2. Isn't sub (5) redundant? We would have to comply with federal requirements in order to receive the federal SR2S funding in any event. What is the value in having state law further also require that we comply with those same federal requirements?

So, if you could add MPOs/RPCs and Indian Tribes as eligible applicants for non-infrastructure projects (if they aren't already included under the current language), that would be great.

Regarding comment two, if this is just common statutory structure, we have no problem with it being in there.

Thanks.

10/17/2006

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

From: Nielson, Kristie

Sent: Thursday, October 12, 2006 3:19 PM

To: Donlin, James

Cc: Hammer, Paul; Baetsen, Karen

Subject: FW: Draft review: LRB 07-0004/P2 Topic: Safe routes to schools program

Importance: High

Please see below. I have recorded /P2 on the tracking matrix which is available in the w drive under budget BB 07-09/LRB Draft Tracking.

[Nielson, Kristie]

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

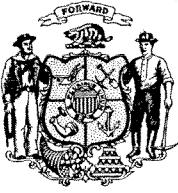
From: Parisi, Lori [mailto:Lori.Parisi@legis.wisconsin.gov]

Sent: Thursday, October 12, 2006 12:47 PM

To: Nielson, Kristie

Subject: Draft review: LRB 07-0004/P2 Topic: Safe routes to schools program

Following is the PDF version of draft LRB 07-0004/P2.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-0004/P2

BAB:kjf:gc

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Need by
10/19/06

In 10/18/06

Regen

1 AN ACT *to create* 20.395 (2) (qv), 20.395 (2) (qx) and 85.029 of the statutes;
2 **relating to:** creating a safe routes to school program and making
3 appropriations.

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For further information see the *state and local* 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:

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5 20.395 (2) (qv) *Safe routes to school, local funds.* All moneys received from any
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7 such purpose.

1 SECTION 2. 20.395 (2) (qx) of the statutes is created to read:

2 20.395 (2) (qx) *Safe routes to school, federal funds.* All moneys received from
3 the federal government for the safe routes to school program under s. 85.029, for such
4 purpose.

5 SECTION 3. 85.029 of the statutes is created to read:

6 **85.029 Safe routes to school program. (1)** In this section:

7 (a) "Local governmental unit" has the meaning given in s. 59.72 (1) (c).

8 (b) "Political subdivision" has the meaning given in s. 85.026 (1) (a).

9 (c) "State agency" has the meaning given in s. 20.001 (1).

(d) *"Indian tribe" has the meaning given in s. 139.30 (5).*

10 (2) The department may administer a safe routes to school program to award
11 grants of assistance as provided in subs. (3) and (4). The department may award to
12 the same recipient grants under both subs. (3) and (4).

13 (3) The department may award grants under this section to any political
14 subdivision or state agency for infrastructure-related projects, as described in P.L.
15 109-59, section 1404 (f) (1).

16 (4) The department may award grants under this section to any state agency,
17 county, local governmental unit, ^{*Indian tribe,*} or private nonprofit organization for
18 noninfrastructure-related activities, as described in P.L. 109-59, section 1404 (f) (2).

****NOTE: The terms "county" and "local governmental unit" in this subsection together cover a "political subdivision" but also cover a regional planning commission. Is this consistent with your intent, or would you prefer to instead use the term "political subdivision"?

19 (5) If the department establishes a program under this section, the program
20 shall be consistent with P.L. 109-59, section 1404, and any regulation adopted under
21 P.L. 109-59, section 1404.

Barman, Mike

From: Barman, Mike
Sent: Thursday, October 19, 2006 2:57 PM
To: Donlin, James; Balinsky, Brett
Subject: RE: Draft review: LRB 07-0004/P3 Topic: Safe routes to schools program

Jim,
I forwarded your message to the drafting attorney - Brett Balinsky (Ph. 267-7380).

Mike Barman (Senior Program Assistant)

State of Wisconsin - Legislative Reference Bureau

Legal Section - Front Office

1 East Main Street, Suite 200, Madison, WI 53703

(608) 266-3561 / mike.barman@legis.wisconsin.gov

From: Donlin, James
Sent: Thursday, October 19, 2006 12:23 PM
To: Nielson, Kristie; Barman, Mike; Gary, Aaron
Cc: Hammer, Paul; Baetsen, Karen; Newman, Kenneth
Subject: RE: Draft review: LRB 07-0004/P3 Topic: Safe routes to schools program

Looks good. Thanks!

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

From: Nielson, Kristie
Sent: Thursday, October 19, 2006 6:29 AM
To: Donlin, James
Cc: Hammer, Paul; Baetsen, Karen; Newman, Kenneth
Subject: FW: Draft review: LRB 07-0004/P3 Topic: Safe routes to schools program

Jim,
For your review.....

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

From: Barman, Mike [<mailto:Mike.Barman@legis.wisconsin.gov>]
Sent: Wednesday, October 18, 2006 2:38 PM
To: Nielson, Kristie
Subject: Draft review: LRB 07-0004/P3 Topic: Safe routes to schools program

Following is the PDF version of draft LRB 07-0004/P3.

2007-09 Budget Bill Statutory Language Drafting Request

- Topic: Conversion - all pending DOT Statutory Language Requests

- Tracking Codes:

[REDACTED]
0004/P3 – BB0189
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

- SBO team: Environmental and Commercial Resources
- SBO analyst: Sara Kornely
 - Phone: 266-1039
 - Email: sara.kornely@wisconsin.gov
- Agency acronym: DOT
- Agency number: 395
- Priority (Low, Medium, High): Medium

Please convert all drafting requests above from DOT requests to DOA requests.

FOR 2007-09 BUDGET

RMR

~~PRELIMINARY DRAFT~~ - NOT READY FOR INTRODUCTION

Fix request sheet pls ok

D-NOTE

Do Not Gen

- 1 AN ACT ~~to create~~ 20.395 (2) (qv), 20.395 (2) (qx) and 85.029 of the statutes;
- 2 relating to: creating a safe routes to school program and making
- 3 appropriations.

TRANSPORTATION / TRANSPORTATION AIDS

Analysis by the Legislative Reference Bureau

This bill creates a safe routes to school program to promote children walking or riding bicycles to school and to increase the safety and reduce traffic in the vicinity of schools. This program must be consistent with the federal Safe Routes to School Program and incorporates regulations under that federal law. The program this bill creates is funded exclusively from federal and local moneys.

For further information see the **state and local** 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:

- 4 SECTION 1. 20.395 (2) (qv) of the statutes is created to read:
- 5 20.395 (2) (qv) *Safe routes to school, local funds.* All moneys received from any
- 6 local unit of government for the safe routes to school program under s. 85.029, for
- 7 such purpose.

ADD →
"note:bud"

1 SECTION 2. 20.395 (2) (qx) of the statutes is created to read:

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ADD
note: bud

5 SECTION 3. 85.029 of the statutes is created to read:

6 **85.029 Safe routes to school program. (1)** In this section:

7 (a) "Local governmental unit" has the meaning given in s. 59.72 (1) (c).

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9 (c) "State agency" has the meaning given in s. 20.001 (1).

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11 (2) The department may administer a safe routes to school program to award
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13 the same recipient grants under both subs. (3) and (4).

14 (3) The department may award grants under this section to any political
15 subdivision or state agency for infrastructure-related projects, as described in P.L.
16 109-59, section 1404 (f) (1).

17 (4) The department may award grants under this section to any state agency,
18 county, local governmental unit, Indian tribe, or private nonprofit organization for
19 noninfrastructure-related activities, as described in P.L. 109-59, section 1404 (f) (2).

20 (5) If the department establishes a program under this section, the program
21 shall be consistent with P.L. 109-59, section 1404, and any regulation adopted under
22 P.L. 109-59, section 1404.

23 (6) The department shall award any grant under this section from the
24 appropriations under s. 20.395 (2) (qv) and (qx).

25

(END)

D-NOTE

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0004/1dn

BAB:kjf:js

Date

ATTN: Sara Kornely

✓

The attached draft is identical to LRB-0004/P3 previously submitted to DOT, except for changes necessary to put the draft into budgetary form.

Brett A. Balinsky
Legislative Attorney
Phone: (608) 267-7380
E-mail: brett.balinsky@legis.wisconsin.gov

PUBLIC LAW 109-59—AUG. 10, 2005

**SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT
TRANSPORTATION EQUITY ACT: A LEGACY
FOR USERS**

Public Law 109-59
109th Congress

An Act

Aug. 10, 2005
[H.R. 3]

To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Safe,
Accountable,
Flexible, Efficient
Transportation
Equity Act: A
Legacy for Users.
Inter-
governmental
relations.
23 USC 101 note.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users” or “SAFETEA-LU”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
Sec. 2. General definitions.

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorization of Programs

- Sec. 1101. Authorization of appropriations.
Sec. 1102. Obligation ceiling.
Sec. 1103. Apportionments.
Sec. 1104. Equity bonus program.
Sec. 1105. Revenue aligned budget authority.
Sec. 1106. Future Interstate System routes.
Sec. 1107. Metropolitan planning.
Sec. 1108. Transfer of highway and transit funds.
Sec. 1109. Recreational trails.
Sec. 1110. Temporary traffic control devices.
Sec. 1111. Set-asides for Interstate discretionary projects.
Sec. 1112. Emergency relief.
Sec. 1113. Surface transportation program.
Sec. 1114. Highway bridge program.
Sec. 1115. Highway use tax evasion projects.
Sec. 1116. Appalachian development highway system.
Sec. 1117. Transportation, community, and system preservation program.
Sec. 1118. Territorial highway program.
Sec. 1119. Federal lands highways.
Sec. 1120. Puerto Rico highway program.
Sec. 1121. HOV facilities.
Sec. 1122. Definitions.

Subtitle B—Congestion Relief

- Sec. 1201. Real-time system management information program.

Subtitle C—Mobility and Efficiency

- Sec. 1301. Projects of national and regional significance.
Sec. 1302. National corridor infrastructure improvement program.
Sec. 1303. Coordinated border infrastructure program.
Sec. 1304. High priority corridors on the National Highway System.
Sec. 1305. Truck parking facilities.
Sec. 1306. Freight intermodal distribution pilot grant program.
Sec. 1307. Deployment of magnetic levitation transportation projects.

- Sec. 1308. Delta region transportation development program.
- Sec. 1309. Extension of public transit vehicle exemption from axle weight restrictions.
- Sec. 1310. Interstate oasis program.

Subtitle D—Highway Safety

- Sec. 1401. Highway safety improvement program.
- Sec. 1402. Worker injury prevention and free flow of vehicular traffic.
- Sec. 1403. Toll facilities workplace safety study.
- Sec. 1404. Safe routes to school program.
- Sec. 1405. Roadway safety improvements for older drivers and pedestrians.
- Sec. 1406. Safety incentive grants for use of seat belts.
- Sec. 1407. Safety incentives to prevent operation of motor vehicles by intoxicated persons.
- Sec. 1408. Improvement or replacement of highway features on National Highway System.
- Sec. 1409. Work zone safety grants.
- Sec. 1410. National Work Zone Safety Information Clearinghouse.
- Sec. 1411. Roadway safety.
- Sec. 1412. Idling reduction facilities in Interstate rights-of-way.

Subtitle E—Construction and Contract Efficiency

- Sec. 1501. Program efficiencies.
- Sec. 1502. Highways for LIFE pilot program.
- Sec. 1503. Design build.

Subtitle F—Finance

- Sec. 1601. Transportation Infrastructure Finance and Innovation Act amendments.
- Sec. 1602. State infrastructure banks.
- Sec. 1603. Use of excess funds and funds for inactive projects.
- Sec. 1604. Tolling.

Subtitle G—High Priority Projects

- Sec. 1701. High Priority Projects program.
- Sec. 1702. Project authorizations.
- Sec. 1703. Technical amendments to transportation projects.

Subtitle H—Environment

- Sec. 1801. Construction of ferry boats and ferry terminal facilities.
- Sec. 1802. National Scenic Byways Program.
- Sec. 1803. America's Byways Resource Center.
- Sec. 1804. National historic covered bridge preservation.
- Sec. 1805. Use of debris from demolished bridges and overpasses.
- Sec. 1806. Additional authorization of contract authority for States with Indian reservations.
- Sec. 1807. Nonmotorized transportation pilot program.
- Sec. 1808. Addition to CMAQ-eligible projects.

Subtitle I—Miscellaneous

- Sec. 1901. Inclusion of requirements for signs identifying funding sources in title 23.
- Sec. 1902. Donations and credits.
- Sec. 1903. Inclusion of Buy America requirements in title 23.
- Sec. 1904. Stewardship and oversight.
- Sec. 1905. Transportation development credits.
- Sec. 1906. Grant program to prohibit racial profiling.
- Sec. 1907. Pavement marking systems demonstration projects.
- Sec. 1908. Inclusion of certain route segments on Interstate System and NHS.
- Sec. 1909. Future of surface transportation system.
- Sec. 1910. Motorist information concerning full service restaurants.
- Sec. 1911. Approval and funding for certain construction projects.
- Sec. 1912. Lead agency designation.
- Sec. 1913. Bridge construction, North Dakota.
- Sec. 1914. Motorcyclist Advisory Council.
- Sec. 1915. Loan forgiveness.
- Sec. 1916. Treatment of off-ramp.
- Sec. 1917. Opening of Interstate ramps.
- Sec. 1918. Credit to State of Louisiana for State matching funds.
- Sec. 1919. Road user fees.
- Sec. 1920. Transportation and local workforce investment.

- Sec. 1921. Update of obsolete text.
- Sec. 1922. Technical amendments to nondiscrimination section.
- Sec. 1923. Transportation assets and needs of Delta region.
- Sec. 1924. Alaska Way Viaduct study.
- Sec. 1925. Community enhancement study.
- Sec. 1926. Budget justification.
- Sec. 1927. 14th Amendment Highway and 3rd Infantry Division Highway.
- Sec. 1928. Sense of Congress regarding Buy America.
- Sec. 1929. Designation of Daniel Patrick Moynihan Interstate Highway.
- Sec. 1930. Designation of Thomas P. "Tip" O'Neill, Jr. Tunnel.
- Sec. 1931. Richard Nixon Parkway, California.
- Sec. 1932. Amo Houghton Bypass.
- Sec. 1933. Billy Tauzin Energy Corridor.
- Sec. 1934. Transportation improvements.
- Sec. 1935. Project flexibility.
- Sec. 1936. Advances.
- Sec. 1937. Roads in closed basins.
- Sec. 1938. Technology.
- Sec. 1939. BIA Indian Road Program.
- Sec. 1940. Going-to-the-Sun Road, Glacier National Park, Montana.
- Sec. 1941. Beartooth Highway, Montana.
- Sec. 1943. Great Lakes ITS implementation.
- Sec. 1944. Transportation construction and remediation, Ottawa County, Oklahoma.
- Sec. 1945. Infrastructure awareness program.
- Sec. 1946. Gateway rural improvement pilot program.
- Sec. 1947. Eligible safety improvements.
- Sec. 1948. Emergency service route.
- Sec. 1949. Knik Arm Bridge funding clarification.
- Sec. 1950. Lincoln Parish, LA/I-20 Transportation Corridor Program.
- Sec. 1951. Bonding assistance program.
- Sec. 1952. Congestion relief.
- Sec. 1953. Authorization of appropriations.
- Sec. 1954. Bicycle transportation and pedestrian walkways.
- Sec. 1955. Conveyance to the City of Ely, Nevada.
- Sec. 1956. Brownfields grants.
- Sec. 1957. Traffic circle construction, Clarendon, Vermont.
- Sec. 1958. Limitation on project approval.
- Sec. 1959. Cross harbor freight movement project.
- Sec. 1960. Denali access system program.
- Sec. 1961. I-95/Contee Road interchange study.
- Sec. 1962. Multimodal facility improvements.
- Sec. 1963. Apollo Theater leases.
- Sec. 1964. Project Federal share.

TITLE II—HIGHWAY SAFETY

- Sec. 2001. Authorization of appropriations.
- Sec. 2002. Highway safety programs.
- Sec. 2003. Highway safety research and outreach programs.
- Sec. 2004. Occupant protection incentive grants.
- Sec. 2005. Grants for primary safety belt use laws.
- Sec. 2006. State traffic safety information system improvements.
- Sec. 2007. Alcohol-impaired driving countermeasures.
- Sec. 2008. NHTSA accountability.
- Sec. 2009. High visibility enforcement program.
- Sec. 2010. Motorcyclist safety.
- Sec. 2011. Child safety and child booster seat incentive grants.
- Sec. 2012. Safety data.
- Sec. 2013. Drug-impaired driving enforcement.
- Sec. 2014. First responder vehicle safety program.
- Sec. 2015. Driver performance study.
- Sec. 2016. Rural State emergency medical services optimization pilot program.
- Sec. 2017. Older driver safety; law enforcement training.
- Sec. 2018. Safe intersections.
- Sec. 2019. National Highway Safety Advisory Committee technical correction.
- Sec. 2020. Presidential Commission on Alcohol-Impaired Driving.
- Sec. 2021. Sense of the Congress in support of increased public awareness of blood alcohol concentration levels and dangers of alcohol-impaired driving.
- Sec. 2022. Effective date.

TITLE III—PUBLIC TRANSPORTATION

- Sec. 3001. Short title.

(7) law enforcement practices and jurisdictional issues that affect safety in the vicinity of the facilities; and

(8) the incidence of accidents and injuries in the vicinity of toll booths.

(b) **DATA COLLECTION.**—As part of the study, the Secretary shall collect data regarding the incidence of accidents and injuries in the vicinity of highway toll collection facilities.

(c) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the study, together with recommendations for improving toll facilities workplace safety.

(d) **FUNDING.**—

(1) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section, out of the Highway Trust Fund (other than the Mass Transit Account), \$500,000 for fiscal year 2006.

(2) **CONTRACT AUTHORITY.**—Funds authorized to be appropriated by this section shall be available for obligation in the same manner and to the same extent as if the funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of the project shall be 100 percent, and the funds shall remain available until expended and shall not be transferable.

23 USC 402 note. **SEC. 1404. SAFE ROUTES TO SCHOOL PROGRAM.**

(a) **ESTABLISHMENT.**—Subject to the requirements of this section, the Secretary shall establish and carry out a safe routes to school program for the benefit of children in primary and middle schools.

(b) **PURPOSES.**—The purposes of the program shall be—

(1) to enable and encourage children, including those with disabilities, to walk and bicycle to school;

(2) to make bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy and active lifestyle from an early age; and

(3) to facilitate the planning, development, and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity of schools.

(c) **APPORTIONMENT OF FUNDS.**—

(1) **IN GENERAL.**—Subject to paragraphs (2), (3), and (4), amounts made available to carry out this section for a fiscal year shall be apportioned among the States in the ratio that—

(A) the total student enrollment in primary and middle schools in each State; bears to

(B) the total student enrollment in primary and middle schools in all States.

(2) **MINIMUM APPORTIONMENT.**—No State shall receive an apportionment under this section for a fiscal year of less than \$1,000,000.

(3) **SET-ASIDE FOR ADMINISTRATIVE EXPENSES.**—Before apportioning under this subsection amounts made available to carry out this section for a fiscal year, the Secretary shall set aside not more than \$3,000,000 of such amounts for the

administrative expenses of the Secretary in carrying out this subsection.

(4) DETERMINATION OF STUDENT ENROLLMENTS.—Determinations under this subsection concerning student enrollments shall be made by the Secretary.

(d) ADMINISTRATION OF AMOUNTS.—Amounts apportioned to a State under this section shall be administered by the State's department of transportation.

(e) ELIGIBLE RECIPIENTS.—Amounts apportioned to a State under this section shall be used by the State to provide financial assistance to State, local, and regional agencies, including nonprofit organizations, that demonstrate an ability to meet the requirements of this section.

(f) ELIGIBLE PROJECTS AND ACTIVITIES.—

(1) INFRASTRUCTURE-RELATED PROJECTS.—

(A) IN GENERAL.—Amounts apportioned to a State under this section may be used for the planning, design, and construction of infrastructure-related projects that will substantially improve the ability of students to walk and bicycle to school, including sidewalk improvements, traffic calming and speed reduction improvements, pedestrian and bicycle crossing improvements, on-street bicycle facilities, off-street bicycle and pedestrian facilities, secure bicycle parking facilities, and traffic diversion improvements in the vicinity of schools.

(B) LOCATION OF PROJECTS.—Infrastructure-related projects under subparagraph (A) may be carried out on any public road or any bicycle or pedestrian pathway or trail in the vicinity of schools.

(2) NONINFRASTRUCTURE-RELATED ACTIVITIES.—

(A) IN GENERAL.—In addition to projects described in paragraph (1), amounts apportioned to a State under this section may be used for noninfrastructure-related activities to encourage walking and bicycling to school, including public awareness campaigns and outreach to press and community leaders, traffic education and enforcement in the vicinity of schools, student sessions on bicycle and pedestrian safety, health, and environment, and funding for training, volunteers, and managers of safe routes to school programs.

(B) ALLOCATION.—Not less than 10 percent and not more than 30 percent of the amount apportioned to a State under this section for a fiscal year shall be used for noninfrastructure-related activities under this subparagraph.

(3) SAFE ROUTES TO SCHOOL COORDINATOR.—Each State receiving an apportionment under this section for a fiscal year shall use a sufficient amount of the apportionment to fund a full-time position of coordinator of the State's safe routes to school program.

(g) CLEARINGHOUSE.—

(1) IN GENERAL.—The Secretary shall make grants to a national nonprofit organization engaged in promoting safe routes to schools to—

Grants.

(A) operate a national safe routes to school clearinghouse;

(B) develop information and educational programs on safe routes to school; and

(C) provide technical assistance and disseminate techniques and strategies used for successful safe routes to school programs.

(2) FUNDING.—The Secretary shall carry out this subsection using amounts set aside for administrative expenses under subsection (c)(3).

(h) TASK FORCE.—

(1) IN GENERAL.—The Secretary shall establish a national safe routes to school task force composed of leaders in health, transportation, and education, including representatives of appropriate Federal agencies, to study and develop a strategy for advancing safe routes to school programs nationwide.

(2) REPORT.—Not later than March 31, 2006, the Secretary shall submit to Congress a report containing the results of the study conducted, and a description of the strategy developed, under paragraph (1) and information regarding the use of funds for infrastructure-related and noninfrastructure-related activities under paragraphs (1) and (2) of subsection (f).

(3) FUNDING.—The Secretary shall carry out this subsection using amounts set aside for administrative expenses under subsection (c)(3).

(i) APPLICABILITY OF TITLE 23.—Funds made available to carry out this section shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code; except that such funds shall not be transferable and shall remain available until expended, and the Federal share of the cost of a project or activity under this section shall be 100 percent.

(j) TREATMENT OF PROJECTS.—Notwithstanding any other provision of law, projects assisted under this subsection shall be treated as projects on a Federal-aid system under chapter 1 of title 23, United States Code.

(k) DEFINITIONS.—In this section, the following definitions apply:

(1) IN THE VICINITY OF SCHOOLS.—The term “in the vicinity of schools” means, with respect to a school, the area within bicycling and walking distance of the school (approximately 2 miles).

(2) PRIMARY AND MIDDLE SCHOOLS.—The term “primary and middle schools” means schools providing education from kindergarten through eighth grade.

23 USC 401 note. **SEC. 1405. ROADWAY SAFETY IMPROVEMENTS FOR OLDER DRIVERS AND PEDESTRIANS.**

(a) IN GENERAL.—The Secretary shall carry out a program to improve traffic signs and pavement markings in all States (as such term is defined in section 101 of title 23, United States Code) in a manner consistent with the recommendations included in the publication of the Federal Highway Administration entitled “Guidelines and Recommendations to Accommodate Older Drivers and Pedestrians (FHWA-RD-01-103)” and dated October 2001.

(b) FEDERAL SHARE.—The Federal share of the cost of a project carried out under this section shall be determined in accordance with section 120 of title 23, United States Code.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0004/1dn
BAB:kjf:jf

December 1, 2006

ATTN: Sara Kornely

The attached draft is identical to LRB-0004/P3 previously submitted to DOT, except for changes necessary to put the draft into budgetary form.

Brett A. Balinsky
Legislative Attorney
Phone: (608) 267-7380
E-mail: brett.balinsky@legis.wisconsin.gov



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-0004/1
BAB:kjf:rsjf

DOA:.....Kornely, BB0189 - Safe routes to school program

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: creating a safe routes to school program and making
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Analysis by the Legislative Reference Bureau

TRANSPORTATION

TRANSPORTATION AIDS

This bill creates a safe routes to school program to promote children walking or riding bicycles to school and to increase the safety and reduce traffic in the vicinity of schools. This program must be consistent with the federal Safe Routes to School Program and incorporates regulations under that federal law. The program this bill creates is funded exclusively from federal and local moneys.

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

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1 20.395 (2) (qv) *Safe routes to school, local funds.* All moneys received from any
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 ***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

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