



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-4918/1
EVM:jld/emw/amn

2017 BILL

1 **AN ACT to amend** 85.07 (7) (a) of the statutes; **relating to:** planning for certain
2 federal highway money distribution transfers (suggested as remedial
3 legislation by the Department of Transportation).

Analysis by the Legislative Reference Bureau

Under current federal law, if a state does not have a qualifying safety belt statute, as a penalty certain federal highway moneys distributed to the state may be transferred from, generally, highway construction funding to highway safety funding. Currently, the Department of Transportation must annually prepare a plan to use, for purposes of state and local emergency medical services, at least 25 percent of the federal funds that would be transferred under this federal penalty provision were it to be applied to the state. Current law also requires DOT to consult with the Council on Highway Safety, the Department of Health Services, and the Emergency Medical Services Board before preparing the plan.

Under this bill, DOT must prepare the plan only in years in which DOT expects that federal funds distributed to the state will be transferred under the penalty provision and DOT is not required to consult with the Council on Highway Safety before preparing the plan.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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:

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Transportation and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1 **SECTION 1.** 85.07 (7) (a) of the statutes is amended to read:

2 85.07 (7) (a) The In any year that the department expects that federal funds
3 will be transferred under 23 USC 153 (h), the department shall annually prepare a
4 plan to use, for purposes of state and local emergency medical services, at least 25
5 percent of ~~any federal~~ the funds transferred under 23 USC 153 (h). The department
6 shall prepare the plan after consulting with ~~the council on highway safety,~~ the
7 department of health services and the emergency medical services board. Funds
8 expended under the plan may not be used to supplant other federal and state funds
9 used for emergency medical services purposes. Funds may not be expended under
10 the plan unless any necessary federal approval of the plan has been obtained.

NOTE: SECTION 1 eliminates the requirement that the Department of Transportation (DOT) must annually prepare a plan, in consultation with the Council on Highway Safety, Department of Health Services, and the Emergency Medical Services Board, to use federal funds transferred to highway safety funding as a penalty under 23 USC 153 (h). The draft provides instead that DOT must prepare the plan only in years in which it expects a penalty transfer of federal funds will occur, and removes the requirement that DOT consult with the Council on Highway Safety before preparing the plan.

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(END)