



2021 ASSEMBLY BILL 238

April 2, 2021 - Introduced by Representatives CALLAHAN, NOVAK, ZIMMERMAN, ARMSTRONG, BORN, CABRAL-GUEVARA, EDMING, DITTRICH, DUCHOW, GUNDRUM, JAGLER, JAMES, KATZMA, KRUG, KNODL, KURTZ, MOSES, MURSAU, OLDENBURG, PETRYK, PLUMER, ROZAR, SNYDER, SWEARINGEN, TRANEL, VORPAGEL and WITTKE, cosponsored by Senators MARKLEIN, BERNIER, STROEBEL, FELZKOWSKI, FEYEN, JACQUE and STAFSHOLT. Referred to Committee on Transportation.

AN ACT *to create* 86.313 of the statutes; **relating to:** allocation of federal American Rescue Plan Act of 2021 funds for local highways and bridges.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Transportation to administer a local highways and bridges supplement program. Under the program, DOT awards grants to municipalities and counties to fund qualifying improvement projects on highways or bridges under the jurisdiction of the municipality or county. A qualifying improvement project under the program is a highway or bridge construction project for which no federal funds, except funds from the federal American Rescue Plan Act of 2021, are expended and that is any of the following:

1. Eligible for funding under the local bridge improvement assistance program.
2. Eligible for funding under the local roads improvement discretionary grant program.
3. A project to increase the load-bearing capacity of a bridge.

The bill requires the governor to allocate \$308,519,800 of the funds accepted under the federal American Rescue Plan Act of 2021 for this program. The bill provides \$144,000,000 for grants to counties. Not more than \$2,000,000 of this amount may be paid to each county. The bill also provides \$164,519,800 for grants to municipalities. Each municipality may be paid no more than the amount calculated by multiplying the number of miles of highways under the jurisdiction of

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the municipality for calendar year 2020 by \$2,000. Under the bill, DOT may not provide grants under the program after December 31, 2024.

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

SECTION 1. 86.313 of the statutes is created to read:

86.313 Local highways and bridges supplement. (1) In this section:

(a) "Municipality" means a city, village, or town.

(b) "Political subdivision" means a city, village, town, or county.

(c) "Qualifying improvement project" means a highway or bridge construction project for which no federal funds, other than funds allocated under 2021 Wisconsin Act (this act), section 9144 (1), are expended and that is any of the following:

1. Eligible for funding under s. 84.18.

2. Eligible for funding under s. 86.31 (3g) to (3r).

3. A project to increase the load-bearing capacity of a bridge.

(2) The department shall administer a local highways and bridges supplement program. Subject to sub. (3), from the amounts allocated under 2021 Wisconsin Act (this act), section 9144 (1), the department shall, upon application, award grants to political subdivisions to fund qualifying improvement projects on highways or bridges under the jurisdiction of the political subdivision. The department shall make a grant award determination as soon as practicable after receiving a complete application for a grant under this section. The department may not provide grants under this section after December 31, 2024.

(3) (a) 1. From the amounts allocated under 2021 Wisconsin Act (this act),

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section 9144 (1), the department shall allocate \$144,000,000 to fund qualifying improvement projects on highways or bridges under the jurisdiction of counties.

2. The total amount of grants that may be paid by the department to each county under this section may not exceed \$2,000,000.

(b) 1. From the amounts allocated under 2021 Wisconsin Act ... (this act), section 9144 (1), the department shall allocate \$164,519,800 to fund qualifying improvement projects on highways or bridges under the jurisdiction of municipalities.

2. The total amount of grants that may be paid by the department to each municipality under this section may not exceed the amount calculated by multiplying the number of miles of highways under the jurisdiction of the municipality, as determined under s. 86.302 for calendar year 2020, by \$2,000.

(4) Amounts received under this section may not be included in cost calculations under s. 86.303.

SECTION 9144. Nonstatutory provisions; Transportation.

(1) LOCAL HIGHWAYS AND BRIDGES SUPPLEMENT. Of the moneys the governor accepts from the federal government under s. 16.54 pursuant to section 602 of the federal Social Security Act as amended by the federal American Rescue Plan Act of 2021, P.L. 117-2, the governor shall allocate \$308,519,800 for the local highways and bridges supplement program under s. 86.313.

(END)