

Clearinghouse Rule 97-060

CERTIFICATE

STATE OF WISCONSIN)
) ss.
DEPARTMENT OF TRANSPORTATION)

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

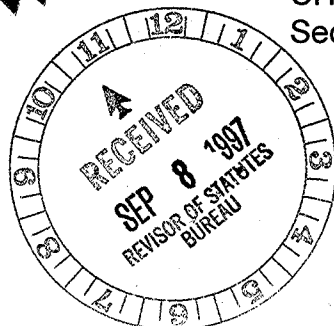
I, CHARLES H. THOMPSON, Secretary of the Wisconsin Department of Transportation and custodian of the official records, do hereby certify that the rule, relating to the **local roads improvement program**, was duly approved and adopted by this Department on September 4, 1997.

I further certify that this copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Transportation at 4802 Sheboygan Avenue, in the City of Madison, Wisconsin, this 4 day of **September**, 1997.

Charles H. Thompson
CHARLES H. THOMPSON
Secretary



11-1-97

The Wisconsin Department of Transportation adopts an order to amend TRANS 206.02(1) and 206.03(12)(c)3, relating to the local roads improvement program.

ORDER ADOPTING RULE**Analysis Prepared by the Wisconsin Department of Transportation**

STATUTORY AUTHORITY: s. 86.31(6), Stats.

STATUTE INTERPRETED: s. 86.31(6), Stats.

General Summary of Rule. This rule making makes a minor revision to the Department's Local Roads Improvement Program, ch. Trans 206. The rule was revised in December of 1994 to include a provision for a new appropriation for high cost town road projects. Section 1 amends the present "Administrative Cost" definition to exempt the deduction of county administrative fees from the Town Road Improvement Discretionary Program (TRIP-D) component of LRIP. TRIP-D was added to the program during the 1993-95 biennium specifically to provide funding for high cost town road improvement projects - costing \$100,000 or more - that otherwise would not be funded. The existing rule requires that a county administrative fee be deducted from the total allocation of the county Town Road Improvement Program (TRI), the Municipal Street Improvement (MSI) Program for cities and villages with a population of 20,000 or less, and the statewide Town Road Improvement Discretionary Program (TRID) of LRIP. There was never an intent to include the statewide TRID in this provision. The present requirement was included in the current rule by error when the rule was last updated.

The county commissioners have already received and have agreed upon a level of reimbursement for administrative costs for the entire LRIP program. The addition of the few geographically diverse TRIP-D projects does not have an effect on county administrative costs. The TRIP-D program is completing its second biennial program at the end of fiscal year 1997. As of today, no payments in the form of administrative fees have been made to any county commissioners from the administration of the TRIP-D program, therefore, we expect no impact from this rule change.

Section 2 makes modifications to the uniform provisions of the LRIP project agreement to include the STRIDC as the approval source for TRIP-D projects.

Fiscal Impact. The Department estimates that there will be no fiscal impact on the liabilities or revenues of any county, city, village, town, school district, technical college district, sewerage district, or any federally-recognized tribes or bands. The Department also anticipates no fiscal impact on state funds.

Final Regulatory Flexibility Analysis. This rule will have no adverse impact on small businesses.

Copies of Rule. Copies of the rule may be obtained upon request, without cost, by writing to Ana Aquino-Perez, Division of Transportation Investment Management, Bureau of Transit and Local Roads, Room 951, P. O. Box 7913, Madison, Wisconsin 53707-7913, or by calling (608) 266-9497. Alternate formats of the rule will be provided to individuals at their request.

TEXT OF RULE

Under the authority vested in the state of Wisconsin, department of transportation, by s. 86.31(6), Stats., the department of transportation hereby amends a rule interpreting s. 86.31(2), Stats., relating to the local roads improvement program.

SECTION 1. Trans 206.02(1) is amended to read:

Trans 206.02(1) "Administrative cost" means the county highway commissioner's staff and material costs to perform the county highway commissioner's duties to the county MSI program for cities and villages with a population of 20,000 or less, and the county TRI program, ~~and the statewide TRID, as defined in this chapter,~~ including the cost of conducting bid lettings for MSI projects in cities and villages with a population of 20,000 or less and for TRI ~~and TRID~~ projects.

SECTION 2. Trans 206.03(12)(c)3 is amended to read:

Trans 206.03(12)(c)3. Description of the proposed work as approved by the CTRIC, STRIDC or CMSIC where appropriate and the intended construction year.

(END OF RULE TEXT)

Effective Date. This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2), Stats.

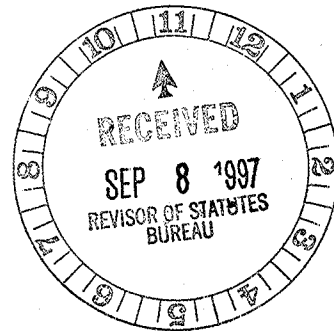
Signed at Madison, Wisconsin, this 4 day of September, 1997.

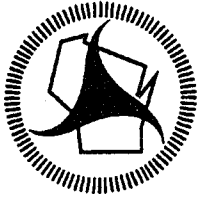
Charles H. Thompson

CHARLES H. THOMPSON

Secretary

Wisconsin Department of Transportation





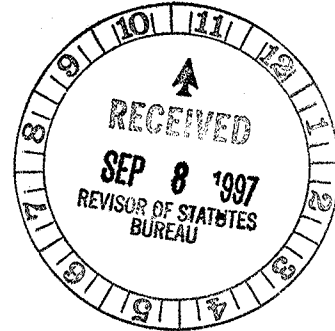
Wisconsin Department of Transportation

Tommy G. Thompson
Governor

Charles H. Thompson
Secretary

OFFICE OF GENERAL COUNSEL
P. O. Box 7910
Madison, WI 53707-7910

September 5, 1997



Mr. Gary Poulson
Deputy Revisor of Statutes
131 West Wilson Street, Suite 800
Madison, Wisconsin 53703

RE: **CLEARINGHOUSE RULE 97-60**

In the Matter of the Adoption of **TRANS 206**, Wisconsin Administrative Code,
relating to the **local roads improvement program**.

Dear *Gary* Mr. Poulson:

Enclosed for filing, pursuant to s. 227.20, Wis. Stats., is a certified copy of **CR 97-60**, an administrative rule relating to the above-mentioned matter.

Sincerely,

Jewels

Julie A. Johnson
Paralegal

Enclosures

cc: Gene Kussart
Mike Goetzman
Jim McDonnell
Jim Van Sistine
Ana Aquino-Perez