Senator Darling
Representative Nygren

TRANSPORTATION

Omnibus Motion -- Change to Base

Motion:

Move to include the following transportation provisions in AB 56 / SB 59:

Transportation Finance

1. *Increase Vehicle Title Fees by $95.00.* (LFB Paper #695). Increase the fee for an initial vehicle title or title transfer transaction by $95.00, effective October 1, 2019. This action would increase the total amount of these fees to $164.50. Increase estimated transportation fund revenue by $114,662,600 SEG-REV in 2019-20 and $158,251,000 SEG-REV in 2020-21.

2. *Increase Automobile Registration Fee by $10.* (LFB Paper #695). Increase the annual vehicle registration fee for automobiles by $10, from $75 to $85, effective October 1, 2019. Increase estimated transportation fund revenue by $28,010,100 SEG-REV in 2019-20 and $37,307,500 SEG-REV in 2020-21.

3. *Modification to Registration Fees for Selected Vehicle Weight Classes.* Adopt the provisions of LRB 0516/P2 to modify the annual registration fees for the following vehicle weight classes such that the fee amount due for each of the affected classes would be $100, as shown the table below. Increase estimated transportation fund revenue by $7,874,900 SEG-REV in 2019-20 and by $10,618,600 SEG-REV in 2020-21. Specify that these provisions would first apply to vehicle registration applications on the effective date of the bill.

Gross Vehicle Weight Not Exceeding (in Pounds)	Current Fee	Change	Proposed Fee	Revenue Change 2019-20	Revenue Change 2020-21
4,500	$75	$25	$100	$4,592,700	$6,224,300
6,000	84	16	100	6,309,800	8,551,400
8,000	106	-6	100	-1,060,100	-1,436,800
10,000	155	-55	100	-1,967,500	-2,720,400
				$7,874,900	$10,618,500

4. *Hybrid-Electric Vehicle Fee Definition* (LFB Paper #696). Amend the definition of a hybrid-electric vehicle to mean a vehicle that is capable of using both electricity and gasoline, diesel fuel, or alternative fuel to propel the vehicle, but with a modified effective date of October 1, 2019. Increase estimated transportation fund revenue by $4,605,300 SEV-REV in 2019-20 to reflect six

months of revenue and by $6,675,100 SEG-REV in 2020-21.

5. *Deposit Revenue from One-Cent of Petroleum Inspection Fee to Transportation Fund.* Deposit the revenue from one-cent of the two-cent petroleum inspection fee to the transportation fund in each year, effective on July 1, 2020. Make the following modifications to the amount of estimated petroleum inspection fee revenue provided to the transportation fund: (a) a decrease of $884,900 in 2019-20, as reestimated under current law; and (b) an increase of $3,175,000 SEG-REV, as reestimated and affected by this item.

6. *Eliminate Licensed Motor Vehicle Fuel Suppliers Administrative Allowance.* (LFB Paper #695). Effective October 1, 2019, eliminate the 1.35% administrative allowance that licensed motor vehicle fuel suppliers may deduct when remitting the fuel tax on gasoline. Increase estimated transportation fund revenue by $8,400,000 SEG-REV in 2019-20 and by $11,300,000 SEG-REV in 2020-21.

7. *Eliminate Retailer Refunds for Evaporation.* (LFB Paper #695). Effective October 1, 2019, eliminate the 0.5% retailer's refund for the motor vehicle fuel tax paid on gasoline received into a service station operator's storage facilities to cover shrinkage and evaporation losses. Increase estimated transportation fund revenue by $3,100,000 SEG-REV in 2019-20 and by $4,200,000 SEG-REV in 2020-21.

8. *Mileage-Based Fee Study.* Provide the Department $2,500,000 SEG in 2019-20 to do the following: (a) enter into a contract not to exceed $2,500,000 for a mileage-based fee study that would outline the policies, procedures, and operations needed to implement such fees; and (b) a traffic and revenue analysis associated with such fees. Require the firm under contract for this study to report its findings to DOT and each house of the Legislature by December 1, 2022. Require DOT to submit a recommendation on an implementation plan for a mileage-based fee to the Joint Committee on Finance by January 1, 2023, and require the Committee to approve, modify, or deny the implementation of a mileage-based fee. Specify that if the Committee approves a mileage-based fee structure, there would be created within DOT a Division of Innovative Transportation Finance Systems, which would report directly to the DOT Secretary. Specify that this Division would administer any mileage-based fee structure approved by the Committee.

9. *Reestimated Debt Service -- Existing Bonds for Transportation Purposes.* [LFB Summary, Pages 412 and 413, #14, #15, #16, #17, and #18]

a. *Revenue Bond Debt Service (SEG-REV).* Decrease estimated transportation fund revenue by $10,798,700 SEG-REV in 2019-20 and $20,319,100 SEG-REV in 2020-21 to reflect increases in the amount of vehicle registration and other pledged revenue needed to pay principal and interest on transportation revenue bonds.

b. *General Obligation Bonds (SEG).* Increase estimated transportation fund-supported, general obligation bond debt service by $3,445,400 SEG in 2019-20 and $8,795,900 SEG in 2020-21.

c. General Obligation Bonds (GPR). Increase estimated general fund-supported, general obligation bond debt service by $8,144,200 GPR in 2019-20 and $8,279,200 GPR in 2020-21.

10. *Lieutenant Governor Security*. Prohibit DOT from spending from the State Patrol general operations appropriations more in the 2019-21 biennium for the security and safety of the Lieutenant Governor than was expended in the 2017-19 biennium.

Local Transportation Aid

11. *General Transportation Aid.* (LFB Paper #710). Provide the following related to the general transportation aids program:

County Aid. Increase funding by $2,777,400 SEG in 2019-20 and $11,109,400 SEG in 2020-21 to fund a 10.0% increase to the calendar year general transportation aid distribution for counties for 2020 and thereafter. This would provide a calendar year distribution amount for counties equal to $122,203,200 for 2020 and thereafter.

Municipal Aid. Increase funding by $17,432,000 SEG in 2019-20 and $34,863,900 SEG in 2020-21 to fund a 10.0% increase to the calendar year general transportation aid distribution for municipalities for 2020 and thereafter. This would provide a calendar year distribution amount for municipalities equal to $383,503,200 for 2020 and thereafter. Increase the mileage aid rate by 10.0% ($239 per mile), from its current level of $2,389 per mile to $2,628 per mile, for calendar year 2020 and thereafter.

Delete the statutory references to prior calendar year funding amounts for counties and municipalities, as well as the prior year mileage aid rate amounts for municipalities.

12. *County Forest Road Aid.* Adopt the provisions of LRB 3260/P1 to: (a) provide $35,900 SEG annually to the appropriation for county forest road aid; and (b) increase the rate per mile provided to counties eligible for this program to $351 per mile (from $336 per mile). Specify that these provisions would first apply on the day after publication of the budget act.

13. *Mass Transit Operating Assistance.* (LFB Paper #711). Provide $553,700 SEG in 2019-20 and $2,214,800 SEG in 2020-21 to provide a 2% increase in mass transit operating assistance to each tier of mass transit systems for calendar year 2020 and thereafter. Base funding for mass transit operating assistance would increase to $112,952,300 annually (a 2% increase). Delete the statutory references to prior calendar year funding amounts for each tier of mass transit system. Set the statutory calendar year distribution amounts for 2020 and thereafter at $65,477,800 for Tier A-1, $17,205,400 for Tier A-2, $24,976,400 for Tier B, and $5,292,700 for Tier C.

14. *Seniors and Individuals with Disabilities.* (LFB Paper #712). Provide $1,500,000 SEG annually to the county assistance program. Under this alternative, base funding for the county assistance program would increase to $15,977,800 annually (a 10.4% increase).

15. *Paratransit Aids.* Provide $275,000 annually to provide a 10% increase for paratransit aid. This would increase funding from $2,750,000 in base funding to $3,025,000 annually.

16. *Employment Transportation Program* (LFB Paper #713). Provide $250,000 SEG annually to the transportation employment and mobility appropriation for the WETAP program.

17. *Tribal Elderly Transportation Grant Program.* Provide $39,600 PR annually to the 11 federally recognized Wisconsin tribes with additional financial assistance for the provision of transportation service to tribal elders on and off tribal reservations.

Local Transportation Assistance

18. *Local Roads Improvement Program -- Onetime Funding* (LFB #720). Provide $90,000,000 GPR in 2019-20 on a onetime basis to a newly-created GPR appropriation that would be used to fund local government project costs that would be eligible for program funding under the current law the local roads improvement program discretionary component, to be allocated as follows: (a) $32,003,200 for county projects; (b) $22,847,400 for municipalities; and (c) and $35,149,400 for towns. Specify that notwithstanding local road improvement program cost-sharing requirements, that a required local project cost match of 10% of total project cost would apply to project submitted for funding under the GPR appropriation. Require DOT to solicit project applications for this funding, beginning in 2019-20, until the funds appropriated have been expended. Provide DOT the authority to promulgate administrative rules for this purpose.

19. *Local Bridge Assistance Program Earmark -- City of Kaukauna.* Adopt the provisions of LRB 2860/P1 to require DOT to provide a local bridge assistance program grant to the City of Kaukauna in 2019-20, notwithstanding the statutory requirements of this program. Specify that this grant would be used for Veteran's Memorial Lift Bridge and would fund 80% of the remaining project costs.

20. *Harbor Assistance Program* (LFB Paper #721). Provide 2019-21 harbor assistance program funding of $45,200,000, as follows: (a) $13,200,000 SEG in 2019-20; and (b) $32,000,000 BR in transportation fund-supported, general obligation bonds. Estimate transportation fund-supported, general obligation bond debt service associated with the partial issuance of these bonds as $322,600 SEG in 2020-21.

21. *Harbor Assistance Program -- Shipbuilder grant priority for 2019-21* (LFB Paper #721). Require, when making grant awards from the harbor assistance program in the 2019-21 biennium, notwithstanding the eligibility criteria of the program, that DOT give priority to municipalities in which a shipbuilder in this state is conducting operations. [Although not specified in the bill, the administration indicates that this provision is intended to apply to Marinette Marine, a subsidiary of Fincantieri Marine Group. The administration indicates that up to $29.0 million of the recommended 2019-21 funding for the harbor assistance program may be awarded under this provision.]

22. *Freight Rail Preservation Program* (LFB Paper #722). Provide $30,000,000 in SEG-supported bonds for the freight rail preservation program. Increase estimated transportation fund-supported, general obligation bond debt service by $311,800 SEG in 2020-21.

23. *Intermodal Facilities Grants.* Require DOT to provide up to $1,500,000 to applicants for intermodal freight facilities grants from the freight rail infrastructure improvement program revolving loan fund balance in the 2019-21 biennium, notwithstanding the statutory requirements of that program related to project eligibility and loan repayment. Modify the purposes of the existing freight rail infrastructure improvement program appropriation to allow for the payment of these grants. Provide DOT authority to award grants for intermodal freight facilities that are determined to have a public purpose. A grant under this section may be for purposes of planning, design, feasibility analysis, construction, or any other related purpose. Effective on July 1, 2021 and thereafter, add intermodal freight facilities to the list of freight rail preservation program project types eligible for the bond funding provided to that program.

24. *Passenger Rail* (LFB Paper 723). Provide a total increase in passenger rail service development funding of $35,000,000, as follows: (a) $25,000,000 SEG in 2019-20; and (b) $10,000,000 BR in GPR-supported bonds. Estimate general fund-supported, debt service associated with the partial issuance of these bonds at $224,200 GPR in 2020-21. This funding would be used to fully fund improvements needed to add additional passenger rail service on the Hiawatha line.

25. *Railroad Crossing and Repair* (LFB Paper #724). Provide $232,600 SEG annually to fund railroad crossing and repair reimbursement claims.

26. *Aeronautics Air Traffic Control System* (LFB Paper #725). Provide $1,000,000 SEG annually for the aeronautics assistance program to assist local airports in their conversion to "Next Generation Air Traffic Control Systems."

State Highway Program

27. *State Highway Rehabilitation Program* (LFB Paper #720). Make the *following* changes to state highway rehabilitation program funding in order to provide a 2019-21 funding level of $1,937,813,600 (as shown in the table below): (a) an increase $116,257,300 SEG in 2019-20 and $158,213,300 SEG in 2020-21; and (b) an increase of $20,000,000 FED in 2019-20 and $25,529,400 in 2020-21. [Standard budget adjustment reductions of $2,928,800 SEG annually and $813,900 FED annually were made in an earlier action of the Committee.]

2019-21 State Highway Rehabilitation Program Funding

		Joint Finance Action	
Fund	2018-19 Base	2019-20	2020-21
SEG	$386,111,500	$499,440,000	$541,396,000
FED	426,538,000	445,724,100	451,253,500
Total	$812,649,500	$945,164,100	$992,649,500

28. *Major Highway Development Program* (LFB Paper #731). Make the following changes to major highway development program funding in order to provide a 2019-21 funding level of $564,200,000 (as shown in the table below): (a) increases $4,000,000 SEG in 2019-20 and $2,000,000 SEG in 2020-21; (b) of reductions of $41,752,900 FED in 2019-20 and $38,352,900 FED in 2020-21; and (c) increases of $20,000,000 SEG-S annually; and (c) authorize $142,254,600 in transportation revenue bonds. [This alternative would require DOT to use $30.9 million in existing revenue bond proceeds to fund project work.] [Standard budget adjustment reductions of $108,900 SEG annually and $240,800 FED annually were made in an earlier action of the Committee.] Reduce estimated transportation fund revenue by $889,100 SEG-REV in 2019-20 and $6,596,500 SEG-REV in 2020-21 associated with the partial issuance of the revenue bonds authorized under this provision.

2019-21 Major Highway Development Program Funding

Fund	2018-19 Base Plus Bonds	Joint Finance Action 2019-20	Joint Finance Action 2020-21
SEG	$23,220,500	$27,111,600	$25,111,600
FED	209,694,800	167,701,100	171,101,100
Trans. Revenue Bonds	66,587,300	71,127,300	71,127,300
Existing Bond Proceeds	0	15,460,000	15,460,000
Total	$299,502,600	$281,400,000	$282,800,000

29. *I-43 Silver Spring Drive in Milwaukee and Ozaukee Counties -- Major Highway Development Project* (LFB Paper #731). Enumerate I-43, extending approximately 14.3 miles between Silver Spring Drive in the City of Glendale and STH 60 in the Village of Grafton, in Milwaukee and Ozaukee counties, as a major highway development project.

30. *I-41 in Brown and Outagamie Counties -- Major Highway Development Project* (LFB Paper #732). Enumerate I-41, extending approximately 23 miles between STH 96 to CTH F in Brown and Outagamie counties, including local roads and interchanges as necessary for the completion of the project, as a major highway development project. Require DOT to construct an interchange with I-41 and local roads, near the intersection of Southbridge Road (which becomes French Road) and Creamery Road in Brown County as a component of this major highway development project. Under the major highway development program's funding level, $4.0 million in 2019-20 and $2.0 million in 2020-21 would be provided to fund the federal environmental review process and interchange access reports that would be necessary for this project to proceed.

31. *Southeast Wisconsin Freeway Megaprojects Program*. Make the following changes to the southeast Wisconsin freeway megaprojects program funding in order to provide a 2019-21 funding level of $226,400,000: (a) increases of $25,000,000 SEG in 2019-20 and $15,000,000 SEG in 2020-21; (b) an increase of $11,863,000 FED in 2019-20 and a decrease of $2,066,400 FED in 2020-21; the authorization of $95,000,000 BR of transportation fund-supported, general obligation bonds for use on the Zoo Interchange project in Milwaukee County. Estimate transportation fund-supported debt service associated with the partial issuance of these general obligations bonds in the

biennium would be $206,300 in 2020-21 [Standard budget adjustment reductions of $108,300 SEG annually and $182,100 FED annually were made in an earlier action of the Committee.]

2019-21 Southeast Wisconsin Freeway Megaprojects Program Funding

Fund	2018-19 Base Plus Bonds	Joint Finance Action 2019-20	2020-21
SEG	$11,767,900	$36,659,600	$26,659,600
FED	29,324,200	41,005,100	27,075,700
Gen. Ob. Bonds (SEG)	0	32,500,000	62,500,000
Total	$41,092,100	$110,164,700	$116,235,300

32. *Major Interstate and High-Cost State Bridge Programs.* (LFB Paper #733) Tale the following actions: (a) authorize $27,000,000 of transportation fund-supported, general obligation bonds for the major interstate bridge program (the St. Croix Crossing project) to be used to pay for remaining project costs. Estimate transportation fund-supported debt service associated with the partial issuance of these general obligation bonds at $21,300 SEG in 2020-21; (b) reduce the authorization of transportation fund-supported, general obligation bonds for the high-cost state bridge program (the Hoan Bridge) by $10,000,000; and (c) modify the current law provision that limits the funding of preliminary design work for a major interstate bridge project to only the program's appropriations and bond authorization and allow the Department's state highway rehabilitation program appropriations to fund these preliminary design costs.

33. *Installation of Noise Barrier on I-41.* Require DOT to install a noise barrier in the 2019-21 biennium along the east side of I-41 adjacent to 112th Street, between Clarke Street and Center Street in Milwaukee County.

34. *Intelligent Traffic Systems and Traffic Control Signals Appropriations Sunset.* Delete the sunset of the state, federal, and local appropriation accounts for intelligent traffic systems and traffic control signals. Under current law, no moneys may be encumbered from these appropriation accounts after June 30, 2021.

35. *Alternative Highway Project Delivery Methods and Program.* Adopt the provisions of LRB s0056/1 to create a program and office for alternative highway project delivery, including the following provisions:

Office of Innovative Program Delivery. Create an office of innovative program delivery in DOT. Specify that the director of the office would be appointed by, and report directly to, the DOT Secretary. Require the DOT Secretary to appoint a director who has no fewer than 5 years of experience in design-build project development and delivery specific to public transportation or public infrastructure construction. Require that the director do all of the following: (a) perform the duties and functions required to facilitate alternative project delivery; (b) employ, supervise, and train personnel assigned to the office by the DOT Secretary; and (c) supervise all expenditures of the office. Specify that the office perform the duties and functions required to facilitate alternative

project delivery. Create the following definitions related to this office: (a) "director" would mean the director of the office of innovative program delivery attached to the Department; and (b) "office" means the office of innovative program delivery attached to the Department. Require the DOT Secretary to assign from DOT's existing position authority at least 1.0 FTE position to the office of innovative program delivery.

Alternative Project Delivery. Create the following definitions: (a) "Alternative technical concepts" would means a proposed alternative to the technical requirements provided by the office in the request for proposals for a project; (b) "best value design-build contract" would means a design-build contract award made following a calculation of value as provided in a request for proposals; (c) "design-build contract" would means a contract for a project under which the design, engineering, construction, and related services are provided by a single design-builder; (d) "design-builder" would means a private legal entity, consortium, or joint venture that proposes to or executes a contract with the office to design, engineer, and construct a project under this section; (e) "design-build project" would means a project for which design, engineering, construction, and related services are procured through a single contract with a single private legal entity, consortium, or joint venture capable of providing the necessary design, engineering, construction, and related services; (f) "design professional" would means a person registered as an architect or professional engineer, or a registered architecture or engineering firm, partnership, or corporation; (g) "director" would means the director of the office of innovative program delivery attached to DOT; (h) "fixed price variable scope design-build contract" would means a design-build contract award made to the lowest qualified responsible bidder able to provide the best qualitative scope of work at a price not to exceed a fixed price set by the office; (i) "low bid design-build contract" would means a design-build contract award made to the lowest qualified responsible bidder; (j) "member" would means a private legal entity that is a member of a consortium or joint venture that is a design-builder; (k) "office" would means the office of innovative program delivery attached to the Department; (l) "project" would means a project involving a highway improvement, as defined under current law; (m) "qualified responsible bidder" would means a design-builder responding to a request for qualifications and that is certified by the technical review committee; (n) "responsive cost proposal" would means a proposal that clearly identifies the costs of all services to be performed by the qualified responsible bidder, including all related fees, wages, and equipment and material costs; (o) "responsive technical proposal" would means a proposal that clearly demonstrates a qualified responsible bidder's understanding of the design, engineering, and construction services to be performed and clearly describes the bidder's approach to the project; (p) "Technical review committee" would means the committee appointed for review of the alternative project delivery methods described under these provisions; and (q) "value engineering change" would means a proposal that provides for a product of equal or improved quality to the product required by the department and that will reduce the project cost, improve safety, or decrease the time to complete the project.

Design-Build Projects. Require the Department to administer a pilot program under which not more than 6 contracts are awarded for design-build projects to be completed no later than December 31, 2025. Specify that the director may not designate a project as a design-build project unless the Department is able to clearly define the scope of work. Specify that DOT may not expend more than $250,000,000 for 6 design-build contracts designated as follows:

1. one low bid design-build contract for a project with an estimated value of not less than $5,000,000 and not more than $25,000,000;

2. one best value design-build contract for a project with an estimated value of not less than $25,000,000 and not more than $75,000,000;

3. one fixed price variable scope design-build contract with an estimated value of not less than $25,000,000 and not more than $75,000,000; and

4. three contracts designated by the director with a total estimated value of not more than $125,000,000. The department may enter into a low bid design-build contract, best value design-build contract or a fixed price variable scope design-build contract under this subdivision.

Specify that for each project designated as a design-build project the office would prepare a written analysis supporting the office's determination that it is the best interests of the state to make the designation. Require that the written determination and supporting materials would be subject to open records laws. Specify that the written analysis would include all of the following:

1. the extent to which the department can adequately define the project requirements in a proposed scope of design and construction;

2. the impact on the projected project schedule and completion date;

3. the impact on the projected cost of the project;

4. the impact on the quality factors of the project;

5. the availability of contractors with experience with design-build projects or other innovative project delivery methods;

6. the capability of the department to manage a design-build project with office employees and design consultants;

7. the capability of the department to oversee a design-build project with a contractor with experience with design-build projects or other innovative project delivery methods;

8. the availability of current department employees qualified to perform design and engineering services required for the design-build project;

9. the original character of the product or the services;

10. the statutory authority for the designation of the project as a design-build project and how the project furthers the department's statutory duties;

11. whether the design-build project must comply with any federal rule or regulation or any U.S. department of transportation requirement and a statement that the design-build project is in compliance;

12. any other criteria the office determines is necessary.

Specify that for each project designated under this new program, the office would be required to solicit requests for qualifications, requests for proposals, and cost proposals and let each project by contract to a qualified responsible bidder. Specify that no more than six months following the completion of a design-build project, the office shall prepare a report, with input from the design-builder and the technical review committee, detailing the project, the decision to designate the project as a design-build project, the type of design-build contract let, and recommendations for statutory changes, if any. Require that the office provide this report to the Joint Committee on Finance and the Senate and Assembly standing committees having jurisdiction over transportation matters. Specify that the Senate and Assembly standing committees having jurisdiction over transportation matters shall schedule a hearing on the report not more than 30 days following distribution of the report by the chief clerks of the Senate and the Assembly. Specify that these provisions would not apply to projects completed after December 31, 2025.

Technical Review Committee. (a) Specify that the DOT Secretary appoint 5 individuals to a technical review committee to evaluate proposals submitted under this section. Provide that the committee consist of the following:

1. an employee of the department representing a regional office of the department who has at least 5 years of experience in the transportation construction industry;

2. two employees of the department representing the division of the department responsible for transportation project development, each of whom have at least 5 years of experience in the transportation construction industry;

3. one person representing a state association of architectural, engineering, or design companies;

4. one person representing a state association of transportation construction companies.

Require the DOT Secretary to appoint to the technical review committee any person associated, as defined in state law, with a design-builder. Specify that a person appointed to the technical review committee may review proposals when the proposed project could benefit the appointee or the appointee's immediate family, as defined under state law. Specify that a person appointed to the technical review committee is an agent of the Department under state law. Specify that except as otherwise provided, all records of the technical review committee are open to public inspection and copying under public record law.

Bids. Require the office to solicit design-build proposals in 2 phases. Specify that in the first phase, the office solicit requests for qualifications and requests for proposals. Provide that the

technical review committee certify responsible bidders as provided and score technical proposals. Specify that in the 2nd phase, the office solicit cost proposals and the technical review committee evaluate cost proposals.

Request for Qualifications. Require the office to prepare a request for qualifications that includes all of the following:

1. minimum required qualifications for certification as a qualified bidder, which would include all of the following;

a. the design and construction experience of the design-builder or member, personnel, and contractors who will manage the design, engineering, and construction aspects of the project [Specify that the office may not require a level of experience that will unreasonably restrict competition.];

b. a requirement that the design-builder or member employ an individual who has no fewer than 5 years of experience in highway construction specific to highway improvement projects in this state;

c. a requirement that the design-builder or member be a design professional or will employ or contract with a design professional;

d. a sworn statement of the design-builder's financial ability, equipment, and experience in design-build project delivery and any other information the office determines is necessary to determine a bidder's competency;

2. Minimum required qualifications for certification as a responsible bidder, which must include all of the following:

a. the design-builder is registered or authorized to do business in this state;

b. the design-builder submits a sworn statement that indicates that it has adequate financial resources to complete the work described in the request for qualifications, taking into account any other work the design-builder is currently under contract to complete;

c. the design-builder is bondable for the term of the proposed contract and is able to obtain a 100% performance bond and a separate 100% payment bond;

d. if the Department has previously contracted with the design-builder or a member, the design-builder or member has a record of satisfactorily completing projects. [Specify that in making this determination, the technical review committee shall consider if the design-builder or the member has completed all contracts in accordance with drawings and specifications, diligently pursued execution of the work and completed contracts according to the time schedule, fulfilled guarantee requirements of contracts, and complied with applicable safety program requirements.

Provide that the technical review committee may not consider whether a design-builder or member exercised legal rights specified in statute or rule or under a contract with the department.]

e. the design-builder or a member is not on a list maintained by the department identifying persons ineligible to bid due to suspension or debarment or on a list that the department of administration maintains for persons who violated statutory provisions or administrative rules relating to construction;

f. the design-builder or a member has been in business for at least 12 months;

g. the design-builder or a member has served as a prime contractor on no fewer than 5 projects administered by the department during the previous 5 calendar years;

h. the design-builder can provide information to the technical review committee upon request about ownership, management, and control of the design-builder;

i. the design-builder or a member has not been debarred from any government contracts and has not been found to have committed tax avoidance or evasion in any jurisdiction in the previous 10 years;

j. the design-builder has not been disciplined under a professional license in any jurisdiction in the previous 10 years; and

k. no design professional employed by the design-builder or a member or that the design-builder will contract with has been disciplined in any jurisdiction under a license that is currently in use.

4. Specify that information about bid procedures and the proposed project, including all of the following:

a. the type of contract to be awarded;

b. the selection criteria for recommendation of design-builders for phase 2;

c. project requirements, including a scope of work statement and a schedule;

d. the required completion date of the project; and

e. a description of requirements for the technical proposal for the project.

Specify that the office advertise the request for qualifications by publication of a class 1 notice in the official state newspaper and on the Department's Internet site. Provide that the office may place similar notices in publications likely to inform potential bidders of the project. Require that the office issue a request for qualifications or provide information as to where the request for qualifications may be obtained to any person, without regard to the qualifications of the person.

Require the office include in all advertisements for this purpose the location and scope of work, the amount of bid guarantee required, the date, time, and place of bid or proposal opening, and the date when and place where plans will be available.

Provide that the technical review committee certify at least 2 but not more than 4 design-builders as qualified responsible bidders. Specify that if the office does not receive at least 2 responses to the request for qualifications or if the technical review committee certifies only one design-builder as a qualified responsible bidder, the office may re-advertise or cancel the project.

Request for Proposals. Require that the office prepare a request for proposals for each design-build contract that includes all the following:

1. the name, title, address, and telephone numbers of persons to whom questions concerning the proposal should be directed;

2. the procedures to be followed for submitting proposals, including how proposals must be delivered, the date and time by which they must be received, and the name and address of the person who is to receive them;

3. the date and time of the pre-proposal conference, if any;

4. a requirement that a technical proposal and a cost proposal be submitted in separate sealed proposals at the same time;

5. a clear description of the scope of all design, engineering, and construction work; and

6. the criteria for evaluating proposals and their relative weight, if applicable.

7. the design criteria package, including a description of drawings, specifications, or other information to be submitted with the proposals, which shall allow the design-builder to use innovative projects meeting the criteria;

8. the project schedule and budget limits, if any;

9. the proposed terms and conditions of the contract;

10. requirements relating to performance bonds, payments bonds, and insurance;

11. amount of stipend, if any;

12. the procedures for awarding a contract;

13. a process for the technical review committee to review and accept alternative technical concepts and value engineering change proposals;

14. a requirement that the design-builder perform not less than 30% of the construction services under the contract with labor provided by employees of the design-builder or member and equipment owned or rented by the design-builder or member; and

15. any other information the office determines is necessary;

Specify that technical review committee would be required to evaluate each technical proposal, which may include a confidential interview, and would be required to assign points in accordance with the request for proposals and would be subject to all of the following:

1. for a project that will be awarded as either a low bid design-build contract or a fixed price variable scope design-build contract, the technical review committee shall determine whether technical proposals are responsive to the request for proposals without ranking or scoring the proposals;

2. for a project that will be awarded as a best value design-build contract, the technical review committee shall determine whether technical proposals are responsive to the request for proposals and score each responsive technical proposal as required by the request for proposals. The technical review committee may award not more than 20% of the points awarded to a technical proposal based on the design-builder's qualifications and ability to design, contract, and deliver the project in accordance with any deadline established in the request for proposals. The technical review committee may award a technical proposal not more than 55% of the maximum number of combined points that may be awarded to a technical proposal and cost proposal.

Require that the office shall design-builders to include alternative technical concepts and value engineering changes in their proposals by describing the process for submission and evaluation of alternative technical concepts and value engineering changes in the request for proposals. Specify that the technical review committee may not consider a proposal responsive unless the proposal includes a conceptual design, critical path method, bar schedule of the work to be performed or similar schematic, design plans and specifications, technical reports, and all other information required by the request for proposals. Specify that the technical review committee may not consider any price or fee included in the technical proposal. Specify that the office notify the design-builder for each proposal that is determined to be responsive and that the design-builder may submit a cost proposal. Provide that the office reject all proposals that are determined to be nonresponsive.

Cost Proposals. Specify that design-builders that are notified as responsive bidders may submit a cost proposal and the proposal would be required to include a fixed cost of design, engineering, and construction services prepared by a design professional that contains all design, engineering, construction, and quality assurance and quality control costs of the project. Specify that the technical review committee may open cost proposals only after the technical proposals have been reviewed. Require that at the time and place specified in the request for proposals, the technical review committee open cost proposals, read the proposals aloud, and, for a project that will be awarded as a best value design-build contract, make public the committee's scoring of the technical proposals. Specify that following a review of cost proposals, the department may issue a notice of intent to award a contract, subject to all of the following:

1. for a low bid design-build contract, the contract shall be awarded to the qualified responsible bidder that submitted a responsive technical proposal and also submitted the lowest responsive cost proposal;

2. for a fixed price variable scope design-build contract, the contract shall be awarded to the qualified responsible bidder that submitted a responsive technical proposal and that submitted a responsive cost proposal that provides the maximum amount of services for the maximum fixed price set by the office or for an amount that is less than the maximum fixed price;

3. for a best value design-build contract, the contract shall be awarded to the qualified responsible bidder with the highest adjusted score, which shall be calculated by adding the bidder's technical proposal score to the bidder's cost proposal score. [Specify that the technical review committee shall award the lowest qualified responsible bidder the maximum number of points that may be awarded to a cost proposal under the request for proposals, but not less than 45% and not more than 75% of the maximum number of combined points that may be awarded to a technical proposal and cost proposal. Require that for each remaining qualified responsible bidder, the technical review committee shall calculate the score for the cost proposal by reducing the maximum number of points that may be awarded to the cost proposal by at least 1% for each percentage point by which the cost proposal exceeds the lowest cost proposal.]

Specify that following a review of cost proposals, the office may reject all proposals. Provide that if the office rejects all proposals or does not execute a contract after issuing an intent to award a design-build contract, the office may reissue the request for proposals and allow only the qualified responsible bidders originally notified as responsive to submit new proposals. Specify that the office may pay a reasonable stipulated fee to each design-builder that provides a responsive but unsuccessful proposal in response to the reissued request for proposals. Stipulate that if the reissued request for proposals specifies a maximum fixed price, the office may not award a stipend to a design-builder whose proposal exceeds that price. Specify that not less than 5 working days prior to executing a design-build contract, the department would be required to provide notice to each unsuccessful qualified responsible bidder that a notice of intent to award a contract has been issued. Required that the Department and the technical review committee shall maintain the confidentiality of information provided by design-builders as required under current law.

Contract award. Create the following definitions: (a) "construction services" means work necessary to construct a project, including trucking services and materials purchased regardless of whether the materials are installed by the design-builder; (b) "specialty services" means work related to sanitary sewer systems, water main systems, staking, electrical, landscaping and erosion control, traffic control, signing, pavement marking, fencing, and other work identified by the office.

Specify that no later than 10 days following the issuance of a notice of intent to award a design-build contract, the office would be required to verify that the design-builder will perform not less than 30% of the construction services under the contract with labor provided by employees of the design-builder or member and equipment owned or rented by the design-builder or member. Stipulate that the design-builder would be required to submit to the office in the form prescribed by the office documentation of the construction services the design-builder or members will

perform and the dollar value of the services. Require the office to calculate the percentage of total construction services identified in the contract to be performed by the design-builder or members by subtracting the value of specialty services to be performed from the total contract amount and dividing the dollar value of construction services to be performed by the design-builder or members by the difference. Specify that if the value of construction services to be performed by the design-builder or members is less than 30% of the value of all construction services required under the contract, the office shall cancel the contract award.

Project delivery. Specify that an individual identified in a response to a request for qualifications or in a technical proposal may be replaced by a design-builder if the office determines that the new individual meets the qualifications described in the response to the request for qualifications or in the technical proposal and that the individual's qualifications are at least equal to the qualifications of the individual being replaced.

Liability. Provide that nothing in these design build provisions be construed as relieving a design-builder of 3rd-party liability or liability for loss or damage to property of the state or a county or municipality. Specify that all design services, including architectural and engineering services, provided under a design-build contract are services and not products.

Stipulated Fee. Require the Department to award a stipulated fee of not less than three-tenths of 1% of the department's estimated cost of design and construction as follows:

1. to each qualified responsible bidder that provides a responsive but unsuccessful proposal when the office issues a notice of intent to award a contract. If the request for proposals specifies a maximum fixed price, the office may not award a fee to a proposal that exceeds the maximum fixed price;

2. to all qualified responsible bidders that provide a responsive proposal, if the office does not issue a notice of intent to award a contract; and

3. to all qualified responsible bidders if the office cancels the solicitation before the technical review committee reviews technical proposals.

Require DOT to pay the stipulated fee to each qualified responsible bidder no later than 90 days after DOT issues a notice of intent to award a contract, determines that it will not issue a notice of intent to award a contract, or cancels the solicitation. Specify that in consideration for paying the fee, DOT may use the work product contained in an unsuccessful proposal in connection with any proposed or awarded design-build project without making any additional compensation to the design-builder. Specify that if an unsuccessful design-builder waives the stipulated fee, the department may not use work product in the design-builder's unsuccessful proposal.

Appeals. Specify that any person aggrieved and directly affected by a decision of the office to issue a request for qualifications or a request for proposals would be entitled to administrative judicial review of the decision, as allowable under current law. Provide that a person be considered a person aggrieved and directly affected by a decision of the office if any of the following would apply to a request for qualifications or a request for proposals issued by the office under this section:

1. the request does not include qualifications, requirements, or other items required under this section;

2. the request does not comply with procedural requirements under this section;

3. the request contains material errors or omissions;

4. the request contains material discrepancies, deficiencies, or ambiguities that prevent a person from submitting a responsive proposal;

5. the request indicates a bias against or preference for a specific design-builder; or

6. the request exceeds the Department's authority.

Specify that any person aggrieved and directly affected by a decision of the office to issue a notice of intent to award a contract under this section would be entitled to administrative judicial review of the decision as allowable under current law. Specify that a person shall be considered aggrieved and directly affected by a decision of the office if any of the following apply to a notice of intent to award a contract under this section:

1. the design-builder that received the notice of intent to award a contract was improperly certified as a qualified responsible bidder;

2. a mathematical error was made in scoring any of the proposals that resulted in an improper intent to award a contract;

3. there is evidence of collusion or fraud involving either the design-builder who received the notice of intent to award a contract or a member of the technical review committee;

4. there is evidence of bias of a member of the technical review committee;

5. there is evidence that a member of the technical review committee has a conflict of interest because the committee member, a member of his or her immediate family, as defined in Chapter 19 of the statutes, or any organization or business with which the member is associated, as defined in Chapter 19 of the statutes may benefit from the intent to award a contract; or

6. the technical proposal or cost proposal submitted by the design-builder who received the notice of intent to award a contract is not responsive to the request for proposals, contains conditions or qualifications not provided for in the request for proposals, or does not assign costs to all services identified in the technical proposal or is otherwise materially unbalanced.

Specify that if the office prevails upon judicial review, following any protest and appellate court proceedings, the office would be entitled to recover all costs and charges included in the final order or judgment, excluding attorney's fees. Specify that upon payment of costs and charges by the protester, the bond would be returned. Provide that if the protesting party prevails, the protesting party would be entitled to recover from the office all costs and charges included in the final order or judgment, excluding attorney's fees. Specify that the entire amount of the bond would be forfeited if the hearing officer determines that a protest was filed for a frivolous or

improper purpose, including but not limited to the purpose of harassing, causing unnecessary delay, or causing needless cost for the office or parties.

Deliverables. Provide that no later than 3 months after the effective date of the bill, the office would be required to prepare a report that establishes a program structure for delivering design build projects. Required that report specify the types of highway improvement projects to be considered and procedures and timelines for the bid process. Specify that the office may not designate a highway improvement project as a design-build project prior to the completion of the report. Specify that no later than 6 months after the effective date of the bill, the office would be required to prepare a design-build procurement manual that incorporates the requirements under this subsection and any applicable requirements under federal law. Specify that the manual would be created by a committee that includes all of the following members: (a) the director; (b) two employees of the department who represent the division of the department responsible for transportation project development and who each have not less than 5 years of experience in the transportation construction industry; (c) one person representing a state association of transportation architectural, engineering, or design companies to be nominated by the governor and appointed with the advice and consent of the senate; (d) one person representing a state association of transportation construction companies to be nominated by the governor and appointed with the advice and consent of the senate; (e) one person representing a national trade group with a design-build certification program and experience in assisting states with the implementation of a design-build program to be nominated by the governor and appointed with the advice and consent of the senate.

Specify that no later than December 31, 2026, the office submit a report the Joint Committee on Finance and the Senate and Assembly standing committees having jurisdiction over transportation matters summarizing observations of the process utilized for alternative project delivery methods and describing the effectiveness of the alternative project delivery methods contracting procedures. Require that the report include discussion on scope of work, history of projects selected, evaluation criteria, selection process, contract administration, work progression, time and cost comparisons between the traditional contracting method and alternative delivery methods, claims, and changes. Require that no later than 6 months after receipt of this report, the Joint Committee on Finance would be required to determine whether the alternative project delivery pilot program was successful in providing DOT with additional tools that allow innovation, reduced project completion time, cost certainty, or reduced cost or other advantages or benefits and make a recommendation to the Legislature as to whether the pilot program should be made permanent.

Administrative Rules and Related Nonstatutory Provisions. Specify that DOT may promulgate administrative rules necessary to implement these provisions. Specify that DOT may promulgate emergency rules related to these provisions for the period before the date on which permanent rules take effect. Notwithstanding current law provisions related emergency rule promulgation, specify that emergency rules promulgated related to these provisions would remain in effect until the first day of the 25th month beginning after the effective date of the emergency rule, the date on which the permanent rules take effect, or the effective date of the repeal of the emergency rule, whichever is earlier. Notwithstanding current law provisions related emergency rule promulgation, specify that DOT would not be required to provide evidence that promulgating a rule

under this subsection as emergency rules is necessary for the preservation of public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under these provisions.

36. *Local Regulation of Nonmetallic Mining at Quarry Operations.* Move to incorporate the provisions of LRB 3029/P4 which would limit the authority of political subdivisions to place limits or conditions on the operations of a quarry. A political subdivision would include a county, city, village, or town. The provisions would take effect on the general effective date of the bill, except as specified. Include the following provisions:

a. Definitions. Create the following definitions:

1. "Quarry" would mean the surface area from which nonmetallic minerals, including soil, clay, sand, gravel, and construction aggregate, that are used primarily for a public works project or a private construction or transportation project, are extracted and processed.

2. "Quarry operations" would mean the extraction and processing of minerals at a quarry site and all related activities, including blasting, vehicle and equipment access to the quarry site, and loading and hauling of material to and from the quarry site.

3. "Permit" would mean a form of approval granted by a political subdivision for the operation of a quarry.

4. "Nonconforming quarry site" would mean land on which a quarry existed lawfully before the quarry became a nonconforming use, including any contiguous parcel. The nonconforming status of any contiguous parcel shall be subject to the requirement that, on a five-year rolling average, 75% of the quarry materials extracted from the contiguous parcel shall be used for infrastructure-related projects, as determined by the quarry operator. If this 75% requirement is not met as to any contiguous parcel, the nonconforming status of the contiguous parcel may be suspended. The definition would not preclude a determination that a particular parcel is nonconforming under: (a) the current law definition of a nonconforming use, which means a use of land, a dwelling, or a building that existed lawfully before the current zoning ordinance was enacted or amended, but that does not conform with the use restrictions in the current ordinance; or (b) common law.

5. "Contiguous" would mean sharing a common boundary or being separated only by a waterway, section line, public road, private road, transportation right-of-way, or utility right-of-way.

6. "Contiguous parcel" would mean any parcel of land, up to a cumulative limit of 80 acres, that as of January 1, 2001, is: (a) contiguous to, and is located in the same political subdivision as, land on which a quarry existed lawfully before the quarry became a nonconforming use; (b) is under the common ownership, leasehold, or control of the person who owns, leases, or controls the land on which the quarry is located; and (c) is shown to have been intended for quarry operations prior to the effective date of the ordinance that rendered the use nonconforming. The provision would specify that if the contiguous parcel of land was commonly owned, leased, or controlled on January 1, 2001, there is a presumption that the contiguous parcel of land was intended for quarry operations prior to the effective date of the ordinance that rendered the use nonconforming.

b. Local Regulation of Quarry Operations. Specify that none of the new provisions may be construed to affect the authority of a political subdivision to regulate land use for a purpose other than the quarry operations, including the provisions related to permits, blasting, water quality or quantity, and air quality. Specify that none of these listed provisions may be construed to exempt a quarry from a regulation of general applicability placed by a political subdivision that applies to other property in the political subdivision that is not a quarry unless the regulation is inconsistent with the included provisions.

Create the following prohibitions and authorizations related to local regulation of quarry operations.

1. Except as provided in (2) and (3), authorize a political subdivision to require a quarry operator to obtain a zoning or nonzoning permit to conduct quarry operations.

2. Prohibit a political subdivision from requiring a quarry operator to obtain a zoning or nonzoning permit to conduct quarry operations unless, prior to the establishment of quarry operations, the political subdivision enacts an ordinance that requires the permit.

3. Prohibit a political subdivision from requiring a quarry operator to obtain a nonzoning permit to conduct quarry operations if the quarry operation operates under a previously issued zoning permit.

4. Specify that if a political subdivision enacts a nonzoning ordinance regulating the operation of a quarry that was not in effect when quarry operations began at a quarry, the limit would not apply to that quarry or to land that is contiguous to the land on which the quarry is located, is under the common ownership, leasehold, or control of the person who owns, leases, or controls the land on which the quarry is located, and is located in the same political subdivision.

5. Prohibit a political subdivision from adding conditions to a zoning or nonzoning permit during the duration of the permit, unless the permit holder consents.

6. Prohibit a political subdivision from enacting an ordinance that prohibits continued quarry operations at a nonconforming quarry site. Continued quarry operations would include conducting quarry operations in an area of a nonconforming quarry site in which quarry operations have not previously been conducted. This provision would not modify or limit an operator's reclamation obligations under a reclamation permit.

7. Specify that, if a political subdivision requires a quarry operator to comply with another political subdivision's ordinance as a condition for obtaining a zoning or nonzoning permit, the political subdivision that grants the permit may not require the quarry operator to comply with a provision of the other political subdivision's ordinance enacted after the permit is granted while the permit is in effect.

8. Prohibit a town from requiring, as a condition for granting a permit to a quarry operator, that the quarry operator satisfy a condition that a county requires in order to grant a permit that is imposed by a county ordinance enacted after the county grants a permit to the quarry operator. Prohibit a county from requiring, as a condition for granting a permit to a quarry operator, that the quarry

operator satisfy a condition that a town requires in order to grant a permit that is imposed by a town ordinance enacted after the town grants a permit to the quarry operator.

c. Local Regulation of Blasting at Quarry Operations. Create the following provisions related to local regulation of blasting at quarries:

1. "Affected area" would mean an area within a certain radius of a blasting site that may be affected by a blasting operation, as determined using a formula established by the Department of Safety and Professional Services (DSPS) by rule that takes into account a scaled-distance factor and the weight of explosives to be used. (Administrative code Chapter SPS 307.41 (2) includes a scaled-distance formula calculation. In general, a scaled-distance formula is used to determine the maximum amount of explosives that can be used that ensures safety to structures within a certain distance of the blasting site.)

2. Prohibit a political subdivision from limiting blasting at a quarry. Notwithstanding the prohibition, authorize a political subdivision to require the operator of a quarry to do any of the following: (a) provide pre-blast notice of the blasting operation to all political subdivisions in which the quarry is located and owners of dwellings or other structures within the affected area; (b) require that a pre-blast building survey be conducted by a third party on dwellings and other structures within the affected area; (c) require that pre-blasting well surveys and testing be conducted by a third party within the affected area; (d) provide evidence of insurance to each political subdivision in which any part of the quarry is located; (e) provide copies of blasting logs to each political subdivision in which any part of the quarry is located; (f) provide maps of the affected area to each political subdivision in which any part of the quarry is located; and (g) provide copies of any reports submitted to DSPS relating to blasting at the quarry.

3. Authorize a political subdivision to suspend a permit for a violation of the state blasting requirements under s. 101.15 of the statutes, and rules promulgated by DSPS related to blasting under s. 101.15 (2)(e), only if DSPS determines that a violation of the requirements or rules has occurred and only for the duration of the violation, as determined by DSPS. (Under s. 101.15, DSPS administers rules under Chapter SPS 307, which regulate blasting and use of explosives at nonmetallic mining sites.)

4. Prohibit a political subdivision from making or enforcing a local order that limits blasting at a quarry. As an exception to this prohibition, authorize a political subdivision to petition DSPS for an order granting the political subdivision the authority to impose additional restrictions and requirements related to blasting on the operator of a quarry. If DSPS issues the order, the order may grant the political subdivision the authority to impose restrictions and requirements related to blasting at the quarry that are more restrictive than the state blasting requirements under s. 101.15 of the statutes, and DSPS rules promulgated under s. 101.15. Prohibit DSPS from charging a fee for a petition submitted by a political subdivision under this provision. Specify that, if a political subdivision submits a petition to DSPS because of concerns regarding the potential impact of blasting on a qualified historic building, DSPS would be authorized to require the operator of the quarry to pay the costs of an impact study related to the qualified historic building.

d. Local Regulation of Water Quality and Quantity Related to Quarry Operations. Prohibit a political subdivision from doing any of the following with respect to the operation of a quarry: (1)

establish or enforce a water quality standard; (2) issue permits, including permits for discharges to the waters of the state, or any other form of approval related to water quality or quantity; (3) impose any restriction related to water quality or quantity; and (4) impose any requirements related to monitoring water quality or quantity.

Authorize a political subdivision to require the operator of a quarry to conduct and provide water quality and quantity baseline testing and ongoing water quality testing, to occur not more frequently than annually, of all wells within 1,000 feet of the perimeter of a quarry site when a new high-capacity well is added to an existing quarry site or a new quarry site is established. A testing requirement under this provision could not impose any standard that is more stringent than the standards for groundwater quality required by rules promulgated by the Department of Natural Resources (DNR). Authorize the political subdivision to request a report of well testing results within 30 days of the completion of testing and require the quarry operator to provide the results within that time. Specify any person offered the opportunity to have a well tested under this requirement, but who knowingly refuses testing, would waive any claim against a quarry operator related to the condition of the well, if within 90 days of the offer, the quarry operator records with the county Register of Deeds a written certification, verifying under oath that the person owning the property knowingly refused testing. Authorize a political subdivision that imposes a requirement to conduct any ongoing water quality or quantity testing of wells adjacent to existing quarry sites prior to the effective date of the budget act, to continue to do so.

Authorize a political subdivision to enforce properly adopted local water regulations. In addition, authorize a political subdivision to suspend a permit for a quarry operation for a violation of state law or rules promulgated by DNR relating to water quality or quantity, only if DNR determines that a violation of state law or rules has occurred and only for the duration of the violation, as determined by DNR.

e. Local Regulation of Air Quality and Fugitive Dust Related to Quarry Operations. Notwithstanding the current authorization in s. 285.73 of the statutes for local governments to administer certain air pollution control programs, prohibit a political subdivision from doing any of the following with respect to the operation of a quarry: (1) establish or enforce an ambient air quality standard, standard of performance for a new stationary source, or other emission limitation related to air quality; (2) issue permits or any other form of approval related to air quality; (3) impose any restriction related to air quality; or (4) impose any requirement related to monitoring air quality.

As exceptions to this prohibition, authorize a political subdivision to: (1) take actions related to air quality that are specifically required or authorized by state statute; (2) require the operator of a quarry to use best management practices to limit off-site fugitive dust; (3) enforce properly adopted fugitive dust regulations; or (4) suspend a permit for operation of a quarry for a violation of state law or rules promulgated by DNR relating to air quality, only if DNR determines that a violation of state statute or rules has occurred and only for the duration of the violation, as determined by DNR.

Change to Base:

2019-20	2020-21	2019-21	
$154,080,200	$204,611,500	$358,691,700	SEG-REV
213,459,300	236,352,800	449,812,100	SEG
-9,889,900	-14,889,900	-24,779,800	FED
72,144,200	8,279,200	80,423,400	GPR
137,127,300	189,127,300	326,254,600	BR
20,000,000	20,000,000	40,000,000	SEG-S
39,600	39,600	79,200	PR

Change to Bill:

2019-20	2020-21	2019-21	
-$82,515,600	-$129,088,200	-$211,603,800	SEG-REV
41,114,400	-143,634,400	-102,520,000	SEG
1,236,800	1,236,800	2,473,600	FED
90,000,000	-64,100	89,935,900	GPR
-16,460,000	13,540,000	-2,920,000	BR
20,000,000	20,000,000	40,000,000	SEG-S
0	0	0	PR

M# 130

NYGREN	Y	N	A
LOUDENBECK	Y	N	A
BORN	Y	N	A
ROHRKASTE	Y	N	A
KATSMA	Y	N	A
ZIMMERMAN	Y	N	A
TAYLOR	Y	N	A
GOYKE	Y	N	A
DARLING	Y	N	A
OLSEN	Y	N	A
TIFFANY	Y	N	A
MARKLEIN	Y	N	A
STROEBEL	Y	N	A
LAMAHIEU	Y	N	A
ERPENBACH	Y	N	A
JOHNSON	Y	N	A

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