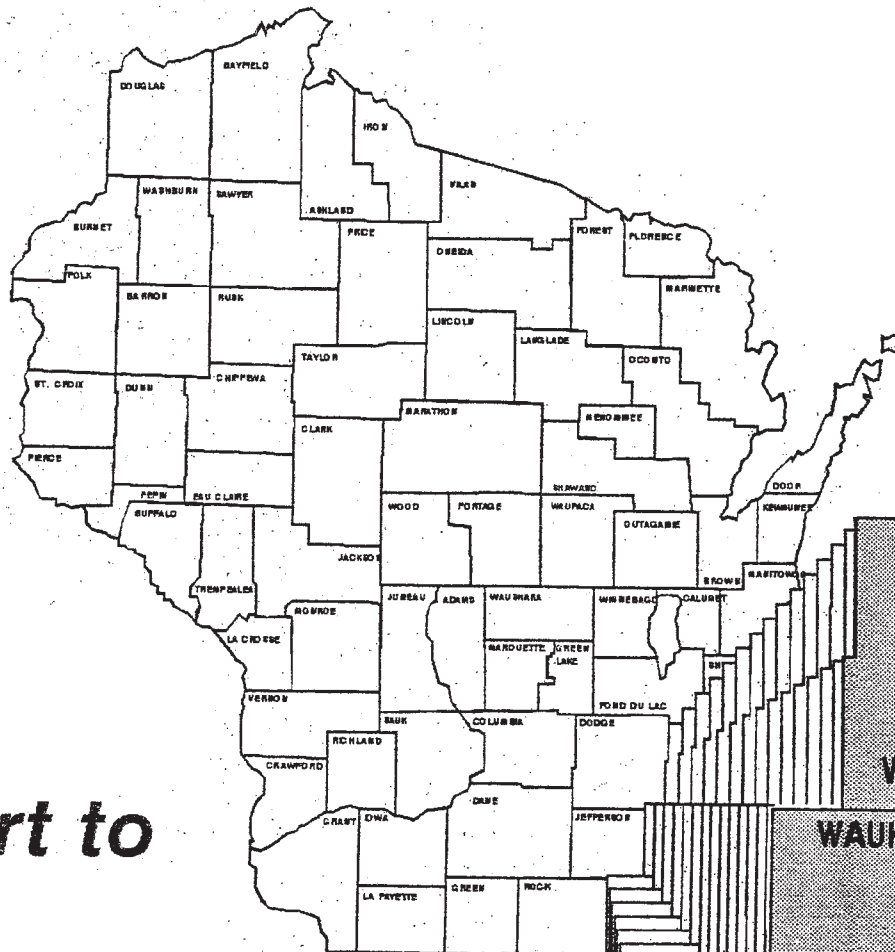




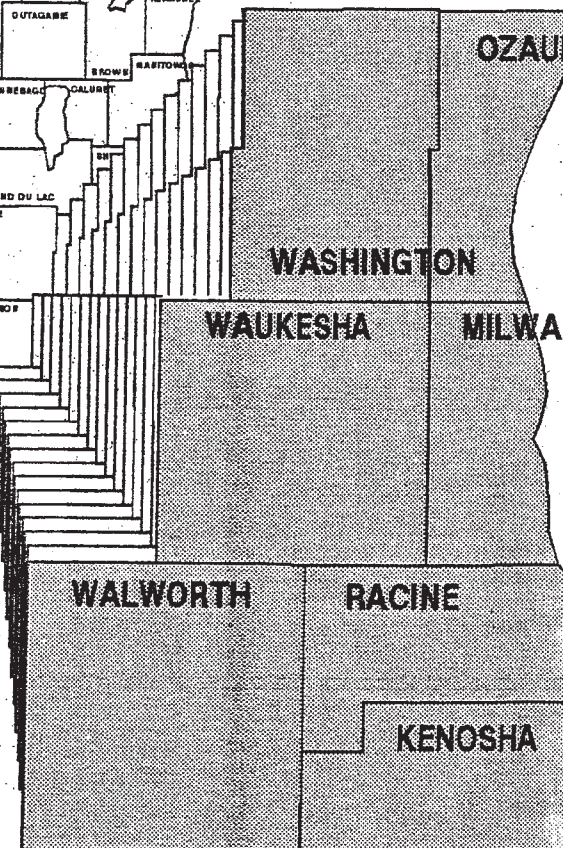
Southeastern Wisconsin Regional Transportation Authority



Report to

***Governor Thompson
and the
Wisconsin Legislature***

May 1993



**RTA BOARD****AT-LARGE MEMBERS**

Jack Pelleak, Chair
Partner, Michael, Best and Friedrich,
100 E. Wisconsin Ave.
Milwaukee, WI 53202-4108
(414) 271-8560

Kathryn Bloomberg
Mayor, City of Brookfield

William F. O'Donnell
Milwaukee

COUNTY REPRESENTATIVES

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Larry Kenny
Supervisor, Milwaukee County

Ozaukee County:
Tom Buestin
President, Buestin, Allen and
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West Bend

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Chair and CEO, Intelligraphics
International Company, Waukesha

Racine County:
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Public Works Director, Racine County

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Louise Principe
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President and CEO, Godfrey, Neasek,
and Worth, S.C., Elkhorn

**WISCONSIN DEPARTMENT
OF TRANSPORTATION
REPRESENTATIVE**
Charles H. Thompson, Secretary

May 3, 1993

Tommy G. Thompson, Governor
Members of the Wisconsin Senate
Members of the Wisconsin Assembly

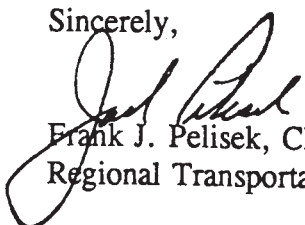
Dear Governor Thompson, Senators and Representatives:

As required under Wisconsin Act 39, the 1991-93 Biennial Budget Act, I am submitting the Final Report of the Regional Transportation Authority Board. Act 39 created an initial RTA Board charged with recommending a permanent RTA structure. The RTA Board met monthly during 1992 and had its final meeting on March 26, 1993. At the final Board meeting, the consensus of the members was to send the final report to you with the comments received from the seven county boards affected by this proposal.

The Regional Transportation Authority Board was charged by the statute to address the following specific issues: The coordination of funding for highways and transit in the region and the RTA's responsibilities for highway and transit programs; the assignment of responsibilities between the Authority, the State Department of Transportation, the Regional Planning Commission and other local units of government in the region; a proposed permanent regional funding source for the RTA and a recommendation on whether the RTA should continue in existence after September 30, 1993. In addition, subsequent legislation required the RTA Board to address the issue of a transit security force for the region. The RTA Board worked very hard to develop a proposal that met the statutory requirements and each issue is discussed in our final report.

Prior to the submission of this report to you, I transmitted the Board's draft Final Report to each of the County Board Chairs, County Board members and the County Executives in the seven county region for their reaction to the proposal. Based on the resolutions adopted by each county board, only one county passed a resolution in support of the RTA's final proposal. However, even that single county suggested substantial modifications to the original Board proposal. As a result, we are transmitting this report to you with a recommendation that the current seven county Regional Transportation Authority Board be disbanded and that a permanent authority of this scope not be created at this time.

Sincerely,


Frank J. Pelisek, Chairman
Regional Transportation Authority Board

Regional Transportation Authority Board Members

Frank J. Pelisek, Chair	Partner, Michael, Best and Friedrich, Milwaukee
Kathryn C. Bloomberg	Mayor, City of Brookfield
Thomas H. Buestrin	President, Buestrin, Allen and Associates, Mequon
A. William Huelsman	Chairman and Chief Executive Officer Intelligraphics International Companies, Waukesha
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Milton E. Neshek	President and Chief Executive Officer Godfrey, Neshek and Worth, S.C., Elkhorn
William F. O'Donnell	Milwaukee (<i>replaced John Bolden</i>)
Louise Principe	Supervisor, Kenosha County Board
James F. Rooney	Director, Racine County Public Works
Charles H. Thompson	Secretary, Wisconsin Department of Transportation
John B. Torinus, Jr.	Chairman and Chief Executive Officer Serigraph, Inc., West Bend

RTA Board Staff:

Sandra K. Beaupré	Chief, Urban Transportation Strategies Wisconsin Department of Transportation
Philip C. Evenson	Assistant Director Southeastern Wisconsin Regional Planning Commission

Additional WisDOT Staff Support provided by:

Mike Goetzman	Office of Public Affairs
Casey Carney	Division of Planning & Budget
Vickie Wright	Division of Planning & Budget

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SECTION I. Introduction and Background

Initial discussions regarding the feasibility of establishing a regional transportation authority in southeastern Wisconsin took place in two separate policy forums in 1990. The Metro 2020 Policy Board, appointed by the Governor, was charged with identifying a set of comprehensive, long-term transportation strategies for the region, with an emphasis on supporting economic development and the quality of life in southeastern Wisconsin. The Metro 2020 Board recommended that the Legislature create an RTA responsible for identifying regional highway and transit priorities and improving the ability of all units of government to work together to program and fund transportation projects.

The Southeastern Wisconsin Regional Planning Commission, in response to requests from Milwaukee County and the City of Milwaukee, established a study committee to evaluate the feasibility of an RTA. This RTA Advisory Committee recommended the following:

1. An RTA should be created to provide the basis for funding county and local highway and transit projects and for potentially delivering regional transit services.
2. The geographic scope of the RTA should include all seven counties that have for 30 years cooperatively planned transportation systems: Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington and Waukesha. The Board should consist of nine members, appointed by the Governor, subject to State Senate confirmation. Each county should have at least one representative on the Board.
3. Non-property tax revenues collected in the region by the RTA would replace all property tax revenues associated with expenditures for county and local arterial streets and highways and transit. Sufficient revenues should be raised to enable full regional highway and transit plan implementation.
4. The Legislature should identify and authorize appropriate funding sources for the RTA. Revenues to support the RTA should be derived from taxes or fees enacted on a statewide basis, with revenues generated from southeastern Wisconsin returned to the RTA and revenues generated elsewhere returned to counties or potentially to other RTA's in the state.
5. Each county would be guaranteed to receive annually no less than 80% of all revenues generated from that county. The remaining 20% of the revenues would be allocated throughout the region at the RTA Board's discretion. Over a 5-year period and over the region as a whole, the RTA would have to ensure that at least 36% of the

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money was spent on transit and at least 44% was spent on highways.

6. All projects funded by the RTA would have to be in accordance with the adopted regional transportation plan.

The SEWRPC RTA Study Committee completed its report in November 1990. In response to the continued interest in the creation of an RTA, Governor Thompson included in his 1991-93 Biennial Budget to the Legislature a mechanism to provide for further study of an RTA organization. This proposal, adopted by the Legislature, included all seven southeastern Wisconsin counties in the initial study organization. The Board, appointed by Governor Thompson in November 1991, included representatives from each of the seven counties, three at-large members, and the Secretary of the Department of Transportation.

The RTA Board is required under current state statutes to provide a report to the Governor and Legislature by November 15, 1992, which includes the following specific items:

1. A plan to improve the coordination and priority of federal, state and local expenditures for highways in the region that have a demonstrably regional impact.
2. A recommendation on additional functional responsibilities for the

authority concerning highways in the region.

3. A plan to improve the coordinating and funding of expanded public transit in the region.

4. Recommendations for the assignment of responsibilities between the authority, the Department of Transportation, and other governmental units, including any multi-county regional planning commission that is located in the region.

5. A proposal that specifically identifies a permanent regional funding source to provide local funds for highway improvements in the region that have a demonstrably regional impact, and for the local portion of operating and capital costs of public transit not covered by passenger fares. In making its proposal, the authority shall consider at least the following funding sources:

- A local gas tax.
- A local vehicle registration fee.
- A local sales tax.
- A local motor fuel sales tax.

6. A recommendation of whether the authority should continue in existence after September 30, 1993.

The budget provision as enacted specifically included an opportunity for each county board to withdraw from the



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final RTA organization by resolution, between June 30, 1993 and December 31, 1993.

Wisconsin Act 199, signed into law on April 16, 1992, amends the statutory reporting requirements of the RTA Board to include a recommendation related to the creation of a transit security force for the region.

The following sections of this report describe the major recommendations of the Regional Transportation Authority Board developed between January and November 1992.

SECTION II. Recommendations on RTA Functions and Responsibilities

NEED FOR RTA: The RTA Board recommends that a permanent RTA be established for southeastern Wisconsin. The RTA should have certain responsibilities for highways and transit, but should have no responsibilities for airports and seaports. The basic reason for recommending an RTA relates not to some perceived need for greater coordination of transportation system development -- the regional transportation plan providing an adequate basis for that coordination -- but rather to the following:

- A need to establish an institutional structure for the collection and distribution of non-property tax revenue proposed to be raised throughout the region for the purpose of supporting regional highway and transit plan implementation.
- A need to provide an institutional structure that will facilitate -- and potentially deliver -- the provision of transit services over broader areas of the region.

RELATIONSHIP TO SEWRPC:

Transportation planning should continue to be done by the Southeastern Wisconsin Regional Planning Commission (SEWRPC)

as an integral part of a broader regional planning program. The RTA Board should be an active participant in the regional planning effort and should be empowered to undertake plan implementation studies. Such studies would aid the RTA in targeting capital investment in highway and transit facilities and services. The plan implementation studies would also help the RTA make recommendations to the Wisconsin Department of Transportation and the county and local governments in the region as to transportation system capital investment priorities. The RTA should be an active participant in the cooperative regional transportation improvement programming (TIP) process.

HIGHWAY FUNCTIONS: With respect to highways, the Board recommends that the RTA not be enabled to construct and maintain arterial highway systems. Rather, the RTA should be enabled to help county and local governments in the region better carry out their highway responsibilities. This would be accomplished through a process whereby the RTA would provide funds to county and local governments for arterial highway construction, operation, and maintenance.

TRANSIT FUNCTIONS: With respect to transit, the Board recommends that the RTA be authorized to work closely with county and local governments in southeastern Wisconsin that choose to provide public transit services. The RTA

would help those county and local governments deliver transit services by providing funding assistance. In addition, the Board recommends that the RTA be authorized to directly sponsor and provide transit services on a contractual basis either cooperatively with public transit agencies, or directly with private sector providers. In so doing, the RTA would be authorized to construct or acquire transit facilities and operate and manage transit systems. Finally, the RTA should be authorized to assume responsibility to provide county and local transit services in those cases where county and local governments want to transfer that function to the RTA.

DEMAND MANAGEMENT FUNCTION: The RTA Board also recommends that a permanent RTA be given the responsibility to carry out whatever transportation demand management programs may be proposed to help reduce travel made in single occupant vehicles in the region, thereby helping to reduce traffic congestion and achieve air quality objectives. While the specific activities that need to be undertaken in this respect are to be set forth in the new State Air Quality Implementation Plan (SIP) now under preparation by the Wisconsin Department of Natural Resources, it is anticipated that programs will be proposed to facilitate ridesharing and the management of parking at major travel destinations.

TRANSIT SECURITY: The RTA Board recommends that transit security issues be addressed by the individual transit operators in the region in the making of periodic short-range transit development plans and programs. As an operational consideration, transit security costs would be eligible for proposed RTA funding.

SECTION III. Recommendations on Board Structure

The Regional Transportation Authority Board recommends that the current structure of the Board be maintained in the permanent organization including the following provisions:

APPOINTMENTS: It is recommended that the members of the Board continue to be appointed by the Governor and confirmed by the State Senate. The Board should be established at eleven members, with one member being the Secretary of Transportation. The Board should continue to have one representative from each participating county -- including Kenosha, Milwaukee, Racine, Ozaukee, Walworth, Washington, and Waukesha counties -- who resides in that county. There should continue to be three at-large members who must reside in a participating county in the region, with one appointed from within the City of Milwaukee. The Governor should designate one member as chair of the Board.

TERMS & VACANCIES: All of the initial Board member terms would begin effective January, 1994. The normal appointments would be for five years. In order to provide Board continuity, it is recommended that the initial Board terms be staggered such that two members would be appointed to two year terms, three members to three year terms, two

members to four year terms, and three members to five year terms. The Governor should designate which members are to serve each of the staggered terms.

Any vacancies that occur during a Board member's term should be filled for the remainder of the unexpired term by the Governor, with State Senate confirmation. An RTA Board member may continue to serve on the RTA Board until a replacement is selected by the Governor and confirmed by the State Senate.

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SUPPORT: It is recommended that the RTA Board be given the necessary statutory authority to hire its own staff or to contract for staff or services as needed at the Board's discretion. However, the RTA Board recommends that the total level of resources allocated to administrative-related expenses be limited by statute to a fixed percentage of total resources available. It is suggested that the total administrative expenses for the Board not exceed 3% of its annual discretionary resources.

SECTION IV. Recommendations on RTA Geographic Scope

SEVEN COUNTY RTA: The RTA Board recommends that the legislation creating a permanent RTA in southeastern Wisconsin provide for the inclusion of the seven counties of Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington and Waukesha. For over 30 years these seven counties have cooperatively planned for the provision of transportation facilities and services through the SEWRPC. Consequently, this seven-county region provides the best possible basis for the coordinated planning, programming, and development of transportation improvements, and would thereby best serve the future socioeconomic needs of the people of southeastern Wisconsin.

COUNTY WITHDRAWAL OPTION: Consistent with the interim RTA legislation, the RTA Board recommends that the permanent RTA legislation provide an opportunity for each of the seven counties, acting through their County Boards of Supervisors and County Executives, to exercise an option to withdraw from the RTA. Desirably, this "opt out" period would be long enough for each county to carefully consider and debate the merits of the issue. The RTA Board suggests that this period extend to within six months of the effective date of the passage of the bill. If a County does not exercise its option to withdraw from the RTA during that period, then the

legislation should provide that the County shall be a permanent member of the RTA.

OPPORTUNITY TO REJOIN: The RTA Board also recommends that the legislature and the Governor give consideration to providing for the possible future inclusion within the permanent RTA structure of a County that initially chooses to exercise its option to withdraw. Such an "opt back in" provision is considered important in light of the potential for the initial withdrawal of one or more counties and the desirability of ultimately including all seven counties in the permanent RTA structure. The RTA Board recommends that the legislation permit the permanent RTA Board to act favorably upon a petition by a withdrawn County to subsequently join the RTA, with the Board being given the authority to impose reasonable conditions on the acceptance of such a petition.

SECTION V. Recommendations on Regional Revenues

The RTA Board is required, under the authorizing statutes, to recommend a specific regional funding source to support the RTA programs in the region. The statute required the Board to include in its evaluation of funding sources consideration of a local gas tax, local vehicle registration fee, local sales tax, and a sales tax on fuel. The Board added to that list two other potential revenue sources to be evaluated -- a regional payroll tax and a sales tax on motor vehicle sales in the region.

In order to fully fund the implementation of the adopted regional transportation plan and to fully fund replacement of local property tax dollars allocated to arterial highways and transit at the local level, the Board recommends that from \$90 to \$95 million be generated annually in the region. This revenue would be raised through an additional .4% general sales tax and an additional 5 cents per gallon motor fuel tax in the region¹.

A combined sales tax and motor fuel tax option was selected because this package utilized increased fees on the users of the transportation system and increased fees on the general public that may not purchase fuel but that benefit from a quality transportation system in the region. Both taxes would be paid by residents and nonresidents and would provide a reasonably stable and sufficient revenue

stream to support RTA programs in the future.

In making the foregoing revenue recommendations, the RTA Board explicitly excluded from consideration at this time any funding for a light rail transit system. In so doing, the RTA Board gave recognition to the uncertainty that is presently associated with proposals for the initiation of light rail transit service in the region. Should a decision be made to construct a light rail transit system, the RTA Board would then consider providing funding support.

¹ *At the RTA Board's final meeting on this report, a motion was adopted to exempt diesel fuel sold in the seven county region from the 5 cent motor fuel tax. As a result, total revenues would be reduced by approximately \$6 million.*

SECTION VI. Recommendations on Revenue Allocation Methods

GUARANTEED RETURN TO COUNTIES: The permanent RTA legislation should guarantee that 80 percent of the revenue found to be generated in a given county is returned to that county in the form of: 1) payments to county and local governments for specific highway and transit projects; and, 2) payments for direct delivery of transit services by the RTA to residents of the county. The remaining 20 percent should be retained by the RTA Board for: 1) use in supporting Board operations; 2) carrying out regionwide transportation demand management activities; and, 3) for disbursement to county and local governments to support those highway and transit projects which the RTA Board believes are particularly significant, subject to a supplemental county return guarantee set forth below.

RTA DISCRETIONARY SPENDING: The 20 percent of total revenue retained by the RTA, which at full funding would approximate \$18.7 million, is proposed to be used as follows²:

1. Up to 3 percent of the discretionary monies, which at full funding would total \$560,000, would be used to fund RTA administrative operations.
2. Up to 1 percent of the discretionary monies, which at full funding would total \$190,000, would be used by

the RTA to directly carry out a regionwide transportation demand management program.

3. All of the remaining discretionary monies, which at full funding would approximate \$18.0 million, would be expended on highway and transit projects throughout the Region subject, however, to an overriding provision that in disbursing these discretionary monies for individual projects, each county would be guaranteed over a six-year period to receive 95 percent of the total revenue used for such purposes and found to be generated in that county.

The RTA would announce annually how much discretionary funds would be available for county and local projects. The RTA would invite county and local governments to submit projects that the RTA Board deems are particularly worthy and significant. The RTA would then negotiate a funding arrangement with those project sponsors. If negotiations were successful, the project sponsors would submit projects for inclusion in the annual regional transportation improvement program (TIP) that is prepared by SEWRPC. Upon approval of the TIP by SEWRPC and the Secretary of the Wisconsin Department of Transportation, funds would flow to the project sponsor as

² *These calculations assumed total annual revenues of \$93.7 million.*

the project was initiated. All highway projects would be required to meet Wisconsin Department of Transportation design standards, unless upon petition the RTA Board was granted a waiver to those standards.

RTA FORMULA RETURN TO COUNTIES:

The guaranteed 80 percent return of annual receipts to the county of origin is estimated to total \$75 million at full funding. The process of returning that revenue to the county of origin is proposed to work as follows:

1. If there are public transit providers in a county, that county's allocation would be divided into highway and transit shares. Otherwise, all of the money would be allocated for highways. An annual consensus-seeking process to determine the division between the modes would be established within those counties with transit providers. The RTA Board member from the county would be responsible for calling county and local governments together to agree upon a consensus-seeking process. If agreement on such a process cannot be reached, or if an agreed-upon process fails to produce a consensus, as determined by the Board member, then the RTA Board would be called upon to make the decision as to how much of the 80 percent guaranteed return of funds in a county would be allocated to highways and how much to transit.
2. The highway share of the funds would be allocated by formula to the county and to each local government in the county that operates arterial highways based upon the number of lane miles of arterial highways recommended in the adopted regional transportation plan. Thus, each highway agency would receive a fair share of the monies raised in the county. Each highway agency concerned would be permitted to use its allocation for both operation and maintenance and capital projects. The amount that could be spent for operation and maintenance of arterial highways could not, however, exceed a maximum amount per lane mile to be specified annually by the RTA Board. All highway improvement projects would be required to meet Wisconsin Department of Transportation design standards unless upon petition, the RTA Board is granted a waiver to those standards.
3. If there is more than one transit provider in a county, the transit share would be allocated to each operator based upon a formula that would weigh equally revenue passengers, passenger miles of travel, vehicle revenue miles, and vehicle revenue hours. The transit agencies could use their formula share for both operation and maintenance and capital projects.
4. Once the amount of money allocated to each highway and transit agency is

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known, the agencies would identify operation and maintenance and capital projects to use that money and submit those projects for inclusion in the annual regional transportation improvement program (TIP). Upon approval of the TIP by SEWRPC and the Secretary of the Wisconsin Department of Transportation, funds would flow to the project sponsor as the project was initiated.

TOTAL GUARANTEED RETURN TO COUNTIES:

Based upon limited data that includes estimated county sales tax and fuel tax collections, as well as an estimate of vehicles miles of travel in each county, the following are crude estimates of revenue that would be guaranteed to be returned to each of the seven counties annually under full funding assumptions:

County	Estimates in Millions of Dollars		
	Guaranteed Annual 80% Return	Guaranteed 95% Return of Discretionary Monies Over a Six-Year Period (Annualized)	Total (Average Annual Over a Six-Year Period)
Kenosha	4.8	1.1	5.9
Milwaukee	38.7	8.8	47.5
Ozaukee	3.4	0.8	4.2
Racine	6.9	1.6	8.5
Walworth	3.4	0.8	4.2
Washington	4.2	0.9	5.1
Waukesha	13.6	3.0	16.6

Operation of the foregoing revenue allocation guarantees would ensure that, over a six-year period, each county would receive at least 98% of the revenue raised in the county.

Appendix A

Proposed Legislation

CHAPTER 233

REGIONAL TRANSPORTATION AUTHORITY

233.01 Definitions.

233.02 Creation and Organization; Membership; Appointment; and Terms.

233.04 Responsibilities of the Authority.

233.06 Powers of the Authority.

Section 233.01 Definitions. In this chapter:

- (1) "Authority" means the Southeastern Wisconsin Regional Transportation Authority.
- (2) "Region" means the geographic region composed of the counties of Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington and Waukesha.

Section 233.02 Creation and Organization; Membership; Appointment and Terms.

- (1) There is created the counties of Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington and Waukesha a Regional Transportation Authority. The governing body of the Authority shall consist of the following members:
 - (a) Except as provided in sub. (), 7 members nominated by the Governor, with the advice and consent of the senate, appointed for 5 year terms, with each member designated to represent one of the counties in the region. That member shall reside in the represented county.
 - (b) The Secretary of Transportation or his or her designee.
 - (c) Three other members nominated by the Governor, with the advice and consent of the senate, appointed for five year terms, each of whom resides in a county in the region that determines to participate in the authority, except that one shall be appointed from within the City of Milwaukee.

- (d) The chair shall be appointed by the Governor.
- (e) All initial RTA Board appointments shall begin on January 1, 1994, and shall be appointed in the following manner:
 - 1. Two members shall serve initial terms of two-years which will expire December 31, 1995;
 - 2. Three members shall serve initial terms of three-years which will expire December 31, 1996;
 - 3. Two members shall serve initial terms of four-years which will expire December 31, 1997;
 - 4. Three members shall serve initial terms of five-years which will expire December 31, 1998.
- (e) An RTA Board position which becomes vacant during a term shall be filled by appointment by the Governor and confirmed by the Senate. Vacancies shall be filled for the remainder of the unexpired term. An RTA Board member shall continue serving on the Board until a replacement has been appointed and confirmed.

Section 233.04 Responsibilities of the Authority.

- (1) The Authority shall participate in the making of the plans developed under section 66.945, including the identification of long-range goals for transportation system development. The Authority may request that the Southeastern Wisconsin Regional Planning Commission undertake specific transportation planning studies.
- (2) The Authority may adopt all or any portion of the plans and other programs prepared and adopted by the regional planning commission under section 66.945(12).
- (3) The Authority may sponsor and conduct detailed plan implementation studies within the scope of the transportation plans prepared under s.66.945.

- (4) The Authority may undertake strategic transportation studies to determine how best to allocate its resources. In addition, working within the adopted regional transportation system plans defined under s.66.945, the Authority shall identify highway and transit projects worthy of special targeted authority funding; assist in the implementation of the regional land use plan; coordinate the implementation of transportation system management and demand management programs; and prepare a specific annual project funding plan.
- (5) The Authority may make recommendations to the Southeastern Wisconsin Regional Planning Commission, the Wisconsin Department of Transportation, and county and local governments in the region for prioritizing and coordinating transportation system investment decisions.
- (6) The Authority shall participate in the transportation improvement programming process that, under federal law is conducted by the regional planning commission for the region.
- (7) The Authority may sponsor and provide transit services on a contractual basis with other public agencies or with the private sector. The Authority may conduct alternatives analyses, preliminary engineering, environmental assessments, and final design of transit facilities and services. The Authority may contract with state, county, and local governments or with private sector entities to construct or acquire facilities and operate and manage transit systems. The Authority may own and contract for the operations and maintenance of passenger rail systems and dedicated rights-of-way systems that cross jurisdictional boundaries. Any such rail or dedicated rights-of-way systems shall be fully integrated with existing transit and highway services in the region. All transit services sponsored, and funded by the Authority must be found to be consistent with the plans adopted under s.66.945 and must be included within a transportation improvement program prepared under federal law.
- (8) The Authority may assist county and local transit system operators in undertaking innovative and experimental services, within the provisions of plans adopted under

s.66.945, including the conduct of educational and promotional programs designed to enhance transit use.

- (9) The Authority may assume responsibility for the provision of local transit service if the Board determines that such service is necessary to ensure implementation of the adopted regional transportation system plan under s.66.945.
- (10) The Authority may fund, from resources derived from taxes imposed under Chapter 77, arterial highway and transit projects in the region, in accordance with plans adopted under s.66.945 and included in a transportation improvement program prepared under federal law. The Authority shall distribute a portion of the regionally derived revenues to county and local highway and transit agencies, such that 80% of all regional revenues are returned to the county of origin, and such revenues may be available to match state or federal funding. The Authority shall retain 20% of the regionally derived revenues for administration and for distribution to county and local highway and transit agencies at the Board's discretion subject to the requirements that follow, and such revenues may be available to match state or federal funds: up to 3% may be expended on administering the affairs of the Authority; up to 1% may be expended on activities authorized in sub. (12) below; 95% of the remaining funds shall be expended on projects in the county of origin; 5% of the remaining funds shall be expended on projects in any county.
- (11) The Authority shall retain a portion of the regionally derived revenues for expenditure by the Authority if the Authority operates or contracts for the operation of a transit system. That portion so retained shall be apportioned by the Authority to the counties served by the operations and shall be considered revenues returned to the county of origin in meeting the 80 percent return requirement under sub. (10).
- (12) The Authority may sponsor, contract for, and carry out transportation demand management programs identified in the regional transportation system plan adopted under s.66.945, as needed to reduce traffic congestion and achieve air quality improvement objectives. The costs of such programs shall be paid for out of the 20

percent of regionally derived revenues retained for expenditure at the Board's discretion.

(13) (a) Any county board in the region may, by resolution, withdraw from the authority during a six month period of time following publication of this act.

(b) Any county in the region that has withdrawn from the authority under (a) may petition the RTA Board to participate in the authority.

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Section 233.06 Powers of the Authority. The Authority shall have all the powers necessary or convenient to implement this chapter, including the following powers in connection with its projects and programs, in addition to all other powers granted by this chapter:

- (1) To sue and be sued.
- (2) To adopt and use a common seal, and to change the seal at the pleasure of the Board.
- (3) To appoint such officers and employees as necessary for the performance of its duties and to fix there qualifications, duties and compensation; to retain or employ persons on a contractual basis or otherwise to provide professional or technical services and advice as needed; except that the total administrative expenses of the Board, which includes employee salary and fringe benefits, materials and supplies, permanent property, contractual services costs related to the administration of the Authority, may not exceed 3 percent of the Board's annual discretionary resources.
- (4) To issue notes and bonds, the proceeds of which shall be used for capital improvement projects.
- (5) To apply for and receive grants.
- (6) To invest any funds held in reserve or not required for immediate use or disbursement at the discretion of the authority in such investments as may be lawful for fiduciaries in the state, if at least 50 percent of any funds held in any reserve or sinking fund be invested in obligations of the state or of the United States or agencies or instrumentalities of the United States or agencies or instrumentalities of the United States.
- (7) To acquire, by purchase, lease, device, gift, or grant any property, real, personal, or mixed, tangible or intangible, or any interest therein; sell, transfer, or otherwise dispose of any real or personal property which it no longer requires.

- (8) To exercise the power of eminent domain, relevant to transit purposes.
- (9) To procure insurance against any loss in connection with its property and other assets and to procure insurance on its debt obligations.
- (10) To adopt such rules, including administrative rules, and set such standards as are necessary to effectuate its corporate purpose.
- (11) To enter into contracts and leases.

CHAPTER 20

APPROPRIATION SCHEDULE CHANGES

Section 1. 20.835 (4g) (title) of the statutes is created to read:

20.835 (4g) (title) REGIONAL TAXES.

Section 2. 20.835 (4g) (g) is created to read:

20.835 (4g) (g) Fuel taxes. All moneys received from the taxes imposed under subch. V of ch. 78 for distribution to a regional transportation authority under subch. VIII of ch. 77, except that 2.6% of the revenue collected under that subchapter shall be credited to the appropriation under s. 20.566 (1) (gg).

Section 3. 20.835 (4g) (h) of the statutes is created to read:

20.835 (4g) (h) Sales and use taxes. All monies received from the taxes imposed under subch. VIII of ch. 77 for distribution to a regional transportation authority under subch. VIII of ch. 77, except that 1.85% of the revenue collected under that subchapter shall be credited to the appropriation under s. 20.566 (1) (gr).

CHAPTER 77

**TAXATION OF FOREST CROPLANDS;
REAL ESTATE TRANSFER FEES;
SALES AND USE TAXES; COUNTY
SALES AND USE TAXES; MANAGED
FOREST LAND; TEMPORARY RECYCLING
SURCHARGE; REGIONAL TRANSPORTATION
AUTHORITY SALES AND USE TAXES**

Section 4. Subchapter VIII of chapter 77 of the statutes is created to read:

CHAPTER 77

**SUBCHAPTER VIII
REGIONAL TRANSPORTATION AUTHORITY
SALES AND USE TAXES**

77.98 Adoption. The governing body of a regional transportation authority under Chapter 233, may impose the taxes under this subchapter beginning on July 1, 1995**.

(**Assumes 18 month start-up)

77.981 Imposition of Regional Sales and Use Taxes. A regional transportation authority, by acting under s. 77.98, imposes the following taxes:

(1) For the privilege of selling, leasing or renting tangible personal property and for the privilege of selling, performing or furnishing services a sales tax is imposed upon retailers at the rate of 0.4% of the gross receipts from the sale, lease or rental of tangible personal property, except property taxed under sub. (4), sold, leased or rented at retail in the geographical area of the authority or from selling, performing or furnishing services described under s. 77.52 (2) in the geographical area of the authority.

(2) An excise tax is imposed at the rate of 0.4% of the sales price upon every person storing, using or otherwise consuming in the geographical area of the authority tangible personal property or services if the property or service is subject to the state use tax under s. 77.53, except that a receipt indicating that the tax under sub. (1), (3) or (4) has been paid relieves the buyer of liability for the tax under this subsection and except that if the buyer has paid a similar local tax in another state on a purchase of the same property or services that tax shall be credited against the tax under this subsection.

(3) An excise tax is imposed upon a contractor engaged in construction activities within the geographical area of the authority, at the rate of 0.4% of the sales price of tangible personal property that is used in constructing, altering, repairing or improving real property and that becomes a component part of real property in that geographical area, except that if the buyer has paid a similar local sales tax in another state on a purchase of the same property that tax shall be credited against the tax under this subsection.

(4) An Excise tax is imposed at the rate of 0.4% of the sales price upon every person storing, using or otherwise consuming a motor vehicle, boat, snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer, all-terrain vehicle or aircraft, if that property must be registered or titled with this state and if that property is to be customarily kept in the geographical area of the authority, except that if the buyer has paid a similar local sales tax in another state on a purchase of the same property that tax shall be credited against the tax under this subsection.

77.982 SITUS. (1) GENERAL RULE FOR PROPERTY. For the purposes of this subchapter, all retail sales of tangible personal property are completed at the time when, and the place where, the seller or the seller's agent transfers possession to the buyer or the buyer's agent. In this subsection, a common carrier or the U.S. postal service is the agent of the seller, regardless of any f.o.b. point and regardless of the method by which freight or postage is paid. Rentals and leases of property, except property under sub. (2), have a situs at the location of that property.

(2) LEASED OR RENTED MOVING PROPERTY. (a) Motor Vehicles. Leased or rented motor vehicles and other equipment used principally on the highway at normal highway speeds are located in the geographical area of the regional transportation authority if that is where they are customarily kept, except that drive-it-yourself motor vehicles and equipment used principally on the highway at normal highway speeds, if those vehicles or

that equipment are used for one-way trips or leased for less than one month, are located in the geographical area of the regional transportation authority if that is where they come into the lessee's possession.

(b) Other moving property. Except for motor vehicles and equipment described in par. (a), leased or rented property that characteristically is moving property, including but not limited to aircraft and boats, is located in the geographical area of the authority if it is used primarily in the geographical area of that authority or it is usually kept in the geographical area of that authority when it is not in use.

(3) **SERVICES.** (a) General rule. Except as provided in par. (b), services have a situs at the location where they are furnished.

(b) Exceptions. Communication service has a situs where the customer is billed for the service if the customer calls collect or pays by credit card. Towing services have a situs at the location to which the vehicle is delivered. Services performed on tangible personal property have a situs at the location where the property is delivered to the buyer.

77.983 JURISDICTION TO TAX. (1) Retailers making deliveries in their company-operated vehicles of tangible personal property, or of property on which taxable services were performed, to purchasers in the geographical area of the regional transportation authority are doing business in the geographical area of the regional transportation authority, and that authority has jurisdiction to impose the taxes under this subchapter on them.

(2) A regional transportation authority does not have jurisdiction to impose the tax under s. 77.981 (2) in regard to tangible personal property purchased in a sale that is consummated outside the geographical area of the authority and later brought by the buyer into the geographical area of the authority.

CHAPTER 78

SUBCHAPTER V

REGIONAL TRANSPORTATION AUTHORITY

FUEL TAXES

78.86 DEFINITIONS. In this subchapter:

- (1) "Department" means the department of revenue.
- (2) "Motor fuel" has the meaning given in s. 78.04.
- (3) "Retailer" means a person who is in the business of selling to consumers.
- (4) "Special fuel" has the meaning given in s. 78.43, with the exception of diesel fuel sold in the region.

78.87 IMPOSITION. The governing body of a regional transportation authority under s. 59.966 may impose a tax at the rate under s. 78.88 on all motor fuel, except motor fuel under s. 78.01 (2) (b) to (f) and (3), sold used or distributed in this state and on all special fuel, except special fuel under s. 78.40 (2), sold, used or distributed in this state beginning on January 1, 1995, and ending on December 31, 2004. Each retailer of motor fuel and each retailer of special fuel shall collect from the purchaser, and each purchaser shall pay to the retailer, the taxes under this subchapter.

78.88 RATE. (1) Beginning on January 1, 1995, and ending on March 31, 1996, the rate for the taxes imposed under s. 78.87 is 5 cents per gallon.

(2) Beginning in 1996, the department shall determine the rate under sub. (1) to be effective on April 1 by performing the following calculations:

(a) Divide the annual average U.S. consumer price index for all urban consumers, U.S. city average, as determined by the U.S. department of labor, for the previous year by that average for the year before the previous year.

(b) Multiply the result under par. (a) by the result obtained by dividing the number of gallons of motor fuel and special fuel sold at retail in the geographical area of the regional transportation authority during the year 2 years prior to the year during which the calculation is made by the number of gallons of motor fuel and special fuel sold at retail in the

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geographical area of the regional transportation authority during the year prior to the year during which the calculation is made.

(c) Multiply the result under par. (b) by the rate in effect on March 31.

(d) Round the amount under par. (c) to the nearest 0.1 cent.

78.89 DISBURSEMENT OF REVENUE. From the appropriation under s. 20.835 (4g) (g), the department shall distribute 97.4% of the amount collected under this subchapter to the authority no later than the end of the 3rd month following the end of the calendar quarter in which the amounts were collected. The department shall adjust the amount paid to reflect subsequent refunds, audit adjustments and all other adjustments of the taxes previously distributed. Interest on refunds of the taxes under this subchapter shall be paid from the appropriation under s. 20.835 (4g) (g) at the rate under s. 78.68 (1). A regional transportation authority that receives a report under this section is subject to the duties of confidentiality to which the department is subject under s. 78.80 (3).

Appendix B

County Board Resolutions

**SUMMARY OF COUNTY BOARD ACTION REGARDING
NOVEMBER 6, 1992 RTA BOARD DRAFT FINAL REPORT**

In November 1992, following an initial endorsement of the Regional Transportation Authority Board of a draft Report, each county executive and county board in the region was asked to formally endorse the RTA Draft Report. The following is a brief summary of each county board's action in the form of adopted county board resolutions. The actual text of each resolution is attached to this summary.

KENOSHA COUNTY BOARD

The Kenosha County Board approved a resolution to reject the RTA proposal on a vote of 21 ayes and 5 noes. The primary concerns of the Board as stated in the resolution were regarding the impact of such an authority and its proposed taxes on economic development in Kenosha County; the concern that the regional fuel tax recommended by the Board would unfairly penalize local petroleum product distributors doing business in Kenosha County; and that the overall public reaction to the proposal in Kenosha County was negative.

MILWAUKEE COUNTY BOARD

The Milwaukee County Board of Supervisors adopted a resolution in support of an RTA on a vote of 19 ayes, 4 noes and 2 absent. The resolution adopted by the Board included some specific qualifications to the Board's endorsement. The resolution stated the Board's opposition to the enactment of a regional tax and instead recommended creating a statewide fuel tax, excluding diesel fuel, to fund local regional transportation authorities. Specifically, this new statewide tax would be used to cover the costs related to transportation and transit program needs statewide with the goal of removing these costs from the local property tax.

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OZAUKEE COUNTY BOARD

The Ozaukee County Board considered a resolution to support the proposed RTA and the additional .4% general sales tax and 5 cent motor fuel tax. The resolution failed to be adopted on a vote of 4 ayes, 27 noes and 1 absent.

RACINE COUNTY BOARD

The Racine County Board introduced a resolution to support the RTA Board Draft Report with the understanding that the County Board would have an opportunity to make a final determination as to whether to support the final legislation. The proposed resolution also recommended that all of the regional funds derived from the RTA organization for use by Racine County be used for property tax reduction. This resolution failed on a vote of 3 ayes and 27 noes.

WALWORTH COUNTY BOARD

A resolution introduced by the County Board which would support the creation of an RTA was defeated by a vote of 3 ayes, 30 noes and 2 members absent. The resolution stated that the County Board supports the RTA as contained in the current draft RTA Board proposal and provides that after legislation is adopted creating a permanent RTA, a member county may decline to participate.

WASHINGTON COUNTY BOARD

A resolution was introduced by the Washington County Board to oppose the creation of an RTA as presently constituted. The resolution was adopted by the Board on a vote of 30 ayes and 0 noes. The resolution included the following statements regarding the RTA Board's proposal: The RTA would create a tax island which could have a detrimental economic effect on the region as a result of the increased fuel and sales tax; the structure of the

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authority would allow three or fewer counties to control the RTA, which would be detrimental to Washington County; mass transit programs should be dealt with separately from decisions regarding highways; the RTA primary purpose would be to operate a mass transit system, with only one system link extended into Washington County; the RTA would not provide real property tax relief; and, finally, the RTA would create another bureaucracy that would require Washington County to contribute in excess of the benefits received from the Authority.

WAUKESHA COUNTY BOARD

The Waukesha County Board considered a resolution that would support the concept of an RTA under the following circumstances: (1) 80% of the revenues generated would be returned to the county of origin; (2) each county would retain the authority to designate which projects would be funded by the RTA revenues; (3) each county would have the option to participate in the organization. The Waukesha County resolution did not support the .4% sales tax or the 5 cent motor fuel tax and instead recommended that RTA programs be funded through a statewide motor fuel tax. The resolution was defeated by a vote of 14 ayes and 18 noes.

Kenosha County

Kenosha



County

6321

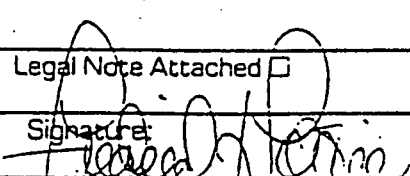
FEB 20 1993

BOARD OF SUPERVISORS

RESOLUTION NO. 149

Subject:

RESOLUTION TO REJECT CREATION OF A REGIONAL TRANSPORTATION AUTHORITY

Original <input checked="" type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: February 2, 1993		Date Resubmitted:	
Submitted By: Highway and Parks Committee			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By: Frederick J. Patrie Director of Public Works		Signature: 	

WHEREAS, the Governor has created a Study Committee to review the creation of Regional Transportation Authority (RTA); and

WHEREAS, the RTA prepared a final draft report and submitted copies to the Highway and Parks Committee; and

WHEREAS, the final draft report submitted contained provisions to raise an additional .4% general sales tax and an additional 5 cents per gallon motor fuel tax; and

WHEREAS, the final draft report submitted contained provisions of governance; and

WHEREAS, the final draft report submitted contained provisions governing implementation of mass transit and highway; and

WHEREAS, the Director of the Kenosha Area Development Corporation representative indicated that adoption of a RTA will project a negative image; and

WHEREAS, the Kenosha Area Chamber of Commerce representative indicated that adoption of a RTA will hinder economic development activities; and

WHEREAS, representatives of business such as petroleum products indicated that adoption of a RTA will unfairly penalize local distributors; and

WHEREAS, the Highway and Parks Committee received additional negative public input at its meeting of January 25, 1993; and

WHEREAS, after careful and due deliberation by unanimous agreement, the Highway and Parks Committee recommended the final draft RTA report as submitted be rejected by the County Board;

NOW, THEREFORE, BE IT RESOLVED by the Kenosha County Board of Supervisors that it reject the concept of the creation of a permanent Regional Transportation Authority (RTA).

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors hereby concurs with the recommendation of the Highway and Parks Committee.

NOW, BE IT FURTHER RESOLVED that a certified copy of this resolution be sent by the County Clerk of Kenosha County to the Governor, and duly elected State Representative of Kenosha County, the Secretary of the Wisconsin Department of Transportation, and the Southeastern Wisconsin Regional Planning Commission.

Passed and adopted by the Kenosha County Board of Supervisors this 2nd day of February, 1993.

Respectfully submitted,

HIGHWAY AND PARKS COMMITTEE

Robert W. Pitts
Robert W. Pitts, Chr.

Mark Wisniewski
Mark Wisniewski, Vice-Chr.

Donald J. Biehn
Donald Biehn

Charles Huck
Charles Huck

Richard Hart
Richard Hart

ADOPTED ☐ DEFEATED ☐ REFERRED ☐

ADOPTED AS AMENDED ☐ WITHDRAWN ☐

ATTESTED TO BY

Leonard Johnson 2/3/93
CHAIRMAN - COUNTY BOARD

Nancy Principi 2/4/93
COUNTY CLERK

#149.

From the Highway and Parks Committee Rejecting the
Creation of a Regional Transportation Authority.

It was moved by Supervisor Pitts to adopt Resolution
#149. Seconded by Supervisor Wisnefski.

It was moved by Supervisor Nelson to refer Resolution
#149 back to committee. Seconded by Supervisor Montemurro.

Roll call vote.

Ayes: Supervisors Montemurro, Kessler, Cucunato,
Principe, R. Johnson, Nelson, Lindgren, Wirch,
Koessl, Gorlinski, Bellow, Bergo.

Nayes: Supervisors Haen, Rose, Carbone, Pitts, Biehn,
Hart, Cairo, W. Johnson, Huck, Noble, Kerkman,
Karow, Wisnefski, L. Johnson.

Ayes. 12. Nayes. 14.

Motion died.

Roll call vote on Resolution #149.

Ayes: Supervisors Haen, Rose, Montemurro, Kessler,
Cucunato, R. Johnson, Lindgren, Wirch, Gorlinski,
Bellow, Carbone, Pitts, Biehn, Hart, Cairo, Huck,
Noble, Kerkman, Karow, Wisnefski, L. Johnson.

Nayes: Supervisors Principe, Koessl, Bergo, W. Johnson,
Nelson.

Ayes. 21. Nayes. 5.

Motion carried.

Racine

Racine County

COUNTY BOARD PROCEEDINGS, JANUARY 26, 1993 135

David B. Yanny, Vice-Chairman
Leo E. Thomas, Secretary
Saralee M. Mayew
Kenneth R. Turner
Patrick J. Verbeten

Supervisor Gedwardt moved for adoption. Seconded and carried by voice vote.

The Planning and Development Committee presented Report No. 76S — Report By The Planning & Development Committee Regarding The Disposition Of Certain Rezoning Requests Previously Referred To The Committee.

The Public Works Committee presented the following:

REPORT NO. 80

REPORT BY THE PUBLIC WORKS COMMITTEE RELATING TO THE DRAFT REPORT FOR STRUCTURING THE REGIONAL TRANSPORTATION AUTHORITY

To the Honorable Members of the Racine County Board of Supervisors:

On November 11, 1992, the Racine County Board of Supervisors referred the draft of a report to Governor Thompson and the Wisconsin Legislature dated November 6, 1992 from the Regional Transportation Authority to Public Works Committee. The Public Works Committee begs leave to report their recommendation for support for the concept as embraced in said draft report with the full understanding that the Racine County Board of Supervisors will have an opportunity to make a final determination as to its support of the RTA legislation during a six-month period following its approval and adoption by the Governor and the Wisconsin Legislature.

The Public Works Committee further recommends that all funds derived from the program for use by Racine County would be required to be used for property tax reduction.

Respectfully submitted,
PUBLIC WORKS COMMITTEE
Cletus W. Roanhouse, Chairman
Martin J. Itzin, Vice-Chairman
H. John Anderson, Secretary
Richard J. Peterson
William S. Saunders

Supervisor Peterson moved for adoption. A roll call vote was taken with the following results:

AYES: F.N. Miller, J.R. Hansen, Itzin.

NOES: Gedwardt, Turner, Boehme, Verbeten, Peterson, Tschumper, DeHahn, Mayew, Georg, Zierten, Skiba, Bauernfeind, Gabor, Saunders, Gumm, Braun, R.N. Miller, Trower, Ladwig, Kuhns, W.E. Anderson, P.L. Hansen, Thomas, Jacobson, Roanhouse, Rehberg, Yanny.

30 Votes, 3 Ayes, 27 Noes. Motion failed. Supervisor H. John Anderson absent.

The Finance Committee presented the following:

REPORT NO. 81

REPORT BY THE FINANCE COMMITTEE SET-

TLING THE CLAIM OF THE WISCONSIN DEPARTMENT OF REVENUE

To the Honorable Members of the Racine County Board of Supervisors:

Pursuant to the authority granted by Section 2-159 of the Racine County Code of Ordinances, the Finance Committee has authorized the settlement of the claim of the Wisconsin Department of Revenue in the amount of \$74.14 plus interest at the rate of \$0.01 per day from November 17, 1992, which arises out of the failure to pay transfer tax fees on a Sheriff's sale.

Respectfully submitted,
FINANCE COMMITTEE
Hubert H. Braun, Chairman
Ralph L. Trower, Vice-Chairman
Ruth R. Gedwardt, Secretary
Theodore L. Gabor
Robert N. Miller

REPORT NO. 82

REPORT BY THE FINANCE COMMITTEE AUTHORIZING THE PURCHASE OF A COMPUTER AND MONITOR BY THE COUNTY SCHOOL OFFICE

To the Honorable Members of the Racine County Board of Supervisors:

For informational purposes, the Finance Committee is informing the Racine County Board of Supervisors that it has authorized the purchase of an IBM PS2-56SX computer and monitor and related software by the County School Office and that said purchase shall be made from the County School's IDEA money.

Respectfully submitted,
FINANCE COMMITTEE
Hubert H. Braun, Chairman
Ralph L. Trower, Vice-Chairman
Ruth R. Gedwardt, Secretary
Theodore L. Gabor
Robert N. Miller

REPORT NO. 83

REPORT BY THE FINANCE COMMITTEE AUTHORIZING THE TRANSFER OF FUNDS WITHIN THE REGISTER OF DEEDS' 1992 BUDGET

To the Honorable Members of the Racine County Board of Supervisors:

Pursuant to the authority granted by Section 2-130 of the Racine County Code of Ordinances, the Finance Committee has authorized the transfer of \$336.11 as set forth in Exhibit "A" which is attached hereto and incorporated herein in the Register of Deeds' 1992 budget.

Respectfully submitted,
FINANCE COMMITTEE
Hubert H. Braun, Chairman
Ralph L. Trower, Vice-Chairman
Ruth R. Gedwardt, Secretary
Theodore L. Gabor
Robert N. Miller

FISCAL NOTE REPORT NO. 83 EXHIBIT "A"

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	CURRENT BALANCE	TRANSFER	BUDGET AFTER TRANSFER	BALANCE AFTER TRANSFER
REGISTER OF DEEDS						
Travel	667-111	1,200	208	337	1,537	545
Equipment Repairs	425-762	4,605	2,204	(337)	4,268	1,867
				0		

Milwaukee County

February 18) 293 (1993

February 18) 292 (1993

tax dollar sent to Washington, D.C., and for transit, a return of 43 cents on its federal tax dollar each year since 1983; and

WHEREAS, the County Board of Supervisors, on May 17, 1990, adopted a resolution (File No. 90-429) requesting the Southeastern Wisconsin Regional Planning Commission (SEWRPC) form a multi-county study group to act as an advisory committee to consider the need for the formation of a regional transportation authority and directing SEWRPC coordinate its activities and cooperate with Metro 2020 whenever possible; and

WHEREAS, the Advisory Committee recommended creation of a regional transportation authority in Southeastern Wisconsin to be funded by a statewide dedicated and stable source of revenue other than property taxes; and

WHEREAS, according to figures compiled by SEWRPC in 1991, monies generated from Milwaukee County to the state from motor fuel taxes, vehicle registration and driver's license fees was \$105,858,325, or 13.9% of the statewide total of \$760,003,663, with Milwaukee County receiving only \$41,291,032, in federal and state highway expenditures and only \$30,183,600 in transit operating assistance from the state; and

WHEREAS, a SEWRPC analysis of the 18 year period from 1974 through 1991 showed the seven-county proposed RTA region received about \$396.8-million less than its fair share of total state and federal highway expenditures; and

WHEREAS, Governor Thompson included in his 1991-93 Biennial Budget a mechanism to provide for further study of an RTA organization by an RTA Board, which was adopted by the Legislature with the requirement that a report be provided to the Governor and Legislature by November 15, 1992; and

WHEREAS, the RTA Board made recommendations similar to prior recommendations with two exceptions including that funding come from a combination sales tax and gasoline tax imposed on a regional basis, and that the RTA Board include eleven members rather than nine, including the State Secretary of Transportation, with all members appointed by the Governor and confirmed by the State Senate; and

WHEREAS, a regional governing authority is needed to resolve problems related to highways, roads or arterial street alignments,

By Supervisors Cuertlino and Kenny, Chairpersons:

From the Committees on Transportation & Public Works and Mass Transit, reporting on 1 item.

File No. 92-828
(Journal, December 17, 1992)

(Item 1) From the Chairman, Regional Transportation Authority Board, requesting endorsement of the RTA Board's initial recommendations regarding the creation of a permanent RTA in Southeastern Wisconsin, by recommending adoption of the following resolution:

WHEREAS, Governor Tommy G. Thompson, in early 1989, appointed a 17-member Policy Board known as Metro 2020 to identify a set of comprehensive, long-term transportation strategies that would support the economic development and quality of life needs in Southeastern Wisconsin; and

WHEREAS, Metro 2020 recommended, among others, highway and transit policies which would preserve, expand and modernize state highways and roads, and county roads and municipal arterial streets, and expanded bus service; and

WHEREAS, Metro 2020 endorsed a three-part strategy for achieving the funding levels required to implement its transportation policy by recommending the following:

- Aggressively pursue the maximization of all available federal highway and transit funds to ensure a more equitable Wisconsin share
- Support of new sources of state revenues for transportation in the region
- Identification of new sources of dedicated local non-property tax revenues; and

WHEREAS, Metro 2020 reported that, during the past 35 years, Wisconsin has received back an average of 74 cents for each highway

uniform speed and other traffic laws and to resolve disputes inherent in projects which overlap jurisdictional boundaries; now, therefore,

BE IT RESOLVED, that the County Board of Supervisors does hereby endorse the concept of a regional transportation authority to address concerns related to funding, planning and coordinating construction contracting and bonding for jurisdictional transportation and transit related projects in the seven county region, but opposes the enactment of a regional tax or fee to fund the RTA; and

BE IT FURTHER RESOLVED, that the Milwaukee County Board of Supervisors instead endorses the concept of creating a statewide gasoline tax, excluding diesel fuel, to fund the needs of local RTAs and costs related to transportation and transit needs statewide for the purpose of removing this burden from the property tax; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby directed to provide a copy of this resolution to Governor Tommy G. Thompson, State Senate representatives from Milwaukee County and members of the Regional Transportation Authority Board.

Fiscal Note:

The adoption of this resolution will not require an expenditure of funds.

The foregoing report correctly states the action taken by the said committees at a meeting held February 4, 1993.

DANIEL CUPERTINO, JR. and LAWRENCE J. KENNY
Chairpersons

The question was on adoption.

Supervisor Jackson in the Chair.

Thereupon, the foregoing report WAS ADOPTED by the following vote:

AYES—Aldrich, Baldwin, Bussler, Coggs-Jones, Cupertino, Czaja, De Bruin, Diliberti, Kenny, Koconis, Launstein, Meaux, Nyklewicz, Pijts, Quindel, Stampley, Zepecki, Zielinski and the Chairperson—19. NOES—Bailey, Borkowski, Dean and Holloway—4. EXCUSED—Kuzminski and Podell—2.

WAUKESHA COUNTY

Repealed

PROPOSED RESOLUTION 147-49

SUPPORT WITH LIMITATIONS CREATION OF PERMANENT REGIONAL TRANSPORTATION AUTHORITY

WHEREAS the Waukesha County Board of Supervisors, by Enrolled Resolution 146-21 adopted on June 18, 1991, supported the concept of a Regional Transportation Authority for southeastern Wisconsin under the following circumstances: that at least 80 percent of revenues generated be returned to the county of origin, that counties in the Regional Transportation Authority retain the authority to designate which transportation projects are to be funded with revenues generated, and that counties in the Regional Transportation Authority have the option to participate in and/or to withdraw from a Regional Transportation Authority, and

WHEREAS in its draft report of November 6, 1992, the Interim Regional Transportation Authority Board's recommendations include the limitations specified in Enrolled Resolution 146-21 as adopted by the Waukesha County Board of Supervisors on June 18, 1991, and

WHEREAS the Public Works Committee of the Waukesha County Board of Supervisors has reviewed all of the Interim Regional Transportation Authority Board's recommendations as contained in its draft report of November 6, 1992, and

WHEREAS the Public Works Committee supports, with limitations, the recommendations of the Interim Regional Transportation Authority Board.

NOW THEREFORE BE IT HEREBY RESOLVED by the Waukesha County Board of Supervisors that it supports, with limitations, the concept of the creation of a permanent Regional Transportation Authority (RTA).

BE IT FURTHER RESOLVED that the Waukesha County Board of Supervisors does not support the Interim RTA Board's recommendation to raise revenue to fund RTA programs through an additional .4 percent general sales tax and an additional 5 cents per gallon motor fuel tax in the region.

BE IT FURTHER RESOLVED that the Waukesha County Board of Supervisors recommends, as an alternate to the Interim RTA Board's funding recommendation stated above, that funding for RTA programs be raised through a state-wide motor fuel tax.

BE IT FURTHER RESOLVED that the Interim RTA Board be granted an extension beyond the November 15, 1992 reporting deadline to submit its final recommendations to the governor and legislature.

WAUKESHA COUNTY BOARD OF SUPERVISORS

DATE-01/26/93

(RES) NUMBER-1470049

1 M. RICKER.....AYE
3 D. STAMSTA.....AYE
5 J. MARCHESE.....NAY
7 S. JESKEWITZ.....AYE
9 S. WOLFF.....AYE
11 C. EVENSON.....
13 E. LA MONTE.....NAY
15 M. BUECHL.....NAY
17 R. HAMILTON.....NAY
19 S. JANISCH.....NAY
21 H. DAVIS.....NAY
23 E. KRAUS.....AYE
25 D. HAYLETT.....AYE
27 E. STOLTZ.....NAY
29 B. PATTERSON.....
31 J. LUEBKE.....NAY
33 F. DEANGELIS.....NAY
35 K. MCNELLY.....AYE

TOTAL AYES-14

CARRIED_____

UNANIMOUS_____

2 C. WILSON.....AYE
4 D. MEISSNER.....NAY
6 D. LAMPING.....NAY
8 J. DWYER.....NAY
10 L. MCLAUGHLIN.....AYE
12 C. FREDERICK.....AYE
14 J. LA PORTE.....NAY
16 R. MANKE.....NAY
18 J. ARNDT.....AYE
20 M. KIPP.....
22 K. KRUEGER.....NAY
24 J. BROWN.....AYE
26 J. MCLAUGHLIN.....AYE
28 H. BEHRENS.....NAY
30 O. MARTIN.....NAY
32 K. HAHN.....NAY
34 D. DESMONIE.....AYE

TOTAL NAYS-18

DEFEATED X

TOTAL VOTES-32

Ozaukee County

RESOLUTION NO. 92-76

SUPPORT OF RTA

WHEREAS, the Southeastern Wisconsin Regional Transportation Authority (RTA) has prepared a draft report to Governor Thompson and The Wisconsin Legislature; and

WHEREAS, the Ozaukee County Board of Supervisors has reviewed and discussed this report.

NOW, THEREFORE, BE IT RESOLVED, that the Ozaukee County Board of Supervisors supports the proposed RTA program and the proposed additional .4% general sales tax and an additional 5 cents per gallon motor fuel tax in the southeastern Wisconsin region.

Dated at Port Washington, Wisconsin, this 6th day of January, 1993.

Leroy A. Bley

Supervisor

Motion made by Mr. Schwalb, seconded by Mr. Ansay, that Resolution No. 92-76 be adopted. Discussion. The vote was taken as follows: Ayes - 4, Nays - 27, Absent - 1. The majority voting nay, the motion was declared lost.

WASHINGTON COUNTY

RESOLUTION NO. 62-92-93

Opposition to Southeastern Wisconsin Regional
Transportation Authority

JAN 16 1993

SEWRPC

WHEREAS, the board directed the Highway Committee to study the desirability of county participation in a Southeastern Wisconsin Regional Transportation Authority (RTA); and

WHEREAS, the Highway Committee has determined that the RTA, as proposed, would create a tax island having a detrimental economic effect on the region due to an increased fuel tax, sales tax and an RTA recommended excise tax; and

WHEREAS, the committee structure of the RTA is such that three or fewer counties could control the seven county region, which the Highway Committee feels could be to the detriment of Washington County; and

WHEREAS, RTA authority is not limited to highways, but also includes mass transit issues, which the committee feels should be dealt with independently; and

WHEREAS, under the final draft report of the RTA, the RTA could be used to operate a mass transit system, which would satisfy the requirement of an eighty percent return to Washington County, even though only a single transit link would be extended to the southern most part of the county; and

WHEREAS, the committee is in receipt of a letter from Governor Thompson which, contrary to RTA statements, indicates that the RTA will not provide property tax relief, and the committee further feels that the RTA will merely create another form of taxation; and

WHEREAS, the committee has concluded that the RTA will create another bureaucracy and will require a contribution far in excess of any benefit to county residents and it is, therefore, not in the best interest of the county;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that, based upon the recommendation of the Highway Committee, the board expresses opposition to the Southeastern Wisconsin Regional Transportation Authority as present constituted;

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the RTA, Governor Tommy Thompson and Washington County's representatives in the State Legislature.

DATED this 12th day of January, 1993.

APPROVED:

Corporation Counsel

Dated _____

Considered JAN 12 1993

Adopted JAN 12 1993

Ayes 30 Noes 0 Absent 0

Voice Vote _____

Introduced by members of the
HIGHWAY COMMITTEE as filed with
the County Clerk.

John B. Kohl, Chairperson

Howard O. Buth

Terrence J. Dempsey

Frederick E. Gierach

Hilbert Scheunemann

(No Fiscal Effect)

WALWORTH COUNTY

RESOLUTION NO. 92-12/92

RESOLUTION SUPPORTING CREATION OF A REGIONAL TRANSPORTATION AUTHORITY

WHEREAS, the seven southeastern counties of Wisconsin have jointly studied options to address unmet transportation needs and to fund maintenance and construction of major roads and mass transit of major roads and mass transit in the region, and

WHEREAS, these seven counties seek removal of these transportation costs from the property tax and desire putting them onto other user fees, and

WHEREAS, the Walworth county Board of Supervisors supported study of these goals in its Resolution No. 47-08/91, and

WHEREAS, state legislation created a Regional Transportation Authority (RTA) Board to further study the RTA concept and recommend new RTA legislation.

NOW, THEREFORE, BE IT RESOLVED the Walworth County Board of Supervisors supports RTA as contained in the current proposal, approved by the RTA Board, and

BE IT FURTHER RESOLVED the proposal provides that after creation of any legislation of an RTA, a proposed member county may decline participation, and

BE IT FURTHER RESOLVED that a certified copy of this resolution be sent by the County Clerk of Walworth County to the Governor, the State Legislators representing Walworth County, the Secretary of the Wisconsin Department of Transportation and the Southeastern Wisconsin Regional Planning Commission.

Dated this 15th day of December, 1992

FINANCE COMMITTEE

TRANSPORTATION COMMITTEE

[Handwritten signatures for Finance Committee]

[Handwritten signatures for Transportation Committee]

RESOLUTION NO. 92-12/92

FISCAL NOTE:

	This Year	Future Years 1994
Anticipated Revenue		\$3,300,000.00
Expenditure		900,000.00
Net Cost		2,400,000.00 Levy Reduction

Net Cost to be appropriated from: Revenue Sources include a gas tax and .4% increase in the sales tax.

	YES	NO
New or Increased Program	X	
Additional or Increased Staff Cost		X
One Time Expenditure		X

Accounting Transaction

ACCOUNT	NO.	DR.	CR.
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Resolution drafted by

This resolution was adopted,
rejected, laid over.

Ayes 3 Noes 30

Date 12-15-92