**Model Resolution**

WHEREAS, the nation faces serious problems of urban traffic congestion and air pollution; and

WHEREAS, substitution of transit trips by automobile drivers reduces traffic congestion and air pollution; and

WHEREAS, substitution of transit trips by automobile drivers has been a principal policy justification for spending more than $200 billion to subsidize transit operations and construct expensive rail systems; and

WHEREAS, a great percentage of traffic congestion and air pollution is attributable to the journey to work; and

WHEREAS, overwhelming evidence indicates that the percentage of people using transit for the work trip continues to decline, with market share decreases between 1980 and 1990 of more than 30 percent in half of the nation’s metropolitan areas with more than one million people, and market share increases in only two of the largest 39 metropolitan areas; and

WHEREAS, public transit unit costs have risen well in excess of inflation, despite evidence that unit costs in similar private and public industries have declined relative to inflation; and

WHEREAS, public transit’s extraordinary cost escalation required cancellation of services that reduced transit ridership and has precluded the establishment of additional services that might have increased public transit’s market share; and

WHEREAS, public transit’s extraordinary cost escalation is at least partially attributable to the onerous provisions and administration of Section 13(c) of the Urban Mass Transportation Act of 1964, as amended; and

WHEREAS, Section 13(c) provides special privileges for public transit workers far in excess of the rights of other workers, thereby serving a private, rather than a public purpose; and

WHEREAS, Section 13(c) has been administered by the U.S. Department of Labor in such a manner that it has created disincentives for public transit organizations to implement innovative programs that would cost effectively improve mobility.

NOW THEREFORE BE IT RESOLVED, that the legislature requests that the Congress of the United States repeal Section 13(c) at the earliest possible opportunity, making transit workers subject to the same body of labor law as applies to the vast majority of American workers; and

BE IT FURTHER RESOLVED, that pending repeal of Section 13(c), the Legislature requests that the President instruct the Secretary of Labor to not impose labor provisions that are greater than the law requires; and

BE IT FURTHER RESOLVED, that pending repeal of Section 13(c), the Legislature requests that the President instruct the Secretary of Labor to not extend Section 13(c) privileges beyond the extent of federal funding; and

BE IT FURTHER RESOLVED, that pending repeal of Section 13(c), the Legislature requests that the President instruct the Secretary of Labor to require that any compensation or other remedy under Section 13(c) be denied unless harm is a sole and direct consequence of the receipt of a particular federal grant; and

BE IT FURTHER RESOLVED, that the Clerk of both Houses of the Legislature transmit copies of this resolution to the President of the United States, the Vice President of the United States, the Speaker of the United States House of Representatives.
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