

**2011 DRAFTING REQUEST**

**Assembly Amendment (AA-AB152)**

Received: **08/29/2011**

Received By: **emueller**

Wanted: **As time permits**

Companion to LRB:

For: **Jim Steineke (608) 266-2418**

By/Representing: **Katherine Ehm**

May Contact:

Drafter: **emueller**

Subject: **Transportation - other**

Addl. Drafters:

Extra Copies: **ARG**

Submit via email: **YES**

Requester's email: **Rep.Steineke@legis.wi.gov**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Revise state contribution limit for projects not involving federal aid.

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	emueller 08/29/2011	kfollett 08/29/2011	jfrantze 08/29/2011	_____	sbasford 08/29/2011	sbasford 08/29/2011	

FE Sent For:

<END>

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1?	emueller	11/5f		8/29			
1/1	← UM 8/29/11	8/29					

FE Sent For:

<END>

**Mueller, Eric**

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**From:** Ehm, Katherine  
**Sent:** Monday, August 29, 2011 9:43 AM  
**To:** Mueller, Eric  
**Subject:** FW: Section 114.34  
**Attachments:** Scan4060.pdf

**Office of Rep. Jim Steineke**

304 North, State Capital  
 Madison, WI 53708  
 (608) 266-2418  
 (888) 534-0005 Toll Free

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**From:** Mark Matthew [mailto:markmatt7@hotmail.com]  
**Sent:** Monday, August 29, 2011 9:33 AM  
**To:** Rep.Steineke  
**Cc:** Ehm, Katherine; Martin P. Lenss  
**Subject:** FW: Section 114.34

Representative Steineke & Katherine:

Outagamie County Airport director Marty Lenss has discovered that AB-152 only makes changes to 114.34(1) and it also needs to make the same change to 114.34(2).

Can you call LRB and have an amendment drafted?

Thanks,

Mark Wadium

Outagamie County Lobbyist

> From: LenssMP@co.outagamie.wi.us  
 > To: markmatt7@hotmail.com  
 > Date: Mon, 29 Aug 2011 08:51:32 -0500  
 > Subject: Section 114.34  
 >  
 > Mark -  
 >  
 > Per our conversation. Paragraph 1 verbiage regarding building was changed and we need the same change made to Paragraph 2....see attached and underline.  
 >  
 >  
 >  
 > Marty Lenss  
 > Airport Director  
 > Outagamie County Regional Airport  
 > W6390 Challenger Drive, Suite 201  
 > Appleton, WI 54914  
 > 920.832.5267  
 > www.atwairport.com  
 >  
 > -----Original Message-----

8/29/2011

> From: AirportAdminKon7235@co.outagamie.wi.us [mailto:AirportAdminKon7235@co.outagamie.wi.us]  
> Sent: Monday, August 29, 2011 9:40 AM  
> To: Lenss, Martin P.  
> Subject: Attached image data  
>  
>

by a conveyance authorized by appropriate resolution of the controlling department, board or commission of the agency concerned or by the Wisconsin Aerospace Authority.

(13) Subsections (6) to (12) do not apply to lands or interests in lands associated with projects for public-use airports which are not owned by a county, city, village or town.

**History:** 1971 c. 192; 1973 c. 241; 1977 c. 29; 1979 c. 221; 1981 c. 20 s. 2202 (51) (d); 1987 a. 27; 1991 a. 39; 1997 a. 253, 282; 1999 a. 32; 2003 a. 33; 2005 a. 335; 2007 a. 20; 2011 a. 32.

**Cross-reference:** See also ch. Trans 54, Wis. adm. code.

**114.34 State and sponsor's share of cost.** (1) The costs of airport improvement projects involving federal aid, in excess of the federal government's share, shall be borne by the sponsor and the state, except that the state shall pay not more than one-half of such excess costs, nor more than \$500,000 for the cost of a building project or building improvement project and no part of the cost of hangars. The secretary, upon agreement with the sponsor, may advance up to 10% of the amount of any federal aid grant agreement for the payment of project costs of a federal aid project from unallocated state airport funds, subject to reimbursement upon final liquidation and settlement of the project with the sponsor and federal government.

(2) The costs of projects not involving federal aid shall be borne by the sponsor and the state. The state shall pay not more than 80% of such costs, which may include the cost of the land, the cost of lands or interest in lands deemed necessary for the protection of the aerial approaches, the cost of formulating the project application and preparing the plans and specifications, and the cost of construction and of all facilities deemed necessary for the operation of the airport. The state shall not contribute more than \$500,000 for the cost of a building project or building improvement project and no part of the cost of hangars.

(3) The percentage of the costs borne by the state shall be determined by the department on the basis of the relative importance of the specific project to the state airport development program as a whole.

**History:** 1971 c. 164 s. 84; 1971 c. 192; 1977 c. 29 s. 1654 (5); 1977 c. 348; 1983 a. 27; 1985 a. 283; 1987 a. 27; 1993 a. 16.

**114.35 Federal aid; state and local funds.** (1) It is declared to be the policy of the state to promote the development of an airport system in this state and to promote the development of joint airports in this state and in adjoining states which mutually benefit citizens of this state and those of adjoining states. The secretary may use the funds provided by the state to assist sponsors in matching the federal aid that may become available to the state or available for specific projects or joint projects within this state or in an adjoining state.

(2) The secretary may also use the funds provided by the state independent of the availability of federal funds to aid sponsors in the development of approved projects on the state system or joint projects; for air marking and air navigation facilities; and for the purposes of 1991 Wisconsin Act 269, section 9155 (1x).

**History:** 1971 c. 125, 192, 228; 1973 c. 148; 1977 c. 418; 1983 a. 27; 1989 a. 31; 1991 a. 39, 269.

**114.37 Advance land acquisition loan program for airport projects.** (1) **PURPOSE.** The purpose of this section is to promote the state's interest in preserving and improving a safe and efficient air transportation system by means of a program to provide loans for advance land acquisition for airport projects planned under s. 114.33.

(2) **ADMINISTRATION.** The department shall administer an advance land acquisition loan program to assist a county, city, village, town or an owner of a public-use airport in acquiring land necessary for airport projects under s. 114.33. The department shall have all powers necessary and convenient to implement this section, including the following powers:

(a) To specify conditions of eligibility for loans under this section. Such conditions shall include the requirement that the land to be acquired must be part of a planned airport improvement proj-

ect or a land acquisition project that is essential to future airport development or to the safety of aircraft using the airport.

(b) To receive applications for loans under this section and to prescribe the form, nature and extent of the information which shall be contained in applications.

(c) To establish standards for the approval of loans under this section. No loan may be made for an amount greater than 80% of the department's assessment of the value of the property.

(d) To enter into loan agreements with applicants to ensure the proper use and prompt repayment of loans under this section. The loan agreement shall include the requirements that the loan be repaid within a period not to exceed 5 years and that the proceeds of any state or federal land acquisition funding received under s. 114.33 be fully pledged to repayment of the loan. The department may not make a loan for more than 80% of the estimated land acquisition costs, including the costs of any necessary project plans and environmental studies. The loan agreement shall require that the department be designated to act as the loan recipient's agent in the acquisition of the land. Title to the land acquired shall be held by the loan recipient, but the department may retain a security interest in the land until the loan is repaid. The loan agreement shall require the payment of interest and reasonable costs incurred by the department.

(e) To acquire lands under s. 114.33 (6) and (7) as the designated agent of a loan recipient.

(f) To audit and inspect the records of loan recipients.

(3) **FUNDS.** The department may make loans under this section from the appropriation under s. 20.395 (2) (dv). The total outstanding balance of loans under this subsection may not exceed \$6,500,000.

(4) **RULES.** The department may adopt rules as necessary to implement this section.

**History:** 1981 c. 20; 1985 a. 29; 1991 a. 39; 1993 a. 16; 2005 a. 335.

**Cross-reference:** See also ch. Trans 54, Wis. adm. code.

**114.375 Advance land acquisition loan program for spaceport projects.** (1) **PURPOSE.** The purpose of this section is to promote the state's interest in aerospace programs by providing loans for advance land acquisition for spaceport projects.

(2) **ADMINISTRATION.** The department shall administer an advance land acquisition loan program to assist a county, city, village, town, or an owner of a spaceport in acquiring land necessary for spaceport projects. The department shall have all powers necessary and convenient to implement this section, including the following powers:

(a) To specify conditions of eligibility for loans under this section. Such conditions shall include the requirement that the land to be acquired must be part of a planned spaceport improvement project or a land acquisition project that is essential to future spaceport development or to the safety of spacecraft using the spaceport.

(b) To receive applications for loans under this section and to prescribe the form, nature, and extent of the information which shall be contained in applications.

(c) To establish standards for the approval of loans under this section. No loan may be made for an amount greater than 80 percent of the department's assessment of the value of the property.

(d) To enter into loan agreements with applicants to ensure the proper use and prompt repayment of loans under this section. The loan agreement shall include the requirements that the loan be repaid within a period not to exceed 10 years and that the proceeds of any state or federal land acquisition funding received be fully pledged to repayment of the loan. The department may not make a loan for more than 80 percent of the estimated land acquisition costs, including the costs of any necessary project plans and environmental studies. The loan agreement shall require that the department be designated to act as the loan recipient's agent in the acquisition of the land. Title to the land acquired shall be held by the loan recipient, but the department may retain a security interest



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRBa1468/1  
EVM:...

of

ASSEMBLY AMENDMENT ,  
TO 2011 ASSEMBLY BILL 152

RMR

In 8/29/11

Today

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 5: after that line insert:

3 "SECTION 2m. 114.34 (2) of the statutes is amended to read:

4 114.34 (2) The costs of projects not involving federal aid shall be borne by the

5 sponsor and the state. The state shall pay not more than 80% of such the costs, which

6 may include the cost of the land, the cost of lands or interest in lands deemed

7 necessary for the protection of the aerial approaches, the cost of formulating the

8 project application and preparing the plans and specifications, and the cost of

9 construction and of all facilities deemed necessary for the operation of the airport.

10 The state shall not contribute more than ~~\$500,000~~ \$2,000,000 for the cost of a

11 building project or building improvement project and no part of the cost of hangars."