

2013 DRAFTING REQUEST

Bill

Received: 9/6/2013 Received By: agary
Wanted: As time permits Same as LRB:
For: Joseph Leibham (608) 266-2056 By/Representing: Lucas Moench
May Contact: Drafter: agary
Subject: Transportation - highways Addl. Drafters:
Extra Copies: EVM

Submit via email: YES
Requester's email: Sen.Leibham@legis.wisconsin.gov
Carbon copy (CC) to: aaron.gary@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Funding of county trunk highway relocation project in Sheboygan County

Instructions:

See attached

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>
/P1	agary 9/9/2013			_____			State S&L
/1	agary 9/9/2013	scalvin 9/9/2013	phenry 9/9/2013	_____	mbarman 9/9/2013		State S&L
/2	agary 9/10/2013	scalvin 9/9/2013	rschluet 9/9/2013	_____	lparisi 9/9/2013		State S&L

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/3		scalvin 9/10/2013	jmurphy 9/10/2013	_____	lparisi 9/10/2013	lparisi 9/10/2013	State S&L

FE Sent For:

*at
intro*

<END>

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/2	agary 9/10/2013	scalvin 9/9/2013	rschluet 9/9/2013	_____	lparisi 9/9/2013		State S&L

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 For: **Joseph Leibham (608) 266-2056** By/Representing: **Lucas Moench**
 May Contact: Drafter: **agary**
 Subject: **Transportation - highways** Addl. Drafters:
 Extra Copies: **EVM**

Submit via email: **YES**
 Requester's email: **Sen.Leibham@legis.wisconsin.gov**
 Carbon copy (CC) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

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Instructions:

See attached

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/1	agary 9/9/2013	scalvin 9/9/2013	phenry 9/9/2013	_____	mbarman 9/9/2013		State S&L
/2		scalvin 9/9/2013	rschluet 9/9/2013	_____	lparisi 9/9/2013		State S&L
		1/3 sac 09/10/2013	<i>Jim</i> 9/10	<i>self</i>			

FE Sent For:

<END>

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Wanted: As time permits
For: Joseph Leibham (608) 266-2056
May Contact:
Subject: Transportation - highways

Received By: agary
Same as LRB:
By/Representing: Lucas Moench
Drafter: agary
Addl. Drafters:
Extra Copies: EVM

Submit via email: YES
Requester's email: Sen.Leibham@legis.wisconsin.gov
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Topic:

Funding of county trunk highway relocation project in Sheboygan County ✓

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See attached

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/P1	agary 9/9/2013			_____			State S&L
/1		scalvin 9/9/2013	phenty 9/9/2013	_____	mbarman 9/9/2013		State S&L

FE Sent For:

12 sec
09/09/2013


<END>

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Wanted: As time permits Same as LRB:
For: Joseph Leibham (608) 266-2056 By/Representing: Lucas Moench
May Contact: Drafter: agary
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No specific pre topic given

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Funding of county trunk highway relocation project in Sheboygan County

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/P1	agary	1 sac 09/09/2013	9 9 PL	_____	_____		State S&L

FE Sent For:

<END>

Gary, Aaron

From: Moench, Lucas
Sent: Friday, September 06, 2013 1:55 PM
To: Gary, Aaron; Mueller, Eric; Yahn, Nate - DOT
Subject: Urgent Drafting Request
Attachments: CTH LS draft language.docx

Eric & Aaron-

I'm sorry to ask for such a quick turnaround, but we would like the attached drafted as soon as possible. Ideally sometime on Monday is the hope. I have been working with DOT on the language and just got the instructions from them. We are hoping to have this on the Joint Finance agenda coming up in a week and a half, and John Dyck at LFB needs to get started on the paper for this bill. Nate Yahn and Jim Donlin at DOT have been working with us on this language. Feel free to touch base with them to answer any questions. Also, feel free to contact me with questions as well. I am out of the office this afternoon, but will be back in Monday. However, I can answer questions by e-mail today too.

Again, very sorry for the quick turnaround request, but we just had the final pieces of this come together.

Thanks,

Lucas Moench

CTH LS Grant Bill Language Framework

Create an appropriation – Apprn 298, (2)(fs) Grant to Sheboygan County, state funds, Fund Source: SEG, Apprn Type: B, S/L/A: L – as follows:

20.395(2)(fs) *Grant to Sheboygan County, state funds*. The amounts in the schedule for a grant to Sheboygan County for the project under 2013 Wisconsin Act 20, section 9145(7L) as amended by this act.

	2013-2014	2014-2015
(fs) Grant to Sheboygan County, state funds	4,200,000	-0-

Repeal appropriation 20.395(2)(fs) as of June 30, 2015.

Reduce amount in schedule for appropriation 20.395(2)(ft) by \$4,200,000 in FY 2013-14.

Amend 2013 Wisconsin Act 20, section 9145(7L) as follows:

Amend subsection (b) as follows:

(b) ~~Notwithstanding limitations on the amount and use of aids provided under section 86.31 of the statutes, or on eligibility requirements for receiving aids under section 86.31 of the statutes, †~~ The department shall award a grant in the 2013–15 fiscal biennium to the affected local governments for the project if the affected local governments reach a jurisdictional transfer agreement that specifies all of the following to the satisfaction of the department:

Delete subsection (c).

Gary, Aaron

From: Moench, Lucas
Sent: Monday, September 09, 2013 8:13 AM
To: Gary, Aaron
Subject: RE: Urgent Drafting Request

Hi Aaron-

In my haste to send you drafting instructions, I mistakenly sent you an earlier version before I had made two corrections. Therefore, could you modify the instructions I sent you Friday to reflect the following:

1. The size of the grant established by the bill under 20.395(2)(fs) should be \$4 million, not \$4.2 million as the instructions indicate. Thus, the reduction in funding for the 20.395(2)(ft) appropriation under the bill should only be \$4 million as well.
2. The name of the grant in (fs) should be "Grant for CTH LS Relocation Project, state funds", not "Grant to Sheboygan County, state funds".

Sorry for the confusion.

Let me know if you have any questions.

Thanks,

Lucas Moench
Chief of Staff
State Senator Joe Leibham
9th Senate District
608-266-2056

-----Original Message-----

From: Gary, Aaron
Sent: Friday, September 06, 2013 4:07 PM
To: Moench, Lucas
Cc: Mueller, Eric
Subject: RE: Urgent Drafting Request

Lucas,

I will be the drafter on this. I have entered the request as LRB-3102. Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

-----Original Message-----

From: Moench, Lucas
Sent: Friday, September 06, 2013 1:55 PM
To: Gary, Aaron; Mueller, Eric; Yahn, Nate - DOT

Gary, Aaron

From: Moench, Lucas
Sent: Monday, September 09, 2013 9:13 AM
To: Gary, Aaron
Subject: RE: Urgent Drafting Request

DOT came up with them. Nate Yahn there should be able to get you answers to any questions you have.

Lucas

"Gary, Aaron" <Aaron.Gary@legis.wisconsin.gov> wrote:

Lucas,

Who came up with these instructions? There are problems with them.
Should I talk to Jon Dyck?

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

-----Original Message-----

From: Moench, Lucas
Sent: Monday, September 09, 2013 8:13 AM
To: Gary, Aaron
Subject: RE: Urgent Drafting Request

Hi Aaron-

In my haste to send you drafting instructions, I mistakenly sent you an earlier version before I had made two corrections. Therefore, could you modify the instructions I sent you Friday to reflect the following:

1. The size of the grant established by the bill under 20.395(2)(fs) should be \$4 million, not \$4.2 million as the instructions indicate.
Thus, the reduction in funding for the 20.395(2)(ft) appropriation under the bill should only be \$4 million as well.
2. The name of the grant in (fs) should be "Grant for CTH LS Relocation Project, state funds", not "Grant to Sheboygan County, state funds".

Sorry for the confusion.

Let me know if you have any questions.

Thanks,

Lucas Moench
Chief of Staff
State Senator Joe Leibham
9th Senate District
608-266-2056

Gary, Aaron

From: Yahn, Nate - DOT <Nate.Yahn@dot.wi.gov>
Sent: Monday, September 09, 2013 9:38 AM
To: Gary, Aaron
Cc: Moench, Lucas
Subject: RE: Urgent Drafting Request

Hi Aaron,

Per your first question, the appropriation would be *biennial*.

Per the second, the funds would be given to Sheboygan County, however, for the title of the appropriation I believe Senator Leibham's office would like it say the project name, thus removing Sheboygan County from the appropriation title.

I'll give you a call to discuss this.

Nate

-
Nate Yahn
Legislative Advisor
Office of the Secretary
Wisconsin Department of Transportation
Phone: (608) 266-1114

-----Original Message-----

From: Gary, Aaron [<mailto:Aaron.Gary@legis.wisconsin.gov>]
Sent: Monday, September 09, 2013 9:19 AM
To: Yahn, Nate - DOT
Cc: Moench, Lucas - LEGIS
Subject: RE: Urgent Drafting Request

Nate,

I have a couple questions.

1. Is the appropriation biennial or annual? (The "B" at the top suggests biennial but the text DOT provided is annual.)
2. The instructions don't change the non-stat text that the grant is to the "affected local governments" (defined in the non-stat) but the new appropriation language DOT provided states that the grant is to Sheboygan County. This needs to be consistent. Who is receiving the grant?

Thanks. Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

-----Original Message-----

From: Moench, Lucas
Sent: Friday, September 06, 2013 1:55 PM
To: Gary, Aaron; Mueller, Eric; Yahn, Nate - DOT
Subject: Urgent Drafting Request

Eric & Aaron-

↳ 9/9 H/c w/ note: told him that unless we change grant recipient in text, it would not be Sheboygan Co. alone; told him I could drop "Sheboygan Co." from appra. text but it would not change non-stat directive/text

Gary, Aaron

From: Gary, Aaron
Sent: Monday, September 09, 2013 10:58 AM
To: Yahn, Nate - DOT
Cc: Moench, Lucas
Subject: RE: Urgent Drafting Request

I have changed the appropriation text to omit reference to the grant recipient(s); the appropriation text just refers to the grant under 2013 Wisconsin Act 20, section 9145 (7L).

The bill does not change the grant recipients under current law, which is specified in Act 20 as the "affected local governments" (as defined).

I think you'll probably have a draft of this today (it is now in editing).

Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Yahn, Nate - DOT [<mailto:Nate.Yahn@dot.wi.gov>]
Sent: Monday, September 09, 2013 9:38 AM
To: Gary, Aaron
Cc: Moench, Lucas
Subject: RE: Urgent Drafting Request

Hi Aaron,

Per your first question, the appropriation would be *biennial*.

Per the second, the funds would be given to Sheboygan County, however, for the title of the appropriation I believe Senator Leibham's office would like it say the project name, thus removing Sheboygan County from the appropriation title.

I'll give you a call to discuss this.

Nate

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Nate Yahn
Legislative Advisor
Office of the Secretary
Wisconsin Department of Transportation
Phone: (608) 266-1114

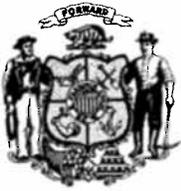
-----Original Message-----

From: Gary, Aaron [<mailto:Aaron.Gary@legis.wisconsin.gov>]
Sent: Monday, September 09, 2013 9:19 AM
To: Yahn, Nate - DOT
Cc: Moench, Lucas - LEGIS
Subject: RE: Urgent Drafting Request

Nate,

I have a couple questions.

1. Is the appropriation biennial or annual? (The "B" at the top suggests biennial but the text DOT provided is annual.)



in 9/9



LRB-3102/1

ARG: /:...

Sac

TODAY
if possible

2013 BILL

1 AN ACT *gen cat*; relating to: a grant for the relocation of a county trunk highway in
2 Manitowoc and Sheboygan counties and making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, as created in 2013 Wisconsin Act 20 (the Biennial Budget Act), the Department of Transportation (DOT) must award a grant in the 2013-15 fiscal biennium to Manitowoc County, Sheboygan County, the town of Centerville in Manitowoc County, the town of Mosel in Sheboygan County, the town of Sheboygan in Sheboygan County, and the village of Cleveland in Manitowoc County (affected local governments) for the relocation of CTH "LS" in Manitowoc and Sheboygan counties and the construction of access roads to properties along CTH "LS" (the project) if the affected local governments reach a jurisdictional transfer agreement that meets certain criteria. The amount of the grant may not exceed \$4,200,000 or 50 percent of the project costs, whichever is less. The grant must be paid from DOT's appropriation for discretionary grants under the Local Roads Improvement Program (LRIP), notwithstanding limitations on or eligibility requirements for LRIP aids.

Under this bill, the grant is not paid from the LRIP program appropriation. Instead, the grant is paid from a new, sum certain appropriation of \$4,000,000 for fiscal year 2013-14. The bill removes the requirement that the grant not exceed 50 percent of the project costs.

BILL

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
2 the following amounts for the purposes indicated:

			2013-14	2014-15
--	--	--	----------------	----------------

4 **20.395 Transportation, department of**

5 (2) LOCAL TRANSPORTATION ASSISTANCE

6 (fs) Grant for CTH "LS" relocation

7	project; state funds	SEG	B	4,000,000	-0-
---	----------------------	-----	---	-----------	-----

8 **SECTION 2.** 20.395 (2) (fs) of the statutes is created to read:

9 20.395 (2) (fs) *Grant for CTH "LS" relocation project, state funds.* Biennially,
10 the amounts in the schedule for the grant under 2013 Wisconsin Act 20, section 9145
11 (7L).

12 **SECTION 3.** 20.395 (2) (fs) of the statutes, as created by 2013 Wisconsin Act
13 (this act), is repealed.

14 **SECTION 4.** 20.395 (2) (ft) of the statutes, as affected by 2013 Wisconsin Act 20,
15 is amended to read:

16 20.395 (2) (ft) *Local roads improvement program; discretionary grants, state*
17 *funds.* As a continuing appropriation, the amounts in the schedule for the local roads
18 improvement program under s. 86.31 (3g) to (3r), for the payments required under
19 2007 Wisconsin Act 20, section 9148 (3) and (14qq), and ~~2013 Wisconsin Act 20,~~
20 ~~section 9145 (7L),~~ and for the grant under 2007 Wisconsin Act 20, section 9148 (9z).

History: 1971 c. 40 s. 93; 1971 c. 42, 107; 1971 c. 125 ss. 122 to 137, 522 (1); 1971 c. 197, 211, 215, 307; 1973 c. 90, 142, 243, 333, 336; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 200, 224, 270, 288, 340, 422; 1977 c. 29, 377, 418; 1979 c. 34 ss. 322e to 420, 574, 575; 1979 c. 221; 1981 c. 20 ss. 238 to 300, 2202 (51) (c), (e); 1981 c. 165, 234;

BILL

1981 c. 314 s. 146; 1981 c. 347 s. 80; 1981 c. 362; 1983 a. 27 ss. 270g to 315, 2202 (20); 1983 a. 243; 1985 a. 29 ss. 357 to 402, 3202 (51) (a); 1985 a. 65, 76, 341; 1987 a. 27, 137, 349, 369, 399, 403; 1989 a. 31, 56; 1991 a. 39, 104, 239, 269; 1993 a. 16, 285, 354, 437; 1995 a. 27, 113, 201, 338, 445; 1997 a. 27, 35, 135, 237, 255; 1999 a. 9, 109, 146, 167, 185; 2001 a. 16, 104, 109; 2003 a. 33, 64, 139, 220, 320; 2005 a. 25, 319, 335; 2007 a. 20, 42; 2009 a. 28, 224, 226, 276; 2011 a. 32, 257; 2011 a. 260 s. 80; 2013 a. 20; s. 13.92 (2) (i).

1 **SECTION 5.** 2013 Wisconsin Act 20, section 9145 (7L) (b) (intro.) is amended to

2 read: 2013 Wisconsin Act 20, (LRB-3102/1)

3 [2013 Wisconsin Act 20] Section 9145 (7L) (b) (intro.) Notwithstanding
4 limitations on the amount and use of aids provided under section 86.31 of the
5 statutes, or on eligibility requirements for receiving aids under section 86.31 of the
6 statutes, the From the appropriation under section 20.395 (2) (fs) of the statutes, as
7 created by (this act), the department shall award a grant in the 2013-15 fiscal
8 biennium to the affected local governments for the project if the affected local
9 governments reach a jurisdictional transfer agreement that specifies all of the
10 following to the satisfaction of the department:

11 **SECTION 6.** 2013 Wisconsin Act 20, section 9145 (7L) (c) is repealed.

12 **SECTION 7. Fiscal changes.**

13 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
14 to the department of transportation under section 20.395 (2) (ft) of the statutes, as
15 affected by the acts of 2013, the dollar amount is decreased by \$4,200,000 for the first
16 fiscal year of the fiscal biennium in which this subsection takes effect to decrease
17 funding for the purposes for which the appropriation is made.

18 **SECTION 8. Effective dates.** This act takes effect on the day after publication,
19 except as follows:

20 (1) The repeal of section 20.395 (2) (fs) of the statutes takes effect on July 1,
21 2015.

22 (END)

Gary, Aaron

From: Moench, Lucas
Sent: Monday, September 09, 2013 4:09 PM
To: Gary, Aaron
Subject: RE: Draft review: LRB -3102/1 Topic: Funding of county trunk highway relocation project in Sheboygan County

Understood. However, we would like to only take \$4 million from the (ft) appropriation under the bill. That way, we will produce a net-benefit vs. current law for the "other" things the (ft) appropriation funds.

Thanks,

Lucas Moench
Chief of Staff
State Senator Joe Leibham
9th Senate District
608-266-2056

From: Gary, Aaron
Sent: Monday, September 09, 2013 4:04 PM
To: Moench, Lucas
Subject: RE: Draft review: LRB -3102/1 Topic: Funding of county trunk highway relocation project in Sheboygan County

Lucas,

It is not necessarily true that sections 1 and 7 should use the same dollar figure – using different figures isn't necessarily an inconsistency. Under current law, the grant is supposed to be up to \$4.2M, coming from the (ft) appropriation. If the grant is not coming from the (ft) appropriation, it seems that this appropriation should be reduced by \$4.2M, not \$4.0M.

Under the bill, the grant will instead be up to \$4.0M, coming from the new appropriation. The fact that the grant amount changed from \$4.2M to \$4.0M doesn't change the fact that \$4.2M had been planned to be spent from the (ft) appropriation and now it won't, so to get back to level it seems that \$4.2M should be taken out of it.

However, if you still want me to reduce the (ft) appropriation by only \$4.0M and not \$4.2M, let me know and I'll make the change.

Aaron

From: Moench, Lucas
Sent: Monday, September 09, 2013 3:45 PM
To: Gary, Aaron
Subject: RE: Draft review: LRB -3102/1 Topic: Funding of county trunk highway relocation project in Sheboygan County

Yep, saw that, thanks Aaron. One thing though that will need to be changed- Sections 1 & 7 should be consistent. So when we put \$4 million in the appropriation established in Section 1, we should be reducing the appropriation under Section 7 by the same amount, right? Therefore, the reduction in Section 7 should be \$4 million, and not \$4.2 million as under the draft.

Thanks,

Lucas Moench
Chief of Staff

State Senator Joe Leibham
9th Senate District
608-266-2056

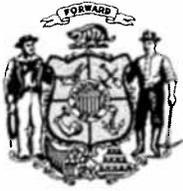
From: Gary, Aaron
Sent: Monday, September 09, 2013 2:38 PM
To: Moench, Lucas
Subject: FW: Draft review: LRB -3102/1 Topic: Funding of county trunk highway relocation project in Sheboygan County

You probably already saw this, but here's the draft.
Aaron

From: LRB.Legal
Sent: Monday, September 09, 2013 2:16 PM
To: Gary, Aaron
Subject: Draft review: LRB -3102/1 Topic: Funding of county trunk highway relocation project in Sheboygan County

Draft Requester: Sen. Joseph Leibham

Following is the PDF version of draft LRB -3102/1.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-3102/2
ARG:sac:ph

12
9/9
wanted
9/10 by
10 AM

NMR

2013 BILL

one change -
p. 3

1 AN ACT ^{general} to repeal 20.395 (2) (fs); to amend 20.395 (2) (ft); to create 20.395 (2)
2 (fs) of the statutes; and to affect 2013 Wisconsin Act 20, section 9145 (7L) (b)
3 (intro.) and 2013 Wisconsin Act 20, section 9145 (7L) (c); relating to: a grant
4 for the relocation of a county trunk highway in Manitowoc and Sheboygan
5 counties and making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, as created in 2013 Wisconsin Act 20 (the Biennial Budget Act), the Department of Transportation (DOT) must award a grant in the 2013-15 fiscal biennium to Manitowoc County, Sheboygan County, the town of Centerville in Manitowoc County, the town of Mosel in Sheboygan County, the town of Sheboygan in Sheboygan County, and the village of Cleveland in Manitowoc County (affected local governments) for the relocation of CTH "LS" in Manitowoc and Sheboygan counties and the construction of access roads to properties along CTH "LS" (the project) if the affected local governments reach a jurisdictional transfer agreement that meets certain criteria. The amount of the grant may not exceed \$4,200,000 or 50 percent of the project costs, whichever is less. The grant must be paid from DOT's appropriation for discretionary grants under the Local Roads Improvement Program (LRIP), notwithstanding limitations on or eligibility requirements for LRIP aids.

Under this bill, the grant is not paid from the LRIP program appropriation. Instead, the grant is paid from a new, sum certain appropriation of \$4,000,000 for fiscal year 2013-14. The bill removes the requirement that the grant not exceed 50 percent of the project costs.

Gary, Aaron

From: Moench, Lucas
Sent: Tuesday, September 10, 2013 8:24 AM
To: Gary, Aaron
Subject: FW: Sheboygan CTH LS

DOT concurs with Jon's suggestion. We will for sure want to make the change.

Lucas Moench
Chief of Staff
State Senator Joe Leibham
9th Senate District
608-266-2056

From: Moench, Lucas
Sent: Tuesday, September 10, 2013 8:15 AM
To: Gary, Aaron
Subject: FW: Sheboygan CTH LS

Aaron-

Sorry to bother you again, but Jon Dyck found one thing in the draft that he thinks should be clarified- the need to specify a \$400,000 reduction in CHIP-D on a one time basis to balance the account given the funds being removed from LRIP under the bill. I haven't heard back from DOT yet on this, but I understand the point behind what Jon is saying, so could you start on this change now in the interest of time. After that, pending input from DOT, we will either jacket the /2 or the /3.

Thanks,

Lucas Moench
Chief of Staff
State Senator Joe Leibham
9th Senate District
608-266-2056

From: Dyck, Jon
Sent: Tuesday, September 10, 2013 8:03 AM
To: Moench, Lucas
Subject: RE: Sheboygan CTH LS

There's one thing that I noticed about the draft that you may want to think about changing. Under the Act 20 provision, \$3.6 million of the grant would be made from the additional funds placed in the 2013-14 appropriation and \$600,000 would come from the portion of the LRIP-discretionary allocation for county projects. Under the draft, the full amount of the grant would be made from the new appropriation, an amount that would be transferred from the LRIP-discretionary appropriation. Because of this transfer, the sum of the statutory, annual allocation to county, town, and municipal projects would be greater than the amount in the appropriation. That is, under the statutes, DOT is required to allocate a total of \$11,836,000 to discretionary projects (\$5,127,000 for county projects, \$5,732,500 for town road projects, and \$976,500 for municipal street projects), but with the transfer out of \$4,000,000, the appropriation would be \$11,436,000 in 2013-14, or \$400,000 short of the total statutory allocation. Under these circumstances, I think DOT

would probably prorate the amounts allocated to all three subcomponents. If you want to stay with the intent of the Act 20 provision, which was to take the extra amount out of the county allocation, then you want to reduce the statutory allocation to county projects by \$400,000 on a one-time basis.

Jon Dyck

Fiscal Analyst

Legislative Fiscal Bureau

1 East Main, Suite 301

Madison, WI 53703

(608) 266-9919

jon.dyck@legis.wisconsin.gov

Gary, Aaron

From: Dyck, Jon
Sent: Tuesday, September 10, 2013 8:52 AM
To: Gary, Aaron
Subject: RE: Sheboygan CTH LS

That's correct.

Jon Dyck
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1 East Main, Suite 301
Madison, WI 53703
(608) 266-9919
jon.dyck@legis.wisconsin.gov

From: Gary, Aaron
Sent: Tuesday, September 10, 2013 8:51 AM
To: Dyck, Jon
Subject: FW: Sheboygan CTH LS

Hi Jon,

This was forwarded to me. I want to make sure I understand this. You are suggesting that the \$5,127,000 amount in s. 86.31 (3g) be reduced by \$400,000 but only for FY2013-14, right? And that's the only change?

Thanks. Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Dyck, Jon
Sent: Tuesday, September 10, 2013 8:03 AM
To: Moench, Lucas
Subject: RE: Sheboygan CTH LS

There's one thing that I noticed about the draft that you may want to think about changing. Under the Act 20 provision, \$3.6 million of the grant would be made from the additional funds placed in the 2013-14 appropriation and \$600,000 would come from the portion of the LRIP-discretionary allocation for county projects. Under the draft, the full amount of the grant would be made from the new appropriation, an amount that would be transferred from the LRIP-discretionary appropriation. Because of this transfer, the sum of the statutory, annual allocation to county, town, and municipal projects would be greater than the amount in the appropriation. That is, under the statutes, DOT is required to allocate a total of \$11,836,000 to discretionary projects (\$5,127,000 for county projects, \$5,732,500 for town road projects, and \$976,500 for municipal street projects), but with the transfer out of \$4,000,000, the appropriation would be \$11,436,000 in 2013-14, or \$400,000 short of the total statutory allocation. Under these circumstances, I think DOT would probably prorate the amounts allocated to all three subcomponents. If you want to stay with the intent of the



State of Wisconsin
2013 - 2014 LEGISLATURE

in
9/10



LRB-3102/3
ARG:sac: [signature]

2013 BILL

TODAY
AM

RMA

gen cat

1 AN ACT *to repeal* 20.395 (2) (fs); *to amend* 20.395 (2) (ft); *to create* 20.395 (2)
2 (fs) of the statutes; and *to affect* 2013 Wisconsin Act 20, section 9145 (7L) (b)
3 (intro.) and 2013 Wisconsin Act 20, section 9145 (7L) (c); **relating to:** a grant
4 for the relocation of a county trunk highway in Manitowoc and Sheboygan
5 counties and making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, as created in 2013 Wisconsin Act 20 (the Biennial Budget Act), the Department of Transportation (DOT) must award a grant in the 2013-15 fiscal biennium to Manitowoc County, Sheboygan County, the town of Centerville in Manitowoc County, the town of Mosel in Sheboygan County, the town of Sheboygan in Sheboygan County, and the village of Cleveland in Manitowoc County (affected local governments) for the relocation of CTH "LS" in Manitowoc and Sheboygan counties and the construction of access roads to properties along CTH "LS" (the project) if the affected local governments reach a jurisdictional transfer agreement that meets certain criteria. The amount of the grant may not exceed \$4,200,000 or 50 percent of the project costs, whichever is less. The grant must be paid from DOT's appropriation for discretionary grants under the Local Roads Improvement Program (LRIP), notwithstanding limitations on or eligibility requirements for LRIP aids.

Under this bill, the grant is not paid from the LRIP program appropriation. Instead, the grant is paid from a new, sum certain appropriation of \$4,000,000 for fiscal year 2013-14. The bill removes the requirement that the grant not exceed 50 percent of the project costs.

✓

insert ANAC

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3102/3ins
ARG:.....

INSERT ANAL:

(no A) The bill also reduces the allocation under LRIP for discretionary grants for county trunk highway improvements by \$400,000 in fiscal year 2013-14.

INSERT 3-1:

SECTION 1. 86.31 (3g) of the statutes is amended to read:

86.31 (3g) COUNTY TRUNK HIGHWAY IMPROVEMENTS — DISCRETIONARY GRANTS.

From the appropriation under s. 20.395 (2) (ft), the department shall allocate ~~\$5,355,000 in fiscal year 2007-08, \$5,462,100 in fiscal year 2008-09, and \$5,127,000 in fiscal year 2009-10~~ years 2011-12 and 2012-13, \$4,727,000 in fiscal year 2013-14, and \$5,127,000 in fiscal year 2014-15 and each fiscal year thereafter, to fund county trunk highway improvements with eligible costs totaling more than \$250,000. The funding of improvements under this subsection is in addition to the allocation of funds for entitlements under sub. (3).

History: 1991 a. 39, 269; 1993 a. 16, 437; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2009 a. 28; 2011 a. 32, 257.

Parisi, Lori

From: Moench, Lucas
Sent: Tuesday, September 10, 2013 12:07 PM
To: LRB.Legal
Subject: Draft Review: LRB -3102/3 Topic: Funding of county trunk highway relocation project in Sheboygan County

RUSH
Please Jacket LRB -3102/3 for the SENATE.