

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-AB133)**

Received: **06/10/99**

Received By: **fasttn**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau 266-3847**

By/Representing: **Dyck**

This file may be shown to any legislator: **NO**

Drafter: **traderc**

May Contact:

Alt. Drafters:

Subject: **Transportation - highways**

Extra Copies: **PEN, ISR, TNF - 1**

**Pre Topic:**

LFB:.....Dyck -

**Topic:**

Transportation projects commission

**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>
/?	fasttn 06/11/99 traderc 06/12/99	wjackson 06/12/99		_____			
/1			jfrantze 06/12/99	_____	lrb_docadmin 06/12/99		
/2	traderc 06/12/99	wjackson 06/12/99	haugca 06/13/99	_____	lrb_docadmin 06/13/99		

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	traderc 06/12/99	/1 6/12 WLJ		_____			
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1/?	fasttn 06/11/99 traderc	1 6/12 Wlj	26 6/12	26 km 6/12			

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/?	fasttn			_____			
				_____			

FE Sent For:

**<END>**

18. *Major Highway Development -- Funding Level [Paper #946].* Provide \$5,900,000 SEG in 1999-00 and \$5,500,000 SEG-S (bonding) in 2000-01 and delete \$5,500,000 SEG in 2000-01 for the major highway development program. This would provide total, above base increases of \$12,121,000 in 1999-00 and \$12,628,700 in 2000-01. Decrease estimated transportation fund revenues by \$75,400 in 2000-01 to reflect increased debt service from the increased use of bonds.

~~5.8%~~ ~~7.2%~~ no draft  
19. *Transportation Fund Reserves [Paper #945 Alternative #2b and Paper #946, Alternative #A3].* Reduce transportation fund reserves by \$289,500 in 1999-00 and \$723,800 in 2000-01 to subtract reserves calculated for major highway development and state highway rehabilitation program employees whose salaries and fringe benefits are funded with SEG funds. Specify that compensation increases for major highway development and state highway rehabilitation employees whose salaries and fringe benefits are funded with SEG funds, up to the inflationary percentages provided for the major highway development and state highway rehabilitation programs, must be funded within the inflationary funding increases provided for these programs.

20. *State Highway Maintenance and Traffic Operations [Paper #947, Alternative #3].* Provide \$4,079,300 SEG in 1999-00 and delete \$4,079,300 SEG in 2000-01 to provide equivalent total annual increases of \$7,706,000, which would provide the same total amount of funding for the program over the biennium as the bill. ~~4.0%~~ no draft

21. *Federal Highway Aid to Replace SEG Funds.* Provide \$468,400 FED annually and delete \$468,400 SEG annually in the state highway rehabilitation program to reflect a decision to replace SEG funding with federal highway aid saved during previous Committee action. During a May 11 Executive Session on the bill, the Committee replaced \$468,400 of federal highway aid that the bill provided for transportation planning and research with federal discretionary research and transit planning funds, allowing the federal highway funds to be used for other purposes. no draft

22. *Outdoor Advertising Sign Annual Permit Fee [Paper #948, Alternative #B1d].* Allow DOT to create, by rule, an annual permit fee for outdoor advertising signs. Specify that the failure to pay the fee to renew a sign permit within two months of the time the permit fee is due shall be considered evidence that the sign has been abandoned. In addition, specify that the fees shall be initially established to limit the amount of additional, annual revenue (above the current base of \$21,300), beginning in 2000-01 to \$510,000, which is the amount that would produce enough additional revenue to cover the additional cost of a outdoor advertising computerized inventory system (total fee revenue would be \$531,300). Paul done draft?

23. *Transportation Projects Commission.* Move to prohibit DOT from preparing an environmental impact statement or environmental assessment for a potential major highway development project unless the project is approved by the Transportation Projects Commission (TPC), first applying to projects for which DOT commences preliminary engineering or design work or studies on April 1, 2000.

1     **AN ACT** to amend 84.013 (4) (a); and to create 13.489 (1m) of the statutes; relating  
 2             to: requiring transportation project commission approval of potential major highway  
 3             projects.

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

4             **SECTION 1.** 13.489 (1m) of the statutes is created to read:

5             13.489 (1m) Approval of commission required for study of potential major highway  
 6             projects. (a) Not later than October 15 of each odd-numbered year, the department of  
 7             transportation shall provide to the commission a list of potential major highway projects that  
 8             the department has initially determined may be recommended under par. (b) for an  
 9             environmental impact statement or an environmental assessment and a list of potential major  
 10            highway projects that could be studied for possible recommendation under sub. (4). The  
 11            commission may conduct public hearings on potential major highway projects identified by  
 12            the department of transportation or by the commission.

13            (b) Not later than March 15 of each even-numbered year, the department of  
 14            transportation shall report to the commission those potential major highway projects that the  
 15            department recommends be approved by the commission for preparation of an environmental  
 16            impact statement or an environmental assessment.

17            (c) Not later than April 15 of each even-numbered year, the commission shall approve  
 18            those potential major highway projects for which the department of transportation may begin  
 19            preparing an environmental impact statement or an environmental assessment, if any.

1 (d) The department of transportation may not prepare an environmental impact  
2 statement or an environmental assessment for a potential major highway project unless the  
3 project is approved by the commission under par. (c).

4 **SECTION 2.** 84.013 (4) (a) of the statutes is amended to read:

5 84.013 (4) (a) ~~In~~ Subject to s. 13.489 (1m), in preparation for future major highway  
6 projects, the department may perform preliminary engineering and design work and studies  
7 for possible major highway projects not listed under sub. (3), but no major highway may be  
8 constructed unless the project is listed under sub. (3) or approved under sub. (6).

9 **SECTION 3. Initial applicability.**

10 (1) The treatment of section 13.489 (1m) (d) of the statutes first applies to major  
11 highway projects for which the department of transportation commences preliminary  
12 engineering or design work or studies on April 1, 2000.

13 (END)

1999

Date (time)  
needed

Today

LRB b 0633 / 1

**LFB BUDGET AMENDMENT  
[ONLY FOR LFB]**

RU : Wlj : \_\_\_\_\_

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**LFB AMENDMENT  
TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45**

>>FOR JT. FIN. SUB. — NOT FOR INTRODUCTION<<

*DNote*

At the locations indicated, amend the bill as follows:

#. Page 122, line 10: *after that line insert:*

#. Page . . . . ., line . . . . .:

#. Page . . . . ., line . . . . .:

#. Page . . . . ., line . . . . .:

#. Page . . . . ., line . . . . .:

#. Page . . . . ., line . . . . .:



b0633/1)

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 AN ACT to amend 84.013 (4) (a); and to create 13.489 (1m) of the statutes;  
2 relating to: requiring transportation project commission approval of potential  
3 major highway projects.

*Analysis by the Legislative Reference Bureau*

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

4 SECTION 13.489 (1m) of the statutes is created to read:

5 13.489 (1m) APPROVAL OF COMMISSION REQUIRED FOR STUDY OF POTENTIAL MAJOR  
6 HIGHWAY PROJECTS. (Not later than October 15 of each odd-numbered year, the

7 department of transportation shall provide to the commission a list of potential  
8 major highway projects that the department has initially determined may be

9 recommended under par. (b) for an environmental impact statement or an

10 environmental assessment and a list of potential major highway projects that could

395 (b)  
Insect A (b)  
approval to prepare

1 be studied for possible recommendation under sub. (4). The commission may conduct  
2 public hearings on potential major highway projects identified by the department of  
3 transportation or by the commission.

4 (b) Not later than March 15 of each even-numbered year, the department of  
5 transportation shall report to the commission those potential major highway  
6 projects that the department recommends be approved by the commission for  
7 preparation of an environmental impact statement or an environmental assessment.

8 (c) Not later than April 15 of each even-numbered year, the commission shall  
9 <sup>d</sup> notify the department of those potential major highway projects for which <sup>that</sup> the department of  
10 ~~transportation may begin preparing~~ an environmental impact statement or an  
11 environmental assessment, <sup>or shall notify the department that it does</sup> if any <sup>not approve any potential major highway projects</sup>

12 (d) The department of transportation may not prepare an environmental  
13 impact statement or an environmental assessment for a potential major highway  
14 project unless the <sup>e</sup> project is approved by the commission under par. (c) <sup>for preparation of an environmental</sup>

15 #. Page 910, line 9: after that line insert:  
SECTION 3. 84.013 (4) (a) of the statutes is amended to read:

16 84.013 (4) (a) ~~In~~ <sup>1819 d r</sup> Subject to s. 13.489 (1m), in preparation for future major  
17 highway projects, the department may perform preliminary engineering and design  
18 work and studies for possible major highway projects not listed under sub. (3), but  
19 no major highway may be constructed unless the project is listed under sub. (3) or  
20 approved under sub. (6). "

Insert  
B

**SECTION 3. Initial applicability.**

21 #. Page 1462, line 23: after that line insert:  
22 (1m) The treatment of section 13.489 (1m) (d) of the statutes first applies to major  
23 highway projects for which the department of transportation commences  
24 preliminary engineering or design work or studies on April 1, 2000. "

INIT  
APP

(END)

25 (5) Transportation project commission review.

environmental  
impact  
statement  
or  
environmental  
assessment

Insert A

(a) In this subsection:

1. "Environmental assessment" means an analysis of a proposed action to determine whether the proposed ~~action~~ significantly affecting the human environment constitutes a major action under s. 1.11 (2) (c). ✓

2. "Environmental impact statement" means a detailed statement required under s. 1.11 (2) (c). ✓

3. "Major highway project" has the meaning given in s. 84.013 (1) (a). ✓

Insert B

60633/1

Page 913, line 15! after that line insert!  
1830 m  
Section # 85.05 of the statutes is amended to read:

**85.05 Evaluation of proposed major highway projects.** The department by rule shall establish a procedure for numerically evaluating projects considered for enumeration under s. 84.013 (3) as a major highway project. The evaluation procedure may include any criteria that the department considers relevant. The rules shall establish a minimum score that a project shall meet or exceed when evaluated under the procedure established under this section before the department may recommend the project to the transportation projects commission for consideration under s. 13.489.

(4) ✓  
//

History: 1997 a. 86.

Note

John Dyck:

This draft does not require that the TPC  
give approval <sup>to prepare</sup> ~~of~~ an EIS or EIS before DOT can  
propose a project under s. 13.489(2) or before the  
TPC can review <sup>and recommend</sup> the project under s. 13.489(4). Is that

OK?

RCT

---

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0633/1dn  
RCT:wlj:jf

June 12, 1999

John Dyck:

This draft does not require the the TPC give approval to prepare an EA or EIS before DOT can propose a project under s. 13.489 (2) before the TPC can review and recommend the project under s. 13.489 (4). Is that OK?

Rebecca C. Tradewell  
Managing Attorney  
Phone: (608) 266-7290  
E-mail: [Becky.Tradewell@legis.state.wi.us](mailto:Becky.Tradewell@legis.state.wi.us)



State of Wisconsin  
1999 - 2000 LEGISLATURE  
*SO ON*

LRBb0633/2  
RCT:wj:jf

*Redraft  
make  
run*

LFB:.....Dyck – Transportation projects commission

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**LFB AMENDMENT**

**TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45**

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

2 **1.** Page 122, line 10: after that line insert:

3 **“SECTION 3g.** 13.489 (1m) of the statutes is created to read:

4 13.489 (1m) APPROVAL OF COMMISSION REQUIRED FOR STUDY OF POTENTIAL MAJOR  
5 HIGHWAY PROJECTS. (a) In this subsection:

6 1. “Environmental assessment” means an analysis of a proposed action to  
7 determine whether the proposed action constitutes a major action significantly  
8 affecting the human environment under s. 1.11 (2) (c).

9 2. “Environmental impact statement” means a detailed statement required  
10 under s. 1.11 (2) (c).

11 3. “Major highway project” has the meaning given in s. 84.013 (1) (a).

1 (b) Not later than October 15 of each odd-numbered year, the department of  
2 transportation shall provide to the commission a list of potential major highway  
3 projects that the department has initially determined may be recommended under  
4 par. (c) for approval to prepare an environmental impact statement or an  
5 environmental assessment and a list of potential major highway projects that could  
6 be studied for possible recommendation under sub. (4). The commission may conduct  
7 public hearings on potential major highway projects identified by the department of  
8 transportation or by the commission.

9 (c) Not later than March 15 of each even-numbered year, the department of  
10 transportation shall report to the commission those potential major highway  
11 projects that the department recommends be approved by the commission for  
12 preparation of an environmental impact statement or an environmental assessment.

13 (d) Not later than April 15 of each even-numbered year, the commission shall  
14 notify the department of those potential major highway projects that the commission  
15 approves for preparation of an environmental impact statement or an environmental  
16 assessment or shall notify the department that it does not approve any potential  
17 major highway projects for preparation of an environmental impact statement or  
18 environmental assessment.

19 (e) The department of transportation may not prepare an environmental  
20 impact statement or an environmental assessment for a potential major highway  
21 project unless <sup>the</sup> commission notifies the department under par. (d) that the the project  
22 is approved.”

23 **2.** Page 910, line 9: after that line insert:

24 **“SECTION 1819d.** 84.013 (4) (a) of the statutes is amended to read:







State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0633/2  
RCT:wlj:ksh

LFB:.....Dyck – Transportation projects commission

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**LFB AMENDMENT**

**TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45**

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5 HIGHWAY PROJECTS. (a) In this subsection:

6 1. “Environmental assessment” means an analysis of a proposed action to  
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9 2. “Environmental impact statement” means a detailed statement required  
10 under s. 1.11 (2) (c).

11 3. “Major highway project” has the meaning given in s. 84.013 (1) (a).

1 (b) Not later than October 15 of each odd-numbered year, the department of  
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17 major highway projects for preparation of an environmental impact statement or  
18 environmental assessment.

19 (e) The department of transportation may not prepare an environmental  
20 impact statement or an environmental assessment for a potential major highway  
21 project unless the commission notifies the department under par. (d) that the  
22 project is approved.”.

23 **2.** Page 910, line 9: after that line insert:

24 “SECTION 1819d. 84.013 (4) (a) of the statutes is amended to read:

