

2001 Jr2 DRAFTING REQUEST

Senate Amendment (SA-SSA1-AB1)

Received: 06/21/2002

Received By: agary

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Dyck -

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**

Extra Copies: **TNF, ARG**

Submit via email: NO

Pre Topic:

LFB:.....Dyck - #15 capacity expan

Topic:

Exclusion of capacity expansion on southeast Wisconsin freeways from definition of major highway projects

Instructions:

Redraft 01b2762 to include only item 15 of LFB 4/12/02 comparative summary (capacity expansion on SE wisconsin freeway)

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>
/?	agary 06/21/2002	gilfokm 06/21/2002		_____			
/1			pgreensl 06/21/2002	_____	lrb_docadmin 06/21/2002		

FE Sent For:

<END>

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1?	agary	1-6/21 Kmg	10/01 PS	6/21 seto			

<END>

FE Sent For:



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb306717
ARG: *ajs & King*

January 2002 Special Session

AA *Monday*

LFB:.....Dyck - #15 capacity expansion, Exclusion of capacity expansion on
southeast Wisconsin freeways from definition of major highway
projects *W*

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT,

TO SENATE SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

D-NOTE

At the locations indicated, amend the substitute amendment as follows:

~~(END)~~

2001 - 2002 LEGISLATURE
January 2002 Special Session

6/30/02
LRB: [unclear]
ARG: [unclear]
EKG
5/20/02
M 6/21

SCC:.....Engel - CN4604, Funding for southeast Wisconsin freeway rehabilitation projects

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

**CAUCUS SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 1**

D-Note

1 At the locations indicated, ~~amend the substitute amendment as follows:~~

2 **1.** Page 5, line 4: after that line insert:

3 **"SECTION 7m.** 13.101 (6) (a) of the statutes is amended to read:

4 13.101 (6) (a) As an emergency measure necessitated by decreased state
5 revenues and to prevent the necessity for a state tax on general property, the
6 committee may reduce any appropriation made to any board, commission,
7 department, or the University of Wisconsin System, or to any other state agency or
8 activity, by such amount as it deems feasible, not exceeding 25% of the
9 appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and
10 (cr), 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax), and (6) (aq)

1 and, (ar), and (at), 20.435 (6) (a) and (7) (da), and 20.445 (3) (a) and (dz) or for forestry
2 purposes under s. 20.370 (1), or any other moneys distributed to any county, city,
3 village, town, or school district. Appropriations of receipts and of a sum sufficient
4 shall for the purposes of this section be regarded as equivalent to the amounts
5 expended under such appropriations in the prior fiscal year which ended June 30.
6 All functions of said state agencies shall be continued in an efficient manner, but
7 because of the uncertainties of the existing situation, no public funds should be
8 expended or obligations incurred unless there shall be adequate revenues to meet the
9 expenditures therefor. For such reason the committee may make reductions of such
10 appropriations as in its judgment will secure sound financial operations of the
11 administration for said state agencies and at the same time interfere least with their
12 services and activities.”.

13 **2.** Page 16, line 5: after that line insert:

14 “SECTION 36md. 20.395 (3) (bq) of the statutes is amended to read:

15 20.395 (3) (bq) *Major highway development, state funds.* As a continuing
16 appropriation, the amounts in the schedule for major development of state trunk and
17 connecting highways and for the disadvantaged business demonstration and
18 training program under s. 84.076. This paragraph does not apply to major
19 development of any southeast Wisconsin freeway, as defined in s. 84.014 (1) (e).

20 SECTION 36me. 20.395 (3) (br) of the statutes is amended to read:

21 20.395 (3) (br) *Major highway development, service funds.* All moneys received
22 from the fund created under s. 18.57 (1) as reimbursement for the temporary
23 financing under sub. (9) (th) of projects for major development of state trunk and
24 connecting highways that are financed under s. 84.59 and enumerated under s.

1 84.013 (3), for the purpose of financing such projects. This paragraph does not apply
2 to any project for major development of a southeast Wisconsin freeway, as defined in
3 s. 84.014 (1) (e).

4 **SECTION 36mf.** 20.395 (3) (bv) of the statutes is amended to read:

5 20.395 (3) (bv) *Major highway development, local funds.* All moneys received
6 from any local unit of government or other source for major development of state
7 trunk and connecting highways, including the railroad and utility alteration and
8 relocation loan program under s. 84.065, and the disadvantaged business
9 demonstration and training program under s. 84.076, for such purposes. This
10 paragraph does not apply to major development of any southeast Wisconsin freeway,
11 as defined in s. 84.014 (1) (e).

12 **SECTION 36mg.** 20.395 (3) (bx) of the statutes is amended to read:

13 20.395 (3) (bx) *Major highway development, federal funds.* All moneys received
14 from the federal government for major development of state trunk and connecting
15 highways and the disadvantaged business demonstration and training program
16 under s. 84.076, for such purposes. This paragraph does not apply to major
17 development of any southeast Wisconsin freeway, as defined in s. 84.014 (1) (e).

18 **SECTION 36mh.** 20.395 (3) (cq) of the statutes, as affected by 2001 Wisconsin
19 Act 16, is amended to read:

20 20.395 (3) (cq) *State highway rehabilitation, state funds.* As a continuing
21 appropriation, the amounts in the schedule for improvement of existing state trunk
22 and connecting highways; for improvement of bridges on state trunk or connecting
23 highways and other bridges for which improvement is a state responsibility, for
24 necessary approach work for such bridges and for replacement of such bridges with
25 at-grade crossing improvements; for the construction and rehabilitation of the

1 national system of interstate and defense highways and bridges and related
2 appurtenances; for special maintenance activities under s. 84.04 on roadside
3 improvements; for bridges under s. 84.10; for payment to a local unit of government
4 for a jurisdictional transfer under s. 84.02 (8); for the disadvantaged business
5 demonstration and training program under s. 84.076; for the transfers required
6 under 1999 Wisconsin Act 9, section 9250 (1); and for the purposes described under
7 1999 Wisconsin Act 9, section 9150 (8g), and 2001 Wisconsin Act 16, section 9152 (4e).
8 This paragraph does not apply to any southeast Wisconsin freeway rehabilitation
9 projects under s. 84.014, or to the installation, replacement, rehabilitation, or
10 maintenance of highway signs, traffic control signals, highway lighting, pavement
11 markings, or intelligent transportation systems, unless incidental to the
12 improvement of existing state trunk and connecting highways.

13 **SECTION 36mi.** 20.395 (3) (cv) of the statutes is amended to read:

14 20.395 (3) (cv) *State highway rehabilitation, local funds.* All moneys received
15 from any local unit of government or other source for the specific information sign
16 program under s. 86.195; for improvement of existing state trunk and connecting
17 highways; for improvement of bridges on state trunk or connecting highways and
18 other bridges for which improvement is a state responsibility, for necessary approach
19 work for such bridges and for replacement of such bridges with at-grade crossing
20 improvements; for the construction and rehabilitation of the national system of
21 interstate and defense highways and bridges and related appurtenances; for special
22 maintenance activities under s. 84.04 on roadside improvements; for the railroad
23 and utility alteration and relocation loan program under s. 84.065; and for the
24 disadvantaged business demonstration and training program under s. 84.076, for

1 such purposes. This paragraph does not apply to any southeast Wisconsin freeway
2 rehabilitation projects under s. 84.014.

3 **SECTION 36mj.** 20.395 (3) (cx) of the statutes is amended to read:

4 20.395 (3) (cx) *State highway rehabilitation, federal funds.* All moneys
5 received from the federal government for improvement of existing state trunk and
6 connecting highways; for improvement of bridges on state trunk or connecting
7 highways and other bridges for which improvement is a state responsibility, for
8 necessary approach work for such bridges and for replacement of such bridges with
9 at-grade crossing improvements; for the construction and rehabilitation of the
10 national system of interstate and defense highways and bridges and related
11 appurtenances; for special maintenance activities under s. 84.04 on roadside
12 improvements; and for the disadvantaged business demonstration and training
13 program under s. 84.076, for such purposes. This paragraph does not apply to any
14 southeast Wisconsin freeway rehabilitation projects under s. 84.014.

15 **SECTION 36mk.** 20.395 (6) (at) of the statutes is created to read:

16 20.395 (6) (at) *Principal repayment and interest, major highway and*
17 *rehabilitation projects, state funds.* A sum sufficient to reimburse s. 20.866 (1) (u)
18 for the payment of principal and interest costs incurred in financing major highway
19 and rehabilitation projects, as provided under s. 84.555.”.

20 **3.** Page 21, line 25, after that line insert:

21 “**SECTION 64h.** 20.866 (1) (u) of the statutes, as affected by 2001 Wisconsin Act
22 16, is amended to read:

23 20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys
24 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b) and (f), 20.190 (1)

1 (c), (d), (i), and (j), 20.225 (1) (c) and (i), 20.245 (1) (e) and (j), 20.250 (1) (c) and (e),
2 20.255 (1) (d), 20.275 (1) (er), (es), (h), and (hb), 20.285 (1) (d), (db), (fh), (ih), (kd), and
3 (km) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag), (aq), (ar),
4 (at), (au), (ba), (bq), (ca), (cb), (cc), (cd), (ce), (cf), (ea), (eq), and (er), 20.395 (6) (af), (aq),
5 and (ar), and (at), 20.410 (1) (e), (ec), and (ko) and (3) (e), 20.435 (2) (ee) and (6) (e),
6 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (5) (c), (g) and (kc),
7 20.855 (8) (a) and 20.867 (1) (a) and (b) and (3) (a), (b), (bm), (bp), (br), (bt), (g), (h),
8 (i), and (q) for the payment of principal and interest on public debt contracted under
9 subchs. I and IV of ch. 18.”

10 **4.** Page 22, line 9: after that line insert:

11 “**SECTION 64tg.** 20.866 (2) (ur) of the statutes is amended to read:

12 20.866 (2) (ur) *Transportation; accelerated highway improvements.* From the
13 capital improvement fund, a sum sufficient to acquire, construct, develop, enlarge,
14 or improve state highway facilities as provided by ss. 84.06 and 84.09. The state may
15 contract public debt in an amount not to exceed \$185,000,000 for this purpose. This
16 paragraph does not apply to any southeast Wisconsin freeway rehabilitation projects
17 under s. 84.014.

18 **SECTION 64th.** 20.866 (2) (uu) of the statutes is amended to read:

19 20.866 (2) (uu) *Transportation; highway projects.* From the capital
20 improvement fund, a sum sufficient for the department of transportation to acquire,
21 construct, reconstruct, improve, or develop highway projects under ss. 84.06 and
22 84.09. The state may contract public debt in an amount not to exceed \$41,000,000 for
23 this purpose. This paragraph does not apply to any southeast Wisconsin freeway
24 rehabilitation projects under s. 84.014.

1 **SECTION 64ti.** 20.866 (2) (uum) of the statutes is created to read:

2 20.866 (2) (uum) *Transportation; major highway and rehabilitation projects.*

3 From the capital improvement fund, a sum sufficient for the department of
4 transportation to fund major highway and rehabilitation projects, as provided under
5 s. 84.555. The state may contract public debt in an amount not to exceed
6 \$200,000,000 for this purpose.”

7 ✓ **5.** Page 153, line 25: after that line insert:

8 “**SECTION 258pr.** 84.013 (1) (a) (intro.) of the statutes is amended to read:

9 84.013 (1) (a) (intro.) “Major highway project” means a project, except a project
10 providing an approach to a bridge over a river that forms a boundary of the state or
11 a southeast Wisconsin freeway rehabilitation project under s. 84.014, which has a
12 total cost of more than \$5,000,000 and which involves any of the following:

13 **SECTION 258ps.** 84.013 (2) of the statutes, as affected by 2001 Wisconsin Act
14 16, is amended to read:

15 84.013 (2) (a) Subject to s. ss. 84.555 and 86.255, major highway projects shall
16 be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and
17 20.866 (2) (ur) to ~~(uu)~~ (uum).

18 (b) Except as provided in ss. 84.014 and, ~~84.03 (3), and 84.555~~, and subject to
19 s. 86.255, reconditioning, reconstruction and resurfacing of highways shall be
20 funded from the appropriations under s. 20.395 (3) (cq) to (cx).

21 **SECTION 258pt.** 84.014 (2) of the statutes, as created by 2001 Wisconsin Act 16,
22 is amended to read:

23 84.014 (2) ~~Notwithstanding s. 84.013 and subject~~ Subject to s. ss. 84.555 and
24 86.255, any southeast Wisconsin freeway rehabilitation projects, including the

1 ~~Marquette interchange reconstruction project and projects that involve adding one~~
2 ~~or more lanes 5 miles or more in length to the existing freeway, may be funded only~~
3 ~~from the appropriations under s. ~~ss. 20.395~~ (3) (cr), (cw), and (cy) and 20.866 (2)~~
4 ~~(uum).~~

5 **SECTION 258pu.** 84.014 (5m) of the statutes is created to read:

6 84.014 (5m) (a) Notwithstanding any other provision of this section, the
7 department may not expend any moneys from the appropriations under s. 20.395 (3)
8 (cr), (cw), and (cy) for a southeast Wisconsin freeway rehabilitation project that
9 involves adding one or more lanes 5 miles or more in length to the existing freeway
10 unless the project is specifically enumerated in a list under par. (b).

11 (b) ✓ The department may proceed with the following southeast Wisconsin
12 freeway rehabilitation projects:

13 ✓ 1. No projects are enumerated under this paragraph as of the effective date of
14 this subdivision [revisor inserts date]. ✓

15 **SECTION 258pv.** 84.03 (2) (c) of the statutes is amended to read:

16 84.03 (2) (c) After receiving a plan under par. (b) 1., the cochairpersons of the
17 joint committee on finance jointly shall determine whether the plan is complete. If
18 the joint committee on finance meets and either approves or modifies and approves
19 a plan submitted under par. (b) 1. within 14 days after the cochairpersons determine
20 that the plan is complete, the secretary shall implement the plan as approved by the
21 committee. If the joint committee on finance does not meet and either approve or
22 modify and approve a plan submitted under par. (b) 1. within 14 days after the
23 cochairpersons determine that the plan is complete, the secretary shall implement
24 the proposed plan. If the joint committee on finance approves a plan under s. 84.555

1 for a state fiscal year, the joint committee on finance may modify a plan implemented
2 under this paragraph for that fiscal year.

3 **SECTION 258pw.** 84.555 of the statutes is created to read:

4 **84.555 Additional funding of major highway and rehabilitation**
5 **projects.** (1) Notwithstanding ss. 84.51 and 84.59, major highway projects, as
6 defined under s. 84.013 (1) (a), for the purposes of ss. 84.06 and 84.09, southeast
7 Wisconsin freeway rehabilitation projects under s. 84.014, and state highway
8 rehabilitation projects for the purposes specified in s. 20.395 (3) (cq), may be funded
9 with the proceeds of general obligation bonds issued under s. 20.866 (2) (uum) if all
10 of the following conditions are satisfied:

11 (a) The department's most recent estimate of the amount of federal funds, as
12 defined in s. 84.03 (2) (a) 1., that the department will be appropriated under s. 20.395
13 in the current state fiscal year is less than 95% of the amount of federal funds shown
14 in the schedule, as defined in s. 84.03 (2) (a) 2., for the appropriations under s. 20.395
15 in that fiscal year.

16 (b) The secretary has submitted a plan to the joint committee on finance for the
17 use of proceeds of general obligation bonds issued under s. 20.866 (2) (uum) and the
18 joint committee on finance has approved the plan, except that the secretary may not
19 submit, and the joint committee on finance may not approve, a plan for the use of an
20 amount of proceeds of general obligation bonds that exceeds the difference between
21 the amount of federal funds, as defined in s. 84.03 (2) (a) 1., actually available to the
22 department to be appropriated under s. 20.395 in the current state fiscal year and
23 the amount of federal funds shown in the schedule, as defined in s. 84.03 (2) (a) 2.,
24 for the appropriations under s. 20.395 in that fiscal year.

1 (2) The joint committee on finance may approve, or modify and approve, a plan
2 received under sub. (1) (b) using the procedure specified in s. 84.03 (2) (c). No plan
3 submitted under sub. (1) (b) may be implemented unless the joint committee on
4 finance has approved, or modified and approved, the plan.

5 (3) The secretary may submit a plan under sub. (1) (b) at any time during a
6 state fiscal year after the condition specified in sub. (1) (a) is satisfied for that fiscal
7 year.”.

8 **6.** Page 364, line 6: after that line insert:

9 “(4q) REQUEST ON SOUTHEAST WISCONSIN FREEWAY REHABILITATION. By the date
10 specified by the cochairpersons of the joint committee on finance for the submission
11 of requests for consideration at the next quarterly meeting of the committee
12 occurring after the effective date of this subsection, the department of transportation
13 shall submit a request for the transfer of moneys from the appropriations under
14 section 20.395 (3) (cq), (cv), and (cx) of the statutes, as affected by this act, to the
15 appropriations under section 20.395 (3) (cr), (cw), and (cy) of the statutes to allocate
16 funds for rehabilitation of the southeast Wisconsin freeways. The department’s
17 request, and the committee’s action on the request, may not include funding now
18 allocated for projects in other parts of the state or other funding that is not currently
19 allocated to rehabilitation of southeast Wisconsin freeways.”.

20 (END)

Keep

D-Note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb3067/1dn

ARG:.....

KG

ATTN: Jon Dyck

The attached draft corresponds to Transportation item 15 on p. 339 of the LFB comparative summary dated April 12, 2002. I understand that no agreement has been reached at this time on Transportation item 2. If the assembly position on Transportation item 2 is adopted (LRB ~~draft~~ b2426), the attached draft and draft ~~b2426~~ may need to be reconciled.

LRB

Aaron R. Gary
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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb3067/1dn
ARG:kg:pg

June 21, 2002

ATTN: Jon Dyck

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State of Wisconsin
2001 - 2002 LEGISLATURE

January 2002 Special Session

LRBb3067/1
ARG:cjs&kmg:pg

LFB:.....Dyck - #15 capacity expan: Exclusion of capacity expansion on southeast Wisconsin freeways from definition of major highway projects

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO SENATE SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 153, line 25: after that line insert:

3 "SECTION 258pr. 84.013 (1) (a) (intro.) of the statutes is amended to read:

4 84.013 (1) (a) (intro.) "Major highway project" means a project, except a project
5 providing an approach to a bridge over a river that forms a boundary of the state or
6 a southeast Wisconsin freeway rehabilitation project under s. 84.014, which has a
7 total cost of more than \$5,000,000 and which involves any of the following:

8 SECTION 258pu. 84.014 (5m) of the statutes is created to read:

