

2003 DRAFTING REQUEST

Senate Amendment (SA-SB44)

Received: **05/20/2003**

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 - miscellaneous**

Extra Copies: **TNF, PJH**

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

LFB:.....Dyck, Mot 457, #3&4B -

Topic:

Provide general fund-supported, general obligation bonds; agency budget request

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>
/1	agary 05/21/2003	wjackson 05/21/2003	pgreensl 05/21/2003	_____	amentkow 05/21/2003		
/2	agary 05/22/2003	wjackson 05/22/2003	chaskett 05/22/2003	_____	sbasford 05/23/2003		
/3	agary	wjackson	jfrantze	_____	lemery		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	06/09/2003	06/09/2003	06/09/2003	_____	06/09/2003		

FE Sent For:

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/2	agary 05/22/2003	wjackson 05/22/2003	chaskett 05/22/2003	_____	sbasford 05/23/2003		

13 wlj 6/9
 J 6/9
 J/cpl
 6/9

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<END>

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1/2 Wlj 5/22 *1/2 cpk*

FE Sent For:

gr

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/1	agary	1 w/ij 5/21	5/21 PS	5/21 PS			

FE Sent For:

<END>

Senator Darling
Representative Kaufert
Senator Welch
Representative Stone

TRANSPORTATION

Transportation Program Provisions

Motion:

Move to adopt the following changes to transportation provisions of the bill:

AG
1. *Reduce Transportation Revenue Bonding Provided for the Highway Program.* Delete a total of \$184,836,000 SEG-S in 2003-04 and \$235,052,500 SEG-S in 2004-05 in revenue bond budget authority, which is the sum of the following: (a) reductions of \$147,708,000 SEG-S in 2003-04 and \$128,135,700 SEG-S in 2004-05 for state highway rehabilitation to eliminate transportation revenue bonding provided for the program in the bill; (b) reductions of \$37,128,000 SEG-S in 2003-04 and \$21,416,800 SEG-S in 2004-05 for major highway development to partially eliminate above-base increases in bonding for the program, leaving increases of \$6,028,300 SEG-S in 2003-04 and \$6,665,300 SEG-S in 2004-05; and (c) a reduction of \$85,500,000 SEG-S in 2004-05 for the Marquette Interchange reconstruction project. Reduce the amount of revenue bonding authority by \$820,819,100, to delete bonding authorization provided by the bill for state highway rehabilitation, the Marquette Interchange reconstruction project (including \$394,719,000 that was authorized for use in the 2005-07 biennium), part of the above-base increase in the major highway development program, and amounts provided for the cost of issuance of these bonds. Increase estimated transportation fund revenue by \$7,884,200 in 2003-04 and \$32,961,700 in 2004-05 to reflect a reduction in revenue bond debt service on these bonds.

PJK
2. *Pledge of Revenues for the Payment of Revenue Bond Debt Service.* Adopt Alternative #1 of LFB Issue Paper #739, which would make technical modifications to the provision in the bill that would expand the types of revenue that are pledged for the payment of debt service on transportation revenue bonds to include all vehicle registration-related and vehicle title transfer fees.

0241
AG
3. *Provide General Fund-Supported, General Obligation Bonds.* Authorize a total of \$377,082,100 in general obligation bonds, as follows: (a) \$275,843,700 for state highway rehabilitation to replace the transportation revenue bonds provided by the bill with equal amounts of general obligation bonds; and (b) \$101,238,400 for major highway development to replace the above-base increases in transportation revenue bonds provided by the bill with equal amounts of general obligation bonds, plus an additional \$30,000,000, an amount equal to the biennial transfer in the bill from the transportation fund to the general fund. Modify the current GPR

appropriation in DOT for the payment of debt service on bonds issued under the local roads for job preservation program to also pay the debt service on the bonds issued under this item. Increase estimated GPR debt service by \$8,135,300 GPR in 2003-04 and \$29,415,200 GPR in 2004-05 to reflect debt service payments on these bonds.

SK
(AG coord.)
4. *Sales Tax on New Vehicle Sales.* Require DOR, beginning on July 1, 2005, and on each July 1 thereafter, to determine the amount of revenue generated by the tax on the sale and use of new motor vehicles in the preceding calendar year and specify that an amount equal to 20% of the sales tax amount be deposited in the transportation fund (estimated at \$48.2 million in 2005-06).

60241
AG
7
Require DOT, in submitting its agency budget request for the 2005-07 biennium, to include statutory language that would create a transportation fund appropriation for the payment of debt service on the general fund-supported, general obligation bonds that would be authorized for state highway projects under this motion (estimated at about \$44.5 million on an annual basis once all of the bonds have been issued.)

MSL
(JSH coord.)
5. *Sunset K-12 School Aid Appropriation.* Specify that the transportation fund appropriation for K-12 school aids created by the bill (\$40,000,000 SEG in 2003-04 and \$60,000,000 SEG in 2004-05) would be deleted on June 30, 2005.

10
JSH
6. *Restore Project Funding for the State Highway Rehabilitation and Major Highway Development Programs.* Increase funding by \$12,767,600 SEG and \$84,287,100 FED in 2003-04 and \$4,516,200 SEG and \$55,520,700 FED in 2004-05 for the state highway rehabilitation program (a total of \$97,054,700 in 2003-04 and \$60,036,900 in 2004-05) to restore base funding for projects in the program. Increase funding for the major highway development program by a total of \$5,707,300 in 2003-04 and \$1,740,400 in 2004-05, which is the net effect of a reduction of \$321,000 SEG and an increase of \$6,028,300 SEG-S in 2003-04 and a reduction of \$4,924,900 SEG and an increase of \$6,665,300 SEG-S in 2004-05, which, in combination with the additional \$30,000,000 in general fund-supported, general obligation bonds, would restore base funding for projects in the program.

JSH
7. *State Highway Program Cost Review.* Adopt Alternative #D1 of LFB Issue Paper #760, which would transfer \$11,120,500 SEG in 2004-05 from the appropriation for state highway rehabilitation and \$4,833,000 SEG in 2004-05 from the appropriation for major highway development (equal to 2% of the total base funding for each program) to the Joint Committee on Finance's supplemental SEG appropriation.

The alternative would also require DOT to submit a report to the Joint Committee on Finance by January 1, 2004, that includes the following: (a) the Department's response to any recommendations included in the Legislative Audit Bureau's performance audit of the state highway program; (b) the Department's recommendations of steps that may be taken or legislation that could be considered that could reduce costs in the state highway program; (c) information on current environmental requirements, highway improvement standards, and the

Gary, Aaron

From: Dyck, Jon
Sent: Wednesday, May 21, 2003 9:58 AM
To: Gary, Aaron
Subject: RE: Clarification - motion 457, item 3

The debt service is supposed to be GPR, which is why the local roads for job preservation appropriation was chosen.

Jon Dyck, Fiscal Analyst
Legislative Fiscal Bureau
1 E. Main, Suite 301
(608) 266-9919

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

From: Gary, Aaron
Sent: Wednesday, May 21, 2003 9:54 AM
To: Dyck, Jon
Subject: RE: Clarification - motion 457, item 3

Jon, another question:

I have run into a problem in that the local roads for job preservation debt service appropriation is a GPR (this is a GPR program), but we need a SEG appropriation for this draft. This draft is actually pretty similar in form to those portions of 2001 Act 109 keyed around newly created s. 84.555. In that draft, we created s. 20.395 (6) (at). I think we could actually use that appropriation for this draft or we could create a new appropriation modeled after that one, but I don't think we can run the debt service through s. 20.395 (6) (af). What would you like me to do? Thanks. Aaron

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

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

From: Dyck, Jon
Sent: Tuesday, May 20, 2003 4:33 PM
To: Gary, Aaron
Subject: RE: Clarification - motion 457, item 3

This may be unnecessary, but I think in order to ensure that we're not violating any of the sacred lines that have been drawn between rehabilitation and major highway development and between those two programs and the southeast Wisconsin freeway rehabilitation program and the state highway maintenance program, we should create new paragraphs. For each one, I think the authorization should be tied specifically to the purposes authorized under the ... [insert the corresponding appropriations in s. 20.395 (3)]. As I said, debt service on both amounts could be paid from the GPR appropriation in 20.395 (6) for the local roads for job preservation program.

On your second point, I don't care if the second paragraph under #4 is included in the draft for #3. That part was included under #4 to show the supposed linkage between the payment of the debt service and the sales tax.

Jon Dyck, Fiscal Analyst
Legislative Fiscal Bureau
1 E. Main, Suite 301
(608) 266-9919

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

From: Gary, Aaron
Sent: Tuesday, May 20, 2003 4:15 PM
To: Dyck, Jon
Subject: Clarification - motion 457, item 3

Jon,

As I interpret the statutes, DOT already has g.o. bonding authority (with no strings attached similar to those in s. 84.555) for state highway rehab under s. 20.866 (2) (ur) and (uu). Do you want this draft to increase the authorized bonding level under one of these two provisions, or do you want me to create yet another paragraph under s. 20.866 (2) for this purpose?

Also, I assume that, in motion 457, the paragraph between item 4. and 5. actually relates to the g.o. bonding of item 3. I am planning to include this in the same draft with the g.o. bonding authority unless you direct me otherwise.

Thanks. Aaron

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

WJ
Note

LFB:.....Dyck, Mot 457, #3&4B - Provide general fund-supported, general obligation bonds; agency budget request

FOR 2003-05 BUDGET - NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

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

2 ✓ 1. Page 49, line 14: before "(aq)" insert "(af)".

3 ✓ 2. Page 362, line 10: after that line insert:

4 "SECTION 435m. 20.395 (6) (af) of the statutes is amended to read:

5 20.395 (6) (af) *Principal repayment and interest, local roads for job preservation*
6 *and major highway and rehabilitation projects, state funds.* From the general fund,
7 a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and
8 interest costs incurred in financing the local roads for job preservation program
9 under s. 86.312 and major highway and rehabilitation projects, as provided under
10 s. 84.557, and to make the payments determined by the building commission under

Handwritten notes: a circle containing "hd." and the word "Program" written below it.

1 s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in
2 financing the local roads for job preservation program under s. 86.312.”.

3 √ **3.** Page 415, line 16: after that line insert:

4 “SECTION 683g. 20.866 (2) (uur)[√] of the statutes is created to read:

5 20.866 (2) (uur) *Transportation; major highway projects.* From the capital
6 improvement fund, a sum sufficient for the department of transportation to fund
7 major highway projects, as provided under s. 84.557 (1)[√]. The state may contract
8 public debt in an amount not to exceed \$101,238,400 for this purpose.

9 SECTION 683h. 20.866 (2) (uut)[√] of the statutes is created to read:

10 20.866 (2) (uut) *Transportation; highway rehabilitation projects.* From the
11 capital improvement fund, a sum sufficient for the department of transportation to
12 fund highway rehabilitation projects, as provided under s. 84.557 (2)[√]. The state may
13 contract public debt in an amount not to exceed \$275,843,700 for this purpose.”.

14 √ **4.** Page 727, line 13: after that line insert:

15 “SECTION 1670m. 84.013 (2) (a)[√] of the statutes is amended to read:

16 84.013 (2) (a) Subject to ss. 84.555 and 86.255, major highway projects shall
17 be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and
18 20.866 (2) (ur) to ~~(uum)~~ (uur).”.

19 √ **5.** Page 727, line 17: delete “s.” and substitute “s. ss.”.

20 √ **6.** Page 727, line 17: after “(jq)” insert “and 20.866 (2) (uut)”[√].

21 √ **7.** Page 738, line 2: after that line insert:

22 “SECTION 1694m. 84.557[√] of the statutes is created to read:

23 84.557 **General obligation bonding for major highway and**
24 **rehabilitation projects.** (1) Notwithstanding ss. 84.51,[√] 84.53,[√] 84.555,[√] and 84.59,[√]

1 major highway projects, as defined under s. 84.013 (1) (a), for the purposes of ss. 84.06
2 and 84.09, may be funded with the proceeds of general obligation bonds issued under
3 s. 20.866 (2) (uur).

4 (2) Notwithstanding ss. 84.51, 84.53, 84.555, and 84.59, state highway
5 rehabilitation projects for the purposes specified in s. 20.395 (3) (cq) and the purposes
6 under ss. 84.06 and 84.09, may be funded with the proceeds of general obligation
7 bonds issued under s. 20.866 (2) (uut)."

8 8. Page 1096, line 17: after that line insert:

9 *NONSTATS*

"(2p) AGENCY REQUEST RELATING TO DEBT SERVICE FOR HIGHWAY PROJECTS BONDING.

10 Notwithstanding section 16.42 (1) of the statutes, in submitting information under
11 section 16.42 of the statutes for purposes of the ~~2005-07~~ biennial budget act, the
12 department of transportation shall include a recommendation for statutory changes
13 to create an appropriation for the department of transportation for the payment,
14 from the general fund, of debt service on general obligation bonds authorized under
15 section 84.557 of the statutes, as created by this act."

*for the 2005-07
fiscal
biennium*

16

(END)

J-Note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0241/1dn

ARG: /:....

WLj

ATTN: Jon Dyck

The attached draft creates new appropriations and changes the title of an existing appropriation, which must be reflected in the ch. 20 schedule prepared by the LFB.

The attached draft will also need to be reconciled with LRBb0240.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
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ARG:wlj:pg

May 21, 2003

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Aaron R. Gary
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Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

5/24/03

60241

file w/ Jon Dyck

- make attached changes to p. 3, lines

5-6 and 14-15

AMR

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4 “SECTION 435m. 20.395 (6) (af) of the statutes is amended to read:

5 20.395 (6) (af) *Principal repayment and interest, local roads for job preservation*
6 *program and major highway and rehabilitation projects, state funds.* From the
7 general fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of
8 principal and interest costs incurred in financing the local roads for job preservation
9 program under s. 86.312 and major highway and rehabilitation projects, as provided
10 under s. 84.557, and to make the payments determined by the building commission

1 under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred
2 in financing the local roads for job preservation program under s. 86.312.”.

3 **3.** Page 415, line 16: after that line insert:

4 “SECTION 683g. 20.866 (2) (uur) of the statutes is created to read:

5 20.866 (2) (uur) *Transportation; major highway projects.* From the capital
6 improvement fund, a sum sufficient for the department of transportation to fund
7 major highway projects, as provided under s. 84.557 (1). The state may contract
8 public debt in an amount not to exceed \$101,238,400 for this purpose.

9 SECTION 683h. 20.866 (2) (uut) of the statutes is created to read:

10 20.866 (2) (uut) *Transportation; highway rehabilitation projects.* From the
11 capital improvement fund, a sum sufficient for the department of transportation to
12 fund highway rehabilitation projects, as provided under s. 84.557 (2). The state may
13 contract public debt in an amount not to exceed \$275,843,700 for this purpose.”.

14 **4.** Page 727, line 13: after that line insert:

15 “SECTION 1670m. 84.013 (2) (a) of the statutes is amended to read:

16 84.013 (2) (a) Subject to ss. 84.555 and 86.255, major highway projects shall
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8 **8.** Page 1096, line 17: after that line insert:

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11 section 16.42 of the statutes for purposes of the biennial budget act for the 2005-07
12 fiscal biennium, the department of transportation shall include a recommendation
13 for statutory changes to create an appropriation for the department of transportation
14 for the payment, from the ~~general~~ fund, of debt service on general obligation bonds
15 authorized under ~~section~~ 84.557 of the statutes, as created by this act.".

16 (END)

transportation

sections 20.866 (2) (uur) and (uut) and

6/9/03

60241

Re w/ Tom Dyck

- make the attached changes to the non-stat



State of Wisconsin
2003 - 2004 LEGISLATURE

Secn
D-Note

LRBb0241/3
ARG:wlj:dw

RCMR

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12 for statutory changes to ~~create an appropriation for the department of transportation~~
13 ~~for the payment from the transportation fund~~ debt service on general obligation
14 bonds authorized under sections 20.866 (2) (uur) and (uut) and 84.557 of the statutes,
15 as created by this act.”

16 (END)

section 20.395 (6) (ag) of the statutes to pay

D - Note

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

LRBb0241/3dn

ARG:.....

Wlj

ATTN: Jon Dyck

The attached draft makes a minor change to the non-statutory provision, at ^g ~~2~~/³ page 12-13 of the "2" draft.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

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

LRBb0241/3dn
ARG:wlj:jf

June 9, 2003

ATTN: Jon Dyck

The attached draft makes a minor change to the nonstatutory provision, at page 3, lines 12–13, of the “/2” draft.

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State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0241/3
ARG:wlj:jf

LFB:.....Dyck, Mot 457, #3&4B – Provide general fund–supported, general obligation bonds; agency budget request

FOR 2003–05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

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

2 1. Page 49, line 14: before “(aq)” insert “(af)”.

3 2. Page 362, line 10: after that line insert:

4 “SECTION 435m. 20.395 (6) (af) of the statutes is amended to read:

5 20.395 (6) (af) *Principal repayment and interest, local roads for job preservation*
6 *program and major highway and rehabilitation projects, state funds.* From the
7 general fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of
8 principal and interest costs incurred in financing the local roads for job preservation
9 program under s. 86.312 and major highway and rehabilitation projects, as provided
10 under s. 84.557, and to make the payments determined by the building commission

1 under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred
2 in financing the local roads for job preservation program under s. 86.312.”.

3 **3.** Page 415, line 16: after that line insert:

4 “SECTION 683g. 20.866 (2) (uur) of the statutes is created to read:

5 20.866 (2) (uur) *Transportation; major highway projects.* From the capital
6 improvement fund, a sum sufficient for the department of transportation to fund
7 major highway projects, as provided under s. 84.557 (1). The state may contract
8 public debt in an amount not to exceed \$101,238,400 for this purpose.

9 SECTION 683h. 20.866 (2) (uut) of the statutes is created to read:

10 20.866 (2) (uut) *Transportation; highway rehabilitation projects.* From the
11 capital improvement fund, a sum sufficient for the department of transportation to
12 fund highway rehabilitation projects, as provided under s. 84.557 (2). The state may
13 contract public debt in an amount not to exceed \$275,843,700 for this purpose.”.

14 **4.** Page 727, line 13: after that line insert:

15 “SECTION 1670m. 84.013 (2) (a) of the statutes is amended to read:

16 84.013 (2) (a) Subject to ss. 84.555 and 86.255, major highway projects shall
17 be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and
18 20.866 (2) (ur) to ~~(uum)~~ (uur).”.

19 **5.** Page 727, line 17: delete “s.” and substitute “~~s.~~ ss.”.

20 **6.** Page 727, line 17: after “(jq)” insert “and 20.866 (2) (uut)”.

21 **7.** Page 738, line 2: after that line insert:

22 “SECTION 1694m. 84.557 of the statutes is created to read:

23 **84.557 General obligation bonding for major highway and**
24 **rehabilitation projects.** (1) Notwithstanding ss. 84.51, 84.53, 84.555, and 84.59,

1 major highway projects, as defined under s. 84.013 (1) (a), for the purposes of ss. 84.06
2 and 84.09, may be funded with the proceeds of general obligation bonds issued under
3 s. 20.866 (2) (uur).

4 (2) Notwithstanding ss. 84.51, 84.53, 84.555, and 84.59, state highway
5 rehabilitation projects for the purposes specified in s. 20.395 (3) (cq), may be funded
6 with the proceeds of general obligation bonds issued under s. 20.866 (2) (uut).”.

7 **8.** Page 1096, line 17: after that line insert:

8 “(2p) AGENCY REQUEST RELATING TO DEBT SERVICE FOR HIGHWAY PROJECTS BONDING.
9 Notwithstanding section 16.42 (1) of the statutes, in submitting information under
10 section 16.42 of the statutes for purposes of the biennial budget act for the 2005–07
11 fiscal biennium, the department of transportation shall include a recommendation
12 for statutory changes to section 20.395 (6) (aq) of the statutes to pay debt service on
13 general obligation bonds authorized under sections 20.866 (2) (uur) and (uut) and
14 84.557 of the statutes, as created by this act.”.

15 (END)