

**2003 DRAFTING REQUEST**

**Assembly Amendment (AA-SB44)**

Received: 06/18/2003

Received By: **agary**

Wanted: **Soon**

Identical to LRB:

For: **James Kreuser (608) 266-5504**

By/Representing: **John Grabel (aide)**

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

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**

Extra Copies: **TNF, PJH**

Submit via email: **YES**

Requester's email: **Rep.Kreuser@legis.state.wi.us**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Transit aids and major highway funding

---

**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>
/?	agary 06/18/2003	wjackson 06/18/2003		_____			
/P1			rschluet 06/18/2003	_____			
/1	agary	jdyer	chaskett	_____	sbasford	sbasford	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	06/19/2003	06/19/2003	06/19/2003	_____	06/19/2003	06/19/2003	

FE Sent For:

<END>

**2003 DRAFTING REQUEST**

**Assembly Amendment (AA-SB44)**

Received: **06/18/2003**

Received By: **agary**

Wanted: **Soon**

Identical to LRB:

For: **James Kreuser (608) 266-5504**

By/Representing: **John Grabel (aide)**

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

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**

Extra Copies: **TNF, PJH**

Submit via email: **YES**

Requester's email: **Rep.Kreuser@legis.state.wi.us**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Transit aids and major highway funding

---


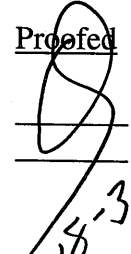
**Instructions:**

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	/pl WLj G/B					



  
 5-3 PB
   
 1 qph rct/qph
   
 6/19

FE Sent For:

**Gary, Aaron**

**From:** Hanaman, Cathlene  
**Sent:** Wednesday, June 18, 2003 4:59 PM  
**To:** Gary, Aaron  
**Subject:** FW: transportation amendment

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

**From:** Grabel, John  
**Sent:** Wednesday, June 18, 2003 4:58 PM  
**To:** Hanaman, Cathlene  
**Subject:** FW: transportation amendment

Hi Cathlene,

This is a replacement for the 5 Amendments I gave you earlier from Rep Berceau, it narrows it down to 2. John Dyck told the Bercaue office that an amendment could be drafted from these instructions. I'm not entirely clear on what is happening w/these amendments, so if a drafter has questions I can put them in touch w/Rep Berceau's office.

Thanks,

John

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

**From:** Powell, Thomas  
**Sent:** Wednesday, June 18, 2003 4:32 PM  
**To:** Grabel, John  
**Subject:** FW: transportation amendment

John,  
I've included some changes and clarifications in red  
Tom P.

JFC [ B ↑ 187,300 749,300  
C ↓ " "

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

**From:** Dyck, Jon  
**Sent:** Wednesday, June 18, 2003 3:23 PM  
**To:** Powell, Thomas  
**Subject:** transportation amendment

Here is the information that you requested for your amendment.

First, the following appropriations would be increased as follows:

	2003-04	2004-05
20.395 1(hr)	136,800	691,600
20.395 1(hs)	42,400	219,000
20.395 1(ht)	345,100	1,725,400
20.395 1(hu)	92,400	462,600
20.395 2(hq)	750,000	750,000

7.b - Tier B  
8.b - Tier C

**A reduction under 20.395(3)(bq) for 2003-04 of \$1,366,700 and for 2004-05 of \$3, 848,600**

Second, the statutory distribution amounts for the mass transit assistance program would be established at the governor's level, with the exception of tiers B and C (to accommodate a technical modification). Tier B would be established at \$22,304,600 in 2004 and \$22,883,000 in 2005. Tier C would be established at \$5,094,800 in 2004 and

\$ 45,292,100 in 2005.

Finally, although it is not technically possible to amend the federal funds appropriations since they are "all funds received" appropriations, you could perhaps direct DOT to spend the federal funds how you want to, through the creation of a nonstatutory provision. In this case, you could direct the Department, from the amounts of federal highway aid received in 2003-04 and 2004-05, to expend funds from the appropriation under 20.395 (2)(jx) and from the appropriation under 20.395 (4)(ax) for the transfer to the appropriation under 20.505 (1)(z) the amounts that were included in the appropriation schedule under 20.005 (3) for these appropriations as contained in the Governor's executive budget submittal. In expending these amounts, the Department shall reduce the amounts expended from the appropriation under 20.395 (3)(bx) if such reductions are required to avoid expending more than the amount of federal highway aid received during each year. (or something like that).

I hope that helps.

**Key:**

- 20.395 1(hr) Tier B Transit Operating Aids, State Funds
- 20.395 1(hs) Tier C Transit Operating Aids, State Funds
- 20.395 1(ht) Tier A1 Transit Operating Aids, State Funds
- 20.395 1(hu) Tier A2 Transit Operating Aids, State Funds
- 20.395 2(hq) MultiModal Transportation Studies, State Funds
- 20.395 (2)(jx) Surface Transportation Grants, Federal Funds
- 20.395 (4)(ax) Departmental Management and Operations, Federal Funds
- 20.505 (1)(z) Transportation Planning Grants to Local Governmental Units
- 20.005 (3) the entire appropriations schedule
- 20.395 (3)(bx) Major Highway Development, Federal Funds

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

## Gary, Aaron

---

**From:** Gary, Aaron  
**Sent:** Wednesday, June 18, 2003 5:33 PM  
**To:** Grabel, John  
**Subject:** FW: transportation amendment

John,  
I am uncertain what question Jon Dyck was responding to in the paragraph the begins with "Finally", but can you advise whether the amendment should include a non-stat provision along the lines indicated. Thanks.

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

6/18 He w/ John - not sure - can't reach  
Berceau ofc. - will get back to me  
tomorrow

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

**From:** Hanaman, Cathlene  
**Sent:** Wednesday, June 18, 2003 4:59 PM  
**To:** Gary, Aaron  
**Subject:** FW: transportation amendment

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

**From:** Grabel, John  
**Sent:** Wednesday, June 18, 2003 4:58 PM  
**To:** Hanaman, Cathlene  
**Subject:** FW: transportation amendment

Hi Cathlene,

This is a replacement for the 5 Amendments I gave you earlier from Rep Berceau, it narrows it down to 2. John Dyck told the Bercaue office that an amendment could be drafted from these instructions. I'm not entirely clear on what is happening w/these amendments, so if a drafter has questions I can put them in touch w/Rep Berceau's office.

Thanks,

John

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

**From:** Powell, Thomas  
**Sent:** Wednesday, June 18, 2003 4:32 PM  
**To:** Grabel, John  
**Subject:** FW: transportation amendment

John,  
I've included some changes and clarifications in red  
Tom P.

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

**From:** Dyck, Jon  
**Sent:** Wednesday, June 18, 2003 3:23 PM  
**To:** Powell, Thomas  
**Subject:** transportation amendment

Here is the information that you requested for your amendment.

First, the following appropriations would be increased as follows:

LRB Number: 50709/1

---

## Nonsubmittal Form

---

**WPOs: DO NOT FORWARD THIS DRAFT FOR SUBMITTAL,  
UNLESS INSTRUCTED TO DO SO BY THE DRAFTING  
ATTORNEY.**

**Return everything to the primary drafting attorney.**

After you have completed typing this draft, return the camera-ready copy to the primary drafting attorney, along with the drafting file. Also, forward the electronic file to the primary drafting attorney for the task of drafting.

**Return only the camera-ready copy to the primary drafting attorney.**

After you have completed typing this draft, clip this form to the camera-ready copy and return these materials to the primary drafting attorney. Place the drafting file in the HOLD basket in the WPO room. Forward the electronic file to Typing -- lrb\_wpo, so that the electronic file can be viewed by all WPOs.

When the attorney finishes reviewing the draft, the attorney will bring the camera-ready copy back to the WPO room. If the attorney has found any typos or minor corrections, correct the draft as indicated and print out a new camera-ready copy. Take the final camera-ready copy, retrieve the drafting file from the HOLD basket in the WPO room, discard this form, place the camera-ready copy and the drafting file in the PA submit basket and forward the electronic file to the PAs for submitting. (If, after reviewing the draft, the attorney decides to redraft it, give the attorney the drafting file and forward the electronic file to the attorney for drafting.)

**2003**

Date (time)  
needed

6/17/03

LRB b 0706, P1

**BUDGET AMENDMENT**

[Not for compile]

ARG : WLj : \_\_\_\_\_

---

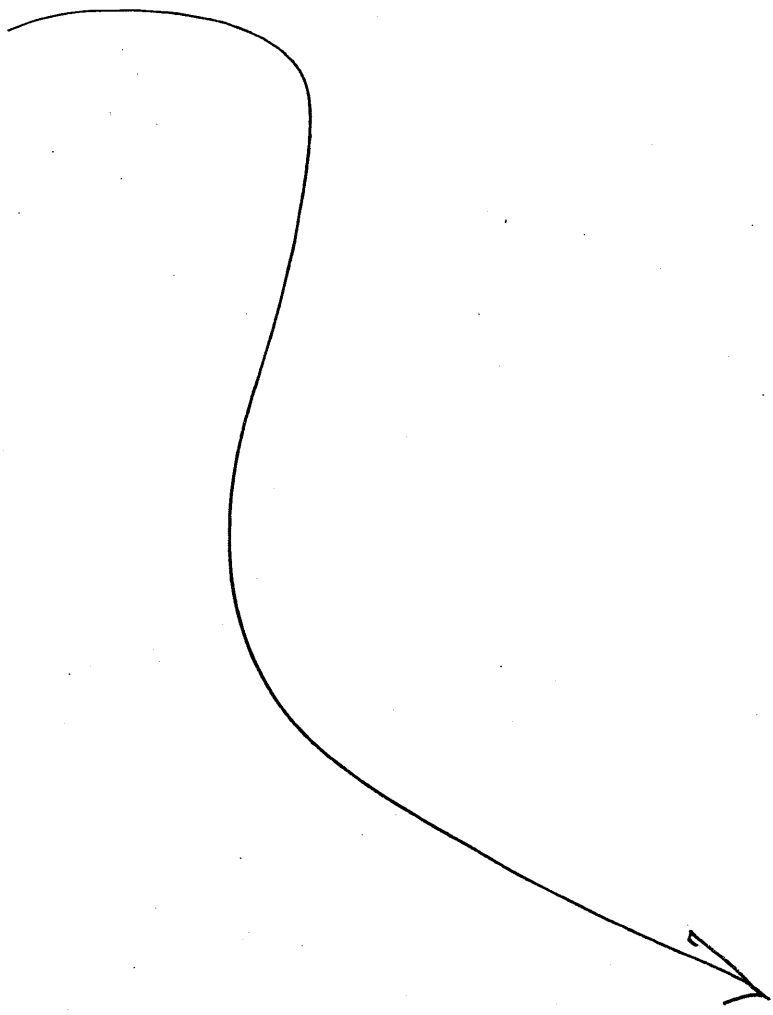
See form **AMENDMENTS — COMPONENTS & ITEMS.**

---

**ASSEMBLY AMENDMENT  
TO 2003 SENATE BILL 44**

At the locations indicated, amend the bill, as shown by senate substitute amendment 1, as follows:

- ~~#. Page . . . . , line . . . . :~~
- ~~#. Page . . . . , line . . . . :~~
- ~~#. Page . . . . , line . . . . :~~
- ~~#. Page . . . . , line . . . . :~~
- ~~#. Page . . . . , line . . . . :~~
- ~~#. Page . . . . , line . . . . :~~





**SENATE AMENDMENT,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 2003 SENATE BILL 44**

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

- 2 1. Page 171, line 4: <sup>increase</sup> ~~decrease~~ the dollar amount for fiscal year 2003-04 by
- 3 <sup>\$136,900</sup> ~~\$50,500~~ and <sup>increase</sup> ~~decrease~~ the dollar amount for fiscal year 2004-05 by <sup>\$691,600</sup> ~~\$57,700~~ to
- 4 <sup>in</sup> ~~decrease~~ funding for the purpose for which the appropriation is made.
- 5 2. Page 171, line 6: increase the dollar amount for fiscal year 2003-04 by
- 6 <sup>\$42,400</sup> ~~\$229,700~~ and increase the dollar amount for fiscal year 2004-05 by <sup>\$219,000</sup> ~~\$98,300~~ to
- 7 increase funding for the purpose for which the appropriation is made.
- 8 3. Page 171, line 8: increase the dollar amount for fiscal year 2003-04 by
- 9 \$345,100 and increase the dollar amount for fiscal year 2004-05 by \$1,725,400 to
- 10 increase funding for the purpose for which the appropriation is made.

1           **4.** Page 171, line 10: increase the dollar amount for fiscal year 2003–04 by  
2           \$92,400 and increase the dollar amount for fiscal year 2004–05 by \$462,600 to  
3           increase funding for the purpose for which the appropriation is made.

4           **5.** Page 731, line 17: delete “and for each calendar year thereafter” and  
5           substitute “~~and for each calendar year thereafter~~”.

6           **6.** Page 731, line 21: after “\$80,000,000.” insert “For aid payable for calendar  
7           year 2004, from the appropriation under s. 20.395 (1) (ht), the department shall pay  
8           \$58,192,000 to the eligible applicant that pays the local contribution required under  
9           par. (b) 1. for an urban mass transit system that has annual operating expenses in  
10           excess of \$80,000,000. For aid payable for calendar year 2005 and for each calendar  
11           year thereafter, from the appropriation under s. 20.395 (1) (ht), the department shall  
12           pay \$59,572,900 to the eligible applicant that pays the local contribution required  
13           under par. (b) 1. for an urban mass transit system that has annual operating  
14           expenses in excess of \$80,000,000.”.

15           **7.** Page 732, line 10: delete “and for each calendar year thereafter” and  
16           substitute “~~and for each calendar year thereafter~~”.

17           **8.** Page 732, line 14: after “\$80,000,000.” insert “For aid payable for calendar  
18           year 2004, from the appropriation under s. 20.395 (1) (hu), the department shall pay  
19           \$15,536,600 to the eligible applicant that pays the local contribution required under  
20           par. (b) 1. for an urban mass transit system that has annual operating expenses in  
21           excess of \$20,000,000 but less than \$80,000,000. For aid payable for calendar year  
22           2005 and for each calendar year thereafter, from the appropriation under s. 20.395  
23           (1) (hu), the department shall pay \$15,908,200 to the eligible applicant that pays the

1 local contribution required under par. (b) 1. for an urban mass transit system that  
2 has annual operating expenses in excess of \$20,000,000 but less than \$80,000,000.”.

3 **9.** Page 733, line 8: delete “2003, and” and substitute “2003.”. \$ 22,304,600

4 **10.** Page 733, line 9: delete “\$21,757,600” and substitute “~~\$21,555,200~~”.

5 **11.** Page 733, line 9: after “2004” insert “, and ~~\$22,122,700~~ in calendar year  
6 2005”. \$ 22,883,000

7 **12.** Page 734, line 1: delete “2003, and” and substitute “2003.”. \$ 5,094,800

8 **13.** Page 734, line 2: delete “\$4,925,100” and substitute “~~\$5,844,100~~”.

9 **14.** Page 734, line 2: after “2004” insert “, and ~~\$5,041,400~~ in calendar year  
10 2005”. \$ 5,292,100

11 (END)

2003-2004 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBb0706/P1ins  
ARG:.....

**INSERT 2-3:**

~~#1~~. Page 174, line 15: increase the dollar amount for fiscal year 2003-04 by \$750,000 and increase the dollar amount for fiscal year 2004-05 by \$750,000 to increase funding for the purposes for which the appropriation is made.

~~#2~~. Page 176, line 7: decrease the dollar amount for fiscal year 2003-04 by \$1,366,700 and decrease the dollar amount for fiscal year 2004-05 by \$3,848,600 to decrease funding for the purposes for which the appropriation is made.

6/19/03

He w/ Tom in Berceau's ofc.

- ~~will~~ want the non-stat

- will send some info. ; wants  
to restore family per gov.

discussed fact that it's

are needed in non-stat



**Gary, Aaron**

---

**From:** Powell, Thomas

**Sent:** Thursday, June 19, 2003 11:14

**To:** Gary, Aaron

**Subject:** Berceau amendments

Aaron,

Here is the substance of the two amendments.

I think this may clarify things.

---

*Tom Powell*

*Research Assistant to Rep. Terese Berceau*

---

06/19/2003

**Assembly Democrats Budget Amendments  
2003-05 Budget**

June 17, 2003

Representative and staff contact: **Rep. Terese Berceau** (staff: Tom Powell)

**State Agency/Department:**

1. Transportation — Local Transportation Aid  
Transportation — Local Transportation Projects  
Transportation — Local Transportation Projects  
Transportation — Other Divisions
2. Wisconsin Housing and Economic Development Authority

**Location in June 2003 LFB Comparative Summary of Budget  
Governor and JFC (page no. & item no):**

- 1) Page 620, Item #2 — Mass Transit Operating Assistance  
Page 626, Item #4 — Federal Funds Reduction for Local Transportation Assistance  
Programs (Surface Transportation Grants only)  
Page 629, Item #10 — MultiModal Transportation Studies  
Page 668, Item #14 — Comprehensive Planning Grants
- 2) Page 691, Item #1 — Dividends for Wisconsin Transfer

**Cost of amendment:**

- 1) Page 620, Item #2 - \$3,715,300 (JFC change to Governor's budget)  
Page 626, Item #4 - \$ 2,407,00 FED in 2003-04, and - \$2,528,600 FED in 2004-  
05, and -\$680,000 SEG-L.  
Page 629, Item #10 - \$1,500,000  
Page 668, Item #14 - \$2,000,000
- 2) Page 691, Item #1 - \$4,500,000

**Funding source\* (i.e. GPR, SEG, PR, FED):**

- 1) Page 620, Item #2 SEG  
Page 626, Item #4 FED and SEG-L  
Page 629, Item #10 SEG  
Page 668, Item #14 FED
- 2) Page 691, Item #1 GPR-REV

**Description of amendment:**

- 1) Page 620, Item #2 — Delete Joint Finance recommendation, Restore to Governor's.  
Page 626, Item #4 — Delete Joint Finance recommendation, Restore funding for Surface  
Transportation Grants to Governor's.  
Page 629, Item #10 — Delete Joint Finance recommendation, Restore funding.  
Page 668, Item #14 — Delete Joint Finance recommendation, Restore funding.
- 2) Page 691, Item #1 — Delete Joint Finance recommendation, Restore funding.





State of Wisconsin  
2003 - 2004 LEGISLATURE

TODAY

LRBb0706/1  
ARG:wj:rs

RMR + JLD

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

ASSEMBLY AMENDMENT,  
TO 2003 SENATE BILL 44

D-Note

- 1 At the locations indicated, amend the bill, as shown by senate substitute  
2 amendment 1, as follows:
- 3 **1.** Page 171, line 4: increase the dollar amount for fiscal year 2003-04 by  
4 \$136,800 and increase the dollar amount for fiscal year 2004-05 by \$691,600 to  
5 increase funding for the purpose for which the appropriation is made.
- 6 **2.** Page 171, line 6: increase the dollar amount for fiscal year 2003-04 by  
7 \$42,400 and increase the dollar amount for fiscal year 2004-05 by \$219,000 to  
8 increase funding for the purpose for which the appropriation is made.
- 9 **3.** Page 171, line 8: increase the dollar amount for fiscal year 2003-04 by  
10 \$345,100 and increase the dollar amount for fiscal year 2004-05 by \$1,725,400 to  
11 increase funding for the purpose for which the appropriation is made.

1           4. Page 171, line 10: increase the dollar amount for fiscal year 2003–04 by  
2           \$92,400 and increase the dollar amount for fiscal year 2004–05 by \$462,600 to  
3           increase funding for the purpose for which the appropriation is made.

4           5. Page 174, line 15: increase the dollar amount for fiscal year 2003–04 by  
5           \$750,000 and increase the dollar amount for fiscal year 2004–05 by \$750,000 to  
6           increase funding for the purposes for which the appropriation is made.

7           6. Page 176, line 7: decrease the dollar amount for fiscal year 2003–04 by  
8           \$1,366,700 and decrease the dollar amount for fiscal year 2004–05 by \$3,848,600 to  
9           decrease funding for the purposes for which the appropriation is made.

10          7. Page 731, line 17: delete “and for each calendar year thereafter” and  
11          substitute “~~and for each calendar year thereafter~~”.

12          8. Page 731, line 21: after “\$80,000,000.” insert “For aid payable for calendar  
13          year 2004, from the appropriation under s. 20.395 (1) (ht), the department shall pay  
14          \$58,192,000 to the eligible applicant that pays the local contribution required under  
15          par. (b) 1. for an urban mass transit system that has annual operating expenses in  
16          excess of \$80,000,000. For aid payable for calendar year 2005 and for each calendar  
17          year thereafter, from the appropriation under s. 20.395 (1) (ht), the department shall  
18          pay \$59,572,900 to the eligible applicant that pays the local contribution required  
19          under par. (b) 1. for an urban mass transit system that has annual operating  
20          expenses in excess of \$80,000,000.”.

21          9. Page 732, line 10: delete “and for each calendar year thereafter” and  
22          substitute “~~and for each calendar year thereafter~~”.

1           **10.** Page 732, line 14: after “\$80,000,000.” insert “For aid payable for calendar  
 2 year 2004, from the appropriation under s. 20.395 (1) (hu), the department shall pay  
 3 \$15,536,600 to the eligible applicant that pays the local contribution required under  
 4 par. (b) 1. for an urban mass transit system that has annual operating expenses in  
 5 excess of \$20,000,000 but less than \$80,000,000. For aid payable for calendar year  
 6 2005 and for each calendar year thereafter, from the appropriation under s. 20.395  
 7 (1) (hu), the department shall pay \$15,908,200 to the eligible applicant that pays the  
 8 local contribution required under par. (b) 1. for an urban mass transit system that  
 9 has annual operating expenses in excess of \$20,000,000 but less than \$80,000,000.”.

10           **11.** Page 733, line 8: delete “2003, and” and substitute “2003.”

11           **12.** Page 733, line 9: delete “\$21,757,600” and substitute “\$22,304,600”.

12           **13.** Page 733, line 9: after “2004” insert “, and \$22,883,000 in calendar year  
 13 2005”.

14           **14.** Page 734, line 1: delete “2003, and” and substitute “2003.”

15           **15.** Page 734, line 2: delete “\$4,925,100” and substitute “\$5,094,800”.

16           **16.** Page 734, line 2: after “2004” insert “, and \$5,292,100 in calendar year  
 17 2005”.

(END)

18

Insert  
3-17

D-Note

2003-2004 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBb0706/lins  
ARG:.....

1. Page 308, line 11: before that line insert:

“SECTION 431c. 20.395 (4) (ax) of the statutes is amended to read:

20.395 (4) (ax) *Departmental management and operations, federal funds.* All moneys received from the federal government for the administration and management of departmental programs except those programs under subs. (2) (bx) and (dx) and (3) (ix), and for departmental planning and administrative activities including all moneys received as federal aid as authorized by the governor under s. 16.54 to promote highway safety and continue the local traffic safety representatives program and for purposes of s. 85.07 and for activities related to the transportation employment and mobility program under s. 85.24 that are not funded from the appropriation under sub. (1) (bs), (bv), or (bx), and to transfer to the appropriation account under s. 20.505 (1) (z) the amounts in the schedule under s. 20.505 (1) (z) and the amounts specified under 2003 Wisconsin Act ... (this act), section 9153 (5c), for such purposes.”

2. Page 1100, line 16: after that line insert:

“(5c) FEDERAL HIGHWAY AID; TRANSPORTATION PLANNING GRANTS. In fiscal year 2003-04, the department of transportation shall transfer \$3,407,200 from the appropriation account under section 20.395 (4) (ax) of the statutes to the appropriation account under section 20.505 (1) (z) of the statutes if the transfer will not result in the loss or reduction of federal highway aid received by the state. If the transfer under this paragraph would result in the department expending more federal highway aid in fiscal year 2003-04 than the state receives for fiscal year 2003-04, the department shall reduce expenditures from the appropriation account

insert 2-9

insert 3-17

nonstat

(a)



INS 3-7 cont

Insert 3-17 cont 1/4

under section 20.395 (3) (bx) of the statutes in an amount equal to the amount by which the transfer under this paragraph would otherwise cause the department's expenditures of federal highway aid in fiscal year 2003-04 to exceed its receipt of federal highway aid for fiscal year 2003-04.

(b) In fiscal year 2004-05, the department of transportation shall transfer \$3,582,600 from the appropriation account under section 20.395 (4) (ax) of the statutes to the appropriation account under section 20.505 (1) (z) of the statutes if the transfer will not result in the loss or reduction of federal highway aid received by the state. If the transfer under this paragraph would result in the department expending more federal highway aid in fiscal year 2004-05 than the state receives for fiscal year 2004-05, the department shall reduce expenditures from the appropriation account under section 20.395 (3) (bx) of the statutes in an amount equal to the amount by which the transfer under this paragraph would otherwise cause the department's expenditures of federal highway aid in fiscal year 2004-05 to exceed its receipt of federal highway aid for fiscal year 2004-05."

(end insert)

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

LRBb0706/1dn

ARG:n:...

Jld

As discussed, I have inserted amounts into the suggested non-statutory provision. I calculated these amounts based upon the difference between the ch. 20 schedule entries in SB-44 and SSA1 to SB-44 for s. 20.395 (2) (jx) and (4) (ax). The drafting instructions directed that moneys be expended or transferred from these appropriations. I have attempted accomplish the goal of the instructions but deviated slightly from the suggested language. I have prepared the draft to require the transfer of funds only from s. 20.395 (4) (ax) for two reasons. First, the ch. 20 schedule for SSA1 to SB-44 for s. 20.395 (2) (jx) indicates no funding for this appropriation. While the "-0-" in the schedule is only an estimate, I don't believe there is a good reason to include the transfer of funds from such an appropriation. Second, the statutory transfer structure already partially exists for s. 20.395 (4) (ax) and the estimate in that appropriation indicates sufficient funds for the transfer. Also, the language is drafted as a straight transfer, rather than an expenditure for the purpose transferring funds. I believe that an expenditure of funds for the purpose of a transfer would simply be considered a transfer, and I think a statutory change to s. 20.395 (4) (ax) is necessary carry out the transfer since s. 20.505 (1) (z) is an appropriation of the department of administration, not the department of transportation. Finally, since it is unclear whether the federal funds at issue are "earmarked" and have "strings attached" with regard to their use, I included language that the transfer not occur if the transfer would result in the loss or reduction of federal funds; that is, if the transfer would violate the terms of use required as a condition of receipt of the aid.

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**

LRBb0706/1dn  
ARG:jld:cph.

June 19, 2003

As discussed, I have inserted amounts into the suggested nonstatutory provision. I calculated these amounts based upon the difference between the ch. 20 schedule entries in SB-44 and SSA 1 to SB-44 for s. 20.395 (2) (jx) and (4) (ax). The drafting instructions directed that moneys be expended or transferred from these appropriations. I have attempted accomplish the goal of the instructions but deviated slightly from the suggested language. I have prepared the draft to require the transfer of funds only from s. 20.395 (4) (ax) for two reasons. First, the ch. 20 schedule for SSA 1 to SB-44 for s. 20.395 (2) (jx) indicates no funding for this appropriation. While the "-0-" in the schedule is only an estimate, I don't believe there is a good reason to include the transfer of funds from such an appropriation. Second, the statutory transfer structure already partially exists for s. 20.395 (4) (ax) and the estimate in that appropriation indicates sufficient funds for the transfer. Also, the language is drafted as a straight transfer, rather than an expenditure for the purpose transferring funds. I believe that an expenditure of funds for the purpose of a transfer would simply be considered a transfer, and I think a statutory change to s. 20.395 (4) (ax) is necessary carry out the transfer since s. 20.505 (1) (z) is an appropriation of the department of administration, not the department of transportation. Finally, since it is unclear whether the federal funds at issue are "earmarked" and have "strings attached" with regard to their use, I included language that the transfer not occur if the transfer would result in the loss or reduction of federal funds; that is, if the transfer would violate the terms of use required as a condition of receipt of the aid.

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