

2003 DRAFTING REQUEST

Assembly Amendment (AA-AA1-AB893)

Received: **03/02/2004**

Received By: **agary**

Wanted: **Soon**

Identical to LRB:

For: **Suzanne Jeskewitz (608) 266-3796**

By/Representing: **Pam (aide)**

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

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**

Extra Copies: **PJH**

Submit via email: **YES**

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

Carbon copy (CC:) to: **Pam.Shannon@legis.state.wi.us
Pam.Matthews@legis.state.wi.us
Don.Bezruki@legis.state.wi.us
Karen.Asbjornson@legis.state.wi.us
Aaron.Gary@legis.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

major highway projects, transportation projects commission, and southeast wisconsin freeway projects; changes

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	kfollett	rschluet	_____	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>
	03/02/2004	03/03/2004	03/03/2004 _____		03/03/2004	03/03/2004	
/2	agary 03/04/2004	csicilia 03/04/2004	jfrantze 03/04/2004 _____		lemery 03/04/2004	lemery 03/04/2004	

FE Sent For:

<END>

2003 DRAFTING REQUEST

Assembly Amendment (AA-AA1-AB893)

Received: 03/02/2004

Received By: agary

Wanted: Soon

Identical to LRB:

For: Suzanne Jeskewitz (608) 266-3796

By/Representing: Pam (aide)

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**

Extra Copies: **PJH**

Submit via email: YES

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

Carbon copy (CC:) to: **Pam.Shannon@legis.state.wi.us**
Pam.Matthews@legis.state.wi.us
Don.Bezruki@legis.state.wi.us
Karen.Asbjornson@legis.state.wi.us
Aaron.Gary@legis.state.wi.us

Pre Topic:

No specific pre topic given

Topic:

major highway projects, transportation projects commission, and southeast wisconsin freeway projects; changes

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	kfollett	rschluet		sbasford	sbasford	

12/3 3/4
04
Jb 3/4
Sbb

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	03/02/2004	03/03/2004	03/03/2004 _____		03/03/2004	03/03/2004	

FE Sent For:

<END>

2003 DRAFTING REQUEST

Assembly Amendment (AA-AA1-AB893)

Received: 03/02/2004

Received By: agary

Wanted: Soon

Identical to LRB:

For: Suzanne Jeskewitz (608) 266-3796

By/Representing: Pam (aide)

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**

Extra Copies: **PJH**

Submit via email: YES

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

Carbon copy (CC:) to: **Pam.Shannon@legis.state.wi.us**
Pam.Matthews@legis.state.wi.us
Don.Bezruki@legis.state.wi.us
Karen.Asbjornson@legis.state.wi.us
Aaron.Gary@legis.state.wi.us

Pre Topic:

No specific pre topic given

Topic:

major highway projects, transportation projects commission, and southeast wisconsin freeway projects; changes

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	1/1 3/3	3	3	4		

FE Sent For:

<END>

3/2/04

10:30 am

Meeting : Sen. Roessler, Rep. Teslukite, Pam Shannon,
Pam Matthews, Don Bezruks, Tom Walker, Randy Romanick,
- reconstruction : in line of rehab Mark Wolfgang,
- ok to use 84.014
- same language as majors : dollar value \$5 M

→ [" see w/ reconstruct project under s. 84.014 that has
a total cost of more than \$5 M "

→ • drop word "reviewed"

→ • drop "highway"

→ membership : of add 2 add 1 members :
- 2 of the legis. members
~~of~~ shall be chair of trans.
cmtte

→

→ reports :

- putting records on after the TPC gets them : as soon as given to TPC etc - beginning of mtg OK

(b) → TPC members get stuff 5 days in advance & goes on public website ; public gets 24 hours

- except for amendments

- Notwithstanding s. 19.71

(a) →

Gary, Aaron

From: Shannon, Pam
Sent: Monday, March 01, 2004 2:37 PM
To: Gary, Aaron
Subject: FW: Updated Language for Majors/SE Oversight Legislation

this came from DOT and may be useful in this conference call...
Pam S.

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

From: Klein, Rose
Sent: Friday, February 27, 2004 8:26 AM
To: Matthews, Pam; Asbjornson, Karen; Shannon, Pam
Subject: Updated Language for Majors/SE Oversight Legislation

I am forwarding the following e-mail on behalf of Randy Romanski.

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

From: Wolfgram, Mark
To: Romanski, Randy
Cc: Klein, Rose
Sent: 2/26/04 6:06 PM
Subject: Updated Language for Majors/SE Oversight Legislation

Here is what we suggest as changes to the proposed legislation and the amendment (Assembly versions, which I assume are identical to the Senate versions):

Issue: TPC review of the FEIS/EA before a project can be enumerated
Objective: Allow enumeration to proceed as long as the TPC has received the FEIS/EA, which are often hundreds of pages long.
Proposal:

Drop the words "and reviewed" from AB 893's proposed language for 13.489(4)(a)1.a. and 13.489(4)(a)1.b.

In both cases the amended language would become ".....and the commission has received a final environmental impact statement or environmental assessment for the project approved by the federal highway administration."

OK

Issue: TPC reports on SE projects and Change management requirements for SE projects
Objective: Focus extra steps/reporting on pavement, bridge and interchange reconstruction projects, eliminating requirements for resurfacing and reconditioning projects.
Proposal:

Change the word "rehabilitation" to "reconstruction" in AB 893's proposed language for 13.489(5)(a)1. and 85.052

The last portion of 13.489(5)(a)1. would become ".....and of each southeast Wisconsin freeway reconstruction project under s. 84.014."

The last portion of 85.052 would become ".....and all southeast Wisconsin freeway reconstruction projects funded from any appropriation specified in s. 84.014(2)."

Issue: Expressway language in LRB 2408/1 proposal for 13.489(2m)
Proposal: After further thought, there is no confusion caused by the

proposed language, the only recommendation is to remove the words "from a highway".

Relevant portions of 13.489)2m) would read ".....changes that involve upgrading any portion of the project to a freeway or expressway....." The committee had intended to make this change already.

One other item of concern that the committee was to provide language on and we should watch for:

The provision of TPC meeting materials on the internet BEFORE the meeting.....we all agreed it would be after the meeting.

DOT expressed concern that the current language in the bill requiring biannual reports on each major and each southeastern freeway rehabilitation project would result in reports which included even minor resurfacing projects in the southeast. This problem is caused by the definition of rehabilitation, which includes resurfacing, reconditioning and reconstruction, each of which is defined in s. 84.013 (1) (b) (c) and (d). DOT argued it made little sense to report on resurfacing, or "applying a deck" as Randy characterized it.

One solution would be to strike the word "rehabilitation" on page 4, line 16 of the bill (this is in newly created s. 13.489 (5) 1. and add "reconstruction or major reconditioning" instead. These would have the definitions contained in s. 84.013 (b) and (c).

To further ensure that only large value projects are captured for the reports, the language could be further modified to limit these to reconstruction and major reconditioning projects with a total value of more than \$5 million, which is the amount included in the definition of a "majors" projects.

Gary, Aaron

From: Shannon, Pam
Sent: Tuesday, March 02, 2004 2:29 PM
To: Gary, Aaron
Cc: Bezruki, Don; Asbjornson, Karen; Matthews, Pam; Chrisman, James
Subject: RE: latest major highways amendment

Hi Aaron,

Don and I agree that although the specific point was not addressed, for consistency with the spirit of providing advance public access to reports, etc., it should be 24 hours for design change materials and documents, as it is for the others.

Pam S.

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

From: Gary, Aaron
Sent: Tuesday, March 02, 2004 2:08 PM
To: Matthews, Pam; Shannon, Pam; Bezruki, Don; Asbjornson, Karen
Subject: latest major highways amendment

I am basically finished drafting the amendment, but have one detail of which I am not quite certain where we ended up. Can anybody clarify this: If DOT has to submit a report under the new sub. (2m) re design changes, and the TPC advises it will schedule a public hearing, should the materials and documents that DOT prepares for the public hearing be publicly available 24 hrs. before the hearing (per the revised par. (b) on p. 3 of LRBa2408) or on the day of the public hearing (per par. (d) on p. 3 of LRBa2408)? My understanding was that it would be the day of the hearing (ie that we were leaving the substance of par. (d) alone) but I'm not positive about this. Can anybody help me out? thanks. Aaron

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

Needed
by 3/3
A.M.

**ASSEMBLY AMENDMENT,
TO ASSEMBLY AMENDMENT 1,
TO 2003 ASSEMBLY BILL 893**

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

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

change to
frozen 3:
del & sub

no bold - 12 pt.
"1c." Page 1, line 4: delete "rehabilitation" and substitute "reconstruction".

change 4
Component →

no 13 - 12 pt.
"1g." Page 3, line 8: after "party" insert "and these members shall include the

5 chairperson of the assembly standing committee dealing with transportation
6 matters and the chairperson of the senate standing committee dealing with
7 transportation matters".

8 2. Page 1, line 2: delete "1c" and substitute "1L".

no 13 - 12 pt.
delete period

no 13 - 12 pt.
delete period

9 3. Page 1, line 7: delete "from a highway".

10 4. Page 2, line 18: after that line insert:

change to
frozen

no 13 - 12 pt.
"1p." Page 3, line 20: delete "and reviewed".

change
to
frozen
change
to
frozen

1t. Page 4, line 2: delete "and reviewed".

1x. Page 4, line 9: after that line insert:

3 "SECTION 4m. 13.489 (4) (d) of the statutes is created to read:
4 13.489 (4) (d) The department of transportation shall provide to the
5 commission any materials or documents prepared by the department, except the
6 department's recommendations, for use at a meeting of the commission at least 5
7 business days prior to the meeting.".

5. Page 2, line 19: after that line insert:

2g. Page 4, line 16: delete "rehabilitation" and substitute "reconstruction".

2r. Page 4, line 17: after "84.014" insert "that has a total cost of more than
11 \$5,000,000".

6. Page 2, line 22: delete "The" and substitute "Notwithstanding s. 19.35, the".

7. Page 3, line 3: on lines 3 and 6, delete "Subject to par. (d), any" and substitute
14 "Any".

8. Page 3, line 4: after "commission" insert "under sub. (5)".

9. Page 3, line 6: after "department" insert ", except the department's
17 recommendations,".

10. Page 3, line 7: delete "5 business days" and substitute "24 hours".

11. Page 3, line 12: delete the material beginning with "(2m)," and ending with
20 "(2m)," on line 14, and substitute "(2m)".

12. Page 3, line 20: delete "at a time following the public hearing".

13. Page 3, line 20: after that line insert:

change to
frozen
frozen

20

Change to
from

1

✓
3e. Page 5, line 2: delete "rehabilitation" and substitute "reconstruction".

2 ↓

✓
3m. Page 5, line 6: delete "rehabilitation" and substitute "reconstruction".

3

✓
3s. Page 5, line 6: after "projects" insert "that have a total cost of more than
4 \$5,000,000".

5

✓
14. Page 4, line 1: after "13.489" insert "(4) (d) and".

6

(END)

Hi Aaron -
stopped by to ask you if I'm missing
something in AAI + AAI + AB 893 --

Shannon, Pam

From: Shannon, Pam
Sent: Tuesday, March 02, 2004 2:29 PM
To: Gary, Aaron
Cc: Bezruki, Don; Asbjornson, Karen; Matthews, Pam; Chrisman, James
Subject: RE: latest major highways amendment

I don't see this change
to 24 hrs. for design
change
reports, per
this email,

Hi Aaron,

Don and I agree that although the specific point was not addressed, for consistency with the spirit of providing advance public access to reports, etc., it should be 24 hours for design change materials and documents, as it is for the others.

Pam S.

Sorry I didn't
catch this
yesterday.
Pls call me
ASAP

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

From: Gary, Aaron
Sent: Tuesday, March 02, 2004 2:08 PM
To: Matthews, Pam; Shannon, Pam; Bezruki, Don; Asbjornson, Karen
Subject: latest major highways amendment

I am basically finished drafting the amendment, but have one detail of which I am not quite certain where we ended up. Can anybody clarify this: If DOT has to submit a report under the new sub. (2m) re design changes, and the TPC advises it will schedule a public hearing, should the materials and documents that DOT prepares for the public hearing be publicly available 24 hrs. before the hearing (per the revised par. (b) on p. 3 of LRBa2408) or on the day of the public hearing (per par. (d) on p. 3 of LRBa2408)? My understanding was that it would be the day of the hearing (ie that we were leaving the substance of par. (d) alone) but I'm not positive about this. Can anybody help me out? thanks. Aaron

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

3/4 H/c w/ Pam - advised this is
technically ok but would if they do
want report after materials avail. -
she will call back

& Jill know
if we need
to re-raft.

3/4 H/c w/ Pam - make timeline
for (d) 24 hrs. before also

Charles -
(ten 5
6.2680



State of Wisconsin
2003 - 2004 LEGISLATURE

TODAY
5:30

LRBa2484/Z
ARG:kjfrs

KMR

CS

ASSEMBLY AMENDMENT,
TO ASSEMBLY AMENDMENT 1,
TO 2003 ASSEMBLY BILL 893

bill text ✓

- 1 At the locations indicated, amend the amendment as follows:
- 2 **1.** Page 1, line 1: after that line insert:
- 3 "1c. Page 1, line 4: delete "rehabilitation" and substitute "reconstruction".
- 4 1g. Page 3, line 8: after "party" insert "and these members shall include the
- 5 chairperson of the assembly standing committee dealing with transportation
- 6 matters and the chairperson of the senate standing committee dealing with
- 7 transportation matters".
- 8 **2.** Page 1, line 2: delete "1" and substitute "1L".
- 9 **3.** Page 1, line 7: delete "from a highway".
- 10 **4.** Page 2, line 18: after that line insert:
- 11 "1p. Page 3, line 20: delete "and reviewed".
- 12 1t. Page 4, line 2: delete "and reviewed".

(B) (B)

1 1x. Page 4, line 9: after that line insert:

2 "SECTION 4m. 13.489 (4) (d) of the statutes is created to read:

3 13.489 (4) (d) The department of transportation shall provide to the
4 commission any materials or documents prepared by the department, except the
5 department's recommendations, for use at a meeting of the commission at least 5
6 business days prior to the meeting.".

7 5. Page 2, line 19: after that line insert:

8 "2g. Page 4, line 16: delete "rehabilitation" and substitute "reconstruction".

9 2r. Page 4, line 17: after "84.014" insert "that has a total cost of more than
10 \$5,000,000".

11 6. Page 2, line 22: delete "The" and substitute "Notwithstanding s. 19.35, the".

12 7. Page 3, line 3: on lines 3 and 6, delete "Subject to par. (d), any" and substitute
13 "Any".

14 8. Page 3, line 4: after "commission" insert "under sub. (5)".

15 9. Page 3, line 6: after "department" insert ", except the department's
16 recommendations,".

17 10. Page 3, line 7: delete "5 business days" and substitute "24 hours".

18 11. Page 3, line 12: delete the material beginning with "(2m)," and ending with
19 "(2m)," on line 14, and substitute "(2m)".

20 12. Page 3, line 20: delete "at a time following the public hearing".

21 13. Page 3, line 20: after that line insert:

22 "3e. Page 5, line 2: delete "rehabilitation" and substitute "reconstruction".

23 3m. Page 5, line 6: delete "rehabilitation" and substitute "reconstruction".

insert
2-20

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

a 2484/2 ins
LRB 2383/2 ins
ARG:.....

INSERT 2-20:

#. Page 3, line 19: delete the material beginning with "on" and ending with "of" on line 20 and substitute "at least 24 hours prior to".