



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 03/11/2008 (Per: CMH)

Compile Draft – Appendix A **... Part 11 of 12**

- ☞ The 2007 drafting file for LRB-4059
 - ☞ The 2007 drafting file for LRB-4072
 - ☞ The 2007 drafting file for LRB-4077
 - ☞ The 2007 drafting file for LRB-4081
 - ☞ The 2007 drafting file for LRB-4082
 - ☞ The 2007 drafting file for LRB-4168
 - ☞ The 2007 drafting file for LRB-4187
 - ☞ The 2007 drafting file for LRB-4188
 - ☞ The 2007 drafting file for LRB-4215
 - ☞ The 2007 drafting file for LRB-4240
 - ☞ The 2007 drafting file for LRB-4242
 - ☞ The 2007 drafting file for LRB-4267
- (A) ↙

2007 LRB-4242 has been moved to the drafting file for

2007 LRB-4268

(Special Session Mr8 ... Budget Adjustment Bill)

2007 DRAFTING REQUEST

Bill

Received: 03/06/2008

Received By: agary

Wanted: Soon

Identical to LRB:

For: Administration-Budget

By/Representing: Steinmetz

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: Transportation - highways

Extra Copies: BAB

Submit via email: YES

Requester's email:

Carbon copy (CC:) to: aaron.gary@legis.wisconsin.gov

Pre Topic:

DOA:.....Steinmetz, BB032 -

Topic:

Highway program funding levels

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>
/?				_____			State
/1	agary 03/06/2008	kfollett 03/06/2008	nmatzke 03/06/2008	_____	sbasford 03/06/2008		State
/2	agary 03/07/2008	kfollett 03/07/2008 csicilia 03/10/2008	nmatzke 03/07/2008	_____	mbarman 03/10/2008		State

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Handwritten notes: 16/5F 3/11, 3/11, 3/11

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		csicilia 03/10/2008		_____			

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/3			pgreensl 03/10/2008	_____	lparisi 03/10/2008		State
/4	agary 03/10/2008	bkraft 03/10/2008	nmatzke 03/10/2008	_____	sbasford 03/10/2008		

FE Sent For:

<END>

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Bill

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Extra Copies: **BAB**

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Instructions:

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pgreensl _____
03/10/2008 _____

lparisi
03/10/2008

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<END>

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Bill

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/1	agary 03/06/2008	kfollett 03/06/2008	nmatzke 03/06/2008		sbasford 03/06/2008		

FE Sent For:

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13 g/s 3/10/08
7/10 ps
3/10 ps/nw

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/?	agary	1/6 f 3/6	nwn 3/6	<u>nwn</u> <u>3/6</u>			

FE Sent For:

<END>

2007-09 Budget Adjustment Bill Statutory Language Drafting Request

- Topic: Highway Program Funding Levels
- Tracking Code: BAB 032
- SBO team: Environmental and Commercial Resources
- SBO analyst: Jana Steinmetz/Sara Hynek
 - Phone: 608-266-2081/1923
 - Email: jana.steinmetz@wisconsin.gov/sara.hynek@wisconsin.gov
- Agency acronym: DOT
- Agency number: 395
- Priority (Low, Medium, High): High

Please amend the Chapter 20 schedule to reflect the funding levels for the Major Highway Development, State Highway Rehabilitation and Southeast Freeways appropriations as shown on the attached table.

Further, please create nonstatutory provisions that ensure that the funding levels for the above-referenced appropriations set forth in 2007 Act 20 are the funding levels used as the base funding levels in creating the 2009-11 budget (notwithstanding the adjustments made according to the attached chart). For example, similar to 2003 Wisconsin Act 33:

"Notwithstanding section 16.42(1) of the statutes, the department of transportation shall add to its 2009-11 biennial budget request to the department of administration the following amounts to establish its 2008-09 fiscal year appropriation base for state highway programs:

(a) In the appropriation under section 20.395(3)(bq) of the statutes, \$12,000,000."

Thank you.

Program	Act 20 FY08 Funding Level	Proposed FY08 Funding Level	Act 20 FY09 Funding Level	Proposed FY09 Funding Level	Base Adjustment Needed in Nonstat Language
Major Highway Development					
SEG	69,700,000	4,100,000	76,368,700	64,368,700	12,000,000
FED	78,975,000	89,575,000	78,975,000	78,975,000	
SEG S Bonding	165,738,300	220,738,300	167,395,600	179,395,600	(12,000,000)
Total	314,413,300	314,413,300	322,739,300	322,739,300	
State Highway Rehabilitation					
SEG	320,131,900	189,931,900	343,859,900	223,859,900	120,000,000
FED	348,454,300	403,654,300	345,747,300	345,747,300	
Bonding		75,000,000		120,000,000	(120,000,000)
Total	668,586,200	668,586,200	689,607,200	689,607,200	
Southeast Freeways					
SEG	64,256,500	19,056,500	87,658,400	17,658,400	70,000,000
FED	72,493,500	82,693,500	80,091,600	80,091,600	
Bonding	30,600,000	65,600,000	59,600,000	129,600,000	(70,000,000)
Total	167,350,000	167,350,000	227,350,000	227,350,000	

in 3/6

of

DOA:.....Steinmetz, BB032 - Highway program funding levels

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

B-Note

Don't Gen

1 AN ACT ...; relating to: the budget adjustment bill.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

HIGHWAYS

This bill decreases Department of Transportation (DOT) state funds appropriations for major highway projects, southeast Wisconsin freeway rehabilitation projects, and state highway rehabilitation projects. These appropriation decreases are not included in establishing DOT's appropriation base level for the respective appropriations when DOT submits its 2009-11 biennial budget request.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

2 SECTION 9148. Nonstatutory provisions; Transportation.

3 (1) DEPARTMENT OF TRANSPORTATION REQUESTS FOR 2009-11 BIENNIAL BUDGET BILL.

4 Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information

SECTION 9148

1 under section 16.42 of the statutes for purposes of the 2009–11 biennial budget bill,
2 the department of transportation shall submit dollar amounts reflecting the
3 following modifications, for the following appropriations, before submitting any
4 information relating to any increase or decrease in the dollar amounts for these
5 appropriations for the 2009–11 fiscal biennium:

6 (a) For the appropriation under section 20.395 (3) (bq) of the statutes, a dollar
7 amount that is \$12,000,000 more than the total amount appropriated under section
8 20.395 (3) (bq) of the statutes for the 2008–09 fiscal year.

9 (b) For the appropriation under section 20.395 (3) (cq) of the statutes, a dollar
10 amount that is \$120,000,000 more than the total amount appropriated under section
11 20.395 (3) (cq) of the statutes for the 2008–09 fiscal year.

12 (c) For the appropriation under section 20.395 (3) (cr) of the statutes, a dollar
13 amount that is \$70,000,000 more than the total amount appropriated under section
14 20.395 (3) (cr) of the statutes for the 2008–09 fiscal year.

15 **SECTION 9248. Fiscal changes; Transportation.**

16 (1) APPROPRIATION CHANGES FOR MAJOR HIGHWAY PROJECTS. In the schedule under
17 section 20.005 (3) of the statutes for the appropriation to the department of
18 transportation under section 20.395 (3) (bq) of the statutes, as affected by the acts
19 of 2007, the dollar amount is decreased by \$65,600,000,000 for fiscal year 2007–08
20 and the dollar amount is decreased by \$12,000,000 for fiscal year 2008–09 to
21 decrease funding for major development of state trunk and connecting highways.

22 (2) APPROPRIATION CHANGES FOR STATE HIGHWAY REHABILITATION PROJECTS. In the
23 schedule under section 20.005 (3) of the statutes for the appropriation to the
24 department of transportation under section 20.395 (3) (cq) of the statutes, as affected
25 by the acts of 2007, the dollar amount is decreased by \$130,200,000 for fiscal year

1 2007–08 and the dollar amount is decreased by \$120,000,000 for fiscal year 2008–09
2 to decrease funding for improvement of existing state trunk and connecting
3 highways and construction and rehabilitation of the national system of interstate
4 and defense highways and bridges and related appurtenances.

5 (3) APPROPRIATION CHANGES FOR SOUTHEAST WISCONSIN FREEWAY REHABILITATION
6 PROJECTS. In the schedule under section 20.005 (3) of the statutes for the
7 appropriation to the department of transportation under section 20.395 (3) (cr) of the
8 statutes, as affected by the acts of 2007, the dollar amount is decreased by
9 \$45,200,000 for fiscal year 2007–08 and the dollar amount is decreased by
10 \$70,000,000 for fiscal year 2008–09 to decrease funding for rehabilitation of
11 southeast Wisconsin freeways.

12

(END)

A handwritten note in a circle, possibly indicating a correction or a specific action to be taken. The text inside the circle is "D-note".

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

LRB-4242/1dn

ARG: *kgf*

Date

ATTN: Jana Steinmetz

X The attached draft includes appropriation changes only for sum certain appropriations. For example, with respect to the major highway development program, the draft includes an appropriation change with respect to s. 20.395 (3) (bg), but does not include an appropriation change with respect to s. 20.395 (3) (br) or (bx) because these are continuing appropriations for which the amounts in the schedule are mere estimates, so attempting an appropriation change would have no legal effect. See s. 20.001^v(3) (c). I believe the estimates for these appropriations may be revised without legislative action. However, if you prefer that I add a provision to the bill that is similar to 2007 SB-510 SECTION 69 (2), I can do so.

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4242/1dn
ARG:kjf:nwn

March 6, 2008

ATTN: Jana Steinmetz

The attached draft includes appropriation changes only for sum certain appropriations. For example, with respect to the major highway development program, the draft includes an appropriation change with respect to s. 20.395 (3) (bq), but does not include an appropriation change with respect to s. 20.395 (3) (br) or (bx) because these are continuing appropriations for which the amounts in the schedule are mere estimates, so attempting an appropriation change would have no legal effect. See s. 20.001 (3) (c). I believe the estimates for these appropriations may be revised without legislative action. However, if you prefer that I add a provision to the bill that is similar to 2007 SB-510 SECTION 69 (2), I can do so.

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

Gary, Aaron

From: Steinmetz, Jana D - DOA [Jana.Steinmetz@Wisconsin.gov]
Sent: Thursday, March 06, 2008 4:44 PM
To: Gary, Aaron
Cc: Hynek, Sara - DOA
Subject: Draft 4242
Attachments: BAB Chart for LRB.xls

Aaron,

See the attached chart per my voicemail. Please let us know if you have any questions.

Thanks,
Jana

Me from Jens 6-2081

• date: yes, want provision like SB-510

• change in #'s - will send over

FY 07-08 changes

Program	Act 20 FY08 Funding Level	Proposed FY08 Funding Level	Act 20 FY09 Funding Level	Proposed FY09 Funding Level	Base Adjustment Needed in Nonstat Language	New
Major Highway Development						
SEG	69,700,000	5,200,000	76,368,700	64,368,700	12,000,000	64,500,000
FED	78,975,000	88,475,000	78,975,000	78,975,000		(9,500,000)
SEG S Bonding	165,738,300	220,738,300	167,395,600	179,395,600	(12,000,000)	(55,000,000)
Total	314,413,300	314,413,300	322,739,300	322,739,300		
State Highway Rehabilitation						
SEG	320,131,900	188,557,900	343,859,900	223,859,900	120,000,000	131,574,000
FED	348,454,300	405,028,300	345,747,300	345,747,300		(56,574,000)
Bonding		75,000,000		120,000,000	(120,000,000)	(75,000,000)
Total	668,586,200	668,586,200	689,607,200	689,607,200		
Southeast Freeways						
SEG	64,256,500	18,363,000	87,658,400	17,658,400	70,000,000	45,893,500
FED	72,493,500	83,387,000	80,091,600	80,091,600		(10,893,500)
Bonding	30,600,000	65,600,000	59,600,000	129,600,000	(70,000,000)	(35,000,000)
Total	167,350,000	167,350,000	227,350,000	227,350,000		

Old
65,600,000
(10,600,000)
(55,000,000)

130,200,000
(55,200,000)
(75,000,000)

45,200,000
(10,200,000)
(35,000,000)



TODAY
if possible

in 3/7

rnw

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Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information

Insert
ANAL - A

Insert
1-2

1 under section 16.42 of the statutes for purposes of the 2009-11 biennial budget bill,
 2 the department of transportation shall submit dollar amounts reflecting the
 3 following modifications, for the following appropriations, before submitting any
 4 information relating to any increase or decrease in the dollar amounts for these
 5 appropriations for the 2009-11 fiscal biennium:

6 (a) For the appropriation under section 20.395 (3) (bq) of the statutes, a dollar
 7 amount that is \$12,000,000 more than the total amount appropriated under section
 8 20.395 (3) (bq) of the statutes for the 2008-09 fiscal year.

9 (b) For the appropriation under section 20.395 (3) (cq) of the statutes, a dollar
 10 amount that is \$120,000,000 more than the total amount appropriated under section
 11 20.395 (3) (cq) of the statutes for the 2008-09 fiscal year.

12 (c) For the appropriation under section 20.395 (3) (cr) of the statutes, a dollar
 13 amount that is \$70,000,000 more than the total amount appropriated under section
 14 20.395 (3) (cr) of the statutes for the 2008-09 fiscal year.

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16 (1) APPROPRIATION CHANGES FOR MAJOR HIGHWAY PROJECTS. In the schedule under
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 18 transportation under section 20.395 (3) (bq) of the statutes, as affected by the acts
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 21 decrease funding for major development of state trunk and connecting highways.

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 24 department of transportation under section 20.395 (3) (cq) of the statutes, as affected
 25 by the acts of 2007, the dollar amount is decreased by \$130,200,000¹⁵⁷⁴ for fiscal year

1 2007-08 and the dollar amount is decreased by \$120,000,000 for fiscal year 2008-09
2 to decrease funding for improvement of existing state trunk and connecting
3 highways and construction and rehabilitation of the national system of interstate
4 and defense highways and bridges and related appurtenances.

5 (3) APPROPRIATION CHANGES FOR SOUTHEAST WISCONSIN FREEWAY REHABILITATION
6 PROJECTS. In the schedule under section 20.005 (3) of the statutes for the
7 appropriation to the department of transportation under section 20.395 (3) (cr) of the
8 statutes, as affected by the acts of 2007, the dollar amount is decreased by
9 ^{893,500} \$45,200,000 for fiscal year 2007-08 and the dollar amount is decreased by
10 \$70,000,000 for fiscal year 2008-09 to decrease funding for rehabilitation of
11 southeast Wisconsin freeways.

12

(END)

INSERT ANAL:

(no P) The bill also requires the secretary of administration and DOT to increase revenue estimates for certain other appropriations for major highway projects, southeast Wisconsin freeway rehabilitation projects, and state highway rehabilitation projects.

SECTION 1. Nonstatutory provisions.

(1) ESTIMATES FOR CERTAIN DEPARTMENT OF TRANSPORTATION APPROPRIATIONS. The secretary of administration and department of transportation shall estimate the following additional revenues, for the following appropriations, which additional revenues are not reflected in the schedule under section 20.005 (3) of the statutes, as created by 2007 Wisconsin Act 20:

(b)(a) Additional revenues of \$9,500,000 in fiscal year 2007-08 for the appropriation account under section 20.395 (3) (bx) of the statutes.

(a)(b) Additional revenues of \$55,000,000 in fiscal year 2007-08, and additional revenues of \$12,000,000 in fiscal year 2008-09, for the appropriation account under section 20.395 (3) (br) of the statutes.

(c) Additional revenues of \$56,574,000 in fiscal year 2007-08 for the appropriation account under section 20.395 (3) (cx) of the statutes.

switch

(d) Additional revenues of \$10,894,000 in fiscal year 2007-08 for the appropriation account under section 20.395 (3) (cy) of the statutes.

INSERT 2-14:

(b) Notwithstanding section 16.42 (1) (e) of the statutes, the department of transportation's submission of information under section 16.42 of the statutes for purposes of the 2009-11 biennial budget bill shall not reflect the modified estimates required under subsection (NO TAG) related to the appropriation accounts under section 20.395 (3) (br), (cx), and (cy) of the statutes.

Gary, Aaron

From: Hynek, Sara - DOA [Sara.Hynek@Wisconsin.gov]
Sent: Friday, March 07, 2008 4:47 PM
To: Gary, Aaron
Cc: Steinmetz, Jana D - DOA
Subject: Updated DOT Appropriation Numbers
Attachments: BAB Chart for LRB 3.7.xls

Aaron,

Attached you will find a spreadsheet that has what we think are the "final" numbers for the DOT appropriations for the budget adjustment bill.

Also, with respect to your earlier question, I think the goal is to show the "estimate" for the SHR bonding in the same place that the amount for 2005-07 "additional" bonding was estimated, which I believe was 20.866(2)(uur). The estimate for the SE bonding should be indicated in the same place as the original executive budget, which I believe was (uup). If I'm incorrect on these assumptions, please let me know.

The estimate for SHR is \$67.5M in FY08 and \$80M in FY09, for a biennial total of \$147.5M in (uur). The estimate for SE is \$22.5M in FY08 and \$20M in FY09 for a biennial total of \$42.5M in (uup).

Let me or Jana know if you have any questions – thanks!

Sara Hynek
266-1923

Program	Act 20 FY08 Funding Level	Proposed FY08 Funding Level	Act 20 FY09 Funding Level	Proposed FY09 Funding Level	Base Adjustment Needed in Nonstat Language
Major Highway Development					
SEG	69,700,000	10,700,000	76,368,700	57,401,200	18,967,500
FED	78,975,000	89,942,500	78,975,000	78,975,000	
SEG S Bonding	165,738,300	213,770,800	167,395,600	186,363,100	(18,967,500)
Total	314,413,300	314,413,300	322,739,300	322,739,300	
State Highway Rehabilitation					
SEG	320,131,900	194,631,900	343,859,900	263,859,900	80,000,000
FED	348,454,300	406,454,300	345,747,300	345,747,300	
Bonding		67,500,000		80,000,000	(80,000,000)
Total	668,586,200	668,586,200	689,607,200	689,607,200	
Southeast Freeways					
SEG	64,256,500	33,756,500	87,658,400	67,658,400	20,000,000
FED	72,493,500	80,493,500	80,091,600	80,091,600	
Bonding	30,600,000	53,100,000	59,600,000	79,600,000	(20,000,000)
Total	167,350,000	167,350,000	227,350,000	227,350,000	

Gary, Aaron

From: Gary, Aaron
Sent: Friday, March 07, 2008 4:58 PM
To: 'Hynek, Sara - DOA'
Cc: Steinmetz, Jana D - DOA
Subject: RE: Updated DOT Appropriation Numbers

I'll make these changes on this weekend. I sent thru editing what I had finished already, so you'll be receiving a /2 draft in a few minutes that lacks the last couple bonding changes, which I will add to the /3 on Monday.

I'm not sure whether, in looking at available bonding revenues, the agency will look at FY08-09 base or not. I assume not. But if you want me to make sure the increased estimate expenditures are not built into base for next biennium, please let me know.

Thanks. Aaron

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

From: Hynek, Sara - DOA [mailto:Sara.Hynek@Wisconsin.gov]
Sent: Friday, March 07, 2008 4:47 PM
To: Gary, Aaron
Cc: Steinmetz, Jana D - DOA
Subject: Updated DOT Appropriation Numbers

Aaron,

Attached you will find a spreadsheet that has what we think are the "final" numbers for the DOT appropriations for the budget adjustment bill.

Also, with respect to your earlier question, I think the goal is to show the "estimate" for the SHR bonding in the same place that the amount for 2005-07 "additional" bonding was estimated, which I believe was 20.866(2)(uur). The estimate for the SE bonding should be indicated in the same place as the original executive budget, which I believe was (uup). If I'm incorrect on these assumptions, please let me know.

The estimate for SHR is \$67.5M in FY08 and \$80M in FY09, for a biennial total of \$147.5M in (uur). The estimate for SE is \$22.5M in FY08 and \$20M in FY09 for a biennial total of \$42.5M in (uup).

Let me or Jana know if you have any questions – thanks!

Sara Hynek
266-1923

03/08/2008