



2009 ASSEMBLY BILL 635

December 18, 2009 – Introduced by Representatives STONE and FIELDS,
cosponsored by Senator PLALE. Referred to Joint Committee on Finance.

1 **AN ACT relating to:** funding for Milwaukee County for winter maintenance
2 activities on state trunk highways.

Analysis by the Legislative Reference Bureau

Under 2009 Wisconsin Acts 2 and 28, before July 1, 2011, the secretary of administration must lapse or transfer to the general fund from certain appropriations to executive branch state agencies a total of \$479,807,600.

Also under current law, the Department of Transportation (DOT) may contract with counties to provide highway maintenance services on state trunk highways.

Under this bill, if Milwaukee County requests that DOT provide additional funding for Milwaukee County's snow and ice removal between December 1, 2009, and March 31, 2010, on state trunk highways on the basis that Milwaukee County's allocation for winter maintenance activities on the state trunk highway system is insufficient, DOT must submit to the Joint Committee on Finance (JCF) a request to supplement its state highway maintenance appropriation for fiscal year 2009–10 to provide additional funding to Milwaukee County for these winter maintenance activities. JCF may supplement this appropriation, from the transportation fund, in any amount not exceeding \$1,280,900, to provide the requested additional funding. For any amount of supplemental funding provided by JCF, the secretary of administration must reduce, by an equal amount, the amount of the \$479,807,600 allocated to be transferred to the general fund from appropriations to DOT.

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For further information see the *state and local* 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:

1 **SECTION 1. Nonstatutory provisions.**

2 (1) DEPARTMENT OF TRANSPORTATION APPROPRIATION LAPSES AND TRANSFERS UNDER
3 ACTS 2 AND 28. Of the \$479,807,600 specified in section 9201 (1) (b) of 2009 Wisconsin
4 Act 2, as affected by 2009 Wisconsin Act 28, section 3416d, to be lapsed or transferred
5 to the general fund by the secretary of administration, the secretary of
6 administration shall recalculate the amount allocated for lapse or transfer from
7 appropriations to the department of transportation by reducing the amount that,
8 prior to the effective date of this subsection, the secretary had allocated for lapse or
9 transfer from appropriations to the department of transportation. This reduction
10 shall be in an amount equal to the amount of all supplements provided by the joint
11 committee on finance under SECTION (2) (b) of this act.

12 (2) DEPARTMENT REQUEST FOR SUPPLEMENTAL FUNDING FOR WINTER MAINTENANCE
13 ACTIVITIES.

14 (a) If the department of transportation receives a request from Milwaukee
15 County, between the effective date of this paragraph and April 15, 2010, for
16 additional highway maintenance funding for snow and ice removal on state trunk
17 highways between December 1, 2009, and March 31, 2010, on the basis that the
18 county's highway maintenance allocation for winter maintenance activities on the
19 state trunk highway system is insufficient, the department shall submit to the joint
20 committee on finance a request to supplement the appropriation account under

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1 section 20.395 (3) (eq) of the statutes for fiscal year 2009–10 to provide additional
2 funding to Milwaukee County for such winter maintenance activities.

3 (b) The joint committee on finance may, from the appropriation account under
4 section 20.865 (4) (u) of the statutes, supplement the appropriation account under
5 section 20.395 (3) (eq) of the statutes for fiscal year 2009–10 to provide additional
6 funding to Milwaukee County for those winter maintenance activities specified in
7 paragraph (a). Notwithstanding section 13.101 (3) (a) of the statutes, the committee
8 is not required to find that an emergency exists. The total amount of all supplements
9 under this paragraph may not exceed \$1,280,900.

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(END)