

**2009 DRAFTING REQUEST**

**Bill**

Received: **02/05/2009**

Received By: **chanaman**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Byrnes**

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

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - other**

Extra Copies:

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Carbon copy (CC:) to:

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**Pre Topic:**

DOA:.....Byrnes -

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**Topic:**

Eliminate requirement for spending plan for additional federal funds

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**Instructions:**

See attached--identical to -1701/4

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/?	agary 02/05/2009	jdye 02/05/2009		_____			
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2009 - 2010 LEGISLATURE

NOW

2008/P1

LRB-1701/4  
ARGojk/wlj/nwn/rs  
Stays

DOA:.....Byrnes, BB0464 - Eliminate requirement for spending plan for additional federal funds

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

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AN ACT ...; relating to: the budget. ✓

*Analysis by the Legislative Reference Bureau*

**TRANSPORTATION**

**OTHER TRANSPORTATION**

Under current law, the secretary of transportation must annually submit to JCF a plan for adjusting DOT's appropriations to reflect the most recent estimate of federal funds available to DOT if the most recent estimate of federal funds available is more than 5 percent higher or lower than the amounts shown in DOT's federal funds appropriations. The plan is reviewed by JCF under a passive review process. JCF must meet and approve or modify and approve the plan within 14 days or DOT may implement the plan as proposed. If JCF meets and modifies the plan within 14 days, DOT may implement the plan only as modified.

This bill specifies that these requirements do not apply with respect to the first \$300,000,000 of federal economic stimulus funds, intended to be used for transportation purposes, resulting from federal legislation enacted between January 2009 and January 2011 (stimulus funds). The bill also requires DOT to submit to JCF, by a specified date, an allocation plan for expenditure of all stimulus

funds in excess of \$300,000,000 received or expected to be received by the state. This plan is reviewed by JCF under the same passive review process described above.

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

1           **SECTION 1.** 84.03 (2) (a) <sup>X</sup> 1. of the statutes is amended to read:

2           84.03 (2) (a) 1. “Amount of federal funds” means the sum of federal revenues  
3 received under the federal Intermodal Surface Transportation Efficiency Act of 1991,  
4 as amended, or under a substantially similar federal legislative act. “Amount of  
5 federal funds” does not include the first \$300,000,000 of federal moneys received by  
6 the state, pursuant to federal legislation enacted during the 111th Congress, for the  
7 purpose of reviving the economy of the United States, which moneys are intended to  
8 be used for transportation purposes.

9           **SECTION 9150. Nonstatutory provisions; Transportation.**

10          (1) REPORT RELATED TO FEDERAL ECONOMIC STIMULUS FUNDS.

11          (a) *Definition.* In this subsection, “federal economic stimulus funds” means  
12 federal moneys received or expected to be received by the state, pursuant to federal  
13 legislation enacted during the 111th Congress, for the purpose of reviving the  
14 economy of the United States, which moneys are intended to be used for  
15 transportation purposes.

16          (b) *Review of allocation plan for expenditure of federal economic stimulus funds.*

17 The department of transportation shall, for all federal economic stimulus funds in  
18 excess of \$300,000,000, submit to the joint committee on finance by June 15, 2009,  
19 or by the 2nd day after the effective date of this paragraph, whichever is later, an  
20 allocation plan for expenditure of these federal economic stimulus funds. After  
21 receiving the plan, the cochairpersons of the joint committee on finance jointly shall



1 determine whether the plan is complete. If the joint committee on finance meets and  
2 either approves or modifies and approves the plan within 14 days after the  
3 cochairpersons determine that the plan is complete, the department of  
4 transportation may implement the plan as approved by the committee. If the joint  
5 committee on finance does not meet and either approve or modify and approve the  
6 plan within 14 days after the cochairpersons determine that the plan is complete, the  
7 department of transportation may implement the proposed plan.

8 **SECTION 9450. Effective dates; Transportation.**

9 (1) FEDERAL FUNDS REPORTS. The treatment of section 84.03 (2) (a) 1. of the  
10 statutes and SECTION 9150 (1) of this act <sup>✓</sup> takes effect on the day after publication.

11 (END)



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-2008/01

ARG:bjk/wlj/nwn:ph

m  
2/6

Stays (AMR) jld  
Stays

DOA:.....Byrnes - Eliminate requirement for spending plan for additional federal funds

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

A-note

SA -

do not gen.

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

*Analysis by the Legislative Reference Bureau*

**TRANSPORTATION**

**OTHER TRANSPORTATION**

Under current law, the secretary of transportation must annually submit to JCF a plan for adjusting DOT's appropriations to reflect the most recent estimate of federal funds available to DOT if the most recent estimate of federal funds available is more than 5 percent higher or lower than the amounts shown in DOT's federal funds appropriations. The plan is reviewed by JCF under a passive review process. JCF must meet and approve or modify and approve the plan within 14 days or DOT may implement the plan as proposed. If JCF meets and modifies the plan within 14 days, DOT may implement the plan only as modified.

This bill specifies that these requirements do not apply with respect to the first \$300,000,000 of federal economic stimulus funds, intended to be used for transportation purposes, resulting from federal legislation enacted between January 2009 and January 2011 (stimulus funds). The bill also requires DOT to submit to JCF, by a specified date, an allocation plan for expenditure of all stimulus

funds in excess of \$300,000,000 received or expected to be received by the state. This plan is reviewed by JCF under the same passive review process described above.

---

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

1           **SECTION 1.** 84.03 (2) (a) 1. of the statutes is amended to read:

2           84.03 (2) (a) 1. "Amount of federal funds" means the sum of federal revenues  
3 received under the federal Intermodal Surface Transportation Efficiency Act of 1991,  
4 as amended, or under a substantially similar federal legislative act. "Amount of  
5 federal funds" does not include the first \$300,000,000 of federal moneys received by  
6 the state, pursuant to federal legislation enacted during the 111th Congress, for the  
7 purpose of reviving the economy of the United States, which moneys are intended to  
8 be used for transportation purposes.

9           **SECTION 9150. Nonstatutory provisions; Transportation.**

10          (1) REPORT RELATED TO FEDERAL ECONOMIC STIMULUS FUNDS.

11          (a) *Definition.* In this subsection, "federal economic stimulus funds" means  
12 federal moneys received or expected to be received by the state, pursuant to federal  
13 legislation enacted during the 111th Congress, for the purpose of reviving the  
14 economy of the United States, which moneys are intended to be used for  
15 transportation purposes.

16          (b) *Review of allocation plan for expenditure of federal economic stimulus funds.*

17 The department of transportation shall, for all federal economic stimulus funds in  
18 excess of \$300,000,000, submit to the joint committee on finance by June 15, 2009,  
19 or by the 2nd day after the effective date of this paragraph, whichever is later, an  
20 allocation plan for expenditure of these federal economic stimulus funds. After  
21 receiving the plan, the cochairpersons of the joint committee on finance jointly shall

1 determine whether the plan is complete. If the joint committee on finance meets and  
2 either approves or modifies and approves the plan within 14 days after the  
3 cochairpersons determine that the plan is complete, the department of  
4 transportation may implement the plan as approved by the committee. If the joint  
5 committee on finance does not meet and either approve or modify and approve the  
6 plan within 14 days after the cochairpersons determine that the plan is complete, the  
7 department of transportation may implement the proposed plan.

8 **SECTION 9450. Effective dates; Transportation.**

9 (1) FEDERAL FUNDS REPORTS. The treatment of section 84.03 (2) (a) 1. of the  
10 statutes and SECTION 9150 (1) of this act take effect on the day after publication.

11 (END)

D-Note

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

LRB-2008/1dn

ARG:.....

Date

Lbjlc

ATTN: Tyler Byrnes

This draft makes a technical correction by removing the effective date provision, which duplicates the budget adjustment bill's general effective date.

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-2008/1dn  
ARG:bjk:jf

February 6, 2009

ATTN: Tyler Byrnes

This draft makes a technical correction by removing the effective date provision, which duplicates the budget adjustment bill's general effective date.

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



2/6

RMN

DOA:.....Byrnes - Eliminate requirement for spending plan for additional federal funds

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

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

don't gen.

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*Analysis by the Legislative Reference Bureau*

**TRANSPORTATION**

**OTHER TRANSPORTATION**

Under current law, the secretary of transportation must annually submit to JCF a plan for adjusting DOT's appropriations to reflect the most recent estimate of federal funds available to DOT if the most recent estimate of federal funds available is more than 5 percent higher or lower than the amounts shown in DOT's federal funds appropriations. The plan is reviewed by JCF under a passive review process. JCF must meet and approve or modify and approve the plan within 14 days or DOT may implement the plan as proposed. If JCF meets and modifies the plan within 14 days, DOT may implement the plan only as modified.

This bill specifies that these requirements do not apply with respect to the first \$300,000,000 of federal economic stimulus funds, intended to be used for transportation purposes, resulting from federal legislation enacted between January 2009 and January 2011 (stimulus funds). The bill also requires DOT to submit to JCF, by a specified date, an allocation plan for expenditure of all stimulus

Insert ANAC

funds in excess of \$300,000,000 received or expected to be received by the state. This plan is reviewed by JCF under the same passive review process described above.

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6 the state, pursuant to federal legislation enacted during the 111th Congress, for the  
7 purpose of reviving the economy of the United States, which moneys are intended to  
8 be used for transportation purposes.

9           **SECTION 9150. Nonstatutory provisions; Transportation.**

10          (1) REPORT RELATED TO FEDERAL ECONOMIC STIMULUS FUNDS.

11          (a) *Definition.* In this subsection <sup>Insert 2-11</sup> "federal economic stimulus funds" means <sup>92,</sup>  
12 federal moneys received or expected to be received by the state, pursuant to federal  
13 legislation enacted during the 111th Congress, for the purpose of reviving the  
14 economy of the United States, which moneys are intended to be used for  
15 transportation purposes.

16          (b) *Review of allocation plan for expenditure of federal economic stimulus funds.*

17          The department of transportation shall, for all federal economic stimulus funds in  
18 excess of \$300,000,000, submit to the joint committee on finance by June 15, 2009,  
19 or by the 2nd day after the effective date of this paragraph, whichever is later, an  
20 allocation plan for expenditure of these federal economic stimulus funds. After  
21 receiving the plan, the cochairpersons of the joint committee on finance jointly shall



1 determine whether the plan is complete. If the joint committee on finance meets and  
2 either approves or modifies and approves the plan within 14 days after the  
3 cochairpersons determine that the plan is complete, the department of  
4 transportation may implement the plan as approved by the committee. If the joint  
5 committee on finance does not meet and either approve or modify and approve the  
6 plan within 14 days after the cochairpersons determine that the plan is complete, the  
7 department of transportation may implement the proposed plan.

8

(END)

Insert  
3-8

1           **INSERT ANAL:**

> (w/ P) In addition, the Secretary of Transportation must submit to JCF, by a specified date, a list of projects advanced by using the first \$300,000,000 of federal economic stimulus funds received by the state. ✓

2           **INSERT 2-11:**

3           # "Federal economic stimulus bill" means federal legislation enacted during  
4 the 111th Congress, for the purpose of reviving the economy of the United States, that  
5 provides federal moneys to this state, including moneys intended to be used for  
6 transportation purposes. ✓

7

8 auto-letter  
          **INSERT 3-8:**

9 ↓ (c) # (a) *List of projects advanced by federal economic stimulus funds.* The secretary  
10 of transportation shall submit to the joint committee on finance, no later than 14  
11 days after the later of the effective date of this paragraph or the enactment of a  
12 federal economic stimulus bill, a list of projects advanced by using the first  
13 \$300,000,000 of federal economic stimulus funds received under the federal  
14 economic stimulus bill. ✓

15

16

**Gary, Aaron**

---

**From:** Grinde, Kirsten - DOA [kirsten.grinde@wisconsin.gov]  
**Sent:** Monday, February 09, 2009 9:24 AM  
**To:** Gary, Aaron  
**Cc:** Byrnes, Tyler - DOA  
**Subject:** RE: change to LRB 1999/P4

Looks good. Thanks.

---

**From:** Gary, Aaron [mailto:Aaron.Gary@legis.wisconsin.gov]  
**Sent:** Monday, February 09, 2009 9:06 AM  
**To:** Grinde, Kirsten - DOA  
**Cc:** Byrnes, Tyler - DOA  
**Subject:** RE: change to LRB 1999/P4

Kirsten,

Please see change below and let me know if it is ok with you. It is possible that the budget adjustment bill won't be enacted until after the specified deadlines have passed.

Thanks. Aaron

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

---

**From:** Grinde, Kirsten - DOA [mailto:kirsten.grinde@wisconsin.gov]  
**Sent:** Sunday, February 08, 2009 2:32 PM  
**To:** Gary, Aaron  
**Cc:** Hanaman, Cathlene; Kraus, Jennifer - DOA; Byrnes, Tyler - DOA  
**Subject:** change to LRB 1999/P4

Aaron,

Please make the following change to the language on Page 386 of LRB 1999/P4:

Lines 23-25: please change the time frame for submission of the list of projects under the first \$300 million to "no later than March 31, 2009 , 21 working days after the enactment of a federal economic stimulus bill, or the 2nd day after the effective date of this paragraph, whichever is latest."

The intent is to give DOT until March 31 (or later if the federal bill gets delayed) to submit a list of projects, so that they can include local projects on the list. The locals have until St. Patrick's Day to submit project plans to DOT, and then DOT needs time to review them and create a final list.

The section would be part of LRB 09-2008 but the list requirement did not make it into the latest version we received, so I have sent the compiled bill reference.

Thanks,

Kirsten

02/09/2009



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-2008/2 3

ARG:bjk/wlj/nwn/jld:nwn

*(Handwritten initials)*

DOA:.....Byrnes - Eliminate requirement for spending plan for additional federal funds

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

*Don't Gen*

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

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*Analysis by the Legislative Reference Bureau*

**TRANSPORTATION**

**OTHER TRANSPORTATION**

Under current law, the secretary of transportation must annually submit to JCF a plan for adjusting DOT's appropriations to reflect the most recent estimate of federal funds available to DOT if the most recent estimate of federal funds available is more than 5 percent higher or lower than the amounts shown in DOT's federal funds appropriations. The plan is reviewed by JCF under a passive review process. JCF must meet and approve or modify and approve the plan within 14 days or DOT may implement the plan as proposed. If JCF meets and modifies the plan within 14 days, DOT may implement the plan only as modified.

This bill specifies that these requirements do not apply with respect to the first \$300,000,000 of federal economic stimulus funds, intended to be used for transportation purposes, resulting from federal legislation enacted between January 2009 and January 2011 (stimulus funds). The bill also requires DOT to submit to JCF, by a specified date, an allocation plan for expenditure of all stimulus funds in excess of \$300,000,000 received or expected to be received by the state. This plan is reviewed by JCF under the same passive review process described above. In addition, the secretary of transportation must submit to JCF, by a specified date, a

list of projects advanced by using the first \$300,000,000 of federal economic stimulus funds received by the state.

---

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

1           **SECTION 1.** 84.03 (2) (a) 1. of the statutes is amended to read:

2           84.03 (2) (a) 1. "Amount of federal funds" means the sum of federal revenues  
3 received under the federal Intermodal Surface Transportation Efficiency Act of 1991,  
4 as amended, or under a substantially similar federal legislative act. "Amount of  
5 federal funds" does not include the first \$300,000,000 of federal moneys received by  
6 the state, pursuant to federal legislation enacted during the 111th Congress, for the  
7 purpose of reviving the economy of the United States, which moneys are intended to  
8 be used for transportation purposes.

9           **SECTION 9150. Nonstatutory provisions; Transportation.**

10          (1) REPORT RELATED TO FEDERAL ECONOMIC STIMULUS FUNDS.

11          (a) *Definition.* In this subsection:

12           1. "Federal economic stimulus bill" means federal legislation enacted during  
13 the 111th Congress, for the purpose of reviving the economy of the United States, that  
14 provides federal moneys to this state, including moneys intended to be used for  
15 transportation purposes.

16           2. "Federal economic stimulus funds" means federal moneys received or  
17 expected to be received by the state, pursuant to federal legislation enacted during  
18 the 111th Congress, for the purpose of reviving the economy of the United States,  
19 which moneys are intended to be used for transportation purposes.

20          (b) *Review of allocation plan for expenditure of federal economic stimulus funds.*

21          The department of transportation shall, for all federal economic stimulus funds in

1 excess of \$300,000,000, submit to the joint committee on finance by June 15, 2009,  
2 or by the 2nd day after the effective date of this paragraph, whichever is later, an  
3 allocation plan for expenditure of these federal economic stimulus funds. After  
4 receiving the plan, the cochairpersons of the joint committee on finance jointly shall  
5 determine whether the plan is complete. If the joint committee on finance meets and  
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7 cochairpersons determine that the plan is complete, the department of  
8 transportation may implement the plan as approved by the committee. If the joint  
9 committee on finance does not meet and either approve or modify and approve the  
10 plan within 14 days after the cochairpersons determine that the plan is complete, the  
11 department of transportation may implement the proposed plan.

12 (c) *List of projects advanced by federal economic stimulus funds.* The secretary  
13 of transportation shall submit to the joint committee on finance, no later than 14  
14 days after ~~the later of the effective date of this paragraph or~~ the enactment of a  
15 federal economic stimulus bill, a list of projects advanced by using the first  
16 \$300,000,000 of federal economic stimulus funds received under the federal  
17 economic stimulus bill.

18 (END)

March 31, 2009,  
21 working

or the 2nd day after the effective date  
of this paragraph, whichever is latest,

**Gary, Aaron**

---

**From:** Byrnes, Tyler - DOA [Tyler.Byrnes@wisconsin.gov]  
**Sent:** Monday, February 09, 2009 12:20 PM  
**To:** Gary, Aaron  
**Subject:** RE: Draft 2008/1 Eliminate requirement for spending plan for additional federal funds

That is correct.

Can we require the department to submit the plans "as soon as possible" or something along those lines, to indicate urgency, but without putting a deadline on it?

Tyler

---

**From:** Gary, Aaron [mailto:Aaron.Gary@legis.wisconsin.gov]  
**Sent:** Monday, February 09, 2009 12:14 PM  
**To:** Byrnes, Tyler - DOA  
**Cc:** Grinde, Kirsten - DOA  
**Subject:** RE: Draft 2008/1 Eliminate requirement for spending plan for additional federal funds

OK. I am just deleting, at p. 3 of LRB-2008/3 (attached), the language from line 1 "by June ...." to ".....is later" on line 2. DOT cannot submit a plan before it is ready and omitting a deadline means that DOT may submit the plan whenever it has prepared with plan within the biennium.

Aaron

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

---

**From:** Byrnes, Tyler - DOA [mailto:Tyler.Byrnes@wisconsin.gov]  
**Sent:** Monday, February 09, 2009 11:31 AM  
**To:** Gary, Aaron  
**Cc:** Hanaman, Cathlene; Grinde, Kirsten - DOA; Kraus, Jennifer - DOA; Schmiedicke, David P - DOA  
**Subject:** Draft 2008/1 Eliminate requirement for spending plan for additional federal funds

Aaron,

Can you modify the section on allocation of federal stimulus funds in excess of \$300,000,000 to

1. Allow the Department of Transportation to submit spending plans to Joint Finance whenever those plans are ready,
2. Give Joint Finance the ability to passively review the plans for 14 days
3. Remove the June 15<sup>th</sup> requirement.

Thanks,

Tyler

02/09/2009

**Gary, Aaron**

---

**From:** Byrnes, Tyler - DOA [Tyler.Byrnes@wisconsin.gov]  
**Sent:** Monday, February 09, 2009 11:40 AM  
**To:** Gary, Aaron  
**Subject:** Eliminate spending plan requirement

Aaron,

Just for clarification, when I say "passively review", I mean we want the same language about Joint Finance from Page 2, line 20 to Page 3, Line 7.

Again, call if you have questions.

Thanks,

Tyler





State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-2008/44

ARG:bjk/wlj/nwn/jld:ph

Stays

RMR

DOA:.....Byrnes - Eliminate requirement for spending plan for additional federal funds

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

*Do NOT Gen*

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

*Analysis by the Legislative Reference Bureau*

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**OTHER TRANSPORTATION**

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\* This bill specifies that these requirements do not apply with respect to the first \$300,000,000 of federal economic stimulus funds, intended to be used for transportation purposes, resulting from federal legislation enacted between January 2009 and January 2011 (stimulus funds). The bill also requires DOT to submit to JCF, ~~by a specified date,~~ an allocation plan for expenditure of all stimulus funds in excess of \$300,000,000 received or expected to be received by the state. This plan is reviewed by JCF under the same passive review process described above. In addition, the secretary of transportation must submit to JCF, by a specified date, a

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9 committee on finance does not meet and either approve or modify and approve the  
10 plan within 14 days after the cochairpersons determine that the plan is complete, the  
11 department of transportation may implement the proposed plan.

12 (c) *List of projects advanced by federal economic stimulus funds.* No later than  
13 March 31, 2009, 21 working days after the enactment of a federal economic stimulus  
14 bill, or the 2nd day after the effective date of this paragraph, whichever is latest, the  
15 secretary of transportation shall submit to the joint committee on finance a list of  
16 projects advanced by using the first \$300,000,000 of federal economic stimulus funds  
17 received under the federal economic stimulus bill.

18 (END)

The department shall submit  
the plan as soon as possible  
after the plan is ready.

**Gary, Aaron**

---

**From:** Gary, Aaron  
**Sent:** Tuesday, February 10, 2009 9:34 AM  
**To:** Byrnes, Tyler - DOA  
**Cc:** Grinde, Kirsten - DOA  
**Subject:** RE: DOT List of Projects

It sounds like "advanced" means "encumbered." So then if state or federal funds are already encumbered for the project, a new project can be substituted. I'll assume this is OK unless I hear otherwise.

Thanks. Aaron

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

---

**From:** Byrnes, Tyler - DOA [mailto:Tyler.Byrnes@wisconsin.gov]  
**Sent:** Tuesday, February 10, 2009 9:14 AM  
**To:** Gary, Aaron  
**Subject:** RE: DOT List of Projects

Aaron,

Your reading of my intent is correct.

As far as a project being "advanced" it means the project has been authorized to for existing federal funds, and that those federal funds are obligated to the project.

Tyler

---

**From:** Gary, Aaron [mailto:Aaron.Gary@legis.wisconsin.gov]  
**Sent:** Tuesday, February 10, 2009 8:48 AM  
**To:** Byrnes, Tyler - DOA  
**Cc:** Grinde, Kirsten - DOA; Kraus, Jennifer - DOA; Hanaman, Cathlene - LEGIS  
**Subject:** RE: DOT List of Projects

Tyler,

Can you confirm (or correct) the following as your intent:

In LRB-2008/4 (attached), rewrite par. (c) (lines 12-17) so that it says DOT may encumber or expend the first \$300 million of federal economic stimulus funds only for one or more of the projects listed. If DOT has already "advanced" any of the listed projects before receipt of the first \$300 million of federal economic stimulus funds, DOT may substitute a different, unlisted project as a recipient of a portion of the first \$300 million of federal economic stimulus funds.

02/10/2009

Also, I need a clearer description of what you mean by "advanced"? Is it preliminary engineering work commenced? Project let? Construction work begun?

Thanks. Aaron

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

---

**From:** Byrnes, Tyler - DOA [mailto:Tyler.Byrnes@wisconsin.gov]  
**Sent:** Monday, February 09, 2009 5:22 PM  
**To:** Gary, Aaron  
**Cc:** Grinde, Kirsten - DOA; Kraus, Jennifer - DOA; Hanaman, Cathlene  
**Subject:** DOT List of Projects

Aaron,

The intention for the list of projects is they comprise the "first \$300,000,000 of federal moneys received by the state" on page 2 lines 5-6 of draft 2008/4.

We would like non-statutory provisions indicating these projects are the projects the department intends to use first \$300 million of the federal stimulus funds on.

Also, it has been approved by the department of Transportation and the Governor, and that if any of the projects on the list have already been advanced using state funds or existing federal funds, they department may substitute other projects.

Furthermore, we do not want to include the specific dollar amounts for each project.

Thanks,

Tyler

## FACSIMILE COVER MESSAGE

**CONFIDENTIALITY:** This facsimile transmission is intended only for the use of the individual or entity to which it is addressed. It may contain information which is privileged, confidential or exempt from disclosure under applicable law.

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If you received this communication in error, notify the sender immediately by telephone. If required for confidential purposes, the sender will provide instructions for returning the FAX message by U.S. mail.

### THE FACSIMILE MACHINE COPIES ONE SIDE OF DOCUMENT

TO		
Name	<i>Aaron Gary</i>	Facsimile Telephone Number
Location	<i>LRB</i>	Room Number
		Telephone Number
FROM (Sender)		
Name	<i>Tyler Byrnes</i>	Number of Pages Including This Cover Sheet
Location	<b>STATE BUDGET OFFICE 101 EAST WILSON STREET, 10TH FLOOR</b>	Facsimile Telephone Number <b>(608) 267-0372</b>
		Telephone Number

COMMENTS / INSTRUCTIONS

# Highway Projects

SR	DIR	HTY	COUNTY	TITLE	CONCEPT	AMOUNT
1	SW	2009	USH 151	DANE	BACKBONE SUN PRAIRIE BYPASS	
2	SW	2009	IH 094	DANE	BACKBONE MADISON - MILWAUKEE ROAD	\$572,250
3	SW	2009	IH 039	DANE	BACKBONE MADISON - JAMESVILLE ROAD	\$40,170,250
4	SW	2009	IH 039	DANE	BACKBONE MADISON - JAMESVILLE ROAD	\$365,650
5	SW	2009	IH 090	DANE	BACKBONE MADISON - JAMESVILLE ROAD	\$365,100
6	SW	2009	STH 059	JEFFERSON	STATE 3R MAPLE STREET VILLAGE OF PALMYRA	\$391,400
7	SW	2009	STH 059	JEFFERSON	STATE 3R WHITEWATER - PALMYRA ROAD	\$1,520,814
8	SW	2009	STH 059	JEFFERSON	STATE 3R MAPLE STREET VILLAGE OF PALMYRA	\$2,857,037
9	SW	2009	STH 016	LA CROSSE	STATE LOW LA CROSSE-WEST SALEM/MONEGAN C	\$236,879
10	SW	2009	STH 011	ROCK	STATE 3R FOOTVILLE - JAMESVILLE BYPASS	\$702,608
11	SW	2009	USH 012	SAUK	STATE LOW LAKE DELTON - IH 90 ROAD	\$2,968,150
12	SW	2009	STH 082	VERNON	STATE LOW VIROQUA-LAFARGE	\$3,150,000
					DECK REPLACE/B620024 O/LAY/B620020	\$852,324
						\$54,241,662
13	SE	2009	USH 012	WALWORTH	SE REHABIL USH 12	\$4,000,000
14	SE	2009	IH 043	WALWORTH	SE REHABIL ROCK FREEWAY	\$3,000,000
15	SE	2009	USH 045	WASHINGTON	STATE 3R KEWASKUM - EDEN	\$530,000
					B66-86 workshare w/SE Region	\$7,530,000
16	NE	2009	TWN RD	MANITOWOC	LOCAL LOW MEADOW LANE BRIDGE & APPROACHE	\$83,997
17	NE	2009	USH 041	COONTO	BACKBONE SUJAMICO - AGRAMS	\$198,500
18	NE	2009	USH 041	BROWN	BACKBONE GREEN BAY - SUJAMICO	\$377,300
19	NE	2009	USH 045	FOND DU LAC	STATE 3R KEWASKUM - EDEN	\$3,170,000
20	NE	2009	USH 045	FOND DU LAC	STATE 3R KEWASKUM - EDEN	\$3,950,000
21	NE	2009	STH 147	MANITOWOC	STATE LOW MISHICOT - IH 43	\$90,600
22	NE	2009	STH 147	MANITOWOC	STATE 3R MISHICOT - IH 43	\$2,559,400
					BRIDGE P-35-0122 R/W=YES	\$10,424,797
					BRIDGE PAINTING B-42-0019	\$1,242,019
					BRPNT B-5-72 & 73	\$1,700,000
					INTERSECTION IMPROVEMENT	\$1,432,755
					R/W- NO	\$2,727,273
					B-36-109	\$4,363,636
					B-36-109	\$158,000
						\$0
					PREVENTIVE MAINTENANCE	\$742,500
					PREVENTIVE MAINTENANCE	\$714,060
					PAVEMENT REPLACEMENT	\$1,930,600
					PAVEMENT REPLACEMENT	\$15,010,843
					CONST/SHRM	\$0
					PREVENTATIVE MAINTENANCE 9/28/08	\$742,500
					ROMTN PREV. MINTCE. 4/10/08	\$714,060
						\$1,930,600
23	NC	2009	STH 062	LANGLADE	STATE 3R LILY - FOREST COUNTY LINE	\$15,010,843
24	NC	2009	USH 051	LINCOLN	BACKBONE MERRILL - TOMAHAWK	\$3,180,000
25	NC	2009	STH 153	MARATHON	STATE 3R MOSINEE - USH 45	\$3,670,006
26	NC	2009	USH 045	VILAS	STATE 3R EAGLE RIVER - LAND O LAKES	\$2,131,204
27	NC	2009	USH 045	VILAS	STATE 3R EAGLE RIVER - LAND O LAKES	\$2,615,702
28	NC	2009	STH 049	WAUPACA	SAFETY (RE FULTON ST & HILLCREST DR INT. HES	\$1,400,500
29	NC	2009	STH 049	WAUPACA	STATE 3R FULTON ST & HILLCREST DR INT. HES	\$63,481
30	NC	2009	USH 045	WAUPACA	STATE 3R WINCHESTER - NEW LONDON	\$2,650,000
31	NC	2009	STH 013	WOOD	STATE 3R PITTSVILLE - MARSHFIELD	\$3,209,000
32	NC	2009	STH 073	WOOD	STATE 3R PITTSVILLE - NEILLSVILLE	\$4,758,398
						\$393,065
						\$75,502
33	NW	2009	USH 002	ASHLAND	STATE 3R ODANAH - SAXON	\$15,010,843
34	NW	2009	STH 070	BURNETT	STATE 3R SIREN - SPOONER	\$3,180,000
35	NW	2009	STH 064	DUNN	STATE 3R NEW RICHMOND - BLOOMER ROAD	\$3,670,006
36	NW	2009	STH 025	DUNN	STATE 3R MENOMONIE - WHEELER ROAD	\$2,131,204
37	NW	2009	USH 012	EAU CLAIRE	STATE 3R AUGUSTA - FAIRCHILD ROAD	\$2,615,702
38	NW	2009	USH 008	POLK	STATE LOW ST CROIX FALLS - TURTLE LAKE	\$1,400,500
39	NW	2009	USH 008	POLK	STATE 3R ST CROIX FALLS - TURTLE LAKE	\$63,481
40	NW	2009	STH 077	SAWYER	STATE 3R GHOST LAKE - CLAM LAKE ROAD	\$2,650,000
41	NW	2009	STH 064	ST. CROIX	STATE 3R ST CROIX FALLS - TURTLE LAKE	\$3,209,000
42	NW	2009	STH 064	ST. CROIX	SAFETY (RE NEW RICHMOND - CONNORSVILLE ROA	\$4,758,398
43	NW	2009	STH 064	ST. CROIX	STATE 3R NEW RICHMOND - CONNORSVILLE	\$393,065
					CONST/OPS/SAFETY	\$75,502

# Highway Projects

BURTON COUNTY WISCONSIN		TAYLOR STATE 3R MEDFORD - GOODRICH		CONSTR OPS/ROADWAY MAINTENANCE	
44	NW 2009	STH 054			
					\$3,375,000
					\$27,541,938
					\$114,749,242

45	SE 2009	IH094	RACINE	SE FREEWA N-S FREEWAY - CTH G INTERCHANGE	CONSTR/RECONSTRUCT	\$8,251,000
46	SE 2009	IH094	RACINE	SE FREEWA N-S FREEWAY - CTH G INTERCHANGE	CONSTR/RECONSTRUCT	\$6,802,000
47	SE 2009	IH094	RACINE	SE FREEWA N-S FREEWAY - CTH G INTERCHANGE	CONSTR/RECONSTRUCT	\$164,000
48	SE 2009	IH094	RACINE	SE FREEWA N-S FREEWAY - CTH G INTERCHANGE	CONSTR/FENCING	\$10,027,000
49	SE 2009	IH094	KENOSHA	SE FREEWA N-S FREEWAY - CTH E INTERCHANGE	CONSTR/RECONST	\$200,000
50	SE 2009	IH094	KENOSHA	SE FREEWA N-S FREEWAY - CTH E INTERCHANGE	CONSTR/FENCING	\$14,411,000
51	SE 2009	IH094	KENOSHA	SE FREEWA N-S FREEWAY - CTH E INTERCHANGE	CONSTR/RECONST	\$5,037,000
52	SE 2009	IH094	KENOSHA	SE FREEWA N-S FREEWAY - CTH E INTERCHANGE	CONSTR/RECONSTRUCT	\$27,429,000
53	SE 2009	IH094	KENOSHA	SE FREEWA N-S FREEWAY - CTH C INTERCHANGE	CONSTR/RECONST	\$26,544,000
						\$86,865,000

54	NE 2008	IH 043	SHEROYGAN	BACKBONE - PORT WASHINGTON - MANITOWOC	R/W-NO	\$15,900,000
55	NE 2009	IH 043	MANITOWOC	BACKBONE - MANITOWOC - GREEN BAY	PM	\$6,900,000
56	NE 2009	IH 043	MANITOWOC	BACKBONE - MANITOWOC - GREEN BAY	PM	\$6,900,000
57	NE 2009	IH 043	SHEROYGAN	BACKBONE - MILWAUKEE - GREEN BAY ROAD	R/W-N 31 BDO'S &	\$7,816,800
58	NE 2009	USH-41	WINNEBAGO	MAJORS WITZEL AVE. OVERPASS	RECONSTRUCT	\$9,600,000
59	NE 2008	USH-41	WINNEBAGO	MAJORS LAKE BLUTTE DES MORTS CAUSEWAY	RECONSTRUCT	\$15,200,000
60	NE 2009	USH-41	WINNEBAGO	MAJORS FOUNTAIN AVE/SNELL RD OVERPASS	RECONSTRUCT	\$4,300,000
61	NE 2009	USH-41	WINNEBAGO	MAJORS USH 45 & FERNAU AVE/SNELL RD ROUN	RECONSTRUCT	\$3,200,000
						\$69,816,800

62	NC 2008	IH 039	MARATHON	BACKBONE - STEVENS POINT - WAUSAU	PAVEMENT REPLACEMENT	\$12,500,000
63	NC 2009	IH 039	MARATHON	BACKBONE - STEVENS POINT - WAUSAU	RESURFACE	\$4,000,000
						\$16,500,000
						\$183,181,800

						\$114,749,242
						\$183,181,800
						\$287,931,042