

2015 DRAFTING REQUEST

Bill

Received: **9/30/2015** Received By: **zwyatt**
For: **Duey Stroebel (608) 266-7513** Same as LRB: **-3790**
May Contact: By/Representing: **Jake**
Subject: **Transportation - highways** Drafter: **zwyatt**
Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **Sen.Stroebel@legis.wisconsin.gov**
Carbon copy (CC) to: **zachary.wyatt@legis.wisconsin.gov**
aaron.gary@legis.wisconsin.gov
eric.mueller@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Fiscal changes to state highway and local assistance programs

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	zwyatt 11/2/2015	csicilia 10/21/2015	_____	lparisi 10/21/2015		State
/1	zwyatt 11/13/2015	csicilia 11/2/2015	_____	lparisi 11/2/2015		State
/2		csicilia	_____	sbasford	sbasford	State

Vers. Drafted

Reviewed
11/16/2015

Proofed

Submitted
11/16/2015

Jacketed
11/16/2015

Required

FE Sent For:



At
Intro.

<END>

2015 DRAFTING REQUEST

Bill

Received: **9/30/2015** Received By: **zwyatt**
For: **Duey Stroebel (608) 266-7513** Same as LRB: **-3790**
May Contact: By/Representing: **Jake**
Subject: **Transportation - highways** Drafter: **zwyatt**
Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **Sen.Stroebel@legis.wisconsin.gov**
Carbon copy (CC) to: **zachary.wyatt@legis.wisconsin.gov**
aaron.gary@legis.wisconsin.gov
eric.mueller@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Fiscal changes to state highway and local assistance programs

Instructions:

See attached

Please jacket for Senate 2/11

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	zwyatt 11/2/2015	csicilia 10/21/2015	_____	lparisi 10/21/2015		State
/1	zwyatt	csicilia 11/2/2015	_____	lparisi 11/2/2015		State

FE Sent For:

<END>

STATE OF WISCONSIN – LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

Jake, Sen. Stroebel, meeting 10/6 with AI, LRB

Re: 3428/1

- Do Fiscal change for state SEG
- instruct DOT/LFD to change FED accordingly
- establish base for highway mls as \$266,003,300 going into 17-19
- prohibit new DOT contracts for local projects using FED after 6/30/2016

-222

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

Jake, Sen. Strodel, 9/30 meeting

• Decrease state Funding and increase Federal Funding for each in indicated amount:

- state highway rehab \$11M - \$11,300,500
- major highway development \$68,347,100
- SE WI megaproject \$12M

• Decrease Federal Funding and increase state Funding for each in indicated amount:

- local trans Facility improvement \$67,238,000
- local bridge improvement \$24,409,600

-ZJL

viz. Dr. Baker, 9/30

ACT 55

State Highway Program

	2015-16	2016-17
State Highway Rehab.		
SEG	-20,395 (3)(C6)	↓ \$337,991,700
Trans. Revenue Bonds		\$289,302,800
FED	20,395 (3)(C6)	0
Total		↑ \$1,300,500
		↑ 419,132,200
		467,971,100
	\$757,123,900	\$757,273,900

Major Highway Development

SEG	20,395 (3)(C6)	↓ \$62,773,300
Trans. Revenue Bonds		102,363,200
FED	20,395 (3)(C6)	↑ 78,263,500
Total		↑ \$243,400,000
		\$242,473,800

SE Wis. Freeway Megaprojects

SEG	70,395 (3)(C6)	↓ \$21,546,900
Trans. Revenue Bonds		0
FED	20,395 (3)(C6)	↑ 78,053,100
Gen. Ob. Bonds (SEG)		300,000,000
Total		↑ \$399,600,000
		\$15,000,000

Selected Local Assistance Programs

Local Transportation Facility Improvement Assistance

Highway Safety Improvement Program (FED)	20,395 (3)(C6)	↓ \$67,238,000
Surface Transportation Program (SEG)		0
Surface Transportation Program (FED)**	CR 201.395 (3)(C6)	↑ 5,000,000
Total		↓ \$72,238,000
		\$72,238,000

Local Bridge Improvement Assistance

FED	20,395 (3)(C6)	↓ \$24,409,600
SEG	20,395 (3)(C6)	↑ \$8,467,700
Total		↓ \$32,877,300
		\$32,877,300
Total FED Eligible for Transfer***	\$91,647,600	\$91,647,600

	2015-16	2016-17	(+/-)
Budget Request*	\$67,238,000	\$0	-\$67,238,000
	0	67,238,000	67,238,000
	5,000,000	5,000,000	0
	\$72,238,000	\$72,238,000	\$0

\$24,409,600	\$0	\$0	-\$24,409,600
8,467,700	32,877,300	0	24,409,600
\$32,877,300	\$32,877,300	\$0	\$0

*Per our discussion, because DOT's budget request relied on additional SEG revenue, the programs' funding levels shown in the "Budget Request" column are not the actual DOT request amounts, rather they are somewhat conceptually similar to the Department's budget request, given the level of funding provided under 2015 Act 55. For example, DOT's request would have reorganized both the surface transportation and local road improvement programs under a single local program (which is not reflected here). Relative to the local bridge improvement assistance program, DOT would have increased SEG funding by \$1,407,200 SEG in 2016-17 compared to the program funding provided here. Various changes to state highway program funding levels would have occurred as a result of these and other fiscal and programmatic changes that were part of the Department's 2015-17 request.

**DOT indicates that this funding needs to be left in place for the highway safety improvement program (HSIP).

***Total excludes the \$5.0 million FED related to HSIP.

viz Dec-Bal, 10/7 - 3428

Federal-State Funding Swap in Local Program

	Act 55		Proposal					
	FY 16	FY 17	FY 16	FY 17	FY 18	FY 19	FY 20	FY 21
State Highway Program								
State Highway Rehab								
SEG	337,991,700	289,302,800	337,991,700	289,302,800	266,002,300	266,002,300	256,002,300	254,002,300
TRB	0	0	0	0	0	0	0	0
Fed	<u>419,132,200</u>	<u>467,971,100</u>	<u>419,132,200</u>	<u>467,971,100</u>	<u>491,271,600</u>	<u>491,271,600</u>	<u>501,271,600</u>	<u>503,271,600</u>
	757,123,900	757,273,900	757,123,900	757,273,900	757,273,900	757,273,900	757,273,900	757,273,900
Major Highway Development								
SEG	62,773,300	68,347,100	62,773,300	24,347,100	15,000,000	15,000,000	-15,000,000	15,000,000
TRB	102,363,200	66,649,000	102,363,200	66,649,000	66,649,000	66,649,000	66,649,000	66,649,000
Fed	<u>78,263,500</u>	<u>107,477,700</u>	<u>78,263,500</u>	<u>151,477,700</u>	<u>60,824,800</u>	<u>160,824,800</u>	<u>160,824,800</u>	<u>160,824,800</u>
	243,400,000	242,473,800	243,400,000	242,473,800	242,473,800	242,473,800	242,473,800	242,473,800
SE Freeway Megaprojects								
SEG	21,546,900	15,000,000	21,546,900	12,900,000	12,000,000	12,000,000	12,000,000	12,000,000
TRB	0	0	0	0	0	0	0	0
Fed	<u>78,053,100</u>	<u>0</u>	<u>78,053,100</u>	<u>3,000,000</u>	<u>3,000,000</u>	<u>3,000,000</u>	<u>3,000,000</u>	<u>3,000,000</u>
GO Bond	<u>300,000,000</u>	<u>0</u>	<u>300,000,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	399,600,000	15,000,000	399,600,000	15,000,000	15,000,000	15,000,000	15,000,000	15,000,000
Selected Local Assistance Programs								
Local Transportation Facility Improvement								
SEG (currently only LRP appn)	28,033,000	28,033,000	28,033,000	75,033,000	93,271,000	93,271,000	93,271,000	95,271,000
Fed	<u>72,238,000</u>	<u>72,238,000</u>	<u>72,238,000</u>	<u>25,238,000</u>	<u>7,000,000</u>	<u>7,000,000</u>	<u>7,000,000</u>	<u>5,000,000</u>
	100,271,000	100,271,000	100,271,000	100,271,000	100,271,000	100,271,000	100,271,000	100,271,000
Local Bridge								
SEG	8,467,700	8,467,700	8,467,700	8,467,700	22,877,300	22,877,300	32,877,300	32,877,300
Fed	<u>24,409,600</u>	<u>24,409,600</u>	<u>24,409,600</u>	<u>24,409,600</u>	<u>10,000,000</u>	<u>10,000,000</u>	<u>0</u>	<u>0</u>
	32,877,300	32,877,300	32,877,300	32,877,300	32,877,300	32,877,300	32,877,300	32,877,300
Local Program Fed	96,647,600	96,647,600	96,647,600	49,647,600	17,000,000	17,000,000	7,000,000	5,000,000

NOTES:

- The federal appropriations in both the local road and local bridge program cannot be deleted, even if no funding is provided. These are necessary for any federal grant opportunities and any unexpected costs in open projects.
- Federal funding in the local program needs to be "phased out" since local road and bridge projects are scheduled and state municipal agreements are signed a the beginning of a program cycle. Federal funding could be phased out of the local bridge program by FY 20 and nearly out of the local road program by FY 21.
- \$5 million of federal funding needs to remain in the local road program for Highway Safety Improvement Program projects.
- A state-funded appropriation will need to be created for the STP Urban/Rural program.
- All state funding cannot be removed from the highway program. Some activities are not federally eligible and would not be appropriate for bonding. At least \$15 million needs to stay in Majors and \$12 million in SE Megaprojects based on FY 17 funding amounts.
- Highway program funding scenario for FY 18-FY 21 is just one example of how the program could be funded at the FY 17 base amount. It assumes no additional bonding from FY 17 levels. The SE Mega program will need more than \$15 million in future biennia. This will need to come from additional revenue or additional bonding.

ORGANES

↓ ↑ ↓ ↑ ↓ ↑

↓ ↑ ↓ ↑ ↓ ↑

↓ ↑ ↓ ↑ ↓ ↑

↓ ↑ ↓ ↑ ↓ ↑

↓ ↑ ↓ ↑ ↓ ↑

(2)(29) (2)(29) (2)(29) (2)(29) (2)(29) (2)(29) (2)(29) (2)(29)

(3)(29) (3)(29) (3)(29) (3)(29) (3)(29) (3)(29) (3)(29) (3)(29)

(3)(29) (3)(29) (3)(29) (3)(29) (3)(29) (3)(29) (3)(29) (3)(29)

(3)(29) (3)(29) (3)(29) (3)(29) (3)(29) (3)(29) (3)(29) (3)(29)

(2)(29) (2)(29) (2)(29) (2)(29) (2)(29) (2)(29) (2)(29) (2)(29)

Act 55

LRB-3428

	2015-16	2016-17	2016-17	2017-18	2018-19	2019-20	2020-21
State highway rehab							
SEG 20.395 (3) (cq)	\$337,991,700	\$289,302,800	\$289,302,800	\$266,002,300	\$266,002,300	\$256,002,300	\$254,002,300
FED 20.395 (3) (cx)	\$419,132,200	\$467,971,100	\$467,971,100	\$491,271,600	\$491,271,600	\$501,271,600	\$503,271,600
Major highway dev.							
SEG 20.395 (3) (bq)	\$62,773,300	\$68,347,100	\$24,347,100	\$15,000,000	\$15,000,000	\$15,000,000	\$15,000,000
FED 20.395 (3) (bx)	\$78,263,500	\$107,477,700	\$151,477,700	\$160,824,800	\$160,824,800	\$160,824,800	\$160,824,800
SE freeway megas							
SEG 20.395 (3)(aq)	\$21,546,900	\$15,000,000	\$12,000,000	\$12,000,000	\$12,000,000	\$12,000,000	\$12,000,000
FED 20.395 (3) (ax)	\$78,053,100	\$0	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000
Total SEG transfer			\$47,000,000 ✓	\$79,647,600 ✓	\$79,647,600 ✓	\$89,647,600 ✓	\$91,647,600 ✓
Total FED receipt			\$47,000,000 ✓	\$79,647,600 ✓	\$79,647,600 ✓	\$89,647,600 ✓	\$91,647,600 ✓
Local trans. fac. imp.							
SEG 20.395 (2) (fq)	\$28,033,000	\$28,033,000	\$75,033,000	\$93,271,000	\$93,271,000	\$93,271,000	\$95,271,000
FED 20.395 (2) (fx)	\$72,238,000	\$72,238,000	\$25,238,000	\$7,000,000	\$7,000,000	\$7,000,000	\$5,000,000
Local bridge							
SEG 20.395 (2) (eq)	\$8,467,700	\$8,467,700	\$8,467,700	\$22,877,300	\$22,877,300	\$32,877,300	\$32,877,300
FED 20.395 (2) (ex)	\$24,409,600	\$24,409,600	\$24,409,600	\$10,000,000	\$10,000,000	\$0	\$0
Total SEG receipt			\$47,000,000 ✓	\$79,647,600 ✓	\$79,647,600 ✓	\$89,647,600 ✓	\$91,647,600 ✓
Total FED transfer			\$47,000,000 ✓	\$79,647,600 ✓	\$79,647,600 ✓	\$89,647,600 ✓	\$91,647,600 ✓

Act 55 LRB-3428

84.54

Transfers 2016-17 2016-17 2017-18 2018-19 2019-20 2020-21

(3) SEG 20.395 (3)(aq) \$15,000,000 \$3,000,000 \$3,000,000 \$3,000,000 \$3,000,000 \$3,000,000
 to 20.395 (3) (fq) ✓ \$3,000,000
 (4) SEG 20.395 (3)(bq) \$68,347,100 \$44,000,000 \$53,347,100 \$53,347,100 \$53,347,100 \$53,347,100
 to 20.395 (3) (fq) ✓ \$44,000,000
 (5) SEG 20.395 (3)(cq) \$289,302,800 \$0 \$23,300,500 \$23,300,500 \$33,300,500 \$35,300,500
 to 20.395 (3) (fq) ✓ \$8,890,900
 to 20.395 (3) (eq) ✓ \$14,409,600 \$24,409,600
 ← These amounts to (fg)

Total SEG transfer \$47,000,000 \$79,647,600 \$89,647,600 \$91,647,600

(1) FED 20.395 (2) (ex) \$24,409,600 \$0 \$14,409,600 \$14,409,600 \$24,409,600 \$24,409,600
 to 20.395 (3) (cx) ✓ \$0
 (2) FED 20.395 (2) (fx) \$72,238,000 \$47,000,000 \$65,238,000 \$65,238,000 \$65,238,000 \$67,238,000
 to 20.395 (3) (bx) ✓ \$44,000,000
 to 20.395 (3) (ax) ✓ \$3,000,000
 to 20.395 (3) (cx) ✓ \$8,890,900 \$10,890,900

Total FED transfer \$47,000,000 \$79,647,600 \$89,647,600 \$91,647,600

Receipts

FED 20.395 (3)(ax) \$0 \$3,000,000 \$3,000,000 \$3,000,000 \$3,000,000 \$3,000,000
 FED 20.395 (3)(bx) \$107,477,700 \$44,000,000 \$53,347,100 \$53,347,100 \$53,347,100 \$53,347,100
 FED 20.395 (3)(cx) \$467,971,100 \$0 \$23,300,500 \$23,300,500 \$33,300,500 \$35,300,500

Total FED receipts \$47,000,000 \$79,647,600 \$89,647,600 \$91,647,600

SEG 20.395 (2) (eq) \$8,467,700 \$0 \$14,409,600 \$14,409,600 \$24,409,600 \$24,409,600
 SEG 20.395 (2) (fq) \$28,033,000 \$47,000,000 \$65,238,000 \$65,238,000 \$65,238,000 \$67,238,000
 Total SEG receipts \$47,000,000 \$79,647,600 \$89,647,600 \$91,647,600



DELETE *INSERT*

gjs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

and making an appropriation

Go Cat

1 **AN ACT** ...; **relating to:** funding for the Department of Transportation.

Analysis by the Legislative Reference Bureau

an

This bill requires the Department of Transportation (DOT) to transfer state moneys currently in appropriation accounts for specified state highway programs to appropriation accounts for specified local transportation assistance programs. This bill also requires DOT to transfer an equal amount of federal moneys currently in appropriation accounts for local transportation assistance programs to appropriation accounts for specified state highway programs.

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:

as affected by 2015 Wisconsin Act 55

2

SECTION 1. 20.395 (2) (eq) of the statutes is amended to read:

3

20.395 (2) (eq) *Highway and local bridge improvement assistance, state funds.*

4

As a continuing appropriation, the amounts in the schedule for bridge development,

5

construction, and rehabilitation under s. 84.18, for the development and

6

construction of bridges under ss. 84.12 and 84.17, for payments to local units of

All moneys transferred ... shall be credited ... SECTION 1

1 government for jurisdictional transfers under s. 84.16, for the improvement of the
2 state trunk highway system under 1985 Wisconsin Act 341, section 6 (1), to provide
3 for the payments specified under 2001 Wisconsin Act 16, section 9152 (3d), and for
4 the payment required under 2015 Wisconsin Act 55, section 9145 (3f) and all moneys
5 transferred under s. 84.54 (5).

History: 1971 c. 40 s. 93; 1971 c. 42, 107; 1971 c. 125 ss. 122 to 137, 522 (1); 1971 c. 197, 211, 215, 307; 1973 c. 90, 142, 243, 333, 336; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 200, 224, 270, 288, 340, 422; 1977 c. 29, 377, 418; 1979 c. 34 ss. 322e to 420, 574, 575; 1979 c. 221; 1981 c. 20 ss. 238 to 300, 2202 (51) (c), (e); 1981 c. 165, 234; 1981 c. 314 s. 146; 1981 c. 347 s. 80; 1981 c. 362; 1983 a. 27 ss. 270g to 315, 2202 (20); 1983 a. 243; 1985 a. 29 ss. 357 to 402, 3202 (51) (a); 1985 a. 65, 76, 341; 1987 a. 27, 137, 349, 369, 399, 403; 1989 a. 31, 56; 1991 a. 39, 104, 239, 269; 1993 a. 16, 285, 354, 437; 1995 a. 27, 113, 201, 338, 445; 1997 a. 27, 35, 135, 237, 255; 1999 a. 9, 109, 146, 167, 185; 2001 a. 16, 104, 109; 2003 a. 33, 64, 139, 220, 320; 2005 a. 25, 319, 335; 2007 a. 20, 42; 2009 a. 28, 224, 226, 276; 2011 a. 32, 257; 2011 a. 260 s. 80; 2013 a. 20, 49, 125, 165, 266; 2015 a. 55; s. 13.92 (1) (bm) 2.

6 SECTION 2. 20.395 (2) (ex) of the statutes is amended to read:

7 20.395 (2) (ex) *Local bridge improvement assistance, federal funds.* All moneys
8 received from the federal government for improving bridges under ss. 84.12, 84.17
9 and 84.18, and to make the transfers under s. 84.54 (1) for such purposes.

History: 1971 c. 40 s. 93; 1971 c. 42, 107; 1971 c. 125 ss. 122 to 137, 522 (1); 1971 c. 197, 211, 215, 307; 1973 c. 90, 142, 243, 333, 336; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 200, 224, 270, 288, 340, 422; 1977 c. 29, 377, 418; 1979 c. 34 ss. 322e to 420, 574, 575; 1979 c. 221; 1981 c. 20 ss. 238 to 300, 2202 (51) (c), (e); 1981 c. 165, 234; 1981 c. 314 s. 146; 1981 c. 347 s. 80; 1981 c. 362; 1983 a. 27 ss. 270g to 315, 2202 (20); 1983 a. 243; 1985 a. 29 ss. 357 to 402, 3202 (51) (a); 1985 a. 65, 76, 341; 1987 a. 27, 137, 349, 369, 399, 403; 1989 a. 31, 56; 1991 a. 39, 104, 239, 269; 1993 a. 16, 285, 354, 437; 1995 a. 27, 113, 201, 338, 445; 1997 a. 27, 35, 135, 237, 255; 1999 a. 9, 109, 146, 167, 185; 2001 a. 16, 104, 109; 2003 a. 33, 64, 139, 220, 320; 2005 a. 25, 319, 335; 2007 a. 20, 42; 2009 a. 28, 224, 226, 276; 2011 a. 32, 257; 2011 a. 260 s. 80; 2013 a. 20, 49, 125, 165, 266; 2015 a. 55; s. 13.92 (1) (bm) 2.

10 SECTION 3. 20.395 (2) (fq) of the statutes is created to read:

11 fq 20.395 (2) (fw) ^{highway, bridge, and} *Local transportation facility improvement assistance, state*
12 *funds.* All moneys transferred under s. 84.54 (3) to (5) for providing public access
13 roads to navigable waters and for the purposes of ss. 84.27 and 84.28 and for
14 improving transportation facilities, including facilities funded under applicable
15 federal acts or programs, that are not state trunk or connecting highways.

INS 2-15

16 SECTION 4. 20.395 (2) (fx) of the statutes is amended to read:

17 20.395 (2) (fx) *Local transportation facility improvement assistance, federal*
18 *funds.* All moneys received from the federal government for providing public access
19 roads to navigable waters and for the purposes of ss. 84.27 and 84.28 and for
20 improving transportation facilities, including facilities funded under applicable

1 federal acts or programs, that are not state trunk or connecting highways, and to
 2 make the transfers under s. 84.54 (2) for such purposes.

History: 1971 c. 40 s. 93; 1971 c. 42, 107; 1971 c. 125 ss. 122 to 137, 522 (1); 1971 c. 197, 211, 215, 307; 1973 c. 90, 142, 243, 333, 336; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 200, 224, 270, 288, 340, 422; 1977 c. 29, 377, 418; 1979 c. 34 ss. 322e to 420, 574, 575; 1979 c. 221; 1981 c. 20 ss. 238 to 300, 2202 (51) (c), (e); 1981 c. 165, 234; 1981 c. 314 s. 146; 1981 c. 347 s. 80; 1981 c. 362; 1983 a. 27 ss. 270g to 315, 2202 (20); 1983 a. 243; 1985 a. 29 ss. 357 to 402, 3202 (51) (a); 1985 a. 65, 76, 341; 1987 a. 27, 137, 349, 369, 399, 403; 1989 a. 31, 56; 1991 a. 39, 104, 239, 269; 1993 a. 16, 285, 354, 437; 1995 a. 27, 113, 201, 338, 445; 1997 a. 27, 35, 135, 237, 255; 1999 a. 9, 109, 146, 167, 185; 2001 a. 16, 104, 109; 2003 a. 33, 64, 139, 220, 320; 2005 a. 25, 319, 335; 2007 a. 20, 42; 2009 a. 28, 224, 226, 276; 2011 a. 32, 257; 2011 a. 260 s. 80; 2013 a. 20, 49, 125, 165, 266; 2015 a. 55; s. 13.92 (1) (bm) 2.

3

4 **SECTION 5.** 20.395 (3) (aq) of the statutes is amended to read:

5 20.395 (3) (aq) *Southeast Wisconsin freeway megaprojects, state funds.* As a
 6 continuing appropriation, the amounts in the schedule for southeast Wisconsin
 7 freeway megaprojects under s. 84.0145 and for the purpose specified in s. 84.017 (3),
 8 and to make the transfers under s. 84.54 (3). This paragraph does not apply to the
 9 installation, replacement, rehabilitation, or maintenance of highway signs, traffic
 10 control signals, highway lighting, pavement markings, or intelligent transportation
 11 systems, unless incidental to a southeast Wisconsin freeway megaproject.

History: 1971 c. 40 s. 93; 1971 c. 42, 107; 1971 c. 125 ss. 122 to 137, 522 (1); 1971 c. 197, 211, 215, 307; 1973 c. 90, 142, 243, 333, 336; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 200, 224, 270, 288, 340, 422; 1977 c. 29, 377, 418; 1979 c. 34 ss. 322e to 420, 574, 575; 1979 c. 221; 1981 c. 20 ss. 238 to 300, 2202 (51) (c), (e); 1981 c. 165, 234; 1981 c. 314 s. 146; 1981 c. 347 s. 80; 1981 c. 362; 1983 a. 27 ss. 270g to 315, 2202 (20); 1983 a. 243; 1985 a. 29 ss. 357 to 402, 3202 (51) (a); 1985 a. 65, 76, 341; 1987 a. 27, 137, 349, 369, 399, 403; 1989 a. 31, 56; 1991 a. 39, 104, 239, 269; 1993 a. 16, 285, 354, 437; 1995 a. 27, 113, 201, 338, 445; 1997 a. 27, 35, 135, 237, 255; 1999 a. 9, 109, 146, 167, 185; 2001 a. 16, 104, 109; 2003 a. 33, 64, 139, 220, 320; 2005 a. 25, 319, 335; 2007 a. 20, 42; 2009 a. 28, 224, 226, 276; 2011 a. 32, 257; 2011 a. 260 s. 80; 2013 a. 20, 49, 125, 165, 266; 2015 a. 55; s. 13.92 (1) (bm) 2.

12 **SECTION 6.** 20.395 (3) (ax) of the statutes is amended to read:

13 20.395 (3) (ax) *Southeast Wisconsin freeway megaprojects, federal funds.* All
 14 moneys received from the federal government for southeast Wisconsin freeway
 15 megaprojects under s. 84.0145 and for the purpose specified in s. 84.017 (3), and all
 16 moneys transferred under 84.54 (2), for such purposes. This paragraph does not
 17 apply to the installation, replacement, rehabilitation, or maintenance of highway
 18 signs, traffic control signals, highway lighting, pavement markings, or intelligent
 19 transportation systems, unless incidental to a southeast Wisconsin freeway
 20 megaproject.

History: 1971 c. 40 s. 93; 1971 c. 42, 107; 1971 c. 125 ss. 122 to 137, 522 (1); 1971 c. 197, 211, 215, 307; 1973 c. 90, 142, 243, 333, 336; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 200, 224, 270, 288, 340, 422; 1977 c. 29, 377, 418; 1979 c. 34 ss. 322e to 420, 574, 575; 1979 c. 221; 1981 c. 20 ss. 238 to 300, 2202 (51) (c), (e); 1981 c. 165, 234; 1981 c. 314 s. 146; 1981 c. 347 s. 80; 1981 c. 362; 1983 a. 27 ss. 270g to 315, 2202 (20); 1983 a. 243; 1985 a. 29 ss. 357 to 402, 3202 (51) (a); 1985 a. 65, 76, 341; 1987 a. 27, 137, 349, 369, 399, 403; 1989 a. 31, 56; 1991 a. 39, 104, 239, 269; 1993 a. 16, 285, 354, 437; 1995 a. 27, 113, 201, 338, 445; 1997 a. 27, 35, 135, 237, 255; 1999 a. 9, 109, 146,

as affected by 2013 Wisconsin Act 20, sections 318

SECTION 6

167, 185; 2001 a. 16, 104, 109; 2003 a. 33, 64, 139, 220, 320; 2005 a. 25, 319, 335; 2007 a. 20, 42; 2009 a. 28, 224, 226, 276; 2011 a. 32, 257; 2011 a. 260 s. 80; 2013 a. 20, 49, 125, 165, 266; 2015 a. 55; s. 13.92 (1) (bm) 2.

1 **SECTION 7.** 20.395 (3) (bq) of the statutes is amended to read:

2 20.395 (3) (bq) *Major highway development, state funds.* As a continuing
3 appropriation, the amounts in the schedule for major development of state trunk and
4 connecting highways, for the disadvantaged business demonstration and training
5 program under s. 84.076, and ^{for} for the purpose specified in s. 84.017 (3), and to make
6 the transfers under s. 84.54 (4). This paragraph does not apply with respect to any
7 southeast Wisconsin freeway megaproject under s. 84.0145.

History: 1971 c. 40 s. 93; 1971 c. 42, 107; 1971 c. 125 ss. 122 to 137, 522 (1); 1971 c. 197, 211, 215, 307; 1973 c. 90, 142, 243, 333, 336; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 200, 224, 270, 288, 340, 422; 1977 c. 29, 377, 418; 1979 c. 34 ss. 322e to 420, 574, 575; 1979 c. 221; 1981 c. 20 ss. 238 to 300, 2202 (51) (c), (e); 1981 c. 165, 234; 1981 c. 314 s. 146; 1981 c. 347 s. 80; 1981 c. 362; 1983 a. 27 ss. 270g to 315, 2202 (20); 1983 a. 243; 1985 a. 29 ss. 357 to 402, 3202 (51) (a); 1985 a. 65, 76, 341; 1987 a. 27, 137, 349, 369, 399, 403; 1989 a. 31, 56; 1991 a. 39, 104, 239, 269; 1993 a. 16, 285, 354, 437; 1995 a. 27, 113, 201, 338, 445; 1997 a. 27, 35, 135, 237, 255; 1999 a. 9, 109, 146, 167, 185; 2001 a. 16, 104, 109; 2003 a. 33, 64, 139, 220, 320; 2005 a. 25, 319, 335; 2007 a. 20, 42; 2009 a. 28, 224, 226, 276; 2011 a. 32, 257; 2011 a. 260 s. 80; 2013 a. 20, 49, 125, 165, 266; 2015 a. 55; s. 13.92 (1) (bm) 2.

8 **SECTION 8.** 20.395 (3) (bx) of the statutes is amended to read:

9 20.395 (3) (bx) *Major highway development, federal funds.* All moneys received
10 from the federal government for major development of state trunk and connecting
11 highways, the disadvantaged business demonstration and training program under
12 s. 84.076, and for the purpose specified in s. 84.017 (3), and all moneys transferred
13 under s. 84.54 (2), for such purposes. This paragraph does not apply with respect to
14 any southeast Wisconsin freeway megaproject under s. 84.0145.

History: 1971 c. 40 s. 93; 1971 c. 42, 107; 1971 c. 125 ss. 122 to 137, 522 (1); 1971 c. 197, 211, 215, 307; 1973 c. 90, 142, 243, 333, 336; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 200, 224, 270, 288, 340, 422; 1977 c. 29, 377, 418; 1979 c. 34 ss. 322e to 420, 574, 575; 1979 c. 221; 1981 c. 20 ss. 238 to 300, 2202 (51) (c), (e); 1981 c. 165, 234; 1981 c. 314 s. 146; 1981 c. 347 s. 80; 1981 c. 362; 1983 a. 27 ss. 270g to 315, 2202 (20); 1983 a. 243; 1985 a. 29 ss. 357 to 402, 3202 (51) (a); 1985 a. 65, 76, 341; 1987 a. 27, 137, 349, 369, 399, 403; 1989 a. 31, 56; 1991 a. 39, 104, 239, 269; 1993 a. 16, 285, 354, 437; 1995 a. 27, 113, 201, 338, 445; 1997 a. 27, 35, 135, 237, 255; 1999 a. 9, 109, 146, 167, 185; 2001 a. 16, 104, 109; 2003 a. 33, 64, 139, 220, 320; 2005 a. 25, 319, 335; 2007 a. 20, 42; 2009 a. 28, 224, 226, 276; 2011 a. 32, 257; 2011 a. 260 s. 80; 2013 a. 20, 49, 125, 165, 266; 2015 a. 55; s. 13.92 (1) (bm) 2.

15 **SECTION 9.** 20.395 (3) (cq) of the statutes is amended to read:

16 20.395 (3) (cq) *State highway rehabilitation, state funds.* As a continuing
17 appropriation, the amounts in the schedule for improvement of existing state trunk
18 and connecting highways; for improvement of bridges on state trunk or connecting
19 highways and other bridges for which improvement is a state responsibility, for
20 necessary approach work for such bridges and for replacement of such bridges with
21 at-grade crossing improvements; for the construction and rehabilitation of the

1 national system of interstate and defense highways and bridges and related
2 appurtenances; for activities under s. 84.04 on roadside improvements; for bridges
3 under s. 84.10; for the bridge project under s. 84.115; for payment to a local unit of
4 government for a jurisdictional transfer under s. 84.02 (8); for the disadvantaged
5 business demonstration and training program under s. 84.076; for the purpose
6 specified in s. 84.017 (3); for the transfers required under 1999 Wisconsin Act 9,
7 section 9250 (1) and 2003 Wisconsin Act 33, section 9153 (4q); and for the purposes
8 described under 1999 Wisconsin Act 9, section 9150 (8g), 2001 Wisconsin Act 16,
9 section 9152 (4e), and 2007 Wisconsin Act 20, section 9148 (9i) (b) and (9x), and to
10 make the transfers under s. 84.54 (5). This paragraph does not apply to any
11 southeast Wisconsin freeway megaprojects under s. 84.0145, to any southeast
12 Wisconsin freeway rehabilitation projects under s. 84.014 that also qualify as major
13 highway projects under s. 84.013, or to the installation, replacement, rehabilitation,
14 or maintenance of highway signs, traffic control signals, highway lighting, pavement
15 markings, or intelligent transportation systems, unless incidental to the
16 improvement of existing state trunk and connecting highways.

History: 1971 c. 40 s. 93; 1971 c. 42, 107; 1971 c. 125 ss. 122 to 137, 522 (1); 1971 c. 197, 211, 215, 307; 1973 c. 90, 142, 243, 333, 336; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 200, 224, 270, 288, 340, 422; 1977 c. 29, 377, 418; 1979 c. 34 ss. 322e to 420, 574, 575; 1979 c. 221; 1981 c. 20 ss. 238 to 300, 2202 (51) (c), (e); 1981 c. 165, 234; 1981 c. 314 s. 146; 1981 c. 347 s. 80; 1981 c. 362; 1983 a. 27 ss. 270g to 315, 2202 (20); 1983 a. 243; 1985 a. 29 ss. 357 to 402, 3202 (51) (a); 1985 a. 65, 76, 341; 1987 a. 27, 137, 349, 369, 399, 403; 1989 a. 31, 56; 1991 a. 39, 104, 239, 269; 1993 a. 16, 285, 354, 437; 1995 a. 27, 113, 201, 338, 445; 1997 a. 27, 35, 135, 237, 255; 1999 a. 9, 109, 146, 167, 185; 2001 a. 16, 104, 109; 2003 a. 33, 64, 139, 220, 320; 2005 a. 25, 319, 335; 2007 a. 20, 42; 2009 a. 28, 224, 226, 276; 2011 a. 32, 257; 2011 a. 260 s. 80; 2013 a. 20, 49, 125, 165, 266; 2015 a. 55; s. 13.92 (1) (bm) 2.

17 **SECTION 10.** 20.395 (3) (cx) of the statutes is amended to read:

18 20.395 (3) (cx) *State highway rehabilitation, federal funds.* All moneys
19 received from the federal government for improvement of existing state trunk and
20 connecting highways; for improvement of bridges on state trunk or connecting
21 highways and other bridges for which improvement is a state responsibility, for
22 necessary approach work for such bridges and for replacement of such bridges with
23 at-grade crossing improvements; for the construction and rehabilitation of the

1 national system of interstate and defense highways and bridges and related
 2 appurtenances; for activities under s. 84.04 on roadside improvements; for the bridge
 3 project under s. 84.115; for the purpose specified in s. 84.017 (3); and for the
 4 disadvantaged business demonstration and training program under s. 84.076; and
 5 all moneys received under 2003 Wisconsin Act 33, section 9153 (4q); and all moneys
 6 transferred under s. 84.54 (1) and (2), for such purposes. This paragraph does not
 7 apply to any southeast Wisconsin freeway megaprojects under s. 84.0145 or to any
 8 southeast Wisconsin freeway rehabilitation projects under s. 84.014 that also qualify
 9 as major highway projects under s. 84.013.

History: 1971 c. 40 s. 93; 1971 c. 42, 107; 1971 c. 125 ss. 122 to 137, 522 (1); 1971 c. 197, 211, 215, 307; 1973 c. 90, 142, 243, 333, 336; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 200, 224, 270, 288, 340, 422; 1977 c. 29, 377, 418; 1979 c. 34 ss. 322e to 420, 574, 575; 1979 c. 221; 1981 c. 20 ss. 238 to 300, 2202 (51) (c), (e); 1981 c. 165, 234; 1981 c. 314 s. 146; 1981 c. 347 s. 80; 1981 c. 362; 1983 a. 27 ss. 270g to 315, 2202 (20); 1983 a. 243; 1985 a. 29 ss. 357 to 402, 3202 (51) (a); 1985 a. 65, 76, 341; 1987 a. 27, 137, 349, 369, 399, 403; 1989 a. 31, 56; 1991 a. 39, 104, 239, 269; 1993 a. 16, 285, 354, 437; 1995 a. 27, 113, 201, 338, 445; 1997 a. 27, 35, 135, 237, 255; 1999 a. 9, 109, 146, 167, 185; 2001 a. 16, 104, 109; 2003 a. 33, 64, 139, 220, 320; 2005 a. 25, 319, 335; 2007 a. 20, 42; 2009 a. 28, 224, 226, 276; 2011 a. 32, 257; 2011 a. 260 s. 80; 2013 a. 20, 49, 125, 165, 266; 2015 a. 55; s. 13.92 (1) (bm) 2.

10 **SECTION 11.** 84.54 of the statutes is created to read:

11 **84.54 Transfers of state and federal funding.**

12 (1) From the appropriation account under s. 20.395 (2) (ex), the department
 13 shall transfer to the appropriation account under s. 20.395 (3) (cx) \$14,409,600 in
 14 fiscal year 2017-18, \$14,409,600 in fiscal year 2018-19, \$24,409,600 in fiscal year
 15 2019-20, and \$24,409,000 in fiscal year 2020-21.

16 (2) From the appropriation account under s. 20.395 (2) (fx), the department
 17 shall transfer to the appropriation account under s. 20.395 (3) (ax) \$3,000,000 in each
 18 fiscal year, to the appropriation account under s. 20.395 (3) (bx) \$44,000,000 in fiscal
 19 year 2016-2017, \$53,347,100 in fiscal year 2017-18, \$53,347,100 in fiscal year
 20 2018-19, \$53,347,100 in fiscal year 2019-20, and \$53,347,100 in fiscal year 2020-21,
 21 and to the appropriation account under s. 20.395 (3) (cx) \$8,890,900 in fiscal year
 22 2017-18, \$8,890,900 in fiscal year 2018-19, \$8,890,900 in fiscal year 2019-20, and
 23 \$10,890,900 in fiscal year 2020-21.

years 2016-17, 2017-18, 2018-19,
 2019-20, and 2020-21

1 (3) From the appropriation account under s. 20.395 (3) (aq), the department
 2 shall transfer to the appropriation account under s. 20.395 (2) (fq) \$3,000,000 in each
 3 of fiscal year. *e years 2016-17, 2017-18, 2018-19, 2019-20,*
and 2020-21

4 (4) From the appropriation account under s. 20.395 (3) (bq), the department
 5 shall transfer to the appropriation account under s. 20.395 (2) (fq) \$44,000,000 in
 6 fiscal year 2016-17, \$53,347,100 in fiscal year 2017-18, \$53,347,100 in fiscal year
 7 2018-19, \$53,347,100 in fiscal year 2019-20, and \$53,347,100 in fiscal year 2020-21.

8 (5) From the appropriation account under s. 20.395 (3) (cq), the department
 9 shall transfer to the appropriation account under s. 20.395 (2) (eq) \$14,409,600 in
 10 fiscal year 2017-18, \$14,409,600 in fiscal year 2018-19, \$24,409,600 in fiscal year
 11 2019-20, and \$24,409,600 in fiscal year 2020-21, and to the appropriation account
 12 under s. 20.395 (2) (fq) ⁹ ~~\$8,890,900~~ ^{\$23,300,500} in fiscal year 2017-18, ⁷ ~~\$8,890,900~~ ^{\$23,300,500} in fiscal year
 13 2018-19, ⁹ ~~\$8,890,900~~ ^{\$33,300,500} in fiscal year 2019-20, and ⁹ ~~\$10,890,000~~ ^{\$35,300,500} in fiscal year 2020-21.

(END)

d-note

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

LRB-3428/P1dn

ZDW:./.

gs

date

ATTN: Jake Curtis

In discussing this draft, the movement of moneys was framed as “swapping” money between federal and state appropriations. As federal and state moneys cannot be comingled, this draft requires DOT to transfer moneys from federal and state appropriations to appropriations of the same type. Please review the language requiring those transfers carefully to ensure that the total moneys transferred are consistent with your intent.

required by this draft
This draft creates an appropriation, s. 20.395 (2) (fq), to receive ^g ~~a~~ ^{all} (transfer) ^f of state funds. The language setting out the purpose of the appropriation mirrors the language of the companion federal appropriation, s. 20.395 (2) (fx). Please review that language to ensure that it is consistent with your intent.

Let me know if you have any questions or require changes to the draft.

Zachary Wyatt
Legislative Attorney
(608) 267-3362
zachary.wyatt@legis.wisconsin.gov

and the state appropriation under s. 20.395(2)(eq)

**2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3428/P1ins
ZDW:cjs

1 **INS 2-15**

2 and for bridge development, construction, and rehabilitation under s. 84.18, for
3 the development and construction of bridges under ss. 84.12 and 84.17, for payments
4 to local units of government for jurisdictional transfers under s. 84.16, for the
5 improvement of the state trunk highway system under 1985 Wisconsin Act 341,
6 section 6 (1), to provide for the payments specified under 2001 Wisconsin Act 16,
7 section 9152 (3d), and for the payment required under 2015 Wisconsin Act 55, section
8 9145 (3f).

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

LRB-3428/P1dn
ZDW:cjs

October 21, 2015

ATTN: Jake Curtis

In discussing this draft, the movement of moneys was framed as “swapping” money between federal and state appropriations. As federal and state moneys cannot be comingled, this draft requires DOT to transfer moneys from federal and state appropriations to appropriations of the same type. Please review the language requiring those transfers carefully to ensure that the total moneys transferred are consistent with your intent.

This draft creates an appropriation, s. 20.395 (2) (fq), to receive all transfers of state funds required by this draft. The language setting out the purpose of the appropriation mirrors the language of the companion federal appropriation, s. 20.395 (2) (fx), and the state appropriation under s. 20.395 (2) (eq). Please review that language to ensure that it is consistent with your intent.

Let me know if you have any questions or require changes to the draft.

Zachary Wyatt
Legislative Attorney
(608) 267-3362
zachary.wyatt@legis.wisconsin.gov

Wyatt, Zachary

From: Curtis, Jake
Sent: Monday, November 02, 2015 10:54 AM
To: Wyatt, Zachary
Subject: Transportation Swap
Attachments: LRB 3428 Drafter's Note.pdf; LRB 3428 Funding for DOT and an appropriation.pdf

Zach, can you convert this from the p-draft? We're hoping to circulate tomorrow. Thanks in advance.



NO CHANGES

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

STW

Gen Cat

1 AN ACT to amend 20.395 (2) (ex), 20.395 (2) (fx), 20.395 (3) (aq), 20.395 (3) (ax),
2 20.395 (3) (bq), 20.395 (3) (bx), 20.395 (3) (cq) and 20.395 (3) (cx); and to create
3 20.395 (2) (fq) and 84.54 of the statutes; relating to: funding for the
4 Department of Transportation and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Transportation (DOT) to transfer state moneys currently in appropriation accounts for specified state highway programs to an appropriation account for specified local transportation assistance programs. This bill also requires DOT to transfer an equal amount of federal moneys currently in appropriation accounts for local transportation assistance programs to appropriation accounts for specified state highway programs.

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:

5 SECTION 1. 20.395 (2) (ex) of the statutes is amended to read:

1 20.395 (2) (ex) *Local bridge improvement assistance, federal funds.* All moneys
2 received from the federal government for improving bridges under ss. 84.12, 84.17
3 and 84.18, for such purposes and to make the transfers under s. 84.54 (1).

4 **SECTION 2.** 20.395 (2) (fq) of the statutes is created to read:

5 20.395 (2) (fq) *Local highway, bridge, and transportation facility improvement*
6 *assistance, state funds.* All moneys transferred under s. 84.54 (3) to (5), for providing
7 public access roads to navigable waters and for the purposes of ss. 84.27 and 84.28
8 and for improving transportation facilities, including facilities funded under
9 applicable federal acts or programs, that are not state trunk or connecting highways,
10 and for bridge development, construction, and rehabilitation under s. 84.18, for the
11 development and construction of bridges under ss. 84.12 and 84.17, for payments to
12 local units of government for jurisdictional transfers under s. 84.16, for the
13 improvement of the state trunk highway system under 1985 Wisconsin Act 341,
14 section 6 (1), to provide for the payments specified under 2001 Wisconsin Act 16,
15 section 9152 (3d), and for the payment required under 2015 Wisconsin Act 55, section
16 9145 (3f).

17 **SECTION 3.** 20.395 (2) (fx) of the statutes is amended to read:

18 20.395 (2) (fx) *Local transportation facility improvement assistance, federal*
19 *funds.* All moneys received from the federal government for providing public access
20 roads to navigable waters and for the purposes of ss. 84.27 and 84.28 and for
21 improving transportation facilities, including facilities funded under applicable
22 federal acts or programs, that are not state trunk or connecting highways, for such
23 purposes and to make the transfers under s. 84.54 (2).

24 **SECTION 4.** 20.395 (3) (aq) of the statutes is amended to read:

1 20.395 (3) (aq) *Southeast Wisconsin freeway megaprojects, state funds.* As a
2 continuing appropriation, the amounts in the schedule for southeast Wisconsin
3 freeway megaprojects under s. 84.0145 ~~and~~, for the purpose specified in s. 84.017 (3),
4 and to make the transfers under s. 84.54 (3). This paragraph does not apply to the
5 installation, replacement, rehabilitation, or maintenance of highway signs, traffic
6 control signals, highway lighting, pavement markings, or intelligent transportation
7 systems, unless incidental to a southeast Wisconsin freeway megaproject.

8 **SECTION 5.** 20.395 (3) (ax) of the statutes is amended to read:

9 20.395 (3) (ax) *Southeast Wisconsin freeway megaprojects, federal funds.* All
10 moneys received from the federal government for southeast Wisconsin freeway
11 megaprojects under s. 84.0145 and for the purpose specified in s. 84.017 (3), and all
12 moneys transferred under 84.54 (2), for such purposes. This paragraph does not
13 apply to the installation, replacement, rehabilitation, or maintenance of highway
14 signs, traffic control signals, highway lighting, pavement markings, or intelligent
15 transportation systems, unless incidental to a southeast Wisconsin freeway
16 megaproject.

17 **SECTION 6.** 20.395 (3) (bq) of the statutes, as affected by 2013 Wisconsin Act 20,
18 section 318, is amended to read:

19 20.395 (3) (bq) *Major highway development, state funds.* As a continuing
20 appropriation, the amounts in the schedule for major development of state trunk and
21 connecting highways, for the disadvantaged business demonstration and training
22 program under s. 84.076, and for the purpose specified in s. 84.017 (3), and to make
23 the transfers under s. 84.54 (4). This paragraph does not apply with respect to any
24 southeast Wisconsin freeway megaproject under s. 84.0145.

25 **SECTION 7.** 20.395 (3) (bx) of the statutes is amended to read:

1 20.395 (3) (bx) *Major highway development, federal funds.* All moneys received
2 from the federal government for major development of state trunk and connecting
3 highways, the disadvantaged business demonstration and training program under
4 s. 84.076, and for the purpose specified in s. 84.017 (3), and all moneys transferred
5 under s. 84.54 (2), for such purposes. This paragraph does not apply with respect to
6 any southeast Wisconsin freeway megaproject under s. 84.0145.

7 **SECTION 8.** 20.395 (3) (cq) of the statutes is amended to read:

8 20.395 (3) (cq) *State highway rehabilitation, state funds.* As a continuing
9 appropriation, the amounts in the schedule for improvement of existing state trunk
10 and connecting highways; for improvement of bridges on state trunk or connecting
11 highways and other bridges for which improvement is a state responsibility, for
12 necessary approach work for such bridges and for replacement of such bridges with
13 at-grade crossing improvements; for the construction and rehabilitation of the
14 national system of interstate and defense highways and bridges and related
15 appurtenances; for activities under s. 84.04 on roadside improvements; for bridges
16 under s. 84.10; for the bridge project under s. 84.115; for payment to a local unit of
17 government for a jurisdictional transfer under s. 84.02 (8); for the disadvantaged
18 business demonstration and training program under s. 84.076; for the purpose
19 specified in s. 84.017 (3); for the transfers required under 1999 Wisconsin Act 9,
20 section 9250 (1) and 2003 Wisconsin Act 33, section 9153 (4q); ~~and~~ for the purposes
21 described under 1999 Wisconsin Act 9, section 9150 (8g), 2001 Wisconsin Act 16,
22 section 9152 (4e), and 2007 Wisconsin Act 20, section 9148 (9i) (b) and (9x), and to
23 make the transfers under s. 84.54 (5). This paragraph does not apply to any
24 southeast Wisconsin freeway megaprojects under s. 84.0145, to any southeast
25 Wisconsin freeway rehabilitation projects under s. 84.014 that also qualify as major

1 highway projects under s. 84.013, or to the installation, replacement, rehabilitation,
2 or maintenance of highway signs, traffic control signals, highway lighting, pavement
3 markings, or intelligent transportation systems, unless incidental to the
4 improvement of existing state trunk and connecting highways.

5 **SECTION 9.** 20.395 (3) (cx) of the statutes is amended to read:

6 20.395 (3) (cx) *State highway rehabilitation, federal funds.* All moneys
7 received from the federal government for improvement of existing state trunk and
8 connecting highways; for improvement of bridges on state trunk or connecting
9 highways and other bridges for which improvement is a state responsibility, for
10 necessary approach work for such bridges and for replacement of such bridges with
11 at-grade crossing improvements; for the construction and rehabilitation of the
12 national system of interstate and defense highways and bridges and related
13 appurtenances; for activities under s. 84.04 on roadside improvements; for the bridge
14 project under s. 84.115; for the purpose specified in s. 84.017 (3); and for the
15 disadvantaged business demonstration and training program under s. 84.076; ~~and~~
16 all moneys received under 2003 Wisconsin Act 33, section 9153 (4q); and all moneys
17 transferred under s. 84.54 (1) and (2), for such purposes. This paragraph does not
18 apply to any southeast Wisconsin freeway megaprojects under s. 84.0145 or to any
19 southeast Wisconsin freeway rehabilitation projects under s. 84.014 that also qualify
20 as major highway projects under s. 84.013.

21 **SECTION 10.** 84.54 of the statutes is created to read:

22 **84.54 Transfers of state and federal funding.** (1) From the appropriation
23 account under s. 20.395 (2) (ex), the department shall transfer to the appropriation
24 account under s. 20.395 (3) (cx) \$14,409,600 in fiscal year 2017–18, \$14,409,600 in

1 fiscal year 2018–19, \$24,409,600 in fiscal year 2019–20, and \$24,409,600 in fiscal
2 year 2020–21.

3 (2) From the appropriation account under s. 20.395 (2) (fx), the department
4 shall transfer to the appropriation account under s. 20.395 (3) (ax) \$3,000,000 in each
5 of fiscal years 2016–17, 2017–18, 2018–19, 2019–20, and 2020–21, to the
6 appropriation account under s. 20.395 (3) (bx) \$44,000,000 in fiscal year 2016–17,
7 \$53,347,100 in fiscal year 2017–18, \$53,347,100 in fiscal year 2018–19, \$53,347,100
8 in fiscal year 2019–20, and \$53,347,100 in fiscal year 2020–21, and to the
9 appropriation account under s. 20.395 (3) (cx) \$8,890,900 in fiscal year 2017–18,
10 \$8,890,900 in fiscal year 2018–19, \$8,890,900 in fiscal year 2019–20, and
11 \$10,890,900 in fiscal year 2020–21.

12 (3) From the appropriation account under s. 20.395 (3) (aq), the department
13 shall transfer to the appropriation account under s. 20.395 (2) (fq) \$3,000,000 in each
14 of fiscal years 2016–17, 2017–18, 2018–19, 2019–20, and 2020–21.

15 (4) From the appropriation account under s. 20.395 (3) (bq), the department
16 shall transfer to the appropriation account under s. 20.395 (2) (fq) \$44,000,000 in
17 fiscal year 2016–17, \$53,347,100 in fiscal year 2017–18, \$53,347,100 in fiscal year
18 2018–19, \$53,347,100 in fiscal year 2019–20, and \$53,347,100 in fiscal year 2020–21.

19 (5) From the appropriation account under s. 20.395 (3) (cq), the department
20 shall transfer to the appropriation account under s. 20.395 (2) (fq) \$23,300,500 in
21 fiscal year 2017–18, \$23,300,500 in fiscal year 2018–19, \$33,300,500 in fiscal year
22 2019–20, and \$35,300,500 in fiscal year 2020–21.

23 (END)



INSERT

2015 BILL

Gen Cat

1 **AN ACT to amend** 20.395 (2) (ex), 20.395 (2) (fx), 20.395 (3) (aq), 20.395 (3) (ax),
2 20.395 (3) (bq), 20.395 (3) (bx), 20.395 (3) (cq) and 20.395 (3) (cx); and **to create**
3 20.395 (2) (fq) and 84.54 of the statutes; **relating to:** funding for the
4 Department of Transportation and making an appropriation.

INS A

Analysis by the Legislative Reference Bureau

This bill requires the Department of Transportation (DOT) to transfer state moneys currently in appropriation accounts for specified state highway programs to an appropriation account for specified local transportation assistance programs. This bill also requires DOT to transfer an equal amount of federal moneys currently in appropriation accounts for local transportation assistance programs to appropriation accounts for specified state highway programs.

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:

INS 1-5

5 **SECTION 1.** 20.395 (2) (ex) of the statutes is amended to read:

BILL**SECTION 1**

1 20.395 (2) (ex) *Local bridge improvement assistance, federal funds.* All moneys
2 received from the federal government for improving bridges under ss. 84.12, 84.17
3 and 84.18, for such purposes and to make the transfers under s. 84.54 (1).

4 **SECTION 2.** 20.395 (2) (fq) of the statutes is created to read:

5 20.395 (2) (fq) *Local highway, bridge, and transportation facility improvement*
6 *assistance, state funds.* All moneys transferred under s. 84.54 (3) to (5), for providing
7 public access roads to navigable waters and for the purposes of ss. 84.27 and 84.28
8 and for improving transportation facilities, including facilities funded under
9 applicable federal acts or programs, that are not state trunk or connecting highways,
10 and for bridge development, construction, and rehabilitation under s. 84.18, for the
11 development and construction of bridges under ss. 84.12 and 84.17, for payments to
12 local units of government for jurisdictional transfers under s. 84.16, for the
13 improvement of the state trunk highway system under 1985 Wisconsin Act 341,
14 section 6 (1), to provide for the payments specified under 2001 Wisconsin Act 16,
15 section 9152 (3d), and for the payment required under 2015 Wisconsin Act 55, section
16 9145 (3f).

17 **SECTION 3.** 20.395 (2) (fx) of the statutes is amended to read:

18 20.395 (2) (fx) *Local transportation facility improvement assistance, federal*
19 *funds.* All moneys received from the federal government for providing public access
20 roads to navigable waters and for the purposes of ss. 84.27 and 84.28 and for
21 improving transportation facilities, including facilities funded under applicable
22 federal acts or programs, that are not state trunk or connecting highways, for such
23 purposes and to make the transfers under s. 84.54 (2).

24 **SECTION 4.** 20.395 (3) (aq) of the statutes is amended to read:

BILL

1 20.395 (3) (aq) *Southeast Wisconsin freeway megaprojects, state funds.* As a
2 continuing appropriation, the amounts in the schedule for southeast Wisconsin
3 freeway megaprojects under s. 84.0145 ~~and~~, for the purpose specified in s. 84.017 (3),
4 and to make the transfers under s. 84.54 (3). This paragraph does not apply to the
5 installation, replacement, rehabilitation, or maintenance of highway signs, traffic
6 control signals, highway lighting, pavement markings, or intelligent transportation
7 systems, unless incidental to a southeast Wisconsin freeway megaproject.

8 **SECTION 5.** 20.395 (3) (ax) of the statutes is amended to read:

9 20.395 (3) (ax) *Southeast Wisconsin freeway megaprojects, federal funds.* All
10 moneys received from the federal government for southeast Wisconsin freeway
11 megaprojects under s. 84.0145 and for the purpose specified in s. 84.017 (3), and all
12 moneys transferred under 84.54 (2), for such purposes. This paragraph does not
13 apply to the installation, replacement, rehabilitation, or maintenance of highway
14 signs, traffic control signals, highway lighting, pavement markings, or intelligent
15 transportation systems, unless incidental to a southeast Wisconsin freeway
16 megaproject.

17 **SECTION 6.** 20.395 (3) (bq) of the statutes, as affected by 2013 Wisconsin Act 20,
18 section 318, is amended to read:

19 20.395 (3) (bq) *Major highway development, state funds.* As a continuing
20 appropriation, the amounts in the schedule for major development of state trunk and
21 connecting highways, for the disadvantaged business demonstration and training
22 program under s. 84.076, ~~and~~ for the purpose specified in s. 84.017 (3), and to make
23 the transfers under s. 84.54 (4). This paragraph does not apply with respect to any
24 southeast Wisconsin freeway megaproject under s. 84.0145.

25 **SECTION 7.** 20.395 (3) (bx) of the statutes is amended to read:

BILL

1 20.395 (3) (bx) *Major highway development, federal funds.* All moneys received
2 from the federal government for major development of state trunk and connecting
3 highways, the disadvantaged business demonstration and training program under
4 s. 84.076, and for the purpose specified in s. 84.017 (3), and all moneys transferred
5 under s. 84.54 (2), for such purposes. This paragraph does not apply with respect to
6 any southeast Wisconsin freeway megaproject under s. 84.0145.

7 **SECTION 8.** 20.395 (3) (cq) of the statutes is amended to read:

8 20.395 (3) (cq) *State highway rehabilitation, state funds.* As a continuing
9 appropriation, the amounts in the schedule for improvement of existing state trunk
10 and connecting highways; for improvement of bridges on state trunk or connecting
11 highways and other bridges for which improvement is a state responsibility, for
12 necessary approach work for such bridges and for replacement of such bridges with
13 at-grade crossing improvements; for the construction and rehabilitation of the
14 national system of interstate and defense highways and bridges and related
15 appurtenances; for activities under s. 84.04 on roadside improvements; for bridges
16 under s. 84.10; for the bridge project under s. 84.115; for payment to a local unit of
17 government for a jurisdictional transfer under s. 84.02 (8); for the disadvantaged
18 business demonstration and training program under s. 84.076; for the purpose
19 specified in s. 84.017 (3); for the transfers required under 1999 Wisconsin Act 9,
20 section 9250 (1) and 2003 Wisconsin Act 33, section 9153 (4q); and for the purposes
21 described under 1999 Wisconsin Act 9, section 9150 (8g), 2001 Wisconsin Act 16,
22 section 9152 (4e), and 2007 Wisconsin Act 20, section 9148 (9i) (b) and (9x), and to
23 make the transfers under s. 84.54 (5). This paragraph does not apply to any
24 southeast Wisconsin freeway megaprojects under s. 84.0145, to any southeast
25 Wisconsin freeway rehabilitation projects under s. 84.014 that also qualify as major

BILL

1 highway projects under s. 84.013, or to the installation, replacement, rehabilitation,
2 or maintenance of highway signs, traffic control signals, highway lighting, pavement
3 markings, or intelligent transportation systems, unless incidental to the
4 improvement of existing state trunk and connecting highways.

5 **SECTION 9.** 20.395 (3) (cx) of the statutes is amended to read:

6 20.395 (3) (cx) *State highway rehabilitation, federal funds.* All moneys
7 received from the federal government for improvement of existing state trunk and
8 connecting highways; for improvement of bridges on state trunk or connecting
9 highways and other bridges for which improvement is a state responsibility, for
10 necessary approach work for such bridges and for replacement of such bridges with
11 at-grade crossing improvements; for the construction and rehabilitation of the
12 national system of interstate and defense highways and bridges and related
13 appurtenances; for activities under s. 84.04 on roadside improvements; for the bridge
14 project under s. 84.115; for the purpose specified in s. 84.017 (3); and for the
15 disadvantaged business demonstration and training program under s. 84.076; and
16 all moneys received under 2003 Wisconsin Act 33, section 9153 (4q); and all moneys
17 transferred under s. 84.54 (1) and (2), for such purposes. This paragraph does not
18 apply to any southeast Wisconsin freeway megaprojects under s. 84.0145 or to any
19 southeast Wisconsin freeway rehabilitation projects under s. 84.014 that also qualify
20 as major highway projects under s. 84.013.

21 **SECTION 10.** 84.54 of the statutes is created to read:

22 **84.54 Transfers of state and federal funding.** (1) From the appropriation
23 account under s. 20.395 (2) (ex), the department shall transfer to the appropriation
24 account under s. 20.395 (3) (cx) \$14,409,600 in fiscal year 2017-18, \$14,409,600 in

BILL**SECTION 10**

1 fiscal year 2018–19, \$24,409,600 in fiscal year 2019–20, and \$24,409,600 in fiscal
2 year 2020–21.

3 (2) From the appropriation account under s. 20.395 (2) (fx), the department
4 shall transfer to the appropriation account under s. 20.395 (3) (ax) \$3,000,000 in each
5 of fiscal years 2016–17, 2017–18, 2018–19, 2019–20, and 2020–21, to the
6 appropriation account under s. 20.395 (3) (bx) \$44,000,000 in fiscal year 2016–17,
7 \$53,347,100 in fiscal year 2017–18, \$53,347,100 in fiscal year 2018–19, \$53,347,100
8 in fiscal year 2019–20, and \$53,347,100 in fiscal year 2020–21, and to the
9 appropriation account under s. 20.395 (3) (cx) \$8,890,900 in fiscal year 2017–18,
10 \$8,890,900 in fiscal year 2018–19, \$8,890,900 in fiscal year 2019–20, and
11 \$10,890,900 in fiscal year 2020–21.

12 (3) From the appropriation account under s. 20.395 (3) (aq), the department
13 shall transfer to the appropriation account under s. 20.395 (2) (fq) \$3,000,000 in each
14 of fiscal years 2016–17, 2017–18, 2018–19, 2019–20, and 2020–21.

15 (4) From the appropriation account under s. 20.395 (3) (bq), the department
16 shall transfer to the appropriation account under s. 20.395 (2) (fq) \$44,000,000 in
17 fiscal year 2016–17, \$53,347,100 in fiscal year 2017–18, \$53,347,100 in fiscal year
18 2018–19, \$53,347,100 in fiscal year 2019–20, and \$53,347,100 in fiscal year 2020–21.

19 (5) From the appropriation account under s. 20.395 (3) (cq), the department
20 shall transfer to the appropriation account under s. 20.395 (2) (fq) \$23,300,500 in
21 fiscal year 2017–18, \$23,300,500 in fiscal year 2018–19, \$33,300,500 in fiscal year
22 2019–20, and \$35,300,500 in fiscal year 2020–21.

23 (END)

1 legislative fiscal bureau shall adjust the totals ^{amounts} in those appropriation accounts
2 accordingly.

3 (2) Notwithstanding section 16.42 (1) (e) of the statutes, in submitting
4 information under section 16.42 of the statutes for purposes of the 2017-19 biennial
5 budget bill, the department of transportation shall submit information concerning
6 the appropriation under section 20.395 (3) (cq) of the statutes as though the amount
7 of that appropriation for fiscal year 2016-17 was \$266,002,300.

8 (3) Notwithstanding section 20.395 (2) (fx) of the statutes, the department of
9 transportation may not enter into any new contracts after June 30, 2016, that
10 obligate moneys in this appropriation account.

11 **SECTION 3. Fiscal changes.**

12 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
13 to the department of transportation under section 20.395 (3) (aq) of the statutes, as
14 affected by the acts of 2015, the dollar amount for fiscal year 2016-17 is decreased
15 by \$3,000,000.

16 (2) In the schedule under section 20.005 (3) of the statutes for the appropriation
17 to the department of transportation under section 20.395 (3) (bq) of the statutes, as
18 affected by the acts of 2015, the dollar amount for fiscal year 2016-17 is decreased
19 by \$44,000,000.

2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3428/2insX
ZDW:cjs

INS X

1 **SECTION 1.** 20.395 (2) (fq) of the statutes is created to read:

2 20.395 (2) (fq) *Local* highway, bridge, and *transportation facility improvement*
3 *assistance, state funds.* As a constinuing appropriation, the amounts in the schedule
4 for providing public access roads to navigable waters and for the purposes of ss. 84.27
5 and 84.28 and for improving transportation facilities, including facilities funded
6 under applicable federal acts or programs, that are not state trunk or connecting
7 highways, for such purposes.