



**ASSEMBLY AMENDMENT 27,  
TO ASSEMBLY AMENDMENT 26,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 1995 ASSEMBLY BILL 150**

June 22, 1995 – Offered by Representative BELL.

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

2 “1m. Page 7, line 12: after that line insert:

3 “**SECTION 17c.** 13.402 of the statutes is created to read:

4 **13.402 Limitation on appropriations to department of transportation.**

5 (1) In this section:

6 (a) “Fiscal biennium” means a 2-year period beginning on July 1 of an  
7 odd-numbered year.

8 (b) “Local governmental unit” has the meaning given in s. 16.97 (7).

9 (2) Except as provided in subs. (3) to (5), the amount appropriated to the  
10 department of transportation for each fiscal biennium, excluding any amount  
11 appropriated under sub. (3) (a) and (b), as determined under sub. (6), may not exceed  
12 the sum of:

13 (a) The amount appropriated to the department of transportation, excluding  
14 any amount appropriated under sub. (3) (a) and (b), for the 2nd fiscal year of the prior

1 fiscal biennium as reported under s. 16.46 (2), multiplied by the sum of 1.0 and the  
2 average annual percentage change in this state's per capita personal income,  
3 expressed as a decimal, as reported for the most recent 4 calendar years prior to the  
4 fiscal biennium by the federal department of commerce.

5 (b) The amount determined under par. (a) multiplied by the sum of 1.0 and the  
6 average annual percentage change in this state's per capita personal income,  
7 expressed as a decimal, as reported for the most recent 3 calendar years prior to the  
8 fiscal biennium by the federal department of commerce and as estimated by the  
9 department of administration for the calendar year following those years no later  
10 than December 5 of each even-numbered year, except as provided in sub. (8).

11 (c) Any amount by which the amount appropriated to the department of  
12 transportation from sum certain appropriations, excluding any amount  
13 appropriated under sub. (3) (a) and (b), for the preceding fiscal biennium, exceeded  
14 actual expenditures made by the department from sum certain appropriations for  
15 the preceding fiscal biennium, excluding any amount expended under an  
16 appropriation specified in sub. (3) (a) or (b), as determined by the legislative fiscal  
17 bureau.

18 **(3)** The limitation under sub. (2) does not apply to any of the following:

19 (a) An appropriation for principal repayment and interest payments on public  
20 debt, as defined in s. 18.01 (4).

21 (b) An appropriation for a period prior to the 1997-98 fiscal year providing for  
22 state aids to any local governmental unit.

23 (c) An appropriation that is enacted with the approval of at least three-fifths  
24 of the members of each house of the legislature.

1           (4) Whenever in any fiscal biennium the federal government assumes fiscal  
2 responsibility for a state program that was previously funded by the department of  
3 transportation from nonfederal revenue, the limitation under sub. (2) for the next  
4 fiscal biennium shall be reduced by the amount allocated to that program for the  
5 most recently completed fiscal biennium in which the state assumed fiscal  
6 responsibility for the program.

7           (5) Except as otherwise provided in this subsection, whenever in any fiscal  
8 biennium the legislature terminates or reduces funding by the department of  
9 transportation for a program administered by local governmental units that is  
10 partially funded by the department, the limitation under sub. (2) for the next fiscal  
11 biennium shall be reduced by the amount allocated by the department to that  
12 program or by the amount of the reduced state cost of administering that program  
13 for the most recently completed fiscal biennium. If local governmental units are  
14 required to administer such a program and that requirement is eliminated or the  
15 requirement is changed in such a manner as to reduce the cost incurred by local  
16 governmental units for that administration in the same fiscal biennium in which the  
17 legislature terminates or reduces funding by the department of transportation for  
18 that program, no adjustment shall be made to the limitation under sub. (2) for any  
19 amount by which the cost mandated by the state to local governmental units for  
20 administration of the program is reduced.

21           (6) For purposes of sub. (2), the computation of the amount appropriated to the  
22 department of transportation for any fiscal biennium to which sub. (2) applies shall  
23 be made by adding the applicable sum certain appropriations to the department  
24 enacted by the legislature and an estimate of amounts that will be expended by the  
25 department under applicable appropriations, other than sum certain

1 appropriations, that are made to the department for that fiscal biennium, including  
2 any amounts estimated to be expended for payment of compensation increases for  
3 state employes and for litigation expenses incurred in actions against the state or  
4 state officers, employes or agents, as determined by the legislative fiscal bureau no  
5 later than December 5 of each even-numbered year, except as provided in sub. (8).

6 (7) For purposes of calculating the amount appropriated from a biennial  
7 appropriation under sub. (2) (a), the amount shown in the schedule under s. 20.005  
8 (3) for the 2nd year of any fiscal biennium is determinative.

9 (8) No later than December 5 of each even-numbered year, the department of  
10 administration and legislative fiscal bureau shall report to the cochairpersons of the  
11 joint committee on finance the estimates and determinations required to be made  
12 under subs. (2) and (6) for the succeeding fiscal biennium. If the cochairpersons of  
13 the committee do not notify the secretary of administration and the director of the  
14 legislative fiscal bureau that the committee has scheduled a meeting for the purpose  
15 of reviewing the estimates and determinations by December 15 following their  
16 submittal, the estimates and determinations shall be effective. If, by December 15  
17 following the submittal of the estimates and determinations, the cochairpersons of  
18 the committee notify the secretary and director that the committee has scheduled a  
19 meeting for the purpose of reviewing the estimates and determinations, the  
20 estimates and determinations are not effective unless approved or approved with  
21 modifications by the committee.”.”.

22 **1.** Page 9, line 24: before the quotation mark insert:

23 “SECTION 288qi. 16.46 (2) of the statutes is amended to read:

1           16.46 (2) A summary of the actual and estimated amounts appropriated and  
2 the actual and estimated disbursements of the state government from all operating  
3 funds ~~during~~ for each fiscal year of the current fiscal biennium and of the requests  
4 of agencies and the recommendations of the governor for the succeeding fiscal  
5 biennium;”.

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(END)