

2001 Jr2 DRAFTING REQUEST

Senate Amendment (SA-SSA1-AB1)

Received: **03/27/2002**

Received By: **phurley**

Wanted: **Soon**

Identical to LRB:

For: **Senate Democratic Caucus 266-9220**

By/Representing: **Engel**

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

Drafter: **fasttn**

May Contact:

Addl. Drafters: **agary**

Subject: **Transportation - highways**

Extra Copies: **PJH, JTK**

Submit via email: **NO**

Pre Topic:

SCC:.....Engel - CN4604,

Topic:

Funding for southeast Wisconsin freeway rehabilitation projects

Instructions:

See Attached

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|---------------------|------------------------|------------------------|----------------|----------------------------|-----------------|-----------------|
| /? | agary 03/29/2002 | csicilia 03/29/2002 | | _____ | | | |
| /1 | | | jfrantze 03/29/2002 | _____ | lrb_docadmin 04/01/2002 | | |
| /2 | agary 04/01/2002 | csicilia 04/01/2002 | jfrantze 04/01/2002 | _____ | lrb_docadmin 04/01/2002 | | |

FE Sent For:

<END>

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| /? | agary 03/29/2002 | csicilia 03/29/2002 | | | | | |
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|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
| 1? | agary | 1 is 3/29 02 | 3/29 | J/amb 3/29 | | | |

FE Sent For:

<END>

TNF # AKG
~~EST~~

TRANSPORTATION

Restriction on Use of State Highway Rehabilitation and Major Highway Development Funds for Southeast Wisconsin Freeway Projects; Exclusion of Capacity Expansion on Southeast Wisconsin Freeways from Definition of Major Highway Project; Bonding Authorization to Compensate for Reductions in Federal Highway Aid

CN
4604

Motion:

Move to prohibit DOT from using any of the following appropriations for southeast Wisconsin freeway rehabilitation projects: (a) the SEG, FED or SEG-L appropriations for state highway rehabilitation; (b) the SEG, FED, SEG-S or SEG-L appropriations for major highway development; or (c) the general obligation bonding appropriations that provide bonding authorization for accelerated highway improvements and for highway construction projects. Specify that southeast Wisconsin freeway rehabilitation projects, including the Marquette Interchange reconstruction project and projects that involve adding one or more lanes five miles or more in length to the existing freeway, may only be funded from the SEG, FED and SEG-L appropriations for southeast Wisconsin freeway rehabilitation or with the proceeds of bonds authorized (by this motion) to compensate for a reduction in the amount of federal aid received by the state.

Require DOT to make a request to the Joint Committee on Finance under s. 13.10 of the statutes, for the first such quarterly meeting after the effective date of the bill, for the transfer of funds from the appropriations for state highway rehabilitation to the appropriations for southeast Wisconsin freeway rehabilitation to allocate funds for the rehabilitation of southeast Wisconsin freeways. Specify that DOT's request may not include the transfer of funds that are currently allocated for projects in other parts of the state or other funding that is not currently allocated to rehabilitation of southeast Wisconsin freeways.

Modify the definition of a major highway project to exclude southeast Wisconsin freeway rehabilitation projects. Prohibit DOT from expending funds from the appropriations for southeast Wisconsin freeway rehabilitation for a southeast Wisconsin freeway rehabilitation project that involves adding one or more lanes five miles or more in length to the existing freeway unless the project is specifically enumerated in a newly created list for such projects. Specify that no projects are currently enumerated in this list.

Authorize \$200,000,000 in transportation fund-supported, general obligation bonding to compensate for reductions in federal highway aid received by the state. Prohibit the Department of Transportation from using the proceeds from these bonds unless their use is approved by the Joint Committee on Finance under the current law process by which DOT is required to submit a plan to the Joint Committee on Finance for adjusting the Department's appropriations if the amount of federal transportation aid received by the state differs from the amounts estimated for the state

biennial budget by more than 5%. Specify that DOT may request, and the Committee may approve, an amount of this bonding that is not more than the amount by which federal highway aid received by the state in the federal fiscal year is less than the amount of such aid appropriated in the state biennial budget in the corresponding state fiscal year. Specify that the bonds may be used only in the major highway development, state highway rehabilitation or southeast Wisconsin freeway rehabilitation programs. Create a new appropriation for the authorization of this bonding and a new appropriation for the payment of debt service on the bonds.

Note:

This motion has three principal provisions. First, it would prohibit DOT from using state highway rehabilitation or major highway development funds for highway projects on southeast Wisconsin freeways, including the reconstruction of the Marquette Interchange or capacity expansion projects on those freeways. Instead, these projects would have to be funded from the current appropriations for southeast Wisconsin freeway rehabilitation. DOT would be required to make a request under s. 13.10 of the statutes for transferring base funds that are currently allocated to southeast Wisconsin freeway rehabilitation from the state highway rehabilitation appropriations to the southeast Wisconsin freeway rehabilitation appropriations. Under current law, southeast Wisconsin freeways are defined as state trunk highways located in Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington or Waukesha counties that have four or more lanes of traffic physically separated by a median or barrier and that give preference to through traffic by limiting access to interchanges only.

Second, the motion would specify that capacity expansion projects (those adding lanes for five or more miles) on southeast Wisconsin freeways are not considered to be major highway projects. Therefore, such projects would not go through the current process of study and recommendation by the Transportation Projects Commission and would not be enumerated in the same manner as major highway development projects. However, capacity expansion projects on southeast Wisconsin freeways would still have to be enumerated in the statutes before DOT could commence construction on such projects, although a separate statutory section would be created for these projects. The motion would not enumerate any southeast Wisconsin freeway capacity expansion projects.

Third, the motion would provide \$200,000,000 in bonding authority to be used in the event that the amount of federal transportation aid received by the state in any federal fiscal year is less than 95% of what had been estimated for that year in the biennial budget act. Under current law, DOT is required to submit a plan to the Joint Committee on Finance for adjusting the Department's appropriations if federal transportation aid received by the state differs from the amounts estimated for the state biennial budget by more than 5%. The motion would allow DOT, in submitting such a plan when the amount received is less than the bonding proceeds to make up the difference between the amount received and the amount estimated.

[Change to Bill: \$200,000,000 BR]

Motion #290

Pa:

AYE 7 NO 9 ABS

| | | |
|------------|---|-----|
| BURKE | Y | (N) |
| DECKER | Y | (N) |
| MOORE | Y | (N) |
| SHIBLISKI | Y | (N) |
| PLACHE | Y | (N) |
| WIRCH | Y | (N) |
| DARLING | Y | (N) |
| ROSENZWEIG | Y | (N) |
| GARD | Y | (N) |
| KAUFERT | Y | (N) |
| ALBERS | Y | (N) |
| DUFF | Y | (N) |
| WARD | Y | (N) |
| HUEBSCH | Y | (N) |
| HUBER | Y | (N) |
| COGGS | Y | (N) |

MO#

connecting Wisconsin to the world



ARIBA American Road & Transportation Builders Association

Wisconsin Transportation Builders Association

*Bill Kennedy, President
Rock Road Companies, Inc.
Janesville, WI*

*Tom Walker
Executive Director*

MEMO

DATE: March 18, 2002

TO: Patrick Walsh

FROM: Pat Stevens

RE: Motion in Regard to Southeast Wisconsin (SE WI) Rehabilitation Projects/
Bonding to Cover Shortfalls in Revenues

As we recently discussed, we request that Senator Decker make two minor changes to Motion #290 (attached). The first change relates to the second paragraph on page one of Motion #290. Our draft motion (attached), as in Senator Decker's Draft bill, limited DOT's ability to request, and the Joint Finance Committee's ability to transfer money, to the SE WI appropriations. This motion only limits what DOT can request. To address this issue, the last sentence in the second paragraph could be modified to read, "Specify that DOT's request, and the committee's action on the request, may not include the transfer of funds...." Without this language, the Joint Finance Committee could transfer funds that are allocated to out state areas to the SE WI appropriations.

The second change relates to the last paragraph of Motion #290. Under the Motion, DOT could not use bond revenues unless approved under the current process by which DOT submits a plan to adjust appropriations if federal transportation aids were overestimated. This plan must be submitted within certain timeframes under current law (Wis. Stat. § 84.03(2)(b)). Ideally, as we proposed, DOT would be authorized to request bonding at any time if the 5% trigger was met.

I have also attached a background memo that explains this motion.

Thank you, and please let me know if you have any questions.

DATE: March 18, 2002
TO: Senator Decker's Office
FROM: Pat Stevens
RE: Proposed Transportation Motion for Senate
Consideration in 2001-03 Budget Repair Bill

We are interested in pursuing transportation legislation that would accomplish the following goals:

1. **Assure Legislative accountability for highway spending by prohibiting WisDOT from transferring state rehabilitation or major highway construction funds to the appropriation created in the 2001-03 budget for reconstruction of Southeastern Wisconsin freeways.**
2. **Create a separate Legislative enumeration process for future capacity projects on Southeastern Wisconsin freeways.**
3. **Provide emergency bonding authority (paid for from the Transportation Fund) of up to \$200 million to ensure stability in the highway program if a shortfall in federal transportation aid occurs.**

A more detailed description of the motion's key elements follows:

1. **Prohibit WisDOT from shifting funds from the state highway Majors or Rehabilitation programs to the appropriation for Southeastern Wisconsin freeway reconstruction that was created in the 2001-03 budget, without Legislative oversight.**
 - This is an accountability issue. For years, funding was shifted from the Rehabilitation program to the Maintenance Program for certain highway operations costs. This practice, which had grown to \$27 million annually, was stopped in the 2001-03 budget with the creation of new maintenance definitions because it violated Legislative intent on transportation funding decisions.
 - This expands that Legislative accountability. The Department of Administration recently issued a request for proposals (RFP) seeking financial analysis of funding

options for the Marquette Interchange. The RFP directed respondents to assume a \$75 million annual shift from STH Rehabilitation to the Marquette Interchange costs.

- This is an accountability issue, not a regional issue. The STH Rehabilitation program funds scheduled projects in every county. This motion guarantees that these projects will proceed, without funding diversion to Southeastern Wisconsin freeway work. Advocates of rebuilding Southeastern Wisconsin freeways will also know exactly how much funding is being allocated for these projects. The Legislature included this provision in the 2001-03 budget, but it was vetoed.
- Of course, the Legislature will continue to set priorities for available funding among all three appropriations through the budget process. This motion ensures that those priorities will be followed.

2. Establish a separate Legislative enumeration process for capacity projects on Southeastern Wisconsin freeways.

- Currently, any state highway capacity project of more than five miles is enumerated by the Transportation Projects Commission (TPC) and funded through the Major Highway Project appropriation. However, capacity projects in Southeastern Wisconsin would be funded from the Southeastern Wisconsin Freeway Reconstruction appropriation. That is why this motion exempts those projects from the definition of a major project and establishes a separate enumeration process.
- Most of the costs in freeway reconstruction projects are derived from rebuilding bridges and pavements – with added lanes accounting for only about 20% of the cost. With the current Major's schedule already committed for the next several years, it makes no sense to oversubscribe the program with huge new costs that are not primarily driven by additional capacity.
- Committing these high-cost projects in Southeastern Wisconsin to the TPC process would also trigger huge increases in vehicle registration fees, the revenues from which are committed to pay debt service on the bonds that currently finance 54% of major projects.
- With debt service already consuming 7% of state transportation revenues (and growing), this motion makes it harder to bond for a 30-year reconstruction program. While bonding for a single project might make sense, we are extremely concerned that 20- or 30-year bonding for these projects will eventually double the cost and reduce the ability to finance projects elsewhere in the state.

- Following a precedent established in the 1993-95 budget for high-cost transit projects, this motion guarantees Legislative oversight with a requirement for Legislative enumeration of each freeway segment that adds capacity.

3. Provide up to \$200 million in emergency general obligation bonding authority to keep state highway projects moving if there is a serious shortfall in federal funds below the level set in the state budget. Debt service would be paid from the Transportation Fund.

- This simply creates financing options for the Legislature to maintain highway program stability if the prospect of reduced federal funding next year occurs. This is particularly important for the Marquette Interchange reconstruction. Once underway, it would be disastrous to stop construction if expected federal funds do not materialize. If that were to occur, currently the only option would be to delay other projects statewide and divert funding to the Marquette.
- If federal funds are more than 5% below the level assumed in the budget, WisDOT may include in its required federal plan proposal to Joint Finance a recommendation to use part of this bonding authority to replace the federal funding shortfall in the state highway improvement program.
- The proposed FY 2003 federal budget would cut federal funds to Wisconsin by about \$130 million. A cut of this magnitude is likely to severely impact engineering on the Marquette Interchange – delaying it or other programmed projects in the state, or both.
- Current transportation revenues are sufficient to pay debt service on this bonding proposal, if its use is required. Needed revenues to pay this level of debt service are equivalent to four-tenths of 1 cent of the state motor fuel tax.

2001

Date (time)
needed

SOON

LRB b 2762 1 1

CAUCUS BUDGET AMENDMENT
[CAUCUS AMDTS. ONLY]

TNF # ARG: cjs:

See form **AMENDMENTS — COMPONENTS & ITEMS.**

CAUCUS AMENDMENT
TO SENATE SUBSTITUTE AMENDMENT 1
TO 2001 SPECIAL SESSION ASSEMBLY BILL 1

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated; amend the substitute amendment as follows:

#. Page ¹⁶....., line ⁵.....: after that line insert:

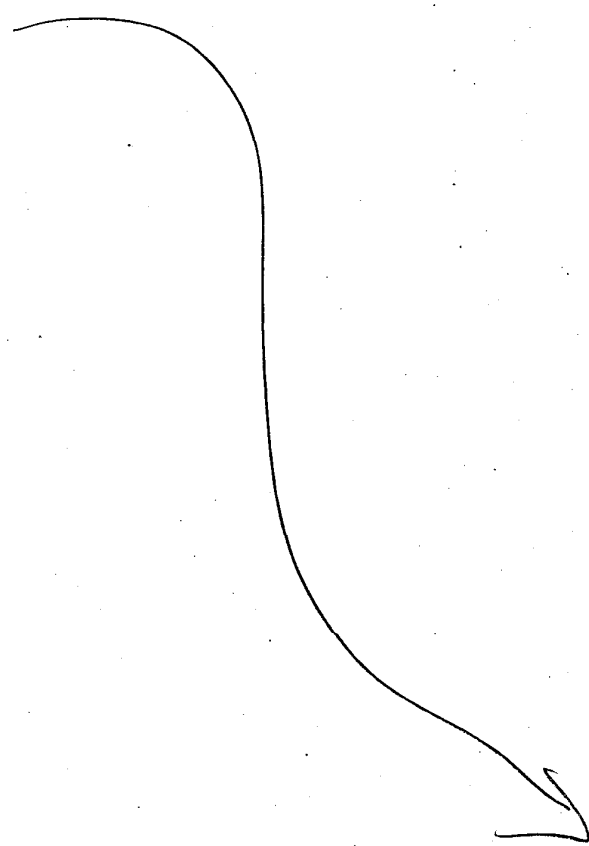
#. Page, line

#. Page, line

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#. Page, line

#. Page, line



SENATE BILL

This bill specifically exempts southeast Wisconsin freeway rehabilitation projects from the definition of a major highway project. Instead, the bill provides that any southeast Wisconsin freeway rehabilitation project that involves adding one or more lanes at least five miles in length to the highway must be enumerated in a separate list in the statutes before DOT may expend any funds for the project. The bill does not enumerate any such project.

In addition, the bill specifies that all southeast Wisconsin freeway rehabilitation projects, including the Marquette interchange reconstruction project, may only be funded from specific appropriations of moneys appropriated for such rehabilitation projects. The bill prohibits the funding of all such projects from specific appropriations of money appropriated for state highway rehabilitation or appropriated for major highway projects from revenue bond proceeds.

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

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

①

SECTION ^{36md} 1. 20.395 (3) (bq) of the statutes is amended to read:

20.395 (3) (bq) *Major highway development, state funds.* As a continuing appropriation, the amounts in the schedule for major development of state trunk and connecting highways and for the disadvantaged business demonstration and training program under s. 84.076. This paragraph does not apply to major development of any southeast Wisconsin freeway, as defined in s. 84.014 (1) (e).

⑦

SECTION ^{36me} 2. 20.395 (3) (br) of the statutes is amended to read:

20.395 (3) (br) *Major highway development, service funds.* All moneys received from the fund created under s. 18.57 (1) as reimbursement for the temporary financing under sub. (9) (th) of projects for major development of state trunk and connecting highways that are financed under s. 84.59 and enumerated under s. 84.013 (3), for the purpose of financing such projects. This paragraph does not apply to any project for major development of a southeast Wisconsin freeway, as defined in s. 84.014 (1) (e).

SENATE BILL

①

^{36mf}
SECTION 3. 20.395 (3) (bv) of the statutes is amended to read:

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20.395 (3) (bv) *Major highway development, local funds.* All moneys received from any local unit of government or other source for major development of state trunk and connecting highways, including the railroad and utility alteration and relocation loan program under s. 84.065, and the disadvantaged business demonstration and training program under s. 84.076, for such purposes. This paragraph does not apply to major development of any southeast Wisconsin freeway, as defined in s. 84.014 (1) (e).

⑨

^{36mg}
SECTION 4. 20.395 (3) (bx) of the statutes is amended to read:

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20.395 (3) (bx) *Major highway development, federal funds.* All moneys received from the federal government for major development of state trunk and connecting highways and the disadvantaged business demonstration and training program under s. 84.076, for such purposes. This paragraph does not apply to major development of any southeast Wisconsin freeway, as defined in s. 84.014 (1) (e).

⑮

^{36mh}
SECTION 5. 20.395 (3) (cq) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

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20.395 (3) (cq) *State highway rehabilitation, state funds.* As a continuing appropriation, the amounts in the schedule for improvement of existing state trunk and connecting highways; for improvement of bridges on state trunk or connecting highways and other bridges for which improvement is a state responsibility, for necessary approach work for such bridges and for replacement of such bridges with at-grade crossing improvements; for the construction and rehabilitation of the national system of interstate and defense highways and bridges and related appurtenances; for special maintenance activities under s. 84.04 on roadside improvements; for bridges under s. 84.10; for payment to a local unit of government

SENATE BILL

1 for a jurisdictional transfer under s. 84.02 (8); for the disadvantaged business
2 demonstration and training program under s. 84.076; for the transfers required
3 under 1999 Wisconsin Act 9, section 9250 (1); and for the purposes described under
4 1999 Wisconsin Act 9, section 9150 (8g), and 2001 Wisconsin Act 16, section 9152 (4e).

5 This paragraph does not apply to any southeast Wisconsin freeway rehabilitation
6 projects under s. 84.014, or to the installation, replacement, rehabilitation, or
7 maintenance of highway signs, traffic control signals, highway lighting, pavement
8 markings, or intelligent transportation systems, unless incidental to the
9 improvement of existing state trunk and connecting highways.

10 SECTION ^{38m} 20.395 (3) (cv) of the statutes is amended to read:

11 20.395 (3) (cv) *State highway rehabilitation, local funds.* All moneys received
12 from any local unit of government or other source for the specific information sign
13 program under s. 86.195; for improvement of existing state trunk and connecting
14 highways; for improvement of bridges on state trunk or connecting highways and
15 other bridges for which improvement is a state responsibility, for necessary approach
16 work for such bridges and for replacement of such bridges with at-grade crossing
17 improvements; for the construction and rehabilitation of the national system of
18 interstate and defense highways and bridges and related appurtenances; for special
19 maintenance activities under s. 84.04 on roadside improvements; for the railroad
20 and utility alteration and relocation loan program under s. 84.065; and for the
21 disadvantaged business demonstration and training program under s. 84.076, for
22 such purposes. This paragraph does not apply to any southeast Wisconsin freeway
23 rehabilitation projects under s. 84.014.

24 SECTION ^{36mj} 20.395 (3) (cx) of the statutes is amended to read:

SENATE BILL

1 20.395 (3) (cx) *State highway rehabilitation, federal funds.* All moneys
2 received from the federal government for improvement of existing state trunk and
3 connecting highways; for improvement of bridges on state trunk or connecting
4 highways and other bridges for which improvement is a state responsibility, for
5 necessary approach work for such bridges and for replacement of such bridges with
6 at-grade crossing improvements; for the construction and rehabilitation of the
7 national system of interstate and defense highways and bridges and related
8 appurtenances; for special maintenance activities under s. 84.04 on roadside
9 improvements; and for the disadvantaged business demonstration and training
10 program under s. 84.076, for such purposes. This paragraph does not apply to any
11 southeast Wisconsin freeway rehabilitation projects under s. 84.014.

12 SECTION ^{utty} 20.866 (2) (ur) of the statutes is amended to read:

13 20.866 (2) (ur) *Transportation; accelerated highway improvements.* From the
14 capital improvement fund, a sum sufficient to acquire, construct, develop, enlarge,
15 or improve state highway facilities as provided by ss. 84.06 and 84.09. The state may
16 contract public debt in an amount not to exceed \$185,000,000 for this purpose. This
17 paragraph does not apply to any southeast Wisconsin freeway rehabilitation projects
18 under s. 84.014.

19 SECTION ^{utty} 20.866 (2) (uu) of the statutes is amended to read:

20 20.866 (2) (uu) *Transportation; highway projects.* From the capital
21 improvement fund, a sum sufficient for the department of transportation to acquire,
22 construct, reconstruct, improve, or develop highway projects under ss. 84.06 and
23 84.09. The state may contract public debt in an amount not to exceed \$41,000,000 for
24 this purpose. This paragraph does not apply to any southeast Wisconsin freeway
25 rehabilitation projects under s. 84.014.

SENATE BILL

SECTION 10

#. Page 153, line 25: after that line insert:

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SECTION 10. 84.013 (1) (a) (intro.) of the statutes is amended to read:

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84.013 (1) (a) (intro.) "Major highway project" means a project, except a project

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providing an approach to a bridge over a river that forms a boundary of the state or

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a southeast Wisconsin freeway rehabilitation project under s. 84.014, which has a

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total cost of more than \$5,000,000 and which involves any of the following:

Insert 6-5

6

SECTION 11. 84.014 (2) of the statutes, as created by 2001 Wisconsin Act 16, is

7

amended to read:

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84.014 (2) Notwithstanding s. 84.013 and subject ~~Subject~~ to ~~s.~~ ^{ss. 84.555 and} 86.255, any

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southeast Wisconsin freeway rehabilitation projects, including the Marquette

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interchange reconstruction project and projects that involve adding one or more

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lanes 5 miles or more in length to the existing freeway, may be funded only from the

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appropriations under ~~s.~~ ^{ss.} 20.395 (3) (cr), (cw), and (cy) ^{and 20,866(2) (um)}

13

SECTION 14. 84.014 (5m) of the statutes is created to read:

14

84.014 (5m) (a) Notwithstanding any other provision of this section, the

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department may not expend any moneys from the appropriations under s. 20.395 (3)

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(cr), (cw), and (cy) for a southeast Wisconsin freeway rehabilitation project that

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involves adding one or more lanes 5 miles or more in length to the existing freeway

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unless the project is specifically enumerated in a list under par. (b).

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(b) The department may proceed with the following southeast Wisconsin

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freeway rehabilitation projects:

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1. No projects are enumerated under this paragraph as of the effective date of

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this subdivision [revisor inserts date].

23

~~SECTION 15. Nonstatutory provisions:~~

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~~(4g)~~ REQUEST ON SOUTHEAST WISCONSIN FREEWAY REHABILITATION. By the date

25

specified by the cochairpersons of the joint committee on finance for the submission

#. Page 364, line 6: after that line insert:

SENATE BILL

1 of requests for consideration at the next quarterly meeting of the committee
2 occurring after the effective date of this subsection, the department of transportation
3 shall submit a request for the transfer of moneys from the appropriations under
4 section 20.395 (3) (cq), (cv), and (cx) of the statutes, as affected by this act, to the
5 appropriations under section 20.395 (3) (cr), (cw), and (cy) of the statutes to allocate
6 funds for rehabilitation of the southeast Wisconsin freeways. The department's
7 request, and the committee's action on the request, may not include funding now
8 allocated for projects in other parts of the state or other funding that is not currently
9 allocated to rehabilitation of southeast Wisconsin freeways. // ()

10

(END)

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb2762/lins
TNF&ARG:.....

INSERT 5-11: ³⁶

SECTION ~~37~~^{mk}. 20.395 (6) (at) of the statutes is created to read:

20.395 (6) (at) *Principal repayment and interest, major highway and rehabilitation projects, state funds.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing major highway and rehabilitation projects, as provided under s. 84.555.”

* ~~11~~. Page 21, line 25: after that line insert:

SECTION ~~64~~^h. 20.866 (1) (u) of the statutes is amended to read:

20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b) and (f), 20.190 (1) (c), (d), (i), and (j), 20.225 (1) (c) and (i), 20.245 (1) (e) and (j), 20.250 (1) (c) and (e), 20.255 (1) (d), 20.275 (1) (er), (es), (h), and (hb), 20.285 (1) (d), (db), (fh), (ih), (kd), and (km) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag), (aq), (ar), (at), (au), (ba), (bq), (ca), (cb), (cc), (cd), (ce), (cf), (ea), (eq), and (er), 20.395 (6) (af), (aq), and (ar), and (at), 20.410 (1) (e), (ec), and (ko) and (3) (e), 20.435 (2) (ee) and (6) (e), 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (5) (c), (g) and (kc), 20.855 (8) (a) and 20.867 (1) (a) and (b) and (3) (a), (b), (bm), (bp), (br), (bt), (g), (h), (i), and (q) for the payment of principal and interest on public debt contracted under subchs. I and IV of ch. 18.”

* ~~12~~. Page 22, line 9: after that line insert:

INSERT 5-25:

SECTION ~~64~~⁶⁴. 20.866 (2) (uum) of the statutes is created to read:

proof
w/
folio

as affected by
2001 Wisconsin
Act 16,

20.866 (2) (uum) *Transportation; major highway and rehabilitation projects.*
From the capital improvement fund, a sum sufficient for the department of transportation to fund major highway and rehabilitation projects, as provided under s. 84.555. The state may contract public debt in an amount not to exceed \$200,000,000 for this purpose.”

INSERT 6-5:

SECTION 258ps. 84.013 (2) of the statutes is amended to read:

84.013 (2) (a) Subject to ~~ss. 84.555 and~~ ss. 84.555 and 86.255, major highway projects shall be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and 20.866 (2) (ur) to ~~(uu)~~ (uum).

(b) Except as provided in ss. 84.014 ~~and~~, 84.03 (3), and 84.555, and subject to s. 86.255, reconditioning, reconstruction and resurfacing of highways shall be funded from the appropriations under s. 20.395 (3) (cq) to (cx).

INSERT 6-22:

SECTION 258pv. 84.03 (2) (c) of the statutes is amended to read:

84.03 (2) (c) After receiving a plan under par. (b) 1., the cochairpersons of the joint committee on finance jointly shall determine whether the plan is complete. If the joint committee on finance meets and either approves or modifies and approves a plan submitted under par. (b) 1. within 14 days after the cochairpersons determine that the plan is complete, the secretary shall implement the plan as approved by the committee. If the joint committee on finance does not meet and either approve or modify and approve a plan submitted under par. (b) 1. within 14 days after the cochairpersons determine that the plan is complete, the secretary shall implement

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as affected by 2001 Wisconsin Act 16,

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the proposed plan. If the joint committee on finance approves a plan under s. 84.555 for a state fiscal year, the joint committee on finance may modify a plan implemented under this paragraph for that fiscal year.

SECTION 258pw. 84.555 of the statutes is created to read:

84.555 Additional funding of major highway and rehabilitation projects. (1) Notwithstanding ss. 84.51 and 84.59, major highway projects, as defined under s. 84.013 (1) (a), for the purposes of ss. 84.06 and 84.09, southeast Wisconsin freeway rehabilitation projects under s. 84.014, and state highway rehabilitation projects for the purposes specified in s. 20.395 (3) (cq), may be funded with the proceeds of revenue obligations issued under s. 20.866 (2) (uum) if all of the following conditions are satisfied:

(a) The department's most recent estimate of the amount of federal funds, as defined in s. 84.03 (2) (a) 1., that the department will be appropriated under s. 20.395 in the current state fiscal year is less than 95% of the amount of federal funds shown in the schedule, as defined in s. 84.03 (2) (a) 2., for the appropriations under s. 20.395 in that fiscal year.

(b) The secretary has submitted a plan to the joint committee on finance for the use of proceeds of revenue obligations issued under s. 20.866 (2) (uum) and the joint committee on finance has approved the plan, except that the secretary may not submit, and the joint committee on finance may not approve, a plan for the use of an amount of proceeds of revenue obligations that exceeds the difference between the amount of federal funds, as defined in s. 84.03 (2) (a) 1., actually available to the department to be appropriated under s. 20.395 in the current state fiscal year and the amount of federal funds shown in the schedule, as defined in s. 84.03 (2) (a) 2., for the appropriations under s. 20.395 in that fiscal year.

(2) The joint committee on finance may approve, or modify and approve, a plan received under sub. (1) (b) using the procedure specified in s. 84.03 (2) (c). No plan submitted under sub. (1) (b) may be implemented unless the joint committee on finance has approved, or modified and approved, the plan.

(3) The secretary may submit a plan under sub. (1) (b) at any time during a state fiscal year after the conditions of sub. (1) (a) are satisfied for that fiscal year.”

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specified in



State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

D-Note

LRBb2762/z Z
TNF&ARG:cjs:jf

RMR

SCC:.....Engel - CN4604, Funding for southeast Wisconsin freeway rehabilitation projects

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION
CAUCUS SENATE AMENDMENT,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 1

insert
1-1

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

2 1. Page 16, line 5: after that line insert:

3 "SECTION 36md. 20.395 (3) (bq) of the statutes is amended to read:

4 20.395 (3) (bq) *Major highway development, state funds.* As a continuing
5 appropriation, the amounts in the schedule for major development of state trunk and
6 connecting highways and for the disadvantaged business demonstration and
7 training program under s. 84.076. This paragraph does not apply to major
8 development of any southeast Wisconsin freeway, as defined in s. 84.014 (1) (e).

9 SECTION 36me. 20.395 (3) (br) of the statutes is amended to read:

1 20.395 (3) (br) *Major highway development, service funds.* All moneys received
2 from the fund created under s. 18.57 (1) as reimbursement for the temporary
3 financing under sub. (9) (th) of projects for major development of state trunk and
4 connecting highways that are financed under s. 84.59 and enumerated under s.
5 84.013 (3), for the purpose of financing such projects. This paragraph does not apply
6 to any project for major development of a southeast Wisconsin freeway, as defined in
7 s. 84.014 (1) (e).

8 **SECTION 36mf.** 20.395 (3) (bv) of the statutes is amended to read:

9 20.395 (3) (bv) *Major highway development, local funds.* All moneys received
10 from any local unit of government or other source for major development of state
11 trunk and connecting highways, including the railroad and utility alteration and
12 relocation loan program under s. 84.065, and the disadvantaged business
13 demonstration and training program under s. 84.076, for such purposes. This
14 paragraph does not apply to major development of any southeast Wisconsin freeway,
15 as defined in s. 84.014 (1) (e).

16 **SECTION 36mg.** 20.395 (3) (bx) of the statutes is amended to read:

17 20.395 (3) (bx) *Major highway development, federal funds.* All moneys received
18 from the federal government for major development of state trunk and connecting
19 highways and the disadvantaged business demonstration and training program
20 under s. 84.076, for such purposes. This paragraph does not apply to major
21 development of any southeast Wisconsin freeway, as defined in s. 84.014 (1) (e).

22 **SECTION 36mh.** 20.395 (3) (cq) of the statutes, as affected by 2001 Wisconsin
23 Act 16, is amended to read:

24 20.395 (3) (cq) *State highway rehabilitation, state funds.* As a continuing
25 appropriation, the amounts in the schedule for improvement of existing state trunk

1 and connecting highways; for improvement of bridges on state trunk or connecting
2 highways and other bridges for which improvement is a state responsibility, for
3 necessary approach work for such bridges and for replacement of such bridges with
4 at-grade crossing improvements; for the construction and rehabilitation of the
5 national system of interstate and defense highways and bridges and related
6 appurtenances; for special maintenance activities under s. 84.04 on roadside
7 improvements; for bridges under s. 84.10; for payment to a local unit of government
8 for a jurisdictional transfer under s. 84.02 (8); for the disadvantaged business
9 demonstration and training program under s. 84.076; for the transfers required
10 under 1999 Wisconsin Act 9, section 9250 (1); and for the purposes described under
11 1999 Wisconsin Act 9, section 9150 (8g), and 2001 Wisconsin Act 16, section 9152 (4e).
12 This paragraph does not apply to any southeast Wisconsin freeway rehabilitation
13 projects under s. 84.014, or to the installation, replacement, rehabilitation, or
14 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.

17 **SECTION 36mi.** 20.395 (3) (cv) of the statutes is amended to read:

18 20.395 (3) (cv) *State highway rehabilitation, local funds.* All moneys received
19 from any local unit of government or other source for the specific information sign
20 program under s. 86.195; for improvement of existing state trunk and connecting
21 highways; for improvement of bridges on state trunk or connecting highways and
22 other bridges for which improvement is a state responsibility, for necessary approach
23 work for such bridges and for replacement of such bridges with at-grade crossing
24 improvements; for the construction and rehabilitation of the national system of
25 interstate and defense highways and bridges and related appurtenances; for special

1 maintenance activities under s. 84.04 on roadside improvements; for the railroad
2 and utility alteration and relocation loan program under s. 84.065; and for the
3 disadvantaged business demonstration and training program under s. 84.076, for
4 such purposes. This paragraph does not apply to any southeast Wisconsin freeway
5 rehabilitation projects under s. 84.014.

6 **SECTION 36mj.** 20.395 (3) (cx) of the statutes is amended to read:

7 20.395 (3) (cx) *State highway rehabilitation, federal funds.* All moneys
8 received from the federal government for improvement of existing state trunk and
9 connecting highways; for improvement of bridges on state trunk or connecting
10 highways and other bridges for which improvement is a state responsibility, for
11 necessary approach work for such bridges and for replacement of such bridges with
12 at-grade crossing improvements; for the construction and rehabilitation of the
13 national system of interstate and defense highways and bridges and related
14 appurtenances; for special maintenance activities under s. 84.04 on roadside
15 improvements; and for the disadvantaged business demonstration and training
16 program under s. 84.076, for such purposes. This paragraph does not apply to any
17 southeast Wisconsin freeway rehabilitation projects under s. 84.014.

18 **SECTION 36mk.** 20.395 (6) (at) of the statutes is created to read:

19 20.395 (6) (at) *Principal repayment and interest, major highway and*
20 *rehabilitation projects, state funds.* A sum sufficient to reimburse s. 20.866 (1) (u)
21 for the payment of principal and interest costs incurred in financing major highway
22 and rehabilitation projects, as provided under s. 84.555.”

23 **2.** Page 21, line 25: after that line insert:

1 **“SECTION 64h.** 20.866 (1) (u) of the statutes, as affected by 2001 Wisconsin Act
2 16, is amended to read:

3 20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys
4 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b) and (f), 20.190 (1)
5 (c), (d), (i), and (j), 20.225 (1) (c) and (i), 20.245 (1) (e) and (j), 20.250 (1) (c) and (e),
6 20.255 (1) (d), 20.275 (1) (er), (es), (h), and (hb), 20.285 (1) (d), (db), (fh), (ih), (kd), and
7 (km) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag), (aq), (ar),
8 (at), (au), (ba), (bq), (ca), (cb), (cc), (cd), (ce), (cf), (ea), (eq), and (er), 20.395 (6) (af), (aq),
9 ~~and (ar), and (at),~~ 20.410 (1) (e), (ec), and (ko) and (3) (e), 20.435 (2) (ee) and (6) (e),
10 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (5) (c), (g) and (kc),
11 20.855 (8) (a) and 20.867 (1) (a) and (b) and (3) (a), (b), (bm), (bp), (br), (bt), (g), (h),
12 (i), and (q) for the payment of principal and interest on public debt contracted under
13 subchs. I and IV of ch. 18.”

14 **3.** Page 22, line 9: after that line insert:

15 **“SECTION 64tg.** 20.866 (2) (ur) of the statutes is amended to read:

16 20.866 (2) (ur) *Transportation; accelerated highway improvements.* From the
17 capital improvement fund, a sum sufficient to acquire, construct, develop, enlarge,
18 or improve state highway facilities as provided by ss. 84.06 and 84.09. The state may
19 contract public debt in an amount not to exceed \$185,000,000 for this purpose. This
20 paragraph does not apply to any southeast Wisconsin freeway rehabilitation projects
21 under s. 84.014.

22 **SECTION 64th.** 20.866 (2) (uu) of the statutes is amended to read:

23 20.866 (2) (uu) *Transportation; highway projects.* From the capital
24 improvement fund, a sum sufficient for the department of transportation to acquire,

1 construct, reconstruct, improve, or develop highway projects under ss. 84.06 and
2 84.09. The state may contract public debt in an amount not to exceed \$41,000,000 for
3 this purpose. This paragraph does not apply to any southeast Wisconsin freeway
4 rehabilitation projects under s. 84.014.

5 **SECTION 64ti.** 20.866 (2) (uum) of the statutes is created to read:

6 20.866 (2) (uum) *Transportation; major highway and rehabilitation projects.*

7 From the capital improvement fund, a sum sufficient for the department of
8 transportation to fund major highway and rehabilitation projects, as provided under
9 s. 84.555. The state may contract public debt in an amount not to exceed
10 \$200,000,000 for this purpose.”

11 **4.** Page 153, line 25: after that line insert:

12 **“SECTION 258pr.** 84.013 (1) (a) (intro.) of the statutes is amended to read:

13 84.013 (1) (a) (intro.) “Major highway project” means a project, except a project
14 providing an approach to a bridge over a river that forms a boundary of the state or
15 a southeast Wisconsin freeway rehabilitation project under s. 84.014, which has a
16 total cost of more than \$5,000,000 and which involves any of the following:

17 **SECTION 258ps.** 84.013 (2) of the statutes, as affected by 2001 Wisconsin Act
18 16, is amended to read:

19 84.013 (2) (a) Subject to s. ss. 84.555 and 86.255, major highway projects shall
20 be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and
21 20.866 (2) (ur) to ~~(uu)~~ (uum).

22 (b) Except as provided in ss. 84.014 and, 84.03 (3), and 84.555, and subject to
23 s. 86.255, reconditioning, reconstruction and resurfacing of highways shall be
24 funded from the appropriations under s. 20.395 (3) (cq) to (cx).

1 **SECTION 258pt.** 84.014 (2) of the statutes, as created by 2001 Wisconsin Act 16,
2 is amended to read:

3 84.014 (2) ~~Notwithstanding s. 84.013 and subject~~ Subject to s. ss. 84.555 and
4 86.255, any southeast Wisconsin freeway rehabilitation projects, including the
5 Marquette interchange reconstruction project and projects that involve adding one
6 or more lanes 5 miles or more in length to the existing freeway, may be funded only
7 from the appropriations under ~~s. ss.~~ ss. 20.395 (3) (cr), (cw), and (cy) and 20.866 (2)
8 (uum).

9 **SECTION 258pu.** 84.014 (5m) of the statutes is created to read:

10 84.014 (5m) (a) Notwithstanding any other provision of this section, the
11 department may not expend any moneys from the appropriations under s. 20.395 (3)
12 (cr), (cw), and (cy) for a southeast Wisconsin freeway rehabilitation project that
13 involves adding one or more lanes 5 miles or more in length to the existing freeway
14 unless the project is specifically enumerated in a list under par. (b).

15 (b) The department may proceed with the following southeast Wisconsin
16 freeway rehabilitation projects:

17 1. No projects are enumerated under this paragraph as of the effective date of
18 this subdivision [revisor inserts date].

19 **SECTION 258pv.** 84.03 (2) (c) of the statutes is amended to read:

20 84.03 (2) (c) After receiving a plan under par. (b) 1., the cochairpersons of the
21 joint committee on finance jointly shall determine whether the plan is complete. If
22 the joint committee on finance meets and either approves or modifies and approves
23 a plan submitted under par. (b) 1. within 14 days after the cochairpersons determine
24 that the plan is complete, the secretary shall implement the plan as approved by the
25 committee. If the joint committee on finance does not meet and either approve or

1 modify and approve a plan submitted under par. (b) 1. within 14 days after the
2 cochairpersons determine that the plan is complete, the secretary shall implement
3 the proposed plan. If the joint committee on finance approves a plan under s. 84.555
4 for a state fiscal year, the joint committee on finance may modify a plan implemented
5 under this paragraph for that fiscal year.

6 SECTION 258pw. 84.555 of the statutes is created to read:

7 **84.555 Additional funding of major highway and rehabilitation**
8 **projects.** (1) Notwithstanding ss. 84.51 and 84.59, major highway projects, as
9 defined under s. 84.013 (1) (a), for the purposes of ss. 84.06 and 84.09, southeast
10 Wisconsin freeway rehabilitation projects under s. 84.014, and state highway
11 rehabilitation projects for the purposes specified in s. 20.395 (3) (cq), may be funded
12 with the proceeds of ~~revenue~~ general obligation bonds issued under s. 20.866 (2) (uum) if all of the
13 following conditions are satisfied:

14 (a) The department's most recent estimate of the amount of federal funds, as
15 defined in s. 84.03 (2) (a) 1., that the department will be appropriated under s. 20.395
16 in the current state fiscal year is less than 95% of the amount of federal funds shown
17 in the schedule, as defined in s. 84.03 (2) (a) 2., for the appropriations under s. 20.395
18 in that fiscal year.

general obligation bonds

19 (b) The secretary has submitted a plan to the joint committee on finance for the
20 use of proceeds of ~~revenue~~ general obligation bonds issued under s. 20.866 (2) (uum) and the joint
21 committee on finance has approved the plan, except that the secretary may not
22 submit, and the joint committee on finance may not approve, a plan for the use of an
23 amount of proceeds of ~~revenue~~ general obligation bonds that exceeds the difference between the
24 amount of federal funds, as defined in s. 84.03 (2) (a) 1., actually available to the
25 department to be appropriated under s. 20.395 in the current state fiscal year and

1 the amount of federal funds shown in the schedule, as defined in s. 84.03 (2) (a) 2.,
2 for the appropriations under s. 20.395 in that fiscal year.

3 (2) The joint committee on finance may approve, or modify and approve, a plan
4 received under sub. (1) (b) using the procedure specified in s. 84.03 (2) (c). No plan
5 submitted under sub. (1) (b) may be implemented unless the joint committee on
6 finance has approved, or modified and approved, the plan.

7 (3) The secretary may submit a plan under sub. (1) (b) at any time during a
8 state fiscal year after the condition specified in sub. (1) (a) is satisfied for that fiscal
9 year.”.

10 **5.** Page 364, line 6: after that line insert:

11 “(4q) REQUEST ON SOUTHEAST WISCONSIN FREEWAY REHABILITATION. By the date
12 specified by the cochairpersons of the joint committee on finance for the submission
13 of requests for consideration at the next quarterly meeting of the committee
14 occurring after the effective date of this subsection, the department of transportation
15 shall submit a request for the transfer of moneys from the appropriations under
16 section 20.395 (3) (cq), (cv), and (cx) of the statutes, as affected by this act, to the
17 appropriations under section 20.395 (3) (cr), (cw), and (cy) of the statutes to allocate
18 funds for rehabilitation of the southeast Wisconsin freeways. The department’s
19 request, and the committee’s action on the request, may not include funding now
20 allocated for projects in other parts of the state or other funding that is not currently
21 allocated to rehabilitation of southeast Wisconsin freeways.”.

22

(END)

D - Note

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb2762/2ins
TNF&ARG:.....

7m
1. Page 5, line 4: after that line insert:

→ " SECTION ~~6y~~. 13.101 (6) (a) of the statutes is amended to read:

13.101 (6) (a) As an emergency measure necessitated by decreased state revenues and to prevent the necessity for a state tax on general property, the committee may reduce any appropriation made to any board, commission, department, or the University of Wisconsin System, or to any other state agency or activity, by such amount as it deems feasible, not exceeding 25% of the appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and (cr), 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax), and (6) (aq) and (ar), and (at), 20.435 (6) (a) and (7) (da), and 20.445 (3) (a) and (dz) or for forestry purposes under s. 20.370 (1), or any other moneys distributed to any county, city, village, town, or school district. Appropriations of receipts and of a sum sufficient shall for the purposes of this section be regarded as equivalent to the amounts expended under such appropriations in the prior fiscal year which ended June 30. All functions of said state agencies shall be continued in an efficient manner, but because of the uncertainties of the existing situation no public funds should be expended or obligations incurred unless there shall be adequate revenues to meet the expenditures therefor. For such reason the committee may make reductions of such appropriations as in its judgment will secure sound financial operations of the administration for said state agencies and at the same time interfere least with their services and activities.))



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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb2762/2dn
TNF&ARG:/:....

gjs

The only change in the attached "2" draft is the addition of the treatment of s. 13.101 (6) (a) to include a cross-reference to s. 20.395 (6) (at) (as created in the "1" draft).

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the
and ~~substitution~~ "general obligation bonds" for
"revenue obligations" in created s. 84.555
(1) (intro.) and (b)

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

LRBb2762/2dn
ARG:cjs:jf

April 1, 2002

The only change in the attached "2" draft is the addition of the treatment of s. 13.101 (6) (a) to include a cross-reference to s. 20.395 (6) (at) (as created in the "1" draft) and the substitution of "general obligation bonds" for "revenue obligations" in created s. 84.555 (1) (intro.) and (b).

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State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2762/2
TNF&ARG:cjs:jf

SCC:.....Engel - CN4604, Funding for southeast Wisconsin freeway rehabilitation projects

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 1

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

2 1. Page 5, line 4: after that line insert:

3 "SECTION 7m. 13.101 (6) (a) of the statutes is amended to read:

4 13.101 (6) (a) As an emergency measure necessitated by decreased state
5 revenues and to prevent the necessity for a state tax on general property, the
6 committee may reduce any appropriation made to any board, commission,
7 department, or the University of Wisconsin System, or to any other state agency or
8 activity, by such amount as it deems feasible, not exceeding 25% of the
9 appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and
10 (cr), 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax), and (6) (aq)

1 ~~and~~, (ar), and (at), 20.435 (6) (a) and (7) (da), and 20.445 (3) (a) and (dz) or for forestry
2 purposes under s. 20.370 (1), or any other moneys distributed to any county, city,
3 village, town, or school district. Appropriations of receipts and of a sum sufficient
4 shall for the purposes of this section be regarded as equivalent to the amounts
5 expended under such appropriations in the prior fiscal year which ended June 30.
6 All functions of said state agencies shall be continued in an efficient manner, but
7 because of the uncertainties of the existing situation no public funds should be
8 expended or obligations incurred unless there shall be adequate revenues to meet the
9 expenditures therefor. For such reason the committee may make reductions of such
10 appropriations as in its judgment will secure sound financial operations of the
11 administration for said state agencies and at the same time interfere least with their
12 services and activities.”.

13 **2.** Page 16, line 5: after that line insert:

14 **“SECTION 36md.** 20.395 (3) (bq) of the statutes is amended to read:

15 20.395 (3) (bq) *Major highway development, state funds.* As a continuing
16 appropriation, the amounts in the schedule for major development of state trunk and
17 connecting highways and for the disadvantaged business demonstration and
18 training program under s. 84.076. This paragraph does not apply to major
19 development of any southeast Wisconsin freeway, as defined in s. 84.014 (1) (e).

20 **SECTION 36me.** 20.395 (3) (br) of the statutes is amended to read:

21 20.395 (3) (br) *Major highway development, service funds.* All moneys received
22 from the fund created under s. 18.57 (1) as reimbursement for the temporary
23 financing under sub. (9) (th) of projects for major development of state trunk and
24 connecting highways that are financed under s. 84.59 and enumerated under s.

1 84.013 (3), for the purpose of financing such projects. This paragraph does not apply
2 to any project for major development of a southeast Wisconsin freeway, as defined in
3 s. 84.014 (1) (e).

4 **SECTION 36mf.** 20.395 (3) (bv) of the statutes is amended to read:

5 20.395 (3) (bv) *Major highway development, local funds.* All moneys received
6 from any local unit of government or other source for major development of state
7 trunk and connecting highways, including the railroad and utility alteration and
8 relocation loan program under s. 84.065, and the disadvantaged business
9 demonstration and training program under s. 84.076, for such purposes. This
10 paragraph does not apply to major development of any southeast Wisconsin freeway,
11 as defined in s. 84.014 (1) (e).

12 **SECTION 36mg.** 20.395 (3) (bx) of the statutes is amended to read:

13 20.395 (3) (bx) *Major highway development, federal funds.* All moneys received
14 from the federal government for major development of state trunk and connecting
15 highways and the disadvantaged business demonstration and training program
16 under s. 84.076, for such purposes. This paragraph does not apply to major
17 development of any southeast Wisconsin freeway, as defined in s. 84.014 (1) (e).

18 **SECTION 36mh.** 20.395 (3) (cq) of the statutes, as affected by 2001 Wisconsin
19 Act 16, is amended to read:

20 20.395 (3) (cq) *State highway rehabilitation, state funds.* As a continuing
21 appropriation, the amounts in the schedule for improvement of existing state trunk
22 and connecting highways; for improvement of bridges on state trunk or connecting
23 highways and other bridges for which improvement is a state responsibility, for
24 necessary approach work for such bridges and for replacement of such bridges with
25 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 special maintenance activities under s. 84.04 on roadside
3 improvements; for bridges under s. 84.10; for payment to a local unit of government
4 for a jurisdictional transfer under s. 84.02 (8); for the disadvantaged business
5 demonstration and training program under s. 84.076; for the transfers required
6 under 1999 Wisconsin Act 9, section 9250 (1); and for the purposes described under
7 1999 Wisconsin Act 9, section 9150 (8g), and 2001 Wisconsin Act 16, section 9152 (4e).
8 This paragraph does not apply to any southeast Wisconsin freeway rehabilitation
9 projects under s. 84.014, or to the installation, replacement, rehabilitation, or
10 maintenance of highway signs, traffic control signals, highway lighting, pavement
11 markings, or intelligent transportation systems, unless incidental to the
12 improvement of existing state trunk and connecting highways.

13 **SECTION 36mi.** 20.395 (3) (cv) of the statutes is amended to read:

14 20.395 (3) (cv) *State highway rehabilitation, local funds.* All moneys received
15 from any local unit of government or other source for the specific information sign
16 program under s. 86.195; for improvement of existing state trunk and connecting
17 highways; for improvement of bridges on state trunk or connecting highways and
18 other bridges for which improvement is a state responsibility, for necessary approach
19 work for such bridges and for replacement of such bridges with at-grade crossing
20 improvements; for the construction and rehabilitation of the national system of
21 interstate and defense highways and bridges and related appurtenances; for special
22 maintenance activities under s. 84.04 on roadside improvements; for the railroad
23 and utility alteration and relocation loan program under s. 84.065; and for the
24 disadvantaged business demonstration and training program under s. 84.076, for

1 such purposes. This paragraph does not apply to any southeast Wisconsin freeway
2 rehabilitation projects under s. 84.014.

3 **SECTION 36mj.** 20.395 (3) (cx) of the statutes is amended to read:

4 20.395 (3) (cx) *State highway rehabilitation, federal funds.* All moneys
5 received from the federal government for improvement of existing state trunk and
6 connecting highways; for improvement of bridges on state trunk or connecting
7 highways and other bridges for which improvement is a state responsibility, for
8 necessary approach work for such bridges and for replacement of such bridges with
9 at-grade crossing improvements; for the construction and rehabilitation of the
10 national system of interstate and defense highways and bridges and related
11 appurtenances; for special maintenance activities under s. 84.04 on roadside
12 improvements; and for the disadvantaged business demonstration and training
13 program under s. 84.076, for such purposes. This paragraph does not apply to any
14 southeast Wisconsin freeway rehabilitation projects under s. 84.014.

15 **SECTION 36mk.** 20.395 (6) (at) of the statutes is created to read:

16 20.395 (6) (at) *Principal repayment and interest, major highway and*
17 *rehabilitation projects, state funds.* A sum sufficient to reimburse s. 20.866 (1) (u)
18 for the payment of principal and interest costs incurred in financing major highway
19 and rehabilitation projects, as provided under s. 84.555.”.

20 **3.** Page 21, line 25: after that line insert:

21 “**SECTION 64h.** 20.866 (1) (u) of the statutes, as affected by 2001 Wisconsin Act
22 16, is amended to read:

23 20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys
24 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b) and (f), 20.190 (1)

1 (c), (d), (i), and (j), 20.225 (1) (c) and (i), 20.245 (1) (e) and (j), 20.250 (1) (c) and (e),
2 20.255 (1) (d), 20.275 (1) (er), (es), (h), and (hb), 20.285 (1) (d), (db), (fh), (ih), (kd), and
3 (km) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag), (aq), (ar),
4 (at), (au), (ba), (bq), (ca), (cb), (cc), (cd), (ce), (cf), (ea), (eq), and (er), 20.395 (6) (af), (aq),
5 ~~and (ar), and (at),~~ 20.410 (1) (e), (ec), and (ko) and (3) (e), 20.435 (2) (ee) and (6) (e),
6 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (5) (c), (g) and (kc),
7 20.855 (8) (a) and 20.867 (1) (a) and (b) and (3) (a), (b), (bm), (bp), (br), (bt), (g), (h),
8 (i), and (q) for the payment of principal and interest on public debt contracted under
9 subchs. I and IV of ch. 18.”

10 **4.** Page 22, line 9: after that line insert:

11 **“SECTION 64tg.** 20.866 (2) (ur) of the statutes is amended to read:

12 20.866 (2) (ur) *Transportation; accelerated highway improvements.* From the
13 capital improvement fund, a sum sufficient to acquire, construct, develop, enlarge,
14 or improve state highway facilities as provided by ss. 84.06 and 84.09. The state may
15 contract public debt in an amount not to exceed \$185,000,000 for this purpose. This
16 paragraph does not apply to any southeast Wisconsin freeway rehabilitation projects
17 under s. 84.014.

18 **SECTION 64th.** 20.866 (2) (uu) of the statutes is amended to read:

19 20.866 (2) (uu) *Transportation; highway projects.* From the capital
20 improvement fund, a sum sufficient for the department of transportation to acquire,
21 construct, reconstruct, improve, or develop highway projects under ss. 84.06 and
22 84.09. The state may contract public debt in an amount not to exceed \$41,000,000 for
23 this purpose. This paragraph does not apply to any southeast Wisconsin freeway
24 rehabilitation projects under s. 84.014.

1 **SECTION 64ti.** 20.866 (2) (uum) of the statutes is created to read:

2 20.866 (2) (uum) *Transportation; major highway and rehabilitation projects.*

3 From the capital improvement fund, a sum sufficient for the department of
4 transportation to fund major highway and rehabilitation projects, as provided under
5 s. 84.555. The state may contract public debt in an amount not to exceed
6 \$200,000,000 for this purpose.”.

7 **5.** Page 153, line 25: after that line insert:

8 “**SECTION 258pr.** 84.013 (1) (a) (intro.) of the statutes is amended to read:

9 84.013 (1) (a) (intro.) “Major highway project” means a project, except a project
10 providing an approach to a bridge over a river that forms a boundary of the state or
11 a southeast Wisconsin freeway rehabilitation project under s. 84.014, which has a
12 total cost of more than \$5,000,000 and which involves any of the following:

13 **SECTION 258ps.** 84.013 (2) of the statutes, as affected by 2001 Wisconsin Act
14 16, is amended to read:

15 84.013 (2) (a) Subject to ~~s. ss. 84.555 and~~ 86.255, major highway projects shall
16 be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and
17 20.866 (2) (ur) to ~~(uu)~~ (uum).

18 (b) Except as provided in ss. 84.014 ~~and~~, 84.03 (3), ~~and 84.555~~, and subject to
19 s. 86.255, reconditioning, reconstruction and resurfacing of highways shall be
20 funded from the appropriations under s. 20.395 (3) (cq) to (cx).

21 **SECTION 258pt.** 84.014 (2) of the statutes, as created by 2001 Wisconsin Act 16,
22 is amended to read:

23 84.014 (2) ~~Notwithstanding s. 84.013 and subject~~ Subject to s. ss. 84.555 and
24 86.255, any southeast Wisconsin freeway rehabilitation projects, including the

1 Marquette interchange reconstruction project and projects that involve adding one
2 or more lanes 5 miles or more in length to the existing freeway, may be funded only
3 from the appropriations under s. ss. 20.395 (3) (cr), (cw), and (cy) and 20.866 (2)
4 (uum).

5 **SECTION 258pu.** 84.014 (5m) of the statutes is created to read:

6 84.014 (5m) (a) Notwithstanding any other provision of this section, the
7 department may not expend any moneys from the appropriations under s. 20.395 (3)
8 (cr), (cw), and (cy) for a southeast Wisconsin freeway rehabilitation project that
9 involves adding one or more lanes 5 miles or more in length to the existing freeway
10 unless the project is specifically enumerated in a list under par. (b).

11 (b) The department may proceed with the following southeast Wisconsin
12 freeway rehabilitation projects:

13 1. No projects are enumerated under this paragraph as of the effective date of
14 this subdivision [revisor inserts date].

15 **SECTION 258pv.** 84.03 (2) (c) of the statutes is amended to read:

16 84.03 (2) (c) After receiving a plan under par. (b) 1., the cochairpersons of the
17 joint committee on finance jointly shall determine whether the plan is complete. If
18 the joint committee on finance meets and either approves or modifies and approves
19 a plan submitted under par. (b) 1. within 14 days after the cochairpersons determine
20 that the plan is complete, the secretary shall implement the plan as approved by the
21 committee. If the joint committee on finance does not meet and either approve or
22 modify and approve a plan submitted under par. (b) 1. within 14 days after the
23 cochairpersons determine that the plan is complete, the secretary shall implement
24 the proposed plan. If the joint committee on finance approves a plan under s. 84.555

1 for a state fiscal year, the joint committee on finance may modify a plan implemented
2 under this paragraph for that fiscal year.

3 **SECTION 258pw.** 84.555 of the statutes is created to read:

4 **84.555 Additional funding of major highway and rehabilitation**
5 **projects.** (1) Notwithstanding ss. 84.51 and 84.59, major highway projects, as
6 defined under s. 84.013 (1) (a), for the purposes of ss. 84.06 and 84.09, southeast
7 Wisconsin freeway rehabilitation projects under s. 84.014, and state highway
8 rehabilitation projects for the purposes specified in s. 20.395 (3) (cq), may be funded
9 with the proceeds of general obligation bonds issued under s. 20.866 (2) (uum) if all
10 of the following conditions are satisfied:

11 (a) The department's most recent estimate of the amount of federal funds, as
12 defined in s. 84.03 (2) (a) 1., that the department will be appropriated under s. 20.395
13 in the current state fiscal year is less than 95% of the amount of federal funds shown
14 in the schedule, as defined in s. 84.03 (2) (a) 2., for the appropriations under s. 20.395
15 in that fiscal year.

16 (b) The secretary has submitted a plan to the joint committee on finance for the
17 use of proceeds of general obligation bonds issued under s. 20.866 (2) (uum) and the
18 joint committee on finance has approved the plan, except that the secretary may not
19 submit, and the joint committee on finance may not approve, a plan for the use of an
20 amount of proceeds of general obligation bonds that exceeds the difference between
21 the amount of federal funds, as defined in s. 84.03 (2) (a) 1., actually available to the
22 department to be appropriated under s. 20.395 in the current state fiscal year and
23 the amount of federal funds shown in the schedule, as defined in s. 84.03 (2) (a) 2.,
24 for the appropriations under s. 20.395 in that fiscal year.

