# 2001 Jr2 DRAFTING REQUEST

# Senate Amendment (SA-SSA1-AB1)

Received: 06/28/2002					Received By: agary			
Wanted: Soon					Identical to LRB,			
For: Legislative Fiscal Bureau					By/Representing: Dyck			
This file may be shown to any legislator: NO					Drafter: agary			
May Contact:					Addl. Drafters:			
Subject: Transportation - highways					Extra Copies: TNF, PJH Rick Olin - LFB Al Runde - LFB			
Submit	via email: NO			•				
Pre To	pic:							
LFB:	Dyck - Item 1	4,						
Topic:								
Restrict Wiscon	ion on use of st sin freeway pro	ate highway re jects	habilitation a	and major hig	thway development	funds for sou	theast	
Instruc	etions:							
		ortion of draft r	representing	item 14 of LI	FB comparative sur	nmary dated 4	1/12/02	
Draftin	g History:							
Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required	
/?	agary 06/29/2002	jdyer 06/29/2002						
/1			jfrantze 06/29/200	02	lrb_docadmin 07/01/2002			
FE Sent	For:			•				

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#### **Senate Amendment (SA-SSA1-AB1)**

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Subject:

**Transportation - highways** 

Extra Copies:

TNF, PJH

Rick Olin - LFB Al Runde - LFB

Submit via email: NO

Pre Topic:

LFB:.....Dyck - Item 14,

**Topic:** 

Restriction on use of state highway rehabilitation and major highway development funds for southeast wisconsin freeway projects

**Instructions:** 

Split out from b2762 portion of draft representing item 14 of LFB comparative summary dated 4/12/02

**Drafting History:** 

Vers.

Drafted

Reviewed

Typed

Submitted

Jacketed

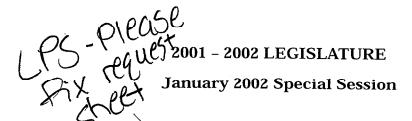
Required

/?

agary

FE Sent For:

<**END>** 



LRB627 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 SUBSTATUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

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

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

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SECTION 7m. 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)

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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.".

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

"Section 36md. 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).

SECTION 36me. 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).

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

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).

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

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).

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

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 for a jurisdictional transfer under s. 84.02 (8); for the disadvantaged business demonstration and training program under s. 84.076; for the transfers required under 1999 Wisconsin Act 9, section 9250 (1); and for the purposes described under 1999 Wisconsin Act 9, section 9150 (8g), and 2001 Wisconsin Act 16, section 9152 (4e). This paragraph does not apply to any southeast Wisconsin freeway rehabilitation projects under s. 84.014, or to the installation, replacement, rehabilitation, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings, or intelligent transportation systems, unless incidental to the improvement of existing state trunk and connecting highways.

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

20.395 (3) (cv) State highway rehabilitation, local funds. All moneys received from any local unit of government or other source for the specific information sign program under s. 86.195; 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 the railroad and utility alteration and relocation loan program under s. 84.065; and for the disadvantaged business demonstration and training program under s. 84.076, for

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

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

20.395 (3) (cx) State highway rehabilitation, federal funds. All moneys received from the federal government 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; and for the disadvantaged business demonstration and training program under s. 84.076, for such purposes. This paragraph does not apply to any southeast Wisconsin freeway rehabilitation projects under s. 84.014.

**Section 36mk.** 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 reimburge'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.".

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

"Section 64h. 20.866 (1) (u) of the statutes, as affected by 2001 Wisconsin Act 16, 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), 1 20.255 (1) (d), 20.275 (1) (er), (es), (h), and (hb), 20.285 (1) (d), (db), (fh), (ih), (kd), and 2 (km) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag), (aq), (ar), 3 (at), (au), (ba), (bq), (ca), (cb), (cc), (cd), (ce), (eq), (eq), and (er), 20.395 (6) (af), (aq), 4 and (ar), and (at), 20.410 (1) (e), (ec), and (ko) and (3) (e), 20.435 (2) (ee) and (6) (e), 5 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (5) (c), (g) and (kc), 6 20.855 (8) (a) and 20.867 (1) (a) and (b) and (3) (a), (b), (bm), (bp), (br), (bt), (g), (h), 7 (i), and (q) for the payment of principal and interest on public debt contracted under 8 9 subchs. I and IV of ch. 18.".
  - **4.** Page 22, line 9: after that line insert:

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- "Section 64tg. 20.866 (2) (ur) of the statutes is amended to read:
  - 20.866 (2) (ur) Transportation; accelerated highway improvements. From the capital improvement fund, a sum sufficient to acquire, construct, develop, enlarge, or improve state highway facilities as provided by ss. 84.06 and 84.09. The state may contract public debt in an amount not to exceed \$185,000,000 for this purpose. This paragraph does not apply to any southeast Wisconsin freeway rehabilitation projects under s. 84.014.
    - SECTION 64th. 20.866 (2) (uu) of the statutes is amended to read:
  - 20.866 (2) (uu) Transportation; highway projects. From the capital improvement fund, a sum sufficient for the department of transportation to acquire, construct, reconstruct, improve, or develop highway projects under ss. 84.06 and 84.09. The state may contract public debt in an amount not to exceed \$41,000,000 for this purpose. This paragraph does not apply to any southeast Wisconsin freeway rehabilitation projects under s. 84.014.

SECTION 64ti. 20.866 (2) (uum) of the statutes is created to read: 20.866 (2) (uum) Transportation; major highway and rehabilitation projects.  $^{2}$ From the capital improvement fund, a sum sufficient for the department of 3 transportation to fund major highway and rehabilitation projects, as provided under 4 The state may contract public debt in an amount not to exceed 5 s. 84.555. \$200,000,000 for this purpose.". 6 7 **5.** Page 153, line 25: after that line insert: "Section 258pr. 84.013 (1) (a) (intro.) of the statutes is amended to read: 8 84.013 (1) (a) (intro.) "Major highway project" means a project, except a project 9 providing an approach to a bridge over a river that forms a boundary of the state or 10 a southeast Wisconsin freeway rchabilitation project under s. 84.014, which has a 11 total cost of more than \$5,000,000 and which involves any of the following: 12 13 SECTION 258ps. 84.013 (2) of the statutes, as affected by 2001 Wisconsin Act 14 16, is amended to read: 84.013 (2) (a) Subject to s. ss. 84.555 and 86.255, major highway projects shall 15 be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and 16 17 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 18 s. 86.255, reconditioning, reconstruction and resurfacing of highways shall be 19 funded from the appropriations under s. 20.395(3)(cq) to (cx). 20 SECTION 258pt. 84.014 (2) of the statutes, as created by 2001 Wisconsin Act 16, 21delete strike(plain) plain 22is amended to read: 23 84.014 (2) (Notwithstanding s. 84.013 and subject) Models to s.) 84/35/34/36 86.255, any southeast Wisconsin freeway rehabilitation projects, including the 24

Marquette interchange reconstruction project and projects that involve adding one

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

from the appropriations under 20.395 (3) (cr), (cw), and (cy) and 201866 (201866) (2018

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

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

- (b) The department may proceed with the following southeast Wisconsin freeway rehabilitation projects:
- 1. No projects are enumerated under this paragraph as of the effective date of this subdivision .... [revisor inserts date].

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 the proposed plan. If the joint committee on finance approves a plan under s. 84 555

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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 general obligation bonds 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 general obligation bonds 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 general obligation bonds 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 condition specified in sub. (1) (a) is satisfied for that fiscal year.".

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

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

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## State of Misconsin 2001 - 2002 LEGISLATURE

#### **January 2002 Special Session**

LRBb3103/1 TNF&ARG:jld&cjs:jf

LFB:.....Dyck – Item 14, Restriction on use of state highway rehabilitation and major highway development funds for southeast Wisconsin freeway projects

FOR 2001-03 BUDGET -- NOT READY FOR INTRODUCTION SENATE AMENDMENT,

# TO SENATE SUBSTITUTE AMENDMENT 1, TO ASSEMBLY BILL 1

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

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

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

development of any southeast Wisconsin freeway, as defined in s. 84.014 (1) (e).

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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).

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

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).

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

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).

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

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

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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 for a jurisdictional transfer under s. 84.02 (8); for the disadvantaged business demonstration and training program under s. 84.076; for the transfers required under 1999 Wisconsin Act 9, section 9250 (1); and for the purposes described under 1999 Wisconsin Act 9, section 9150 (8g), and 2001 Wisconsin Act 16, section 9152 (4e). This paragraph does not apply to any southeast Wisconsin freeway rehabilitation projects under s. 84.014, or to the installation, replacement, rehabilitation, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings, or intelligent transportation systems, unless incidental to the improvement of existing state trunk and connecting highways.

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

20.395 (3) (cv) State highway rehabilitation, local funds. All moneys received from any local unit of government or other source for the specific information sign program under s. 86.195; 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 the railroad and utility alteration and relocation loan program under s. 84.065; and for the disadvantaged business demonstration and training program under s. 84.076, for such purposes. This paragraph does not apply to any southeast Wisconsin freeway rehabilitation projects under s. 84.014.

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

20.395 (3) (cx) State highway rehabilitation, federal funds. All moneys received from the federal government 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; and for the disadvantaged business demonstration and training program under s. 84.076, for such purposes. This paragraph does not apply to any southeast Wisconsin freeway rehabilitation projects under s. 84.014."

## 2. Page 22, line 9: after that line insert:

"Section 64tg. 20.866 (2) (ur) of the statutes is amended to read:

20.866 (2) (ur) Transportation; accelerated highway improvements. From the capital improvement fund, a sum sufficient to acquire, construct, develop, enlarge, or improve state highway facilities as provided by ss. 84.06 and 84.09. The state may contract public debt in an amount not to exceed \$185,000,000 for this purpose. This

paragraph does not apply to any southeast Wisconsin freeway rehabilitation projects
 under s. 84.014.

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

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

**3.** Page 153, line 25: after that line insert:

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

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

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

"(4q) Request on southeast Wisconsin freeway rehabilitation. By the date specified by the cochairpersons of the joint committee on finance for the submission of requests for consideration at the next quarterly meeting of the committee occurring after the effective date of this subsection, the department of transportation shall submit a request for the transfer of moneys from the appropriations under section 20.395 (3) (cq), (cv), and (cx) of the statutes, as affected by this act, to the

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appropriations under section 20.395 (3) (cr), (cw), and (cy) of the statutes to allocate funds for rehabilitation of the southeast Wisconsin freeways. The department's request, and the committee's action on the request, may not include funding now allocated for projects in other parts of the state or other funding that is not currently allocated to rehabilitation of southeast Wisconsin freeways.".

(END)