



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-2008/45

ARG:bjk/wlj/nwn/jld:rs

stay

AMR

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

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

note

SA

Inserts

do not gen

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

*Analysis by the Legislative Reference Bureau*

**TRANSPORTATION**

**OTHER TRANSPORTATION**

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

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

Insert ANAL

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

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

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

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

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

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

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

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

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

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

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

1 excess of \$300,000,000, submit to the joint committee on finance an allocation plan  
 2 for expenditure of these federal economic stimulus funds. The department shall  
 3 submit the plan as soon as possible after the plan is ready. After receiving the plan,  
 4 the cochairpersons of the joint committee on finance jointly shall determine whether  
 5 the plan is complete. If the joint committee on finance meets and either approves or  
 6 modifies and approves the plan within 14 days after the cochairpersons determine  
 7 that the plan is complete, the department of transportation may implement the plan  
 8 as approved by the committee. If the joint committee on finance does not meet and  
 9 either approve or modify and approve the plan within 14 days after the  
 10 cochairpersons determine that the plan is complete, the department of  
 11 transportation may implement the proposed plan.

insert  
3-12

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

insert  
3-18

(END)

D-note

1

2 **INSERT ANAL:**

3 <sup>(no P)</sup> with one exception, DOT may encumber or expend the first \$300,000,000 of  
4 \* ~~federal economic~~ stimulus funds only for specified projects.

5 **INSERT 3-12:**

6 <sup>(no P)</sup> 1. Except as provided in subdivision 2., the department of transportation may  
7 encumber or expend the first \$300,000,000 of federal economic stimulus funds only  
8 for one or more of the projects identified in paragraph (d). <sup>a.r. A</sup>

9 <sup>a.r. B</sup> 2. If the department encumbered state funds or federal funds other than  
10 federal economic stimulus funds for any project identified in paragraph (d) before  
11 receiving the first \$300,000,000 of federal economic stimulus funds, the department  
12 may substitute a different project for that project in the list under paragraph (d). <sup>a.r. B</sup>

13 <sup>auto-letter</sup> **INSERT 3-18:**

14 <sup>(d)</sup> <sup>a.r. B</sup> 1. <sup>(a)</sup> List of projects. The department of transportation may encumber or expend  
15 the first \$300,000,000 of federal economic stimulus funds for the following projects:

- 16 1. The Sun Prairie bypass project on USH 151 in Dane County.
- 17 2. The Madison-Milwaukee Road project on I 94 in Dane County.
- 18 3. The Madison-Janesville Road project on I 39 in Dane County.
- 19 4. The Madison-Janesville Road project on I 90 in Dane County.
- 20 5. The Maple Street village of Palmyra project on STH 59 in Jefferson County.
- 21 6. The Whitewater-Palmyra Road project on STH 59 in Jefferson County.
- 22 7. The LaCrosse-West Salem/Monegan project on STH 16 in La Crosse County.
- 23 8. The Footville-Janesville bypass project on STH 11 in Rock County.
- 24 9. The Lake Delton-I 90 Road project on USH 12 in Sauk County.

- 1            10. The Viroqua-LaFarge project on STH 82 in Vernon County.
- 2            11. The USH 12 project on USH 12 in Walworth County.
- 3            12. The Rock Freeway project on I 43 in Walworth County.
- 4            13. The Kewaskum-Eden project on USH 45 in Washington County.
- 5            14. The Meadow Lane Bridge and approach project on a town road in  
6            Manitowoc County.
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- 9            17. The Mishicot-I 43 project on STH 147 in Manitowoc County.
- 10           18. The Lily-Forest County line project on STH 52 in Langlade County.
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- 12           20. The Mosinee-USH 45 project on STH 153 in Marathon County.
- 13           21. The Eagle River-Land O Lakes project on USH 45 in Vilas County.
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15           Waupaca County.
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- 21           28. The New Richmond-Bloomer Road project on STH 64 in Dunn County.
- 22           29. The Menomonie-Wheeler Road project on STH 25 in Dunn County.
- 23           30. The August-Fairchild Road project on USH 12 in Eau Claire County.
- 24           31. The St. Croix Falls-Turtle Lake project on USH 8 in Polk County.
- 25           32. The Ghost Lake-Clam Lake Road project on STH 77 in Sawyer County.

- 1           33. The New Richmond-Connorsville project on STH 64 in St. Croix County.
- 2           34. The North-South Freeway-"CTH" G interchange project on I 94 in Racine
- 3           County.
- 4           35. The North-South Freeway-"CTH" E interchange project on I 94 in Kenosha
- 5           County.
- 6           36. The North-South Freeway-STH 158 interchange project on I 94 in
- 7           Kenosha County.
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**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-2008/5dn

ARG:.....

Lbjk

Date

ATTN: Tyler Byrnes

The project list is based upon the faxed information provided. The fax was slightly illegible in places. Please carefully review the project list to ensure that the correct information has been included.

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

**DRAFTER'S NOTE**  
**FROM THE**  
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ARG:bjk:rs

February 10, 2009

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**Gary, Aaron**

---

**From:** Byrnes, Tyler - DOA [Tyler.Byrnes@wisconsin.gov]  
**Sent:** Tuesday, February 10, 2009 2:40 PM  
**To:** Gary, Aaron  
**Subject:** Draft - 2008/5 - Eliminate requirement for spending plan.

Aaron,

One project was left off the list – US Highway 41, Brown County, Green Bay-Suamico

Thanks,

Tyler



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-2008/66

ARG:bjk/wlj/nwn/jld:rs

RMC

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2

(END)

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b-2

J-note

**2009-2010 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2008/6ins  
ARG:.....

1

2

**INSERT 6-2:**

3

46. The Green Bay-Suamico project on USH 41 in Brown County. ✓

4



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

LRB-2008/6dn

ARG: f:...

nwn

Date

ATTN: Tyler Byrnes

The attached draft adds the project listed as 46.✓

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

**DRAFTER'S NOTE**  
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LRB-2008/6dn  
ARG:nwn:jf

February 11, 2009

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## Gary, Aaron

---

**From:** Grinde, Kirsten - DOA [kirsten.grinde@wisconsin.gov]  
**Sent:** Tuesday, February 10, 2009 7:19 PM  
**To:** Gary, Aaron; Champagne, Rick  
**Cc:** Hanaman, Cathlene; Kraus, Jennifer - DOA; Byrnes, Tyler - DOA  
**Subject:** Additional revisions to LRB 2008

Aaron,

In addition to the change that Tyler sent over regarding the Brown county – USH 41 project, please make the following revisions to LRB 2008/5:

- 1) Please see my earlier e-mail message to Rick Champagne and you regarding the JCF oversight of the federal economic stimulus funds and determine if the drafts will remain separate or be rolled into one.
- 2) If the drafts remain separate, please remove (1)(b) Review of allocation plan for expenditure of federal economic stimulus funds (Page 2, line 20, through Page 3, line 11). This would be handled under the proposed language in the other draft.
- 3) Please make other modifications as needed. The main intent is to keep the list of projects, allow for the substitution of other projects if one of the projects on the list is advanced before the federal economic stimulus funds are received, not have the plan requirement and JCF review apply to the \$300 million of federal economic stimulus funds that would be used for these projects, and use the plan requirement and JCF review language in the other draft for any other moneys that may be received.

Please let me know if you have any questions or need more information.

Thanks,

Kirsten

**Gary, Aaron**

---

**From:** Grinde, Kirsten - DOA [kirsten.grinde@wisconsin.gov]  
**Sent:** Tuesday, February 10, 2009 6:59 PM  
**To:** Champagne, Rick; Gary, Aaron  
**Cc:** Hanaman, Cathlene; Kraus, Jennifer - DOA; Beadles, Kathleen - DOA  
**Subject:** JCF oversight of federal stimulus language  
**Importance:** High  
**Attachments:** 20090210 LRB 1386 5.pdf

Rick,

Please convert the attached draft (LRB 1386/5) to a Budget Adjustment Bill draft – for inclusion in LRB 1999.

In addition, please make the following modifications:

- 1) In (1)(b) Expenditure of federal economic stimulus funds for purposes other than transportation, please add "or plans" after "a plan" on page 2, line 9. Also, on line 11 please change "the plan" to "a plan".
- 2) In (1)(d) State building program enumeration, please modify page 3, line 23, to read "if approved as part of a plan under paragraph (b)," rather than "as part of the plan".
- 3) For (1)(c) Expenditure of federal economic stimulus funds for transportation purposes, please add "or plans" after "a plan" on page 3, line 7. Also, on line 9, please change "the plan" to "a plan".

→ 4) In addition, for (1)(c) related to the transportation funds, we have a separate draft that Aaron Gary has been working on (LRB 2008/5) that includes a list of projects advanced by federal economic stimulus funds. Our intention is that the list of projects included there would count as "funds the expenditure of which is contained in any bill introduced...at the request of the governor." Do you need to add a cross reference or would Aaron need to reference this draft? We're not sure whether the drafts would remain separate or if they should be rolled into one.

I will be sending separate instructions to Aaron on LRB 2008/5 to remove the language there relating to the review of allocation plan, since this draft would apply to the federal economic stimulus funds for transportation purposes.

Please let Jenny or me know if you have any questions.

Thanks,

Kirsten



State of Wisconsin  
2009 - 2010 LEGISLATURE

in  
2/11

LRB-2008/7

ARG:bjk/wlj/nwn/jld:jf

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20 (b) *Review of allocation plan for expenditure of federal economic stimulus funds.*  
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beginning on the effective date of this ~~subsection~~ <sup>e paragraph</sup> and ending on June 30, 2011.

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1 46. The Green Bay-Suamico project on USH 41 in Brown County.

2 (END)

**Gary, Aaron**

---

**From:** Grinde, Kirsten - DOA [kirsten.grinde@wisconsin.gov]  
**Sent:** Wednesday, February 11, 2009 4:12 PM  
**To:** Gary, Aaron  
**Subject:** RE: LRB Draft: 09-2008/7 Eliminate requirement for spending plan for additional federal funds

Yes.

---

**From:** Gary, Aaron [mailto:Aaron.Gary@legis.wisconsin.gov]  
**Sent:** Wednesday, February 11, 2009 4:09 PM  
**To:** Grinde, Kirsten - DOA  
**Subject:** RE: LRB Draft: 09-2008/7 Eliminate requirement for spending plan for additional federal funds

OK. Will this wording work?

35. The North-South Freeway-I 94 from STH 50 to CTH "C" project on I 94 in Kenosha County.

36. The North-South Freeway-I 94 from CTH "C" to the state line project on I 94 in Kenosha County.

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

---

**From:** Grinde, Kirsten - DOA [mailto:kirsten.grinde@wisconsin.gov]  
**Sent:** Wednesday, February 11, 2009 3:47 PM  
**To:** Gary, Aaron  
**Cc:** Hanaman, Cathlene; Kraus, Jennifer - DOA; Byrnes, Tyler - DOA  
**Subject:** FW: LRB Draft: 09-2008/7 Eliminate requirement for spending plan for additional federal funds  
**Importance:** High

Aaron,

If possible, please modify LRB 2008/7 by replacing the projects listed on lines 13 to 16 on Page 4, with the projects listed below in Chris Klein's message. These would be construction on the I-94 highway rather than interchanges. Let me know if you have any questions.

Thanks - Kirsten

---

**From:** Klein, Christopher - DOT  
**Sent:** Wednesday, February 11, 2009 3:45 PM

02/11/2009

**To:** Grinde, Kirsten - DOA

**Subject:** RE: LRB Draft: 09-2008/7 Eliminate requirement for spending plan for additional federal funds

35. The North-South Freeway-I 94 from STH 50 to CTH C in Kenosha County

36. The Noth-South Freeway-I 94 from CTH C to Stateline in Kenosha County

-----Original Message-----

**From:** Grinde, Kirsten - DOA

**Sent:** Wednesday, February 11, 2009 3:41 PM

**To:** Klein, Christopher - DOT

**Subject:** RE: LRB Draft: 09-2008/7 Eliminate requirement for spending plan for additional federal funds

**Importance:** High

Chris – Are these in a particular county? And does "Mainline" mean anything in particular?

---

**From:** Klein, Christopher - DOT

**Sent:** Wednesday, February 11, 2009 3:35 PM

**To:** Grinde, Kirsten - DOA

**Subject:** RE: LRB Draft: 09-2008/7 Eliminate requirement for spending plan for additional federal funds

Page 4

35. The North-South Freeway-STH 50 to CTH C Mainline

36. The Noth-South Freeway-CTH C to Stateline Mainline

-----Original Message-----

**From:** Grinde, Kirsten - DOA

**Sent:** Wednesday, February 11, 2009 3:09 PM

**To:** Klein, Christopher - DOT

**Cc:** Newman, Kenneth - DOT

**Subject:** FW: LRB Draft: 09-2008/7 Eliminate requirement for spending plan for additional federal funds

---

**From:** Frantzen, Jean [mailto:Jean.Frantzen@legis.wisconsin.gov]

**Sent:** Wednesday, February 11, 2009 11:54 AM

**To:** Byrnes, Tyler - DOA

**Cc:** Grinde, Kirsten - DOA; Hanaman, Cathlene - LEGIS; Beadles, Kathleen - DOA

**Subject:** LRB Draft: 09-2008/7 Eliminate requirement for spending plan for additional federal funds

*Following is the PDF version of draft 09-2008/7.*



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-2008/18

ARG:bjk/wlj/nwn/jld:jf

stacy

RMN

icjs

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

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

SA -  
Insert

do not gen.

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*Analysis by the Legislative Reference Bureau*

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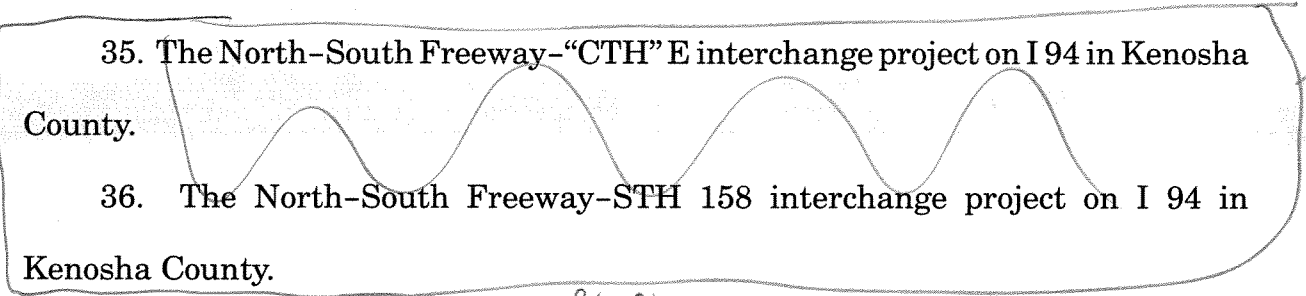
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Insert  
4-13





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7   **(END)**

**2009-2010 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2008/8ins  
ARG:.....

1

2

**Insert 4-13:**

3

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4

Kenosha County.

5

36. The North-South Freeway-I 94 from CTH "C" to the state line project on

6

I 94 in Kenosha County.

7

**Gary, Aaron**

---

**From:** Byrnes, Tyler - DOA [Tyler.Byrnes@wisconsin.gov]  
**Sent:** Thursday, February 12, 2009 5:06 PM  
**To:** Gary, Aaron  
**Cc:** Hanaman, Cathlene; Kraus, Jennifer - DOA; Grinde, Kirsten - DOA  
**Subject:** 09-2008/8 - Eliminate Spending Plan Requirement

Aaron,

Can you add another project?

Taylor County – Medford-Goodrich Project – State Highway 64

Thanks,

Tyler



stay (RMA)

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

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

SA - Insert

Only change - P. 5  
44

do not gen.

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(END)

insert  
5-7



**2009-2010 DRAFTING INSERT  
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LEGISLATIVE REFERENCE BUREAU**

LRB-2008/9ins  
ARG:.....

1        **INSERT 5-7:**

2        47. The Medford-Goodrich project on STH 64 in Taylor County.

3



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

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

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22 receiving the first \$300,000,000 of federal economic stimulus funds, the department  
23 may substitute a different project for that project in the list under paragraph (c).

24          (c) *List of projects.* The department of transportation may encumber or expend  
25 the first \$300,000,000 of federal economic stimulus funds for the following projects:

- 1 1. The Sun Prairie bypass project on USH 151 in Dane County.
- 2 2. The Madison-Milwaukee Road project on I 94 in Dane County.
- 3 3. The Madison-Janesville Road project on I 39 in Dane County.
- 4 4. The Madison-Janesville Road project on I 90 in Dane County.
- 5 5. The Maple Street village of Palmyra project on STH 59 in Jefferson County.
- 6 6. The Whitewater-Palmyra Road project on STH 59 in Jefferson County.
- 7 7. The LaCrosse-West Salem/Monegan project on STH 16 in La Crosse County.
- 8 8. The Footville-Janesville bypass project on STH 11 in Rock County.
- 9 9. The Lake Delton-I 90 Road project on USH 12 in Sauk County.
- 10 10. The Viroqua-LaFarge project on STH 82 in Vernon County.
- 11 11. The USH 12 project on USH 12 in Walworth County.
- 12 12. The Rock Freeway project on I 43 in Walworth County.
- 13 13. The Kewaskum-Eden project on USH 45 in Washington County.
- 14 14. The Meadow Lane Bridge and approach project on a town road in  
15 Manitowoc County.
- 16 15. The Suamico-Abrams project on USH 41 in Oconto County.
- 17 16. The Kewaskum-Eden project on USH 45 in Fond du Lac County.
- 18 17. The Mishicot-I 43 project on STH 147 in Manitowoc County.
- 19 18. The Lily-Forest County line project on STH 52 in Langlade County.
- 20 19. The Merrill-Tomahawk project on USH 51 in Lincoln County.
- 21 20. The Mosinee-USH 45 project on STH 153 in Marathon County.
- 22 21. The Eagle River-Land O' Lakes project on USH 45 in Vilas County.
- 23 22. The Fulton Street and Hillcrest Drive intersection project on STH 49 in  
24 Waupaca County.
- 25 23. The Winchester-New London project on USH 45 in Waupaca County.

- 1           24. The Pittsville-Marshfield project on STH 13 in Wood County.
- 2           25. The Pittsville-Neillsville project on STH 73 in Wood County.
- 3           26. The Odanah-Saxon project on USH 2 in Ashland County.
- 4           27. The Siren-Spooner project on STH 70 in Burnett County.
- 5           28. The New Richmond-Bloomer Road project on STH 64 in Dunn County.
- 6           29. The Menomonie-Wheeler Road project on STH 25 in Dunn County.
- 7           30. The Augusta-Fairchild Road project on USH 12 in Eau Claire County.
- 8           31. The St. Croix Falls-Turtle Lake project on USH 8 in Polk County.
- 9           32. The Ghost Lake-Clam Lake Road project on STH 77 in Sawyer County.
- 10          33. The New Richmond-Connorsville project on STH 64 in St. Croix County.
- 11          34. The North-South Freeway-CTH "G" interchange project on I 94 in Racine  
12 County.
- 13          35. The North-South Freeway-I 94 from STH 50 to CTH "C" project on I 94 in  
14 Kenosha County.
- 15          36. The North-South Freeway-I 94 from CTH "C" to the state line project on  
16 I 94 in Kenosha County.
- 17          37. The North-South Freeway-CTH "C" interchange project on I 94 in Kenosha  
18 County.
- 19          38. The Port Washington-Manitowoc project on I 43 in Sheboygan County.
- 20          39. The Manitowoc-Green Bay project on I 43 in Manitowoc County.
- 21          40. The Milwaukee-Green Bay Road project on I 43 in Sheboygan County.
- 22          41. The Witzel Avenue overpass project on USH 41 in Winnebago County.
- 23          42. The Lake Butte des Morts Causeway project on USH 41 in Winnebago  
24 County.

1           43. The Fountain Avenue-Snell Road overpass project on USH 41 in  
2 Winnebago County.

3           44. The USH 45 and Fernau Avenue-Snell Road project on USH 41 in  
4 Winnebago County.

5           45. The Stevens Point-Wausau project on I 39 in Marathon County.

6           46. The Green Bay-Suamico project on USH 41 in Brown County.

7           47. The Medford-Goodrich project on STH 64 in Taylor County.

8   (END)