2017 SENATE BILL 788

February 7, 2018 – Introduced by Senators DARLING, CRAIG, WANGGAARD, KAPENGA, VUKMIR and L. TAYLOR, cosponsored by Representatives SANFELIPPO, KOOYENGA, HUTTON, ALLEN, DUCHOW, KUGLITSCH, OTT, RODRIGUEZ, SKOWRONSKI, WICHERGS, R. BROOKS, BRANDTJEN, KNO DL and KLEEFISCH. Referred to Committee on Transportation and Veterans Affairs.

AN ACT to renumber 84.0145 (1) (a); to amend 84.013 (1) (a) (intro.); and to create 84.013 (3) (c), 84.013 (3m) (L), 84.0145 (1) (ah) and 84.0145 (3) (b) 3. of the statutes; relating to: the I 94 east–west corridor project.

Analysis by the Legislative Reference Bureau

This bill adds I 94 from 70th Street to 16th Street in Milwaukee County (I 94 east–west corridor project) to the current list of enumerated major highway projects and southeast Wisconsin freeway megaprojects approved for construction by the Department of Transportation.

The bill also does all of the following:

1. Requires DOT to reserve $25,000,000 from the transportation fund for use in the I 94 east–west corridor project.

2. Requires DOT to identify efficiencies in the programs it administers, to designate not less than $25,000,000 from appropriations to DOT from the transportation fund that DOT determines are not necessary for the satisfactory administration of departmental programs, and to lapse the designated moneys to the transportation fund.

3. Requires DOT to request that the federal highway administration reinstate the record of decision signed on September 9, 2016, and rescinded on October 4, 2017, relating to the I 94 east–west corridor project.

4. Prohibits DOT from proceeding with the I 94 east–west corridor project if DOT does not receive certain federal funding or upon certain action by the Joint Committee on Finance.
For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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

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

84.013 (1) (a) (intro.) “Major highway project” means a project, except a project providing an approach to a bridge over a river that forms a boundary of the state, a high-cost state highway bridge project under s. 84.017, or a southeast Wisconsin freeway megaproject under s. 84.0145, other than a project under s. 84.0145 (3) (b) 2., that satisfies any of the following:

SECTION 2. 84.013 (3) (c) of the statutes is created to read:

84.013 (3) (c) Subject to sub. (3m) (L), I 94 from 70th Street to 16th Street, including all interchanges, and including work on local roads as necessary for the completion of this project, in Milwaukee County.

SECTION 3. 84.013 (3m) (L) of the statutes is created to read:

84.013 (3m) (L) 1. The department shall maintain the schedule that existed on October 10, 2017, for the project enumerated under sub. (3) (c) and s. 84.0145 (3) (b) 3.

2. The department may not construct the project enumerated under sub. (3) (c) and s. 84.0145 (3) (b) 3. if the department is prohibited from expending proceeds of general obligation bonds issued under s. 20.866 (2) (uuz) under 2017 Wisconsin Act 58, section 60 (1c).

3. The department shall submit a request to construct the project enumerated under sub. (3) (c) and s. 84.0145 (3) (b) 3. to the joint committee on finance. If the cochairpersons of the joint committee on finance do not notify the department within
14 working days after the submission of the request that the committee intends to schedule a meeting to review the request, the department may proceed with construction as requested. If, within 14 working days after the date of the submission of the request, the cochairpersons of the committee notify the department that the committee intends to schedule a meeting for the purpose of reviewing the request, the department may not construct the project enumerated under sub. (3) (c) and s. 84.0145 (3) (b) 3., except as the committee determines.

**SECTION 4.** 84.0145 (1) (a) of the statutes is renumbered 84.0145 (1) (ap).

**SECTION 5.** 84.0145 (1) (ah) of the statutes is created to read:

84.0145 (1) (ah) “I 94 east-west corridor project” means the reconstruction of the I 94 freeway in Milwaukee County from 70th Street to 16th Street, including all interchanges, and including work on local roads as necessary for the completion of this project.

**SECTION 6.** 84.0145 (3) (b) 3. of the statutes is created to read:

84.0145 (3) (b) 3. Subject to s. 84.013 (3m) (L), the I 94 east-west corridor project.

**SECTION 7. Nonstatutory provisions.**

(1) Not later than June 30, 2019, the department of transportation shall reserve $25,000,000 from the transportation fund for use in the project enumerated under sections 84.013 (3) (c) and 84.0145 (3) (b) 3. of the statutes.

(2) Not later than June 30, 2019, the department of transportation shall identify efficiencies in the programs it administers, shall designate not less than $25,000,000 from appropriations to the department from the transportation fund that the department determines are not necessary for the satisfactory administration of departmental programs, and shall lapse the designated moneys to
the transportation fund. Funds designated under this subsection may include funds
determined not to be necessary for the satisfactory administration of departmental
programs under an existing cost-saving or efficiency assessment program of the
department.

(3) Not later than 30 days after the effective date of this subsection, the
department of transportation shall request that the federal highway administration
reinstate the record of decision signed on September 9, 2016, and rescinded on
October 4, 2017, relating to the I 94 east-west corridor project.

(END)