



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-1403/4  
ARG:nwn&kjf:rs

DOA:.....Byrnes, BB0347 - SE Wisconsin Freeway megaprojects

**FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION**

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

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*Analysis by the Legislative Reference Bureau*

**TRANSPORTATION**

**HIGHWAYS**

Under current law, the Transportation Projects Commission (TPC) consists of the governor, three citizen members, and ten members of the legislature. The secretary of transportation serves as a nonvoting member of the TPC and the governor serves as chairperson of the TPC.

Under current law, DOT administers a major highway projects program. With certain exceptions, a major highway project is a project having a total cost of more than \$5,000,000 and involving construction of a new highway 2.5 miles or more in length; reconstruction or reconditioning of an existing highway that relocates at least 2.5 miles of the highway or adds one or more lanes five miles or more in length to the highway; or improvement of an existing multilane, divided highway to freeway standards. Any major highway project, unlike other highway construction projects undertaken by DOT, must generally receive the approval of the TPC and the legislature (generally referred to as "enumeration") before the project may be constructed. DOT may not begin preparing an environmental impact statement (EIS) or environmental assessment (EA) for a potential major highway project without TPC approval. The TPC may not recommend approval of any major highway project unless the TPC has been notified that a final EIS or EA for the project has been approved by the Federal Highway Administration. The legislature may not

enumerate any major highway project unless the TPC has recommended approval of the project. If these pre-conditions are satisfied, DOT may perform preliminary engineering and design work for a major highway project but may not undertake construction of the project until the legislature has enumerated the project by statute. The major highway projects program is funded from state, federal, and local funds appropriations and bond proceeds.

Under current law, southeast Wisconsin freeway rehabilitation projects include the reconditioning, reconstruction, or resurfacing of, or adding one or more lanes to, a state trunk highway, located in Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, or Waukesha county, that has four or more lanes of traffic physically separated by a median or barrier and that gives preference to through traffic by limiting access to interchanges only. A project may not be considered both a major highway project and a southeast Wisconsin freeway rehabilitation project. Southeast Wisconsin freeway rehabilitation projects, which include the Marquette interchange reconstruction project, the I 94 north-south corridor project, and the Zoo interchange project in Milwaukee County, may be funded only from appropriations specifically designated for such projects or from bond proceeds. Southeast Wisconsin freeway rehabilitation projects that involve adding at least one lane five miles or more in length cannot be funded from state, federal, and local funds appropriations without legislative approval, accomplished through statutory enumeration. Only the reconstruction of the I 94 north-south corridor project and the Zoo interchange have been so enumerated. After June 30, 2011, funding under the state, federal, and local funds appropriations for southeast Wisconsin freeway rehabilitation projects terminates, but bond proceeds may still be used to fund these projects.

In addition to the major highway projects program and the southeast Wisconsin freeway rehabilitation program, DOT administers a state highway rehabilitation program. This program provides funding for state highway improvements that are not major highway projects or southeast Wisconsin freeway rehabilitation projects. The program is funded from state, federal, and local funds appropriations and bond proceeds.

Under current law, the general obligation bond proceeds that may be used to fund major highway projects, southeast Wisconsin freeway rehabilitation projects, and state highway rehabilitation projects, as applicable, are authorized in various statutory provisions. Various provisions of current law authorize specific maximum levels of general obligation bonding for these projects, respectively, and the total authorized amount of general obligation bonding available for these projects is the cumulative amount specified in all applicable provisions.

This bill modifies the definition of "major highway project" to recognize two categories of major highway projects. In the first category, a major highway project is defined as under current law except that the total cost threshold is increased by the bill from \$5,000,000 to \$30,000,000. In the second category, with certain exceptions, a major highway project is a project having a total cost of at least \$75,000,000. For both categories of major highway projects, the total cost threshold is adjusted annually by DOT based on an inflation index maintained by DOT. The bill maintains the current TPC review and approval process for major highway

projects in the first category but creates a new TPC review and approval process for major highway projects in the second category. Under the bill, DOT may prepare an EIS or EA for a major highway project in the second category without TPC approval. However, prior to construction of the project, DOT must submit a report to the TPC and request TPC approval to proceed with the project. If the chairperson of the TPC does not notify DOT within 14 working days after this request for approval is submitted that the TPC has scheduled a meeting for the purpose of reviewing the request, the request is considered approved and DOT may proceed with the project. If, within 14 working days after DOT submits the request, the chairperson of the TPC notifies DOT that the TPC has scheduled a meeting for the purpose of reviewing the request, DOT may implement the request only as approved by the TPC. DOT may not proceed with construction of a major highway project in the second category unless the project is approved, implicitly or explicitly, by the TPC under this passive review process. Once approved by the TPC, the project is considered “enumerated” as a major highway project under the statutes. With respect to major highway projects in the first category, the bill also allows DOT to perform engineering and design work, not limited to preliminary engineering and design work, for a major highway project prior to its statutory enumeration by the legislature.

The bill also creates a new category of highway projects called “southeast Wisconsin freeway megaprojects,” which are projects on southeast Wisconsin freeways that have a total cost of more than \$500 million, as adjusted for inflation annually by DOT. These projects may be funded only from newly created state, federal, and local funds appropriations for these projects, along with bond proceeds and an existing insurance cost-recovery appropriation. No funding for construction of these projects may be provided without legislative approval by means of statutory enumeration. The bill enumerates the I 94 north-south corridor project and the Zoo interchange project as southeast Wisconsin freeway megaprojects. This bill also authorizes proceeds from certain general obligation bonding to be used to fund southeast Wisconsin freeway megaprojects.

Under this bill, southeast Wisconsin freeway rehabilitation projects may also be considered major highway projects, eligible for major highway project funding, if they satisfy all criteria and requirements for major highway projects, including approval through the TPC process and statutory enumeration. A southeast Wisconsin freeway rehabilitation project that is not a major highway project and not a southeast Wisconsin freeway megaproject may be eligible for state highway rehabilitation funding. However, a southeast Wisconsin freeway rehabilitation project cannot also be considered a southeast Wisconsin freeway megaproject.

Under current law, among the sources for funding southeast Wisconsin freeway rehabilitation projects, the state may contract up to \$553,550,000 in public debt, in the form of general obligation bonds, for DOT’s funding of the Marquette interchange reconstruction project and the I 94 north-south corridor reconstruction project.

This bill increases from \$553,550,000 to \$704,750,000 the limit for this authorized general obligation bonding and allows proceeds from this bonding to also be used to fund another southeast Wisconsin freeway rehabilitation project, the reconstruction of the Zoo interchange.

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

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

**SECTION 1.** 13.489 (1m) (f) of the statutes is created to read:

13.489 (1m) (f) This subsection does not apply to major highway projects described in s. 84.013 (1) (a) 2m.

**SECTION 2.** 13.489 (4) (d) of the statutes is created to read:

13.489 (4) (d) This subsection does not apply to major highway projects described in s. 84.013 (1) (a) 2m.

**SECTION 3.** 13.489 (4m) of the statutes is created to read:

13.489 (4m) REVIEW OF HIGH-COST MAJOR HIGHWAY PROJECTS. (a) Notwithstanding sub. (4), for any major highway project described in s. 84.013 (1) (a) 2m., the department of transportation shall submit a report to the commission, prior to construction of the project, which report may request the commission's approval to proceed with the project. The department may submit this request at any time following completion by the department of a draft environmental impact statement or environmental assessment for the project.

(b) After receiving a request under par. (a) for approval to proceed with a major highway project described in s. 84.013, if the chairperson of the commission does not notify the department of transportation within 14 working days after the date on which the department submits the request under par. (a) that the commission has scheduled a meeting for the purpose of reviewing the request, the request is considered approved and the department may proceed with the project. If, within 14 working days after the date on which the department submits the request, the

chairperson of the commission notifies the department that the commission has scheduled a meeting for the purpose of reviewing the request, the department may implement the request only as approved by the commission, including approval after modification by the commission.

(c) The department of transportation may not proceed with construction of a major highway project described in s. 84.013 (1) (a) 2m. unless the project is approved by the commission as provided in par. (b).

(d) The procedures specified in this subsection shall apply to all major highway projects described in s. 84.013 (1) (a) 2m. in lieu of the procedures described in sub. (4).

**SECTION 4.** 20.395 (3) (aq) of the statutes is created to read:

20.395 (3) (aq) *Southeast Wisconsin freeway megaprojects, state funds.* As a continuing appropriation, the amounts in the schedule for southeast Wisconsin freeway megaprojects under s. 84.0145. This paragraph does not apply to the installation, replacement, rehabilitation, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings, or intelligent transportation systems, unless incidental to a southeast Wisconsin freeway megaproject.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 5.** 20.395 (3) (av) of the statutes is created to read:

20.395 (3) (av) *Southeast Wisconsin freeway megaprojects, local funds.* All moneys received from any local unit of government or other source for southeast Wisconsin freeway megaprojects under s. 84.0145, for such purposes.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 6.** 20.395 (3) (ax) of the statutes is created to read:

20.395 (3) (ax) *Southeast Wisconsin freeway megaprojects, federal funds.* All moneys received from the federal government for southeast Wisconsin freeway megaprojects under s. 84.0145, for such purposes. This paragraph does not apply to the installation, replacement, rehabilitation, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings, or intelligent transportation systems, unless incidental to a southeast Wisconsin freeway megaproject.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 7.** 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 with respect to any southeast Wisconsin freeway, as defined in s. 84.014 (1) (e) megaproject under s. 84.0145.

**SECTION 8.** 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 with respect to any southeast Wisconsin freeway, as defined in s. 84.014 (1) (e) megaproject under s. 84.0145.

**SECTION 9.** 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 with respect to ~~major development of any southeast Wisconsin freeway, as defined in s. 84.014 (1) (e)~~ megaproject under s. 84.0145.

**SECTION 10.** 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~~ with respect to any southeast Wisconsin freeway, ~~as defined in s. 84.014 (1) (e)~~ megaproject under s. 84.0145.

**SECTION 11.** 20.395 (3) (cq) of the statutes 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 the bridge project under s. 84.115; 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 [2003 Wisconsin Act 33](#), section [9153](#) (4q); and for the purposes described under [1999 Wisconsin Act 9](#), section [9150](#) (8g), [2001 Wisconsin Act 16](#), section [9152](#) (4e), and [2007 Wisconsin Act 20](#), section [9148](#) (9i) (b) and (9x). This paragraph does not apply to any southeast Wisconsin freeway megaprojects under s. 84.0145, to any southeast Wisconsin freeway rehabilitation projects under s. 84.014 that also qualify as major highway projects under s. 84.013, 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 12.** 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 bridge project under s. 84.115; 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 megaprojects under s. 84.0145 or to any



southeast Wisconsin freeway rehabilitation projects under s. 84.014 that also qualify as major highway projects under s. 84.013.

**SECTION 13.** 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; for the bridge project under s. 84.115; and for the disadvantaged business demonstration and training program under s. 84.076; and all moneys received under [2003 Wisconsin Act 33](#), section 9153 (4q); for such purposes. This paragraph does not apply to any southeast Wisconsin freeway megaprojects under s. 84.0145 or to any southeast Wisconsin freeway rehabilitation projects under s. 84.014 that also qualify as major highway projects under s. 84.013.

**SECTION 14.** 20.395 (6) (au) of the statutes is amended to read:

20.395 (6) (au) *Principal repayment and interest, Marquette interchange, zoo interchange, southeast megaprojects, and I 94 north-south corridor reconstruction projects, state funds.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the Marquette interchange reconstruction project ~~and~~, the reconstruction of the I 94 north-south corridor and the zoo interchange, and southeast Wisconsin freeway megaprojects, as provided

under ss. 20.866 (2) (uup) and 84.555, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

\*\*\*NOTE: This is reconciled s. 20.395 (6) (au). This SECTION has been affected by drafts with the following LRB numbers: LRB-0459 and LRB-1403.

**SECTION 15.** 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 with respect to any southeast Wisconsin freeway rehabilitation projects under s. 84.014 megaproject under s. 84.0145.

**SECTION 16.** 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 with respect to any southeast Wisconsin freeway rehabilitation projects under s. 84.014 megaproject under s. 84.0145.

**SECTION 17.** 20.866 (2) (uup) of the statutes is amended to read:

20.866 (2) (uup) *Transportation; Marquette interchange, zoo interchange, southeast megaprojects, and I 94 north-south corridor reconstruction projects.* From the capital improvement fund, a sum sufficient for the department of transportation to fund the Marquette interchange reconstruction project under s. 84.014, as provided under s. 84.555, and the reconstruction of the I 94 north-south corridor and

the zoo interchange, as provided under s. 84.555 (1m), and southeast Wisconsin freeway megaprojects under s. 84.0145, as provided under s. 84.555 (1m). The state may contract public debt in an amount not to exceed ~~\$553,550,000~~ \$704,750,000 for these purposes.

\*\*\*\*NOTE: This is reconciled s. 20.866 (2) (uup). This SECTION has been affected by drafts with the following LRB numbers: LRB-0459 and LRB-1403.

**SECTION 18.** 84.01 (33) (c) of the statutes is repealed.

**SECTION 19.** 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 or a southeast Wisconsin freeway ~~rehabilitation project under s. 84.014,~~ which megaproject under s. 84.0145, that satisfies any of the following:

1m. The project has a total cost of more than \$5,000,000 ~~\$30,000,000,~~ subject to adjustment under sub. (2m), and which involves any of the following:

**SECTION 20.** 84.013 (1) (a) 1. of the statutes is renumbered 84.013 (1) (a) 1m.  
a.

**SECTION 21.** 84.013 (1) (a) 2. (intro.), a. and b. of the statutes are consolidated, renumbered 84.013 (1) (a) 1m. b. and amended to read:

84.013 (1) (a) 1m. b. Reconstructing or reconditioning an existing highway by either of the following: ~~a. Relocating~~ relocating 2.5 miles or more of the existing highway. ~~b. Adding or adding~~ one or more lanes 5 miles or more in length to the existing highway.

**SECTION 22.** 84.013 (1) (a) 2m. of the statutes is created to read:

84.013 (1) (a) 2m. The project has a total cost of more than \$75,000,000, subject to adjustment under sub. (2m).

**SECTION 23.** 84.013 (1) (a) 3. of the statutes is renumbered 84.013 (1) (a) 1m.  
c.

**SECTION 24.** 84.013 (2) (a) of the statutes is amended to read:

84.013 (2) (a) Subject to ss. 84.014 (6) (b), 84.555, and 86.255, major highway projects shall be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (ct) and (4) (jq) and 20.866 (2) (ur) to (uum) and (uus).

**SECTION 25.** 84.013 (2) (b) of the statutes is amended to read:

84.013 (2) (b) Except as provided in ss. 84.014, 84.03 (3), and 84.555, and subject to ~~ss.~~ ss. 84.014 (6) (c) and 86.255, reconditioning, reconstruction and resurfacing of highways shall be funded from the appropriations under ss. 20.395 (3) (cq) to (cx) and 20.866 (2) (uur) and (uut).

**SECTION 26.** 84.013 (2m) of the statutes is created to read:

84.013 (2m) The department shall annually adjust the amounts specified in sub. (1) (a) 1m. and 2m. to reflect the annual change in the Wisconsin Department of Transportation Price Index, Yearly Moving Average, as maintained by the department or, if at any time the department no longer maintains this index, another suitable index as determined by the department. Beginning in 2012, prior to October 1 of each year, the department shall compute the annual adjustment required under this subsection and shall publish the new adjusted amount applicable under sub. (1) (a) 1m. and 2m., which amount shall become effective on October 1 of that year. The department may not adjust the amounts specified in sub. (1) (a) 1m. and 2m. to an amount less than that specified in sub. (1) (a) 1m. and 2m.

**SECTION 27.** 84.013 (3) (ad) of the statutes is created to read:

84.013 (3) (ad) Notwithstanding s. 13.489 (4) (c), any project approved by the transportation projects commission under s. 13.489 (4m) (b).

**SECTION 28.** 84.013 (4) (a) of the statutes is amended to read:

84.013 (4) (a) Subject to s. 13.489 (1m), in preparation for future major highway projects, the department may perform preliminary engineering and design work and studies for possible major highway projects not listed under sub. (3), but no major highway may be constructed unless the project is listed under sub. (3) or approved under sub. (6).

**SECTION 29.** 84.014 (2) of the statutes is amended to read:

84.014 (2) Subject to ss. 84.555 and 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 ss. 20.395 (3) (cr), (ct), (cw), and (cy) and 20.866 (2) (uum) and (uup).

**SECTION 30.** 84.014 (6) of the statutes is created to read:

84.014 (6) (a) A southeast Wisconsin freeway rehabilitation project under this section may not simultaneously be considered a southeast Wisconsin freeway megaproject under s. 84.0145.

(b) Notwithstanding sub. (5m), a southeast Wisconsin freeway rehabilitation project under this section may also be considered a major highway project, eligible for funding under s. 84.013 (2) (a), if the project meets the criteria for a major highway project under s. 84.013 (1) (a) and satisfies all applicable requirements under ss. 13.489 and 84.013.

(c) Notwithstanding sub. (5m), a southeast Wisconsin freeway rehabilitation project under this section may also be eligible for funding under s. 84.013 (2) (b) if the project is not considered a southeast Wisconsin freeway megaproject under s. 84.0145 or a major highway project under s. 84.013.

**SECTION 31.** 84.0145 of the statutes is created to read:

**84.0145 Southeast Wisconsin freeway megaprojects.** (1) In this section:

(a) "I 94 north-south corridor" has the meaning given in s. 84.014 (5m) (ag) 1.

(b) "Southeast Wisconsin freeway" has the meaning given in s. 84.014 (1) (e).

(c) "Southeast Wisconsin freeway megaproject" means any project on a southeast Wisconsin freeway having a total cost of more than \$500 million, subject to adjustment under sub. (4).

(d) "Zoo interchange" has the meaning given in s. 84.014 (5m) (ag) 2.

(2) Subject to sub. (3) and s. 86.255, any southeast Wisconsin freeway megaproject may be funded only from the appropriations under ss. 20.395 (3) (aq), (av), (ax), and (ct) and 20.866 (2) (uup).

(3) (a) The department may not encumber or expend any moneys for construction of a southeast Wisconsin freeway megaproject unless the project is specifically enumerated in a list under par. (b).

(b) The department may provide funding for the following southeast Wisconsin freeway megaprojects:

1. The I 94 north-south corridor project.

2. The Zoo interchange project.

(4) The department shall annually adjust the amount specified in sub. (1) (c) to reflect the annual change in the Wisconsin Department of Transportation Price Index, Yearly Moving Average, as maintained by the department or, if at any time the department no longer maintains this index, another suitable index as determined by the department. Beginning in 2012, prior to October 1 of each year, the department shall compute the annual adjustment required under this subsection and shall publish the new adjusted amount applicable under sub. (1) (c), which

amount shall become effective on October 1 of that year. The department may not adjust the amount specified in sub. (1) (c) to an amount less than that specified in sub. (1) (c).

**SECTION 32.** 84.555 (1m) of the statutes is amended to read:

84.555 (1m) Notwithstanding sub. (1) and ss. 84.51 and 84.59, the proceeds of general obligation bonds issued under s. 20.866 (2) (uum) are allocated for expenditure obligations under s. 84.95 and s. 84.014 and the proceeds of general obligation bonds issued under s. 20.866 (2) (uup) may be used to fund expenditure obligations for the Marquette interchange reconstruction project under s. 84.014 and, for the reconstruction of the I 94 north-south corridor, as defined in s. 84.014 (5m) (ag) 1., for the reconstruction of the Zoo interchange, as defined in s. 84.014 (5m) (ag) 2., and southeast Wisconsin freeway megaprojects under s. 84.0145.

\*\*\*\*NOTE: This is reconciled s. 84.555 (1m). This SECTION has been affected by drafts with the following LRB numbers: LRB-0459 and LRB-1403.

**SECTION 33.** 85.05 of the statutes is amended to read:

**85.05 Evaluation of proposed major highway projects.** The department by rule shall establish a procedure for numerically evaluating projects considered for enumeration under s. 84.013 (3) as a major highway project. The evaluation procedure may include any criteria that the department considers relevant. The rules shall establish a minimum score that a project shall meet or exceed when evaluated under the procedure established under this section before the department may recommend the project to the transportation projects commission for consideration under s. 13.489 (4). This section does not apply to major highway projects identified in s. 84.013 (3) (ad).

**SECTION 34.** 227.01 (13) (yc) of the statutes is created to read:

227.01 (13) (yc) Adjusts the total cost threshold for highway projects under ss. 84.013 (2m) and 84.0145 (4).

**SECTION 9348. Initial applicability; Transportation.**

(1) MAJOR HIGHWAY PROJECTS. The treatment of sections 13.489 (1m) (f), (4) (d), and (4m), 84.013 (1) (a) (intro.), 1., 2. (intro.), a., and b., 2m., and 3., (2m), and (3) (ad), 85.05, and 227.01 (13) (yc) (as it relates to major highway projects) of the statutes first applies to highway projects for which preliminary engineering and design work commences after the effective date of this subsection.

(END)