

# State of Wisconsin



2017 Senate Bill 85

Date of enactment: April 3, 2018  
Date of publication\*: April 4, 2018

## 2017 WISCONSIN ACT 247

AN ACT *to renumber and amend* 13.489 (5) (a) 2.; *to amend* 13.489 (3), 13.489 (5) (a) (intro.) and 84.01 (13); and *to create* 13.489 (3) (b) 2., 13.489 (5) (a) 2. b. to g. and 13.489 (5) (am) of the statutes; **relating to:** major highway project reports and cost–benefit analyses of certain services related to transportation.

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

**SECTION 1.** 13.489 (3) of the statutes is amended to read:

13.489 (3) ASSISTANCE TO COMMISSION. (a) The department of transportation shall assist the commission in the performance of its duties.

(b) 1. The department of transportation shall, when requested by the commission, make or cause to be made such any studies and cost estimates with respect to any proposed project as that are necessary to permit the commission to consider the project.

3. The costs of such studies under this paragraph shall be charged to the appropriate program appropriation under s. 20.395.

**SECTION 2.** 13.489 (3) (b) 2. of the statutes is created to read:

13.489 (3) (b) 2. When the department provides a full project cost estimate under this paragraph, the estimate shall include all costs associated with the project, including all costs before enumeration, design engineering and construction engineering costs, the costs of environmental studies, and costs of the project that are paid by another program of the department. A full project cost estimate under this paragraph shall include the expected

date of completion and an estimate of the effects of construction cost inflation and unexpected costs on the cost of the project.

**SECTION 2g.** 13.489 (5) (a) (intro.) of the statutes is amended to read:

13.489 (5) (a) (intro.) By February 1, 2005, and every 6 months thereafter, the department of transportation shall submit to the commission and, under s. 13.172 (2) to the joint committee on finance, the joint legislative audit committee, and the standing committees of the legislature with jurisdiction over transportation matters a report to the commission that does all of the following:

**SECTION 2m.** 13.489 (5) (a) 2. of the statutes is renumbered 13.489 (5) (a) 2. (intro.) and amended to read:

13.489 (5) (a) 2. (intro.) For each project specified under subd. 1., ~~identifies all~~ provides all of the following information:

a. All actual and estimated project costs, itemized by major cost categories, as of the date of preparation of the report. To the extent feasible, the department shall separately track and report the costs of environmental assessments, compliance, and mitigation.

**SECTION 2s.** 13.489 (5) (a) 2. b. to g. of the statutes are created to read:

\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

13.489 (5) (a) 2. b. The full project cost estimate, as established under sub. (3) (b) 2., of the project as of the date of approval or, if the project is enumerated, enumeration.

c. The year in which the department expects to complete the project as of the date of approval or, if the project is enumerated, enumeration.

d. The full project cost estimate, as established under sub. (3) (b) 2., of the project as of the date of preparation of the report.

e. The year in which the department expects to complete the project as of the date of preparation of the report.

f. An explanation of any difference between the full project cost estimates under subd. 2. b. and d. that has not been addressed in a previous report under this paragraph.

g. The opinion of the department as to whether the project will be completed as originally scheduled without the allocation of additional funds.

**SECTION 4.** 13.489 (5) (am) of the statutes is created to read:

13.489 (5) (am) The report under par. (a) shall treat separately and as described in the enumerating statute each project enumerated under s. 84.013 (3) or 84.0145 (3) (b) and shall treat separately each project approved under s. 84.013 (6).

**SECTION 5.** 84.01 (13) of the statutes is amended to read:

84.01 (13) ENGINEERING SERVICES. The department may engage such engineering, consulting, surveying, or other specialized services as it deems advisable. Any engagement of services under this subsection is exempt from ss. 16.70 to 16.75, 16.755 to 16.82, and 16.85 to 16.89, but ss. 16.528, 16.752, 16.753, and 16.754 apply to such engagement. Any engagement involving an expenditure of \$3,000 or more shall be by formal contract approved by the governor. The department shall conduct a uniform cost-benefit analysis, as defined in s. 16.70 (3g), of each proposed engagement under this subsection that involves an estimated expenditure of more than \$300,000 in accordance with standards prescribed by rule of the department and consider and document the results of the analysis before the determination of whether to undertake the proposed engagement. The department shall review periodically, and before any renewal, the continued appropriateness of contracting pursuant to each engagement under this subsection that involves an estimated expenditure of more than \$300,000.

