



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2003 Wisconsin Act 217 [2003 Assembly Bill 893]	Major Highway Program
2003 Acts: www.legis.state.wi.us/2003/data/acts/	Act Memos: www.legis.state.wi.us/lc/act_memo/act_memo.htm

2003 Wisconsin Act 217 makes several changes in laws relating to the Department of Transportation's (DOT's) major highway program. The changes were proposed by the Joint Legislative Audit Committee in response to findings and recommendations presented in the Legislative Audit Bureau's evaluation of the *Major Highway Program* (Audit Report 03-13) and to testimony offered at the Joint Audit Committee's public hearing on the audit report.

Act 217 contains the following provisions:

1. *Timing of Transportation Projects Commission (TPC) Approval*

The Act prohibits the TPC from recommending approval of any major highway project until the TPC has been notified that a final environmental impact statement or environmental assessment has been approved by the Federal Highway Administration. This requirement first applies to major highway projects being considered by the TPC on the effective date of the Act.

2. *Project Enumeration*

The Act prohibits the Legislature from enumerating any major highway project unless the TPC has recommended approval of the project, with or without modifications.

3. *Creation of Change Management System*

The Act requires DOT to develop and implement a change management system for providing fiscal and management oversight for all major highway projects.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents.

4. DOT Reports on Project Status and Costs

The Act requires DOT to submit a report to the TPC every six months that does all of the following:

- a. Summarizes the current status of each project submitted by DOT that is under consideration by the TPC, including any project approved by the TPC, and of each project enumerated.
- b. Identifies all actual and estimated project costs for those projects, itemized by major cost categories, as of the date of preparation of the report. To the extent feasible, DOT must separately track and report the costs of environmental assessments, compliance, and mitigation.
- c. Reports the required information both on a cumulative basis from the inception of the project and on an updated basis for the period since the last report.

The first report must be submitted by February 1, 2005. These reporting requirements first apply to major highway projects enumerated, approved, or being considered by the TPC on the effective date of the Act.

5. Information DOT Must Make Available

The Act requires that, notwithstanding the Open Records Law, DOT must make the following information available to the public, including making it available at no charge on DOT's Internet site, within the following time periods:

- a. Any report prepared by DOT for the TPC relating to project status and costs must be available within five business days of the report's completion and transmittal to the TPC.
- b. Any materials or documents prepared by DOT, except the department's recommendations, for use at a TPC meeting must be available at least two business days prior to the meeting.
- c. Any other information that the TPC directs be made available by DOT must be made available within the time specified by the TPC.

These requirements first apply to reports, materials, and documents prepared by DOT on the effective date of the Act.

Effective Date: Act 217 takes effect on April 23, 2004.

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PS:ksm