

2001 DRAFTING REQUEST

Bill

Received: 09/05/2000

Received By: nilsepe

Wanted: As time permits

Identical to LRB:

For: Administration-Budget

By/Representing: Etzler

This file may be shown to any legislator: NO

Drafter: fasttn

May Contact:

Alt. Drafters:

Subject: Transportation - highways

Extra Copies: PJH - 1

Pre Topic:

DOA:.....Etzler -

Topic:

B0017- Eliminate obsolete major highway project authorization

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	nilsepe 09/05/2000	csicilia 09/06/2000					
/P1			jfrantze 09/06/2000		lrb_docadmin 09/06/2000		State
/1	fasttn 10/29/2000	gilfokm 10/30/2000	rschluet 11/01/2000		lrb_docadmin 11/01/2000		

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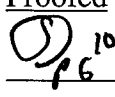
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<END>

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Received: **09/05/2000**

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB:

For: **Transportation**

By/Representing: **Jim Hoelzel**

This file may be shown to any legislator: **NO**

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Transportation - highways**

Extra Copies: **PJH**

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No specific pre topic given

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/?	nilsepe 09/05/2000	csicilia 09/06/2000		_____			
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Identical to LRB:

For: Transportation

By/Representing: Jim Hoelzel

This file may be shown to any legislator: NO

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Alt. Drafters:

Subject: Transportation - highways

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99-5062

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1?	nilsepe	1/P1 8-29-2000 KMG	bg/b	b/hh 9/4			

FE Sent For:

<END>

**Department of Transportation
2001-2003 Biennial Budget Request
STATUTORY MODIFICATIONS**

DIN NUMBER:

TOPIC: Major Highway Project Enumerations

DESCRIPTION OF CHANGE:

The Department requests that s. 84.013(3) be modified to remove sub-sections enumerating major highway projects if the sub-section refers to a project that has been completed.

JUSTIFICATION:

Since the beginning of the majors program, 77 individual sub-sections have been created within s. 84.013(3) to enumerate major highway projects. None of these sub-sections have ever been removed from the statutes even though only 30 are needed to give the Department authorization to complete all remaining enumerations. The remaining 47 of the sub-sections are no longer needed because either the intent of the original enumeration has been met or the more inclusive corridor enumeration for STH 29 covers previous limited enumerations on that route.

Given that nearly 20 years have passed since the first projects were enumerated, the possibility emerges that work qualifying as a major project will again be needed on some of the previously completed project segments. Removing the sub-sections related to completed projects clarifies that the Department cannot simply begin additional construction work under the Major Highway Development Program by relying on a decades old enumeration.

Removing the sub-sections eliminates the possibility of outside pressure being brought to bear on the Department to make future highway investments that the Department feels are not appropriate. It also declares a Departmental policy position, making it clear that enumeration is for a specific purpose and that future majors work on the same highway needs to be authorized by another enumeration. The policy rationale for this position is clear, since re-enumeration implies the project was able to compete with other projects on the basis of relative need.

In addition to clarifying Department policy, removing the sub-sections also avoids the possibility of the Department being viewed as lax in its implementation of s. 84.013(5). It can be argued that the Department has failed to comply with the intent of s. 84.013(5) by not removing sub-sections of s. 84.013(3) in the past. S. 84.013(5) directs the Department to request "...adjustments to the list of major highway projects under sub.(3) as listed projects are completed..."

The following sub-sections should be removed:

84.013(3)(a) USH 12/18 extending easterly from the intersection with Fish Hatchery Road to I 90, designated as the south Madison beltline, in Dane County.

84.013(3)(b) USH 18/151 between Ridgeway and Mt. Horeb in Dane and Iowa counties.

84.013(3)(c) STH 16 between I 94 and STH 190 in Waukesha County.

84.013(3)(d) USH 51 between CTH "S" and USH 8, designated as the Tomahawk bypass, in Lincoln County.

84.013(3)(e) USH 45 between USH 41 and CTH "D", designated as the West Bend bypass, in Washington County.

84.013(3)(em) USH 45 between USH 41 and CTH "D", designated as the West Bend bypass 2nd roadway, in Washington County.

84.013(3)(f) USH 53 between Rice Lake and Trego in Barron and Washburn counties.

84.013(3)(g) STH 167 between I 43 and Buntrock Avenue in Ozaukee County.

84.013(3)(h) STH 50 between STH 83 and I 94 in Kenosha County.

84.013(3)(i) STH 172 between Webster Avenue and I 43 in Brown County.

84.013(3)(j) STH 23 between STH 32 and CTH "P" in Sheboygan County.

84.013(3)(k) STH 16 between Bluff Pass Road and CTH "OS" in La Crosse County.

84.013(3)(L) USH 51 between the south Marquette County line and the north Waushara County line.

84.013(3)(m) STH 16 between Oconomowoc and 0.8 mile east of CTH "PP", and STH 67 between Lexington Drive and STH 16, in Waukesha County.

84.013(3)(n) USH 45 between Clintonville and Marion, designated as the Clintonville relief route, in Waupaca County.

84.013(3)(o) 43rd Street between West Loomis Road and West National Avenue in Milwaukee County.

84.013(3)(p) STH 29 between Wausau and Ringle in Marathon County.

84.013(3)(q) STH 29 between Wausau and CTH "S", designated as the Wausau to Marathon City project, in Marathon County.

84.013(3)(r) STH 23 between STH 32 and STH 57 in Sheboygan County.

84.013(3)(s) USH 18/151 between CTH "Y" and Town Hall Road, designated as the Dodgeville to Mount Horeb project, in Iowa and Dane counties.

84.013(3)(t) STH 441 between the Roland Kampo Bridge and USH 41, designated as the tri-county expressway, in Calumet, Outagamie and Winnebago counties.

84.013(3)(~~uj~~) STH 76 between CTH "CA" and the intersection of USH 41 and CTH "OO" in Outagamie County.

84.013(3)(~~u~~) STH 29 between CTH "W" and the intersection of Memorial Drive and Shawano Avenue in Green Bay, designated as the Shawano County line to Green Bay project, in Brown County.

84.013(3)(~~v~~) New highway between the I 90/STH 157 interchange and STH 93, designated as the I 90 to Holmen project, in La Crosse County.

84.013(3)(~~vc~~) USH 8 extending easterly 6.5 miles from the junction with STH 47 in the city of Rhinelander, designated as the Rhinelander beltline, in Oneida County.

84.013(3)(~~vg~~) USH 18/151 extending easterly 7 miles from the east terminus of the Mt. Horeb bypass to the city of Verona in Dane County.

84.013(3)(~~vl~~) STH 29 between Hillcrest Road and Maple Avenue, designated as the Shawano bypass, in Shawano County.

84.013(3)(~~vp~~) STH 31 extending southerly between STH 50 and the state line in Kenosha County.

84.013(3)(~~vt~~) USH 45 extending 4.9 miles northerly and northwesterly between USH 45 one mile south of New London and USH 45 one mile north of New London, designated as the New London bypass, in Outagamie County.

84.013(3)(~~vx~~) USH 51 between USH 8 and CTH "K" in Lincoln and Oneida counties.

84.013(3)(~~w~~) USH 151 between Sun Prairie and that portion of USH 151 designated as the Columbus bypass, in Dane and Columbia counties.

84.013(3)(~~wr~~) USH 53 extending approximately 7.4 miles between Solon Springs and Hawthorne in Douglas County.

84.013(3)(~~x~~) USH 18 extending easterly 7.5 miles from Manhattan Drive in Waukesha County to the western Milwaukee County line.

84.013(3)(~~xf~~) STH 35 extending between STH 35 southeast of River Falls and STH 35 north of River Falls as a bypass, and including STH 35 between Division Street in River Falls to the

northerly bypass connection, designated as the River Falls beltline, in Pierce and St. Croix counties.

84.013(3)(xo) STH 124 between USH 12 on the west side of Eau Claire and USH 53 on the east side of Eau Claire, designated as the North crossing, in Eau Claire County.

84.013(3)(xs) USH 61/151 between the Sandy Hook interchange and Dickeyville in Grant County.

84.013(3)(xw) STH 26 between approximately 1.0 mile south of Fort Atkinson and 1.0 mile north of Fort Atkinson, designated as the Fort Atkinson bypass, in Jefferson County.

84.013(3)(xy) USH 41 between Abrams and Oconto in Oconto County.

84.013(3)(y) STH 60 between USH 41 and Hartford, in Washington County.

84.013(3)(yb) USH 41 between the STH 114 Breezewood Lane interchange in Neenah and the CTH "OO" interchange west of Appleton, in Winnebago and Outagamie counties.

84.013(3)(yf) STH 54 between Wisconsin Rapids and Plover, in Wood and Portage counties.

84.013(3)(yk) USH 53 between Trego and approximately 4.0 miles north of CTH "A" in Solon Springs, in Douglas and Washburn counties.

84.013(3)(yo) STH 50 between approximately 1.0 mile east of Slades Corners and STH 83, designated as the New Munster bypass, in Kenosha County.

84.013(3)(ys) USH 51 between the Business 51 interchange north of Merrill and CTH "S" south of Tomahawk, in Lincoln County.

84.013(3)(yw) STH 29 between STH 29 west of Chippewa Falls and STH 29 east of Chippewa Falls, designated as the Chippewa Falls bypass, in Chippewa County.

84.013(3)(yy) USH 18/151 approximately between CTH "G" west of Verona and Nesbitt Road east of Verona, designated as the Verona bypass, in Dane County.

84.013(3)(z) STH 36 between Burlington and STH 100, in Racine, Waukesha and Milwaukee counties.



01-0081/PI
KMG
[Signature]

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

↑

d-note

ge-cat

two and one-half

1 AN ACT ... relating to: major highway projects.

Analysis by the Legislative Reference Bureau

Current law requires that any major highway project, unlike other construction projects undertaken by the department of transportation (DOT), receive the approval of the transportation projects commission (TPC) and the legislature before the project may be constructed. 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. There are currently 77 enumerated major highway projects approved for construction.

This bill eliminates authority to construct 47 major highway projects that have already been constructed or have been subsumed by other major highway project authorization. S

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

SECTION 1. 84.013 (3) (a), (b), (c), (d), (e), (em), (f), (g), (h), (i), (j), (k), (L), (m), (n), (o), (p), (q), (r), (s), (t), (tj), (u), (v), (vc), (vg), (vL), (vp), (vt), (vx), (w), (wr), (x), (xf),

STAT
FEES
two and one-half

STAT

2

3

1 (xo), (xs), (xw), (xy), (y), (yb), (yf), (yk), (yo), (ys), (yw), (yy) and (z) of the statutes are
2 repealed.

Section #, RP; 84.032 (F)(d)

(END)

00811 P/dn.

- ~~4062~~ P/dn
King

① - NOTE

Please be certain that ~~the~~ the department of transportation no longer needs the authorization to construct these projects. Restoring this authority ^(if needed) will require subsequent legislation.

- PEN

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0081/P1dn
PEN:kmg:jf

September 6, 2000

Please be certain that the department of transportation no longer needs authorization to construct these projects. Restoring this authority, if needed, will require subsequent legislation.

Paul E. Nilsen
Legislative Attorney
Phone: (608) 261-6926
E-mail: paul.nilsen@legis.state.wi.us

8-11-01
forwarded 2/29/03

DOA:.....Etzler - B0017- Eliminate obsolete major highway project authorization

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

Draft is Now a DOA - Bud

head TRANSPORTATION
sub HIGHWAYS

...

1 AN ACT ~~to repeat~~ 84.013 (3) (a), (b), (c), (d), (e), (em), (f), (g), (h), (i), (j), (k), (L),
2 (m), (n), (o), (p), (q), (r), (s), (t), (tj), (u), (v), (vc), (vg), (vL), (vp), (vt), (vx), (w), (wr),
3 (x), (xf), (xo), (xs), (xw), (xy), (y), (yb), (yf), (yk), (yo), (ys), (yw), (yy) and (z) and
4 84.02 (8)(d) of the statutes; relating to: major highway projects.

Analysis by the Legislative Reference Bureau

Current law requires that any major highway project, unlike other construction projects undertaken by ~~the department of transportation~~ (DOT), receive the approval of the transportation projects commission (TPC) and the legislature before the project may be constructed. 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. There are currently 77 enumerated major highway projects approved for construction.

FF-S approval

This bill eliminates ~~authority~~ to construct 47 major highway projects that have already been constructed or have been subsumed by other major highway project authorizations.

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

1 **SECTION 1.** 84.013 (3) (a), (b), (c), (d), (e), (em), (f), (g), (h), (i), (j), (k), (L), (m),
2 (n), (o), (p), (q), (r), (s), (t), (tj), (u), (v), (vc), (vg), (vL), (vp), (vt), (vx), (w), (wr), (x), (xf),
3 (xo), (xs), (xw), (xy), (y), (yb), (yf), (yk), (yo), (ys), (yw), (yy) and (z) of the statutes are
4 repealed. ✓

5 **SECTION 2.** 84.02 (8) (d) of the statutes is repealed.

6 (END)

D-NOTE

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0081/~~Eda~~^{Idn}
PEN:kmg:jf
TNF

~~September 6, 2000~~

any of

Please be certain that the department of transportation no longer needs authorization to construct these projects. Restoring this authority, if needed, will require subsequent legislation.

~~Paul E. Nilsen~~
Legislative Attorney
Phone: (608) 261-6926
E-mail: paul.nilsen@legis.state.wi.us

TNF

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0081/1dn
TNF:kmg:rs

October 31, 2000

Please be certain that the department of transportation no longer needs authorization to construct any of these projects. Restoring this authority, if needed, will require subsequent legislation.

Timothy N. Fast
Senior Legislative Attorney
Phone: (608) 266-9739
E-mail: tim.fast@legis.state.wi.us



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-0081/1

TNF:kmg:rs

DOA:.....Etzler - B0017- Eliminate obsolete major highway project authorization

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: major highway projects.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

HIGHWAYS

Current law requires that any major highway project, unlike other construction projects undertaken by DOT, receive the approval of the transportation projects commission and the legislature before the project may be constructed. 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. There are currently 77 enumerated major highway projects approved for construction.

This bill eliminates approval to construct 47 major highway projects that have already been constructed or have been subsumed by other major highway project authorizations.

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:

