

2003 Assembly Bill 893

Date of enactment: **April 8, 2004**
Date of publication*: **April 22, 2004**

2003 WISCONSIN ACT 217

AN ACT *to renumber* 13.489 (1); *to renumber and amend* 13.489 (1m) (a); *to amend* 13.489 (4) (a) 1. a. and b.; and *to create* 13.489 (4) (c), 13.489 (5), 13.489 (6) and 85.052 of the statutes; **relating to:** major highway projects and the transportation projects commission.

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

SECTION 1. 13.489 (1) of the statutes is renumbered 13.489 (1g).

SECTION 2. 13.489 (1m) (a) of the statutes is renumbered 13.489 (1c), and 13.489 (1c) (intro.), as renumbered, is amended to read:

13.489 (1c) (intro.) In this ~~subsection~~ section:

SECTION 3. 13.489 (4) (a) 1. a. and b. of the statutes are amended to read:

13.489 (4) (a) 1. a. The commission determines that, within 6 years after the first July 1 after the date on which the commission recommends approval of the project, construction will be commenced on all projects enumerated under s. 84.013 (3) and on the project recommended for approval and the commission has been notified that a final environmental impact statement or environmental assessment for the project has been approved by the federal highway administration.

b. The report recommending approval of the project is accompanied by a financing proposal that, if implemented, would provide funding in an amount sufficient to ensure that construction will commence on all projects enumerated under s. 84.013 (3) and on the project within 6 years after the first July 1 after the date on which the commission recommends approval of the project and the

commission has been notified that a final environmental impact statement or environmental assessment for the project has been approved by the federal highway administration.

SECTION 4. 13.489 (4) (c) of the statutes is created to read:

13.489 (4) (c) No project may be enumerated under s. 84.013 (3) or approved under s. 84.013 (6) unless the commission recommends approval, with or without modifications, of the project under par. (a) or, with respect to a project under s. 84.013 (6m), designates the project under par. (b).

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

13.489 (5) DEPARTMENT TO REPORT PROJECT STATUS AND COSTS. (a) By February 1, 2005, and every 6 months thereafter, the department of transportation shall submit a report to the commission that does all of the following:

1. Summarizes the current status of each project submitted by the department that is under consideration by the commission under s. 13.489, including any project approved by the commission under sub. (1m) (d), and of each project enumerated under s. 84.013 (3) or approved under s. 84.013 (6).

2. For each project specified under subd. 1., identifies all actual and estimated project costs, itemized by major cost categories, as of the date of preparation of the report.

* Section 991.11, WISCONSIN STATUTES 2001-02 : 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 as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

To the extent feasible, the department shall separately track and report the costs of environmental assessments, compliance, and mitigation.

(b) All project information included in any report required under this subsection shall be reported on both a cumulative basis from the inception of the project and on an updated basis for the period since the department's last report under this subsection.

SECTION 6. 13.489 (6) of the statutes is created to read:

13.489 (6) DEPARTMENT TO MAKE INFORMATION AVAILABLE. Notwithstanding s. 19.35, the department of transportation shall make all of the following information available to the public, including making the information available at no charge on the department's Internet site, within the following time periods:

(a) Any report prepared by the department for the commission under sub. (5) shall be available within 5 business days of the report's completion and transmittal to the commission.

(b) Any materials or documents prepared by the department, except the department's recommendations, for use at a meeting of the commission shall be available at least 2 business days prior to the meeting.

(c) Any other information directed by the commission to be made available by the department under this

subsection shall be available within the time specified by the commission.

SECTION 7. 85.052 of the statutes is created to read:
85.052 Change management system for major highway projects. The department shall develop and implement a change management system for providing fiscal and management oversight for all major highway projects funded from any appropriation specified in s. 84.013 (2) (a).

SECTION 8. Initial applicability.

(1) The treatment of section 13.489 (4) (a) 1. a. and b. and (c) of the statutes first applies to major highway projects being considered by the transportation projects commission under section 13.489 of the statutes on the effective date of this subsection.

(2) The treatment of section 13.489 (5) (a) 1. and 2. of the statutes first applies to major highway projects enumerated under section 84.013 (3) of the statutes or approved under section 84.013 (6) of the statutes, or being considered by the transportation projects commission under section 13.489 of the statutes, on the effective date of this subsection.

(3) The treatment of section 13.489 (6) of the statutes first applies to reports, materials, and documents prepared by the department of transportation on the effective date of this subsection.