




State of Wisconsin

LEGISLATIVE REFERENCE BUREAU


RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**


Date Added To File: 03/10/2004 (Per: ARG)



 The 2003 drafting file for LRB 03s0445/2
has been copied/added to the 2003 drafting file for

LRB 03s0468

 The attached 2003 draft was incorporated into the new 2003 draft listed above. For research purposes, this cover sheet and the attached drafting file were copied, and added, as a appendix, to the new 2003 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

 This cover sheet was added to rear of the original 2003 drafting file. The drafting file was then returned, intact, to its folder and filed.

2003 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB893)

Received: 03/08/2004

Received By: **smiller**

Wanted: **Soon**

Identical to LRB:

For: **John Gard (608) 266-3387**

By/Representing: **Bryon Wornson (aide)**

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

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**

Extra Copies: **PJH**

Submit via email: **YES**

Requester's email: **Rep.Gard@legis.state.wi.us**

Carbon copy (CC:) to: **Bryon.Wornson@legis.state.wi.us**
Pam.Shannon@legis.state.wi.us

Pre Topic:

No specific pre topic given

Topic:

major highway projects and transportation projects commission; changes

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>
/?	agary 03/08/2004	wjackson 03/09/2004		_____			
/1			pgreensl 03/09/2004	_____	lemery 03/09/2004	lemery 03/09/2004	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	agary 03/09/2004	wjackson 03/09/2004	pgreensl 03/09/2004	_____	lemery 03/09/2004	lemery 03/09/2004	

FE Sent For:

<END>

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/?	agary 03/08/2004	wjackson 03/09/2004	3/9 px	3/9			
/1	agary	12 Wlj 3/9	pgreensl 03/09/2004	px/LE	lemery 03/09/2004	lemery 03/09/2004	

FE Sent For:

<END>

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/?	agary 03/08/2004	wjackson 03/09/2004		_____			
/1			pgreensl 03/09/2004	_____	lemery 03/09/2004	lemery 03/09/2004	

03/09/2004 03:37:32 PM
Page 2

LRBs0445

FE Sent For:

<END>

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Assembly Substitute Amendment (ASA-AB893)

Received: 03/08/2004

Received By: **smiller**

Wanted: **Soon**

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By/Representing: **Bryon Wornson (aide)**

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

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/?	agary	1/1 Wlj 3/9					
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FE Sent For:

<END>

Bryan Wormson
from B Wormson (Gard) Monday

Recommended Changes to AB – 893

Original Draft:

The original draft was introduced on Feb. 23. Please make the following changes.

- Section 1: This section increases TPC membership from 3 to 4 for the majority party in each house, creating a balance with a Governor of the opposite party.

This section should be removed.

- Section 3: The added language in 13.489 (4) (a) 1. a. and b. should be modified as follows:

“and the commission has ~~received and reviewed~~ been notified that a final environmental or environmental assessment for the project has been approved by the federal highway administration.”

- Section 5:

Change the language as follows: “By February 1, 2005 and ~~every 3 months~~ annually thereafter, the department of transportation shall submit a report to the commission that does all of the following:”

- Section 5 also expands the scope of these reports to include each SE WI freeway rehabilitation project in 13.489 (5) 1. This language should be deleted.

Section 5 also creates 13.489 (5) 2.:

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

Section 6 creates 85.052, the requirement for SE WI projects should be eliminated.

- Section 7 deals with applicability. A modification is needed:

“13.489 (5) (a) 1. and 2. of the statutes first applies to major highway projects under consideration by the Commission or enumerated under 84.013 (3) of the statutes or approved under section 84.013 (6) of the statutes on the effective date of this subsection.”

Assembly Amendment #1:

This creates 13.489 (2m),

1: Lines 2-13 on pg.1 and lines 1-18 on pg. 2 should be deleted.

2. (2m) should be deleted as well as (d) in this amendment.

Amendment 1 to Assembly Amendment 1:

The text now reads: “The department of transportation shall provide to the commission any materials or documents prepared by the department, except the department’s recommendations, for use at a meeting of the commission at least 5 business days prior to the hearing. Re. made available to the public, (b) provides that “any materials or documents prepared by the commission shall be available at least 24 hours prior to the meeting.

“At least 24 hours” should be changed to “at least 2 working days”.

Gary, Aaron

From: Gary, Aaron
Sent: Monday, March 08, 2004 3:40 PM
To: Wornson, Bryon
Subject: RE: amendment to AB-893

I have finished a sub and am submitting it to editing.

If you end up wanting to go back to a simple amendment, a simple to AB-893 is drafted (but not edited), but I have not drafted a simple to AA1 to AB-893.

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

-----Original Message-----

From: Wornson, Bryon
Sent: Monday, March 08, 2004 2:48 PM
To: Gary, Aaron
Subject: RE: amendment to AB-893

the bill is going to be taken up this week. could we just do a sub?

-----Original Message-----

From: Gary, Aaron
Sent: Monday, March 08, 2004 2:11 PM
To: Wornson, Bryon
Subject: amendment to AB-893

Bryon,

I will be the drafter of these amendments related to AB-893. You have specified changes you want to the original bill, to AA1 to AB-893, and to AA1 to AA1 to AB-893. Unless you want the drafting to take another form, I expect to draft one amendment to AB-893 and another amendment to AA1 to AB-893. With regard to changes to AA1 to AA1 to AB-893, I cannot draft an amendment to this, as the rules prohibit an "amendment in the third degree," but I hope to achieve the specified change in the amendment to AA1 to AB-893.

Can you tell me when this bill is expected to be taken up on the floor?

If you have any questions, please call. Aaron

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

2003 - 2004 LEGISLATURE

Needed
by 3/9
end of
day

50445/1

LRB: [unclear]
ARG:wlj:ch

Assembly Substitute Amendment, ✓

R M N R

To 2003 ASSEMBLY BILL 893 ✓

February 23, 2004 - Introduced by Representative JESKEWITZ, cosponsored by Senator ROESSLER. Referred to Joint Legislative Audit Committee.

Regen

- 1 AN ACT to renumber and amend 13.489 (1) and 13.489 (1m) (a); to amend
- 2 13.489 (4) (a) 1. a. and b.; and to create 13.489 (4) (c), 13.489 (5) and 85.052 of
- 3 the statutes; relating to: major highway projects, ~~southeast Wisconsin~~
- 4 ~~freeway rehabilitation projects~~, and the transportation projects commission.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Transportation (DOT) administers a major highway projects program. With limited 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 Transportation Projects Commission (TPC) and the legislature (generally referred to as "enumeration") before the project may be constructed.

Under current law, DOT submits a list of potential major highway projects to the TPC for study and recommendation by the TPC. DOT may not begin preparing an environmental impact statement (EIS) or environmental assessment (EA) for a potential major highway project without TPC approval. Although DOT generally may not begin construction of a major highway project without the approval of the TPC and the legislature, the legislature may enumerate and approve the

ASSEMBLY BILL 893

construction of major highway projects without approval by the TPC. The TPC may not recommend approval of a major highway project unless the TPC determines that there is sufficient funding to begin construction of the project within six years.

Current law distinguishes, and provides separate funding for, southeast Wisconsin freeway rehabilitation projects, including reconstruction of the Marquette interchange in Milwaukee County. Current law specifically exempts any southeast Wisconsin freeway rehabilitation project from the definition of a major highway project, even if the southeast Wisconsin freeway rehabilitation project would meet the criteria described above for a major highway project. Southeast Wisconsin freeway rehabilitation projects are therefore not required to be reviewed or approved by the TPC.

This bill prohibits the TPC from recommending approval of any major highway project prior to the completion by DOT, and review by the TPC, of a final EIS or EA approved by the Federal Highway Administration. The bill also prohibits the legislature from enumerating any major highway project unless the TPC has recommended approval of the project.

The bill requires DOT to submit a report to the TPC, beginning on February 1, 2005, and every three months thereafter, that does all of the following:

1. Summarizes the current status of each potential major highway project for which the TPC has approved preparation of an EIS or EA, of each enumerated major highway project, and of each southeast Wisconsin freeway rehabilitation project.
2. For each project identified in item 1., above, identifies all actual and estimated project costs, itemized by major cost categories.

The bill requires all project information in the report to be reported on both a cumulative basis from the inception of the project and on an updated basis for the period since DOT's last report.

The bill requires DOT to develop and implement a change management system for providing fiscal and management oversight for all major highway projects and southeast Wisconsin freeway rehabilitation projects.

Under current law, membership of the TPC consists of the governor, three citizens appointed by the governor, five senators, and five representatives to the assembly. The secretary of transportation also serves as a nonvoting member. Three of the five senators and three of the five representatives are chosen from the majority party, and two senators and two representatives are chosen from the minority party. This bill increases the membership of the TPC by adding two additional members. Under the bill, the TPC includes six senators and six representatives, rather than five of each. Of these six senators and six representatives, four of each are chosen from the majority party and two of each are chosen from the minority party.

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:

ASSEMBLY BILL 893

1 SECTION 1. 13.489 (1) of the statutes is renumbered 13.489 (1g) and amended
2 to read:

3 13.489 (1g) CREATION. There is created a transportation projects commission
4 consisting of the governor, 3 citizen members appointed by the governor to serve at
5 his or her pleasure, and 5 6 senators and 5 6 representatives to the assembly
6 appointed as are the members of standing committees in their respective houses. Of
7 the members from each house, 3 4 shall be chosen from the majority party and 2 shall
8 be chosen from the minority party. The secretary of transportation shall serve as a
9 nonvoting member. The governor shall serve as chairperson. Citizen members of the
10 commission shall be reimbursed for their actual and necessary expenses incurred as
11 members of the commission from the appropriation under s. 20.395 (4) (aq).

12 SECTION 2. 13.489 (1m) (a) of the statutes is renumbered 13.489 (1c), and
13 13.489 (1c) (intro.), as renumbered, is amended to read:

14 13.489 (1c) (intro.) In this subsection section:

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

16 13.489 (4) (a) 1. a. The commission determines that, within 6 years after the
17 first July 1 after the date on which the commission recommends approval of the
18 project, construction will be commenced on all projects enumerated under s. 84.013

19 (3) and on the project recommended for approval and the commission has ~~received~~
20 ~~and reviewed~~ ^{been notified that} a final environmental impact statement or environmental assessment
21 ^{has been} for the project approved by the federal highway administration.

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

ASSEMBLY BILL 893

SECTION 3

1 date on which the commission recommends approval of the project and the
 2 commission has ^{been notified that} ~~received and reviewed~~ a final environmental impact statement or
 3 environmental assessment for the project ^{has been} approved by the federal highway
 4 administration.

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

6 13.489 (4) (c) No project may be enumerated under s. 84.013 (3) or approved
 7 under s. 84.013 (6) unless the commission recommends approval, with or without
 8 modifications, of the project under par. (a) or, with respect to a project under s. 84.013
 9 (6m), designates the project under par. (b).

insert 4-9

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

11 13.489 (5) DEPARTMENT TO REPORT PROJECT STATUS AND COSTS. (a) By February
 12 1, 2005, and ^{annually} ~~every 3 months~~ thereafter, the department of transportation shall
 13 submit a report to the commission that does all of the following:

14 1. Summarizes the current status of each project approved by the commission
 15 under sub. (1m) (d) ^{and} of each project enumerated under s. 84.013 (3) or approved under
 16 s. 84.013 (6) ~~and of each southeast Wisconsin freeway rehabilitation project under~~

17 ~~s. 84.014.~~
 18 2. For each project specified under subd. 1., identifies all actual and estimated
 19 project costs, ^{itemized by major cost categories} as of the date of preparation of the report. ^{Not} To the extent feasible, the
 20 department shall separately

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

insert 4-23

SECTION 6. 85.052 of the statutes is created to read:

track and report the costs of environmental assessments, compliance, and mitigation.

ASSEMBLY BILL 893

1

85.052 Change management system for major highway projects ~~and~~

2

~~southeast Wisconsin freeway rehabilitation projects~~ The department shall

3

develop and implement a change management system for providing fiscal and

4

management oversight for all major highway projects funded from any

5

appropriation specified in s. 84.013 (2) (a) ~~and all southeast Wisconsin freeway~~

6

~~rehabilitation projects funded from any appropriation specified in s. 84.014(2).~~

7

SECTION 6. Initial applicability.

8

(1) The treatment of section 13.489 (4) (a) 1. a. [✓] and b. [✓] and (c) ~~and (5) (a) and~~

9

~~of~~ of the statutes first applies to major highway projects being considered by the

10

transportation projects commission under section 13.489 of the statutes on the

11

effective date of this subsection.

12

(2) The treatment of section 13.489 (5) (a) 1. and 2. of the statutes first applies

13

to major highway projects enumerated under section 84.013 (3) [✓] of the statutes or

14

approved under section 84.013 (6) [✓] of the statutes on the effective date of this

15

subsection.

16

(END)

↓
insert
5-15
→

↑ or being considered by the
transportation projects commission
under section 13.489 [✓] of the statutes, ↑

1

~~1x. Page 4, line 9: after that line insert.~~

2

~~SECTION [#] 13.489 (4) (d) of the statutes is created to read:~~

insert
4-9

3

13.489 (4) (d) The department of transportation shall provide to the

4

commission any materials or documents prepared by the department, except the

5

department's recommendations, for use at a meeting of the commission at least 5

6

business days prior to the meeting.

7

~~5. Page 2, line 19: after that line insert:~~

8

~~"2g. Page 4, line 16: delete "rehabilitation" and substitute "reconstruction".~~

9

~~2r. Page 4, line 17: after "84.014" insert "that has a total cost of more than~~

10

~~\$5,000,000".~~

11

~~6. Page 2, line 22: delete "The" and substitute "Notwithstanding s. 19.35, the".~~

12

~~7. Page 3, line 3: on lines 3 and 6, delete "Subject to par. (d), any" and substitute~~

13

~~"Any".~~

14

~~8. Page 3, line 4: after "commission" insert "under sub. (5)".~~

15

~~9. Page 3, line 6: after "department" insert ", except the department's~~

16

~~recommendations,".~~

17

~~10. Page 3, line 7: delete "5 business days" and substitute "24 hours".~~

18

~~11. Page 3, line 12: delete the material beginning with "(2m)," and ending with~~

19

~~"(2m)," on line 14, and substitute "(2m)".~~

20

~~12. Page 3, line 19: delete the material beginning with "on" and ending with~~

21

~~"of" on line 20 and substitute "at least 24 hours prior to"~~

22

~~13. Page 3, line 20: delete "at a time following the public hearing"~~

23

~~14. Page 3, line 20: after that line insert:~~

1 submitted under this subsection. If, within 14 days after the date on which the report
 2 is submitted to the commission, no member of the commission notifies the
 3 department that the commission will schedule a public hearing on the proposed
 4 project design changes, the department may implement the proposed project design
 5 changes as specified in the report. If, within 14 days after the date on which the
 6 report is submitted to the commission, any member of the commission notifies the
 7 department that the commission will schedule a public hearing on the proposed
 8 project design changes, the commission shall schedule and conduct such a public
 9 hearing and, within 60 days of the department's submission of the report, notify the
 10 department of those proposed project design changes that the commission approves
 11 or approves with modifications or notify the department that it does not approve any
 12 of the proposed project design changes. If, within 14 days after the date on which the
 13 department's report is submitted to the commission, any member of the commission
 14 notifies the department that the commission will schedule a public hearing on the
 15 proposed project design changes, the department may not implement any proposed
 16 project design changes required to be submitted to the commission under this
 17 subsection unless the commission notifies the department under this subsection that
 18 the proposed project design changes, with or without modifications, are approved."

19 ~~2. Page 4, line 12: delete "3" and substitute "6"~~

20 ~~3. Page 4, line 23: after that line insert:~~

21 SECTION ~~4~~ 13.489 (6) of the statutes is created to read: *Notwithstanding § 19.35*

22 13.489 (6) DEPARTMENT TO MAKE INFORMATION AVAILABLE. *§* The department of
 23 transportation shall make all of the following information available to the public,

21
22
23
MONT
4-23

insert
4-23
cont'd

1 including making the information available at no charge on the department's
2 Internet site, within the following time periods:

3 (a) ~~Subject to par. (a)~~ any report prepared by the department for the
4 commission ^{under sub. (5)} shall be available within 5 business days of the report's completion and
5 transmittal to the commission. ^{except the department's recommendations}

6 (b) ~~Subject to par. (a)~~ any materials or documents prepared by the department
7 for use at a meeting of the commission shall be available at least ² business days prior
8 to the meeting.

9 (c) Any other information directed by the commission to be made available by
10 the department under this subsection shall be available within the time specified by
11 the commission.

12 (d) Any report prepared by the department for the commission under sub. (2m),
13 and any materials or documents prepared by the department for use at a public
14 hearing under sub. (2m), shall be available on the 15th day after the date on which
15 the report under sub. (2m) is submitted to the commission if no member of the
16 commission notifies the department within 14 days of the report's submission that
17 the commission will schedule a public hearing on the proposed project design
18 changes, or, if any member of the commission notifies the department under sub.
19 (2m) that the commission will schedule a public hearing under sub. (2m), on the day
20 of the public hearing at a time following the public hearing."

21 ~~4. Page 5, line 12: after "13.489" insert "(2m) and".~~

22 ~~5. Page 5, line 15: after that line insert:~~

~~No~~ (B) INT. APP.

(4)(d) and

NSL
5-15

- 1
- 2
- 3

~~(2)(a)~~ The treatment of section 13.489(6) of the statutes first applies to reports, materials, and documents prepared by the department on the effective date of this subsection.

of transportation

4

(END)

Gary, Aaron

From: Gary, Aaron
Sent: Tuesday, March 09, 2004 5:14 PM
To: Wornson, Bryon
Subject: RE: amendment to AB-893

For one, it's not clear enough. For two, the disjunctive "or" isn't quite right because projects approved under sub. (1m) (d) are also under consideration. The redraft reads: "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"

The redraft is now in editing but won't go out until the jacket comes back.

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

-----Original Message-----

From: Wornson, Bryon
Sent: Tuesday, March 09, 2004 5:07 PM
To: Gary, Aaron
Subject: RE: amendment to AB-893

why does the language not work?

-----Original Message-----

From: Gary, Aaron
Sent: Tuesday, March 09, 2004 4:45 PM
To: Wornson, Bryon
Subject: RE: amendment to AB-893

1. Have you sent the jacket back? I need it back before the redraft goes out.
2. The specific language you provide under 2. doesn't quite work. I will have to massage it a bit, probably along the lines of what is in SB-447.

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

-----Original Message-----

From: Wornson, Bryon
Sent: Tuesday, March 09, 2004 4:37 PM
To: Gary, Aaron
Subject: RE: amendment to AB-893

pls make the following changes to the sub and please send a copy to pam shannon for a memo

1. delete section 4
2. insert "under consideration under section 13.489 or" after project in line 1 on page 3 of the bill.

[Wornson, Bryon]

-----Original Message-----

From: Gary, Aaron
Sent: Tuesday, March 09, 2004 3:52 PM



State of Wisconsin
2003 - 2004 LEGISLATURE

Needed
by 3/10
noon

LRBs0445/Z
ARG:wlj:pg

RMR

ASSEMBLY SUBSTITUTE AMENDMENT,
TO 2003 ASSEMBLY BILL 893

Regen

1 AN ACT *to renumber and amend* 13.489 (1m) (a); *to amend* 13.489 (4) (a) 1. a.
2 and b.; and *to create* 13.489 (4) (c), 13.489 (4) (d), 13.489 (5), 13.489 (6) and
3 85.052 of the statutes; **relating to:** major highway projects and the
4 transportation projects commission.

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

5 SECTION 1. 13.489 (1m) (a) of the statutes is renumbered 13.489 (1c), and
6 13.489 (1c) (intro.), as renumbered, is amended to read:

7 13.489 (1c) (intro.) In this subsection section:

8 SECTION 2. 13.489 (4) (a) 1. a. and b. of the statutes are amended to read:

9 13.489 (4) (a) 1. a. The commission determines that, within 6 years after the
10 first July 1 after the date on which the commission recommends approval of the
11 project, construction will be commenced on all projects enumerated under s. 84.013
12 (3) and on the project recommended for approval and the commission has been

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

3 b. The report recommending approval of the project is accompanied by a
4 financing proposal that, if implemented, would provide funding in an amount
5 sufficient to ensure that construction will commence on all projects enumerated
6 under s. 84.013 (3) and on the project within 6 years after the first July 1 after the
7 date on which the commission recommends approval of the project and the
8 commission has been notified that a final environmental impact statement or
9 environmental assessment for the project has been approved by the federal highway
10 administration.

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

12 13.489 (4) (c) No project may be enumerated under s. 84.013 (3) or approved
13 under s. 84.013 (6) unless the commission recommends approval, with or without
14 modifications, of the project under par. (a) or, with respect to a project under s. 84.013
15 (6m), designates the project under par. (b).

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

17 ~~13.489 (4) (d) The department of transportation shall provide to the~~
18 ~~commission any materials or documents prepared by the department, except the~~
19 ~~department's recommendations, for use at a meeting of the commission at least 5~~
20 ~~business days prior to the meeting.~~

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

22 13.489 (5) DEPARTMENT TO REPORT PROJECT STATUS AND COSTS. (a) By February
23 1, 2005, and annually thereafter, the department of transportation shall submit a
24 report to the commission that does all of the following:

submitted by the department that is under consideration by the commission under s. 13.489, including any project

1. Summarizes the current status of each 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. 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.

1 **SECTION 7.** 85.052 of the statutes is created to read:

2 **85.052 Change management system for major highway projects.** The
3 department shall develop and implement a change management system for
4 providing fiscal and management oversight for all major highway projects funded
5 from any appropriation specified in s. 84.013 (2) (a).

6 **SECTION 8. Initial applicability.**

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

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

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

19

(END)



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBs0445/2
ARG:wlj:pg

ASSEMBLY SUBSTITUTE AMENDMENT ,
TO 2003 ASSEMBLY BILL 893

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

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

5 **SECTION 1.** 13.489 (1m) (a) of the statutes is renumbered 13.489 (1c), and
6 13.489 (1c) (intro.), as renumbered, is amended to read:

7 13.489 (1c) (intro.) In this subsection section:

8 **SECTION 2.** 13.489 (4) (a) 1. a. and b. of the statutes are amended to read:

9 13.489 (4) (a) 1. a. The commission determines that, within 6 years after the
10 first July 1 after the date on which the commission recommends approval of the
11 project, construction will be commenced on all projects enumerated under s. 84.013
12 (3) and on the project recommended for approval and the commission has been

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

3 b. The report recommending approval of the project is accompanied by a
4 financing proposal that, if implemented, would provide funding in an amount
5 sufficient to ensure that construction will commence on all projects enumerated
6 under s. 84.013 (3) and on the project within 6 years after the first July 1 after the
7 date on which the commission recommends approval of the project and the
8 commission has been notified that a final environmental impact statement or
9 environmental assessment for the project has been approved by the federal highway
10 administration.

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

12 13.489 (4) (c) No project may be enumerated under s. 84.013 (3) or approved
13 under s. 84.013 (6) unless the commission recommends approval, with or without
14 modifications, of the project under par. (a) or, with respect to a project under s. 84.013
15 (6m), designates the project under par. (b).

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

17 13.489 (5) DEPARTMENT TO REPORT PROJECT STATUS AND COSTS. (a) By February
18 1, 2005, and annually thereafter, the department of transportation shall submit a
19 report to the commission that does all of the following:

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

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

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

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

7 **SECTION 5.** 13.489 (6) of the statutes is created to read:

8 13.489 (6) DEPARTMENT TO MAKE INFORMATION AVAILABLE. Notwithstanding s.
9 19.35, the department of transportation shall make all of the following information
10 available to the public, including making the information available at no charge on
11 the department's Internet site, within the following time periods:

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

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

18 (c) Any other information directed by the commission to be made available by
19 the department under this subsection shall be available within the time specified by
20 the commission.

21 **SECTION 6.** 85.052 of the statutes is created to read:

22 **85.052 Change management system for major highway projects.** The
23 department shall develop and implement a change management system for
24 providing fiscal and management oversight for all major highway projects funded
25 from any appropriation specified in s. 84.013 (2) (a).

