



2009 ASSEMBLY BILL 416

September 10, 2009 – Introduced by Representatives SCHNEIDER, VRUWINK and MOLEPSKE JR., cosponsored by Senator LASSA. Referred to Committee on Transportation.

1 **AN ACT** *to create* 84.013 (3) (e) and 84.013 (3m) (g) of the statutes; **relating to:**
2 requiring the Department of Transportation to construct, and enumerating, a
3 certain major highway project in Wood County if certain conditions are
4 satisfied.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Transportation (DOT) administers a major highway projects program. With limited exceptions, including an exception for southeast Wisconsin freeway rehabilitation projects, a major highway project is a project having a total cost of more than \$5,000,000 and involving: 1) construction of a new highway 2.5 miles or more in length; 2) 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 3) 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. The TPC may not recommend approval of any major highway project prior to the completion by DOT, and review by the TPC, of a final environmental impact statement (EIS) or environmental assessment (EA) approved by the Federal Highway Administration (FHWA). The legislature may not enumerate any major highway project unless the TPC has recommended approval of the project.

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This bill requires DOT to commence, in the 2009–11 fiscal biennium, the preparation of an EIS or EA, as applicable, for a project involving the construction of a new bridge across the Wisconsin River and associated highway connecting CTH “Z” to STH 54/73 in Wood County. DOT must construct this project if: 1) DOT’s final EIS or EA for the project is approved by the FHWA by a certain date; and 2) there are sufficient funds available in DOT’s federal funds and local funds appropriations for major highway projects to fully fund construction of the project. Upon construction, the bridge and highway that are the subject of the project become part of the state trunk highway system.

For further information see the *state and local* 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:

1 **SECTION 1.** 84.013 (3) (e) of the statutes is created to read:

2 84.013 (3) (e) The project described in sub. (3m) (g) 2. This project is
3 enumerated under this subsection notwithstanding s. 13.489 (4) (c).

4 **SECTION 2.** 84.013 (3m) (g) of the statutes is created to read:

5 84.013 (3m) (g) 1. In this paragraph:

6 a. “Environmental assessment” has the meaning given in s. 13.489 (1c) (a).

7 b. “Environmental impact statement” has the meaning given in s. 13.489 (1c)
8 (b).

9 2. Notwithstanding s. 13.489 (1m) (e), the department shall commence, in the
10 2009–11 fiscal biennium, the preparation of an environmental impact statement or
11 environmental assessment, as applicable, for a project involving the construction of
12 a new bridge across the Wisconsin River and associated highway connecting CTH “Z”
13 from Wisconsin River Drive and Letendre Avenue south of the city of Wisconsin
14 Rapids in Wood County to STH 54/73 in the village of Port Edwards in Wood County.
15 This environmental assessment or environmental impact statement shall be funded
16 from the appropriation accounts under s. 20.395 (3) (bq), (bv), or (bx).

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1 3. The department shall commence construction of the project specified in subd.
2 2., not later than December 31, 2015, if all of the following apply:

3 a. The department has been notified, by December 31, 2014, that a final
4 environmental impact statement or environmental assessment for the project has
5 been approved by the federal highway administration.

6 b. There are sufficient funds available to the department in the appropriation
7 accounts under s. 20.395 (3) (bv) and (bx) to fully fund construction of the project.

8 4. Upon construction, the bridge and highway described in subd. 2. shall be part
9 of the state trunk highway system under s. 84.02.

10

(END)