



State of Wisconsin
2011 – 2012 LEGISLATURE



LRB-2326/1
EVM:med&wlj:ph

2011 BILL

1 **AN ACT** *to repeal* 59.52 (30), 62.15 (1d) and 66.0901 (11); and *to amend* 86.31
2 (2) (b) and 86.31 (6) (h) (intro.) of the statutes; **relating to:** the performance of
3 highway improvement projects by a county and private construction projects by
4 a political subdivision.

Analysis by the Legislative Reference Bureau

Under current law, as created in the 2011 Biennial Budget Act (Act 32), a county is generally prohibited from using its own workforce to perform a highway improvement project on a highway under the jurisdiction of another county or a municipality that is located in a different county. A city with a population of 5,000 or more is prohibited from having a highway improvement project performed by a county workforce unless the project is under, and meets the requirements of, the local roads improvement program. Also under current law, as created in Act 32, a city, village, town, or county may not use its own workforce to perform a construction project for which a private person is financially responsible. This bill eliminates these prohibitions.

For further information see the *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:

BILL

SECTION 1. 59.52 (30) of the statutes, as created by 2011 Wisconsin Act 32, is repealed.

SECTION 2. 62.15 (1d) of the statutes, as created by 2011 Wisconsin Act 32, is repealed.

SECTION 3. 66.0901 (11) of the statutes, as created by 2011 Wisconsin Act 32, is repealed.

SECTION 4. 86.31 (2) (b) of the statutes, as affected by 2011 Wisconsin Act 32,
is amended to read:

86.31 (2) (b) Except as provided in par. (d), improvements for highway construction projects funded under the program shall be under contracts. Such contracts shall be awarded on the basis of competitive bids and shall be awarded to the lowest responsible bidder. If a city or village does not receive a responsible bid for an improvement, the city or village may contract with a county for the improvement. ~~Subject to s. 59.52 (30), a~~ A town may contract with a county for the improvement subject to the criteria and procedures promulgated as rules under sub. (6) (h).

SECTION 5. 86.31 (6) (h) (intro.) of the statutes, as affected by 2011 Wisconsin Act 32, is amended to read:

86.31 **(6)** (h) (intro.) Subject to s. 59.52 (30), criteria Criteria and procedures for contracting with a county for a town road improvement that includes at least all of the following:

(END)