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SECTION I

??/JEO



13 ***-0549/1.2* SECTION 1742.** 71.28 (1dj) (am) 3. of the statutes is amended to
14 read:

15 71.28 (1dj) (am) 3. Modify the rule for certification under section 51 (d) (16) (A)
16 of the internal revenue code to allow certification within the 90-day period beginning
17 with the first day of employment of the employe ~~by the claimant.~~

18 ***b0676/1.2* SECTION 1742g.** 71.28 (1dx) (b) (intro.) of the statutes is amended
19 to read:

20 71.28 (1dx) (b) *Credit.* (intro.) Except as provided in s. 73.03 (35) and subject
21 to s. 560.785, for any taxable year for which the person is certified under s. 560.765
22 (3), any person may claim as a credit against taxes imposed on the person's income
23 from the person's business activities in a development zone under this subchapter
24 the following amounts:

25 ***-0550/1.2* SECTION 1743.** 71.28 (1dx) (b) 4. of the statutes is amended to read:

1 71.28 (1dx) (b) 4. The amount determined by multiplying the amount
2 determined under s. 560.785 (1) ~~(b)~~ (bm) by the number of full-time jobs retained,
3 as provided in the rules under s. 560.785, excluding jobs for which a credit has been
4 claimed under sub. (1dj), in a an enterprise development zone under s. 560.797 and
5 filled by a member of a targeted group for which significant capital investment was
6 made and by then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

7 ***b0438/2.7* SECTION 1743d.** 71.28 (1dy) of the statutes is created to read:

8 71.28 (1dy) SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. (a) *Definitions.* In
9 this subsection:

10 1. “Brownfield” has the meaning given in sub. (1dx) (a) 1.

11 2. “Environmental remediation” means removal or containment of
12 environmental pollution, as defined in s. 299.01 (4), and restoration of soil or
13 groundwater that is affected by environmental pollution, as defined in s. 299.01 (4),
14 in a brownfield and investigation unless the investigation determines that
15 remediation is required but remediation is not undertaken.

16 (b) *Credit.* For any taxable year for which the person is certified under s. 292.77
17 (5), a person may claim as a credit against taxes imposed under this subchapter 50%
18 of the amount expended for environmental remediation under the program under s.
19 292.77.

20 (c) *Administration.* Subsection (1dx) (c), (d) and (e), as it applies to the credit
21 under sub. (1dx), applies to the credit under this subsection.

22 ***b0678/5.20* SECTION 1744b.** 71.28 (2m) (a) 1. b. of the statutes is amended
23 to read:

24 71.28 (2m) (a) 1. b. For partnerships, except publicly traded partnerships
25 treated as corporations under s. 71.22 ~~(1)~~ (1g), or limited liability companies, except

1 limited liability companies treated as corporations under s. 71.22 ~~(1)~~ (1g), “claimant”
2 means each individual partner or member.

3 ***-1837/5.19* SECTION 1745.** 71.28 (4) (a) of the statutes is amended to read:

4 71.28 (4) (a) *Credit.* Any corporation may credit against taxes otherwise due
5 under this chapter an amount equal to 5% of the amount obtained by subtracting
6 from the corporation’s qualified research expenses, as defined in section 41 of the
7 internal revenue code, except that “qualified research expenses” includes only
8 expenses incurred by the claimant, incurred for research conducted in this state for
9 the taxable year, except that a taxpayer may elect the alternative computation under
10 section 41 (c) (4) of the Internal Revenue Code and that election applies until the
11 department permits its revocation and except that “qualified research expenses”
12 does not include compensation used in computing the credit under subs. (1dj) and
13 (1dx), the corporation’s base amount, as defined in section 41 (c) of the internal
14 revenue code, except that gross receipts used in calculating the base amount means
15 gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2. ~~and~~,
16 (d), (dc), (dg), (dn) and (dr). Section 41 (h) of the internal revenue code does not apply
17 to the credit under this paragraph.

18 ***b0678/5.21* SECTION 1746d.** 71.28 (4) (i) of the statutes is amended to read:

19 71.28 (4) (i) *Nonclaimants.* The credits under this subsection may not be
20 claimed by a partnership, except a publicly traded partnership treated as a
21 corporation under s. 71.22 ~~(1)~~ (1g), limited liability company, except a limited liability
22 company treated as a corporation under s. 71.22 ~~(1)~~ (1g), or tax-option corporation
23 or by partners, including partners of a publicly traded partnership, members of a
24 limited liability company or shareholders of a tax-option corporation.

25 ***b0438/2.8* SECTION 1747m.** 71.30 (3) (eon) of the statutes is created to read:

1 71.30 (3) (eon) Sustainable urban development zone credit under s. 71.28 (1dy).

2 ***b0389/1.4* SECTION 1748m.** 71.30 (10) of the statutes is created to read:

3 71.30 (10) ENDANGERED RESOURCES. (a) *Definitions.* In this subsection:

4 1. “Conservation fund” means the fund under s. 25.29.

5 2. “Endangered resources program” means purchasing or improving land or
6 habitats for any native Wisconsin endangered or threatened species, as defined in
7 s. 29.604 (2) (a) or (b), or for any nongame species, as defined in s. 29.001 (60);
8 conducting the natural heritage inventory program under s. 23.27 (3); conducting
9 wildlife and resource research and surveys; providing wildlife management services;
10 providing for wildlife damage control or the payment of claims for damage associated
11 with endangered or threatened species; and the payment of administrative expenses
12 related to the administration of this subsection.

13 (b) *Voluntary payments.* 1. ‘Designation on return.’ A corporation filing an
14 income or franchise tax return may designate on the return any amount of additional
15 payment or any amount of a refund that is due the corporation for the endangered
16 resources program.

17 2. ‘Designation added to tax owed.’ If the corporation owes any tax, the
18 corporation shall remit in full the tax due and the amount designated on the return
19 for the endangered resources program when the corporation files a tax return.

20 3. ‘Designation deducted from refund.’ Except as provided under par. (d), and
21 subject to ss. 71.75 (9) and 71.80 (3), if the corporation is owed a refund, the
22 department shall deduct the amount designated on the return for the endangered
23 resources program from the amount of the refund.

24 (c) *Errors; failure to remit correct amount.* 1. ‘Reduced designation.’ If a
25 corporation remits an amount that exceeds the tax due, after error corrections, but

1 that is less than the total of the tax due, after error corrections, and the amount that
2 is designated by the corporation on the return for the endangered resources program,
3 the department shall reduce the designation for the endangered resources program
4 to reflect the amount remitted that exceeds the tax due, after error corrections.

5 2. 'Void designation.' The designation for the endangered resources program
6 is void if the corporation remits an amount equal to or less than the tax due, after
7 error corrections.

8 (d) *Errors; insufficient refund.* If a corporation is owed a refund that is less than
9 the amount designated on the return for the endangered resources program, after
10 attachment and crediting under ss. 71.75 (9) and 71.80 (3) and after error corrections,
11 the department shall reduce the designation for the endangered resources program
12 to reflect the actual amount of the refund the corporation is otherwise owed.

13 (e) *Conditions.* If a corporation places any conditions on a designation for the
14 endangered resources program, the designation is void.

15 (f) *Void designation.* If a designation for the endangered resources program is
16 void, the department shall disregard the designation and determine the amounts
17 due, owed, refunded and received.

18 (g) *Tax return.* The secretary of revenue shall provide a place for the
19 designations under this subsection on the corporate income and franchise tax
20 returns and the secretary shall highlight that place on the returns by a symbol
21 chosen by the department that relates to endangered resources.

22 (h) *Certification of amounts.* Annually, on or before September 15, the
23 secretary of revenue shall certify to the department of natural resources, the
24 department of administration and the state treasurer:

1 1. The total amount of the administrative costs, including data processing
2 costs, incurred by the department of revenue in administering this subsection during
3 the previous fiscal year.

4 2. The total amount received from all designations for the endangered
5 resources program made by corporations during the previous fiscal year.

6 3. The net amount remaining after the administrative costs under subd. 1. are
7 subtracted from the total received under subd. 2.

8 (i) *Appropriations.* From the moneys received from designations for the
9 endangered resources program, an amount equal to the sum of administrative
10 expenses certified under par. (h) 1. shall be deposited into the general fund and
11 credited to the appropriation under s. 20.566 (1) (hp), and the net amount remaining
12 certified under par. (h) 3. shall be deposited into the conservation fund and credited
13 to the appropriation under s. 20.370 (1) (fs).

14 (j) *Refunds.* An amount designated for the endangered resources program
15 under this subsection is not subject to refund to a corporation that designates a
16 donation under par. (b) unless the corporation submits information to the
17 satisfaction of the department within 18 months from the date that taxes are due
18 from the corporation or from the date that the corporation filed the return, whichever
19 is later, that the amount designated is clearly in error. A refund granted by the
20 department under this paragraph shall be deducted from the moneys received under
21 this subsection in the fiscal year that the refund is certified under 71.75 (7).

22 ***b0438/2.9* SECTION 1748p.** 71.34 (1) (g) of the statutes is amended to read:

23 71.34 (1) (g) An addition shall be made for credits computed by a tax-option
24 corporation under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1dy) and (3)
25 and passed through to shareholders.

1 ***b0649/1.5* SECTION 1748c.** 71.34 (1g) (e) of the statutes is repealed.

2 ***b0649/1.5* SECTION 1748d.** 71.34 (1g) (f) of the statutes is amended to read:

3 71.34 (1g) (f) “Internal ~~revenue code~~ Revenue Code” for tax-option

4 corporations, for taxable years that begin after December 31, 1990, and before

5 January 1, 1992, means the federal ~~internal revenue code~~ Internal Revenue Code as

6 amended to December 31, 1990, and as amended by P.L. 102-227, P.L. 102-486, P.L.

7 103-66, P.L. 104-188, excluding section 1311 of P.L. 104-188, and P.L. 105-34, P.L.

8 105-206 and P.L. 105-277, and as indirectly affected in the provisions applicable to

9 this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803

10 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section

11 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239,

12 P.L. 101-508, P.L. 102-227, P.L. 102-486, P.L. 103-66, P.L. 104-188, excluding

13 section 1311 of P.L. 104-188, and P.L. 105-34, P.L. 105-206 and P.L. 105-277, except

14 that section 1366 (f) (relating to pass-through of items to shareholders) is modified

15 by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375.

16 The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at

17 the same time as for federal purposes. Amendments to the federal ~~internal revenue~~

18 ~~code~~ Internal Revenue Code enacted after December 31, 1990, do not apply to this

19 paragraph with respect to taxable years beginning after December 31, 1990, and

20 before January 1, 1992, except that changes to the ~~internal revenue code~~ Internal

21 Revenue Code made by P.L. 102-227, P.L. 102-486, P.L. 103-66, P.L. 104-188,

22 excluding section 1311 of P.L. 104-188, and P.L. 105-34, P.L. 105-206 and P.L.

23 105-277 and changes that indirectly affect provisions applicable to this subchapter

24 made by P.L. 102-227, P.L. 102-486, P.L. 103-66, P.L. 104-188, excluding section

1 1311 of P.L. 104-188, and P.L. 105-34, P.L. 105-206 and P.L. 105-277, apply for
2 Wisconsin purposes at the same time as for federal purposes.

3 ***b0649/1.5* SECTION 1748e.** 71.34 (1g) (g) of the statutes is amended to read:

4 71.34 (1g) (g) “Internal ~~revenue code~~ Revenue Code” for tax-option
5 corporations, for taxable years that begin after December 31, 1991, and before
6 January 1, 1993, means the federal ~~internal revenue code~~ Internal Revenue Code as
7 amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102-227,
8 and as amended by P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
9 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103-66, P.L. 104-188, excluding section
10 1311 of P.L. 104-188, and P.L. 105-34, P.L. 105-206 and P.L. 105-277, and as
11 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.
12 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821
13 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L.
14 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
15 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
16 103-66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103-66, P.L.
17 104-188, excluding section 1311 of P.L. 104-188, and P.L. 105-34, P.L. 105-206 and
18 P.L. 105-277, except that section 1366 (f) (relating to pass-through of items to
19 shareholders) is modified by substituting the tax under s. 71.35 for the taxes under
20 sections 1374 and 1375. The ~~internal revenue code~~ Internal Revenue Code applies
21 for Wisconsin purposes at the same time as for federal purposes. Amendments to the
22 federal ~~internal revenue code~~ Internal Revenue Code enacted after
23 December 31, 1991, do not apply to this paragraph with respect to taxable years
24 beginning after December 31, 1991, and before January 1, 1993, except that
25 changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102-318,

1 P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, and
2 P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the
3 provisions applicable to this subchapter made by P.L. 102–318, P.L. 102–486, P.L.
4 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, and P.L. 105–34, P.L.
5 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for
6 federal purposes.

7 ***b0649/1.5* SECTION 1748f.** 71.34 (1g) (h) of the statutes is amended to read:

8 71.34 (1g) (h) “~~Internal revenue code~~ Revenue Code” for tax-option
9 corporations, for taxable years that begin after December 31, 1992, and before
10 January 1, 1994, means the federal ~~internal revenue code~~ Internal Revenue Code as
11 amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L. 102–227,
12 and as amended by P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150,
13 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section
14 1311 of P.L. 104–188, and P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as
15 indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L.
16 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821
17 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L.
18 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
19 excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
20 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203
21 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188,
22 and P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that section 1366 (f) (relating
23 to pass-through of items to shareholders) is modified by substituting the tax under
24 s. 71.35 for the taxes under sections 1374 and 1375. The ~~internal revenue code~~
25 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal

1 purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code
2 enacted after December 31, 1992, do not apply to this paragraph with respect to
3 taxable years beginning after December 31, 1992, and before January 1, 1994,
4 except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L.
5 103-66, P.L. 103-465, P.L. 104-188, excluding section 1311 of P.L. 104-188, and P.L.
6 105-34, P.L. 105-206 and P.L. 105-277 and changes that indirectly affect the
7 provisions applicable to this subchapter made by P.L. 103-66, P.L. 103-465, P.L.
8 104-188, excluding section 1311 of P.L. 104-188, and P.L. 105-34, P.L. 105-206 and
9 P.L. 105-277, apply for Wisconsin purposes at the same time as for federal purposes.

10 *b0649/1.5* SECTION 1748g. 71.34 (1g) (i) of the statutes is amended to read:

11 71.34 (1g) (i) “Internal ~~revenue code~~ Revenue Code” for tax-option
12 corporations, for taxable years that begin after December 31, 1993, and before
13 January 1, 1995, means the federal ~~internal revenue code~~ Internal Revenue Code as
14 amended to December 31, 1993, excluding sections 103, 104 and 110 of P.L. 102-227
15 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103-66,
16 and as amended by P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding
17 section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L.
18 104-191, P.L. 104-193 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277, and as
19 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.
20 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821
21 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L.
22 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
23 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
24 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215
25 of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding

1 section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L.
2 104-191, P.L. 104-193 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277, except that
3 section 1366 (f) (relating to pass-through of items to shareholders) is modified by
4 substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The
5 ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the
6 same time as for federal purposes. Amendments to the federal ~~internal revenue code~~
7 Internal Revenue Code enacted after December 31, 1993, do not apply to this
8 paragraph with respect to taxable years beginning after December 31, 1993, and
9 before January 1, 1995, except that changes to the ~~internal revenue code~~ Internal
10 Revenue Code made by P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7,
11 excluding section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L.
12 104-188, P.L. 104-191, P.L. 104-193 and, P.L. 105-34, P.L. 105-206 and P.L.
13 105-277 and changes that indirectly affect the provisions applicable to this
14 subchapter made by P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding
15 section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L.
16 104-191, P.L. 104-193 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277, apply for
17 Wisconsin purposes at the same time as for federal purposes.

18 ***b0649/1.5* SECTION 1748h.** 71.34 (1g) (j) of the statutes is amended to read:
19 71.34 (1g) (j) “~~Internal revenue code~~ Revenue Code” for tax-option
20 corporations, for taxable years that begin after December 31, 1994, and before
21 January 1, 1996, means the federal ~~internal revenue code~~ Internal Revenue Code as
22 amended to December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102-227
23 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, and as
24 amended by P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311 and 1605
25 of P.L. 104-188, P.L. 104-191, P.L. 104-193 and, P.L. 105-34, P.L. 105-206 and P.L.

1 105-277, and as indirectly affected in the provisions applicable to this subchapter
2 by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d)
3 (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L.
4 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.
5 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L.
6 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and
7 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.
8 104-188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L.
9 104-191, P.L. 104-193 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277, except that
10 section 1366 (f) (relating to pass-through of items to shareholders) is modified by
11 substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The
12 ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the
13 same time as for federal purposes. Amendments to the federal ~~internal revenue code~~
14 Internal Revenue Code enacted after December 31, 1994, do not apply to this
15 paragraph with respect to taxable years beginning after December 31, 1994, and
16 before January 1, 1996, except changes to the ~~internal revenue code~~ Internal
17 Revenue Code made by P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311
18 and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193 and, P.L. 105-34, P.L. 105-206
19 and P.L. 105-277 and changes that indirectly affect the provisions applicable to this
20 subchapter made by P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311
21 and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193 and, P.L. 105-34, P.L. 105-206
22 and P.L. 105-277, apply for Wisconsin purposes at the same time as for federal
23 purposes.

24 ***b0649/1.5* SECTION 1748i.** 71.34 (1g) (k) of the statutes is amended to read:

1 71.34 (1g) (k) “~~Internal revenue code~~ Revenue Code” for tax-option
2 corporations, for taxable years that begin after December 31, 1995, and before
3 January 1, 1997, means the federal ~~internal revenue code~~ Internal Revenue Code as
4 amended to December 31, 1995, excluding sections 103, 104 and 110 of P.L. 102-227
5 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, and as
6 amended by P.L. 104-188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L.
7 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33 and, P.L. 105-34, P.L. 105-206 and
8 P.L. 105-277, and as indirectly affected in the provisions applicable to this
9 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2)
10 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008
11 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
12 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L.
13 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
14 13174 and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
15 104-7, P.L. 104-188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L.
16 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33 and, P.L. 105-34, P.L. 105-206 and
17 P.L. 105-277, except that section 1366 (f) (relating to pass-through of items to
18 shareholders) is modified by substituting the tax under s. 71.35 for the taxes under
19 sections 1374 and 1375. The ~~internal revenue code~~ Internal Revenue Code applies
20 for Wisconsin purposes at the same time as for federal purposes. Amendments to the
21 federal ~~internal revenue code~~ Internal Revenue Code enacted after
22 December 31, 1995, do not apply to this paragraph with respect to taxable years
23 beginning after December 31, 1995, and before January 1, 1997, except that
24 changes to the Internal Revenue Code made by P.L. 104-188, excluding sections
25 1123, 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.

1 105-33 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277 and changes that indirectly
2 affect the provisions applicable to this subchapter made by P.L. 104-188, excluding
3 sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193,
4 P.L. 105-33 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277 apply for Wisconsin
5 purposes at the same time as for federal purposes.

6 ***b0649/1.5* SECTION 1748j.** 71.34 (1g) (L) of the statutes is amended to read:
7 71.34 (1g) (L) "Internal Revenue Code" for tax-option corporations, for taxable
8 years that begin after December 31, 1996, and before January 1, 1998, means the
9 federal Internal Revenue Code as amended to December 31, 1996, excluding
10 sections 103, 104 and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174
11 and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605
12 (d) of P.L. 104-188, and as amended by P.L. 105-33 and, P.L. 105-34, P.L. 105-206
13 and P.L. 105-277, and as indirectly affected in the provisions applicable to this
14 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2)
15 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008
16 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
17 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L.
18 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
19 13174 and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
20 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d)
21 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33 and, P.L. 105-34, P.L.
22 105-206 and P.L. 105-277, except that section 1366 (f) (relating to pass-through of
23 items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes
24 under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin
25 purposes at the same time as for federal purposes. Amendments to the federal

1 Internal Revenue Code enacted after December 31, 1996, do not apply to this
2 paragraph with respect to taxable years beginning after December 31, 1996, and
3 before January 1, 1998, except that changes to the Internal Revenue Code made by
4 P.L. 105-33 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277 and changes that
5 indirectly affect the provisions applicable to this subchapter made by P.L. 105-33
6 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277, apply for Wisconsin purposes at the
7 same time as for federal purposes.

8 *b0649/1.5* SECTION 1748k. 71.34 (1g) (m) of the statutes is amended to read:

9 71.34 (1g) (m) "Internal Revenue Code" for tax-option corporations, for taxable
10 years that begin after December 31, 1997, and before January 1, 1999, means the
11 federal Internal Revenue Code as amended to December 31, 1997, excluding sections
12 103, 104 and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174 and
13 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d)
14 of P.L. 104-188, and as amended by P.L. 105-178, P.L. 105-206 and P.L. 105-277,
15 and as indirectly affected in the provisions applicable to this subchapter by P.L.
16 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812
17 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647,
18 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
19 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
20 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L.
21 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,
22 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104-188, P.L.
23 104-191, P.L. 104-193, P.L. 105-33 and, P.L. 105-34, P.L. 105-178, P.L. 105-206 and
24 P.L. 105-277, except that section 1366 (f) (relating to pass-through of items to
25 shareholders) is modified by substituting the tax under s. 71.35 for the taxes under

1 sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes
2 at the same time as for federal purposes. Amendments to the federal Internal
3 Revenue Code enacted after December 31, 1997, do not apply to this paragraph with
4 respect to taxable years beginning after December 31, 1997, and before January 1,
5 1999, except that changes to the Internal Revenue Code made by P.L. 105-178, P.L.
6 105-206 and P.L. 105-277 and changes that indirectly affect the provisions
7 applicable to this subchapter made by P.L. 105-178, P.L. 105-206 and P.L. 105-277
8 apply for Wisconsin purposes at the same time as for federal purposes.

9 ***b0649/1.5* SECTION 1748L.** 71.34 (1g) (n) of the statutes is created to read:
10 71.34 (1g) (n) "Internal Revenue Code" for tax-option corporations, for taxable
11 years that begin after December 31, 1998, means the federal Internal Revenue Code
12 as amended to December 31, 1998, excluding sections 103, 104 and 110 of P.L.
13 102-227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66 and
14 sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104-188, and as
15 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.
16 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821
17 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L.
18 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
19 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
20 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L.
21 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,
22 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104-188, P.L.
23 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206 and P.L.
24 105-277, except that section 1366 (f) (relating to pass-through of items to
25 shareholders) is modified by substituting the tax under s. 71.35 for the taxes under

1 sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes
2 at the same time as for federal purposes. Amendments to the federal Internal
3 Revenue Code enacted after December 31, 1998, do not apply to this paragraph with
4 respect to taxable years beginning after December 31, 1998.

5 *b0649/1.5* SECTION 1748m. 71.365 (1m) of the statutes is amended to read:

6 71.365 (1m) TAX-OPTION CORPORATIONS; DEPRECIATION. A tax-option corporation
7 may compute amortization and depreciation under either the federal ~~internal~~
8 ~~revenue code~~ Internal Revenue Code as amended to December 31, 1997 ~~1998~~, or the
9 federal ~~internal revenue code~~ Internal Revenue Code in effect for the taxable year
10 for which the return is filed, except that property first placed in service by the
11 taxpayer on or after January 1, 1983, but before January 1, 1987, that, under s.
12 71.04 (15) (b) and (br), 1985 stats., is required to be depreciated under the ~~internal~~
13 ~~revenue code~~ Internal Revenue Code as amended to December 31, 1980, and
14 property first placed in service in taxable year 1981 or thereafter but before
15 January 1, 1987, that, under s. 71.04 (15) (bm), 1985 stats., is required to be
16 depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to
17 December 31, 1980, shall continue to be depreciated under the ~~internal revenue code~~
18 Internal Revenue Code as amended to December 31, 1980. Any difference between
19 the adjusted basis for federal income tax purposes and the adjusted basis under this
20 chapter shall be taken into account in determining net income or loss in the year or
21 years for which the gain or loss is reportable under this chapter. If that property was
22 placed in service by the taxpayer during taxable year 1986 and thereafter but before
23 the property is used in the production of income subject to taxation under this
24 chapter, the property's adjusted basis and the depreciation or other deduction
25 schedule are not required to be changed from the amount allowable on the owner's

1 federal income tax returns for any year because the property is used in the
2 production of income subject to taxation under this chapter. If that property was
3 acquired in a transaction in taxable year 1986 or thereafter in which the adjusted
4 basis of the property in the hands of the transferee is the same as the adjusted basis
5 of the property in the hands of the transferor, the Wisconsin adjusted basis of that
6 property on the date of transfer is the adjusted basis allowable under the ~~internal~~
7 ~~revenue code~~ Internal Revenue Code as defined for Wisconsin purposes for the
8 property in the hands of the transferor.

9 *b0649/1.5* SECTION 1748n. 71.42 (2) (d) of the statutes is repealed.

10 *b0649/1.5* SECTION 1748p. 71.42 (2) (e) of the statutes is amended to read:

11 71.42 (2) (e) For taxable years that begin after December 31, 1990, and before
12 January 1, 1992, "~~internal revenue code~~ Internal Revenue Code" means the federal
13 ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1990,
14 and as amended by P.L. 102-227, P.L. 102-486, P.L. 103-66, P.L. 104-188, excluding
15 section 1311 of P.L. 104-188, and P.L. 105-34, P.L. 105-206 and P.L. 105-277, and
16 as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
17 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, P.L. 102-486, P.L.
18 103-66, P.L. 104-188, excluding section 1311 of P.L. 104-188, and P.L. 105-34, P.L.
19 105-206 and P.L. 105-277, except that "~~internal revenue code~~ Internal Revenue
20 Code" does not include section 847 of the federal ~~internal revenue code~~ Internal
21 Revenue Code. The ~~internal revenue code~~ Internal Revenue Code applies for
22 Wisconsin purposes at the same time as for federal purposes. Amendments to the
23 federal ~~internal revenue code~~ Internal Revenue Code enacted after
24 December 31, 1990, do not apply to this paragraph with respect to taxable years
25 beginning after December 31, 1990, and before January 1, 1992, except that

1 changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102-227,
2 P.L. 102-486, P.L. 103-66, P.L. 104-188, excluding section 1311 of P.L. 104-188, and
3 P.L. 105-34, P.L. 105-206 and P.L. 105-277 and changes that indirectly affect the
4 federal ~~internal revenue code~~ Internal Revenue Code made by P.L. 102-227, P.L.
5 102-486, P.L. 103-66, P.L. 104-188, excluding section 1311 of P.L. 104-188, and P.L.
6 105-34, P.L. 105-206 and P.L. 105-277, apply for Wisconsin purposes at the same
7 time as for federal purposes.

8 ***b0649/1.5* SECTION 1748q.** 71.42 (2) (f) of the statutes is amended to read:

9 71.42 (2) (f) For taxable years that begin after December 31, 1991, and before
10 January 1, 1993, "~~internal revenue code~~ Internal Revenue Code" means the federal
11 ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1991,
12 excluding sections 103, 104 and 110 of P.L. 102-227, and as amended by P.L.
13 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13101 (a) and (c) 1, 13171 and
14 13174 of P.L. 103-66, P.L. 104-188, excluding section 1311 of P.L. 104-188, and P.L.
15 105-34, P.L. 105-206 and P.L. 105-277, and as indirectly affected by P.L. 99-514,
16 P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239,
17 P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L.
18 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13101 (a) and (c) 1, 13171 and
19 13174 of P.L. 103-66, P.L. 104-188, excluding section 1311 of P.L. 104-188, and P.L.
20 105-34, P.L. 105-206 and P.L. 105-277, except that "~~internal revenue code~~ Internal
21 Revenue Code" does not include section 847 of the federal ~~internal revenue code~~
22 Internal Revenue Code. The ~~internal revenue code~~ Internal Revenue Code applies
23 for Wisconsin purposes at the same time as for federal purposes. Amendments to the
24 federal ~~internal revenue code~~ Internal Revenue Code enacted after
25 December 31, 1991, do not apply to this paragraph with respect to taxable years

1 beginning after December 31, 1991, and before January 1, 1993, except that
2 changes to the internal revenue code made by P.L. 102-318, P.L. 102-486, P.L.
3 103-66, P.L. 104-188, excluding section 1311 of P.L. 104-188, ~~and P.L. 105-34, P.L.~~
4 ~~105-206 and P.L. 105-277~~ and changes that indirectly affect the federal internal
5 revenue code made by P.L. 102-318, P.L. 102-486, P.L. 103-66, P.L. 104-188,
6 excluding section 1311 of P.L. 104-188, ~~and P.L. 105-34, P.L. 105-206 and P.L.~~
7 ~~105-277~~, apply for Wisconsin purposes at the same time as for federal purposes.

8 ***b0649/1.5* SECTION 1748r.** 71.42 (2) (g) of the statutes is amended to read:
9 71.42 (2) (g) For taxable years that begin after December 31, 1992, and before
10 January 1, 1994, "~~internal revenue code~~ Internal Revenue Code" means the federal
11 ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1992,
12 excluding sections 103, 104 and 110 of P.L. 102-227, and as amended by P.L. 103-66,
13 excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L.
14 103-66, P.L. 103-465, P.L. 104-188, excluding section 1311 of P.L. 104-188, ~~and P.L.~~
15 ~~105-34, P.L. 105-206 and P.L. 105-277~~, and as indirectly affected by P.L. 99-514,
16 P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239,
17 P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L.
18 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13101 (a) and (c) 1, 13113,
19 13150, 13171, 13174 and 13203 of P.L. 103-66, P.L. 103-465, P.L. 104-188, excluding
20 section 1311 of P.L. 104-188, ~~and P.L. 105-34, P.L. 105-206 and P.L. 105-277~~, except
21 that "~~internal revenue code~~ Internal Revenue Code" does not include section 847 of
22 the federal ~~internal revenue code~~ Internal Revenue Code. The ~~internal revenue code~~
23 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal
24 purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code
25 enacted after December 31, 1992, do not apply to this paragraph with respect to

1 taxable years beginning after December 31, 1992, and before January 1, 1994,
2 except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L.
3 103-66, P.L. 103-465, P.L. 104-188, excluding section 1311 of P.L. 104-188, and P.L.
4 105-34, P.L. 105-206 and P.L. 105-277 and changes that indirectly affect the federal
5 ~~internal revenue code~~ Internal Revenue Code made by P.L. 103-66, P.L. 103-465,
6 P.L. 104-188, excluding section 1311 of P.L. 104-188, and P.L. 105-34, P.L. 105-206
7 and P.L. 105-277, apply for Wisconsin purposes at the same time as for federal
8 purposes.

9 ***b0649/1.5* SECTION 1748s.** 71.42 (2) (h) of the statutes is amended to read:

10 71.42 (2) (h) For taxable years that begin after December 31, 1993, and before
11 January 1, 1995, "~~internal revenue code~~ Internal Revenue Code" means the federal
12 ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1993
13 excluding sections 103, 104 and 110 of P.L. 102-227 and sections 13113, 13150 (d),
14 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103-66, and as amended by P.L.
15 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7,
16 P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193 and,
17 P.L. 105-34, P.L. 105-206 and P.L. 105-277, and as indirectly affected by P.L.
18 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.
19 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L.
20 102-227, P.L. 102-318, P.L. 102-486 and P.L. 103-66, excluding sections 13113,
21 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103-66, P.L. 103-296, P.L.
22 103-337, P.L. 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188,
23 excluding section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193 and, P.L. 105-34,
24 P.L. 105-206 and P.L. 105-277, except that "~~internal revenue code~~ Internal Revenue
25 Code" does not include section 847 of the federal ~~internal revenue code~~ Internal

1 Revenue Code. The ~~internal revenue code~~ Internal Revenue Code applies for
2 Wisconsin purposes at the same time as for federal purposes. Amendments to the
3 federal ~~internal revenue code~~ Internal Revenue Code enacted after
4 December 31, 1993, do not apply to this paragraph with respect to taxable years
5 beginning after December 31, 1993, and before January 1, 1995, except that
6 changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103-296,
7 P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L.
8 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193 and, P.L.
9 105-34, P.L. 105-206 and P.L. 105-277 and changes that indirectly affect the
10 provisions applicable to this subchapter made by P.L. 103-296, P.L. 103-337, P.L.
11 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding
12 section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193 and, P.L. 105-34, P.L.
13 105-206 and P.L. 105-277, apply for Wisconsin purposes at the same time as for
14 federal purposes.

15 ***b0649/1.5* SECTION 1748t.** 71.42 (2) (i) of the statutes is amended to read:
16 71.42 (2) (i) For taxable years that begin after December 31, 1994, and before
17 January 1, 1996, "~~internal revenue code~~ Internal Revenue Code" means the federal
18 ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1994,
19 excluding sections 103, 104 and 110 of P.L. 102-227 and sections 13113, 13150 (d),
20 13171 (d), 13174 and 13203 (d) of P.L. 103-66, and as amended by P.L. 104-7, P.L.
21 104-188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L.
22 104-191, P.L. 104-193 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277, and as
23 indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
24 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
25 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding

1 sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, P.L.
2 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
3 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193 and, P.L.
4 105-34, P.L. 105-206 and P.L. 105-277, except that “~~internal revenue code~~ Internal
5 Revenue Code” does not include section 847 of the federal ~~internal revenue code~~
6 Internal Revenue Code. The ~~internal revenue code~~ Internal Revenue Code applies
7 for Wisconsin purposes at the same time as for federal purposes. Amendments to the
8 federal ~~internal revenue code~~ Internal Revenue Code enacted after
9 December 31, 1994, do not apply to this paragraph with respect to taxable years
10 beginning after December 31, 1994, and before January 1, 1996, except that
11 changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 104-7, P.L.
12 104-188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L.
13 104-191, P.L. 104-193 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277 and changes
14 that indirectly affect the provisions applicable to this subchapter made by P.L. 104-7,
15 P.L. 104-188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L.
16 104-191, P.L. 104-193 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277, apply for
17 Wisconsin purposes at the same time as for federal purposes.

18 *b0649/1.5* SECTION 1748u. 71.42 (2) (j) of the statutes is amended to read:

19 71.42 (2) (j) For taxable years that begin after December 31, 1995, and before
20 January 1, 1997, “~~internal revenue code~~ Internal Revenue Code” means the federal
21 ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1995,
22 excluding sections 103, 104 and 110 of P.L. 102-227 and sections 13113, 13150 (d),
23 13171 (d), 13174 and 13203 (d) of P.L. 103-66, and as amended by P.L. 104-188,
24 excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191,
25 P.L. 104-193, P.L. 105-33 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277, and as

1 indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.
2 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections
3 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding
4 sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L.
5 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections
6 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
7 105–33 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that “~~internal~~
8 ~~revenue code~~ Internal Revenue Code” does not include section 847 of the federal
9 ~~internal revenue code~~ Internal Revenue Code. The ~~internal revenue code~~ Internal
10 Revenue Code applies for Wisconsin purposes at the same time as for federal
11 purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code
12 enacted after December 31, 1995, do not apply to this paragraph with respect to
13 taxable years beginning after December 31, 1995, and before January 1, 1997,
14 except that changes to the Internal Revenue Code made by P.L. 104–188, excluding
15 sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193,
16 P.L. 105–33 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and changes that
17 indirectly affect the provisions applicable to this subchapter made by P.L. 104–188,
18 excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191,
19 P.L. 104–193, P.L. 105–33 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for
20 Wisconsin purposes at the same time as for federal purposes.

21 ***b0649/1.5* SECTION 1748v.** 71.42 (2) (k) of the statutes is amended to read:
22 71.42 (2) (k) For taxable years that begin after December 31, 1996, and before
23 January 1, 1998, “Internal Revenue Code” means the federal Internal Revenue Code
24 as amended to December 31, 1996, excluding sections 103, 104 and 110 of P.L.
25 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and

1 sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as
2 amended by P.L. 105–33 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as
3 indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.
4 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections
5 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding
6 sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L.
7 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections
8 1123 (b), 1202 (c) 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.
9 104–193, P.L. 105–33 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that
10 “Internal Revenue Code” does not include section 847 of the federal Internal Revenue
11 Code. The Internal Revenue Code applies for Wisconsin purposes at the same time
12 as for federal purposes. Amendments to the federal Internal Revenue Code enacted
13 after December 31, 1996, do not apply to this paragraph with respect to taxable years
14 beginning after December 31, 1996, and before January 1, 1998, except that
15 changes to the Internal Revenue Code made by P.L. 105–33 and, P.L. 105–34, P.L.
16 105–206 and P.L. 105–277 and changes that indirectly affect the provisions
17 applicable to this subchapter made by P.L. 105–33 and, P.L. 105–34, P.L. 105–206
18 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal
19 purposes.

20 *b0649/1.5* SECTION 1748w. 71.42 (2) (L) of the statutes is amended to read:
21 71.42 (2) (L) For taxable years that begin after December 31, 1997, and before
22 January 1, 1999, “Internal Revenue Code” means the federal Internal Revenue Code
23 as amended to December 31, 1997, excluding sections 103, 104 and 110 of P.L.
24 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and
25 sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as

1 amended by P.L. 105-178, P.L. 105-206 and P.L. 105-277, and as indirectly affected
2 by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,
3 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L.
4 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
5 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
6 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c) 1204 (f), 1311
7 and 1605 (d) of P.L. 104-188, P.L. 104-191 , P.L. 104-193, P.L. 105-33 and, P.L.
8 105-34, P.L. 105-178, P.L. 105-206 and P.L. 105-277, except that “Internal Revenue
9 Code” does not include section 847 of the federal Internal Revenue Code. The
10 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal
11 purposes. Amendments to the federal Internal Revenue Code enacted after
12 December 31, 1997, do not apply to this paragraph with respect to taxable years
13 beginning after December 31, 1997, and before January 1, 1999, except that changes
14 to the Internal Revenue Code made by P.L. 105-178, P.L. 105-206 and P.L. 105-277
15 and changes that indirectly affect the provisions applicable to this subchapter made
16 by P.L. 105-178, P.L. 105-206 and P.L. 105-277 apply for Wisconsin purposes at the
17 same time as for federal purposes.

18 ***b0649/1.5* SECTION 1748x.** 71.42 (2) (m) of the statutes is created to read:
19 71.42 (2) (m) For taxable years that begin after December 31, 1998, “Internal
20 Revenue Code” means the federal Internal Revenue Code as amended to
21 December 31, 1998, excluding sections 103, 104 and 110 of P.L. 102-227, sections
22 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66 and sections 1123 (b),
23 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104-188, and as indirectly affected by P.L.
24 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.
25 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L.

1 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
2 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
3 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c) 1204 (f), 1311
4 and 1605 (d) of P.L. 104–188, P.L. 104–191 , P.L. 104–193, P.L. 105–33, P.L. 105–34,
5 P.L. 105–178, P.L. 105–206 and P.L. 105–277, except that “Internal Revenue Code”
6 does not include section 847 of the federal Internal Revenue Code. The Internal
7 Revenue Code applies for Wisconsin purposes at the same time as for federal
8 purposes. Amendments to the federal Internal Revenue Code enacted after
9 December 31, 1998, do not apply to this paragraph with respect to taxable years
10 beginning after December 31, 1998.

11 ***b0677/3.3* SECTION 1748m.** 71.43 (1) of the statutes is amended to read:

12 71.43 (1) INCOME TAX. For the purpose of raising revenue for the state and the
13 counties, cities, villages and towns, there shall be assessed, levied, collected and paid
14 a tax as provided under this chapter on all Wisconsin net incomes of corporations
15 ~~which that~~ are not subject to the franchise tax under sub. (2) and ~~which that~~ own
16 property within this state; that derive income from sources within this state or from
17 activities that are attributable to this state; or whose business within this state
18 during the taxable year, except as provided under s. 71.23 (3), consists exclusively
19 of foreign commerce, interstate commerce, or both; except as exempted under ss.
20 71.26 (1) and 71.45 (1). This section shall not be construed to prevent or affect the
21 correction of errors or omissions in the assessments of income for former years under
22 s. 71.74 (1) and (2).

23 ***b0438/2.10* SECTION 1749n.** 71.45 (2) (a) 10. of the statutes is amended to
24 read:

1 71.45 (2) (a) 10. By adding to federal taxable income the amount of credit
2 computed under s. 71.47 (1dd) to ~~(1dx)~~ (1dy) and not passed through by a
3 partnership, limited liability company or tax-option corporation that has added that
4 amount to the partnership's, limited liability company's or tax-option corporation's
5 income under s. 71.21 (4) or 71.34 (1) (g) and the amount of credit computed under
6 s. 71.47 (1), (3), (4) and (5).

7 ***b0649/1.6* SECTION 1749m.** 71.45 (2) (a) 13. of the statutes is amended to
8 read:

9 71.45 (2) (a) 13. By adding or subtracting, as appropriate, the difference
10 between the depreciation deduction under the federal Internal Revenue Code as
11 amended to December 31, ~~1997~~ 1998 and the depreciation deduction under the
12 federal Internal Revenue Code in effect for the taxable year for which the return is
13 filed, so as to reflect the fact that the insurer may choose between these 2 deductions,
14 except that property first placed in service by the taxpayer on or after
15 January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br),
16 1985 stats., is required to be depreciated under the Internal Revenue Code as
17 amended to December 31, 1980, and property first placed in service in taxable year
18 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985
19 stats., is required to be depreciated under the Internal Revenue Code as amended
20 to December 31, 1980, shall continue to be depreciated under the Internal Revenue
21 Code as amended to December 31, 1980.

22 ***b0678/5.22* SECTION 1750.** 71.45 (3) (intro.) of the statutes is amended to
23 read:

24 71.45 (3) APPORTIONMENT. (intro.) ~~With respect~~ Except as provided in par. (c).
25 to determine Wisconsin income for purposes of the franchise tax, domestic insurers

1 ~~not engaged in the sale of life insurance but which~~ that, in the taxable year, have
2 ~~collected~~ received premiums, other than life insurance premiums, written ~~on~~
3 ~~subjects of~~ for insurance on property or risks resident, located or to be performed
4 outside this state, ~~there shall be subtracted from~~ multiply the net income figure
5 derived by application of sub. (2) (a) to arrive at ~~Wisconsin income constituting the~~
6 ~~measure of the franchise tax an amount calculated by multiplying such adjusted~~
7 ~~federal taxable income~~ by the arithmetic average of the following 2 percentages:

8 *b0678/5.22* SECTION 1751. 71.45 (3) (a) of the statutes is amended to read:

9 71.45 (3) (a) The Subject to par. (c), the percentage determined by dividing the
10 sum of total direct premiums written on all property and risks for insurance other
11 than life insurance, on subjects of insurance resident, located or to be performed in
12 this state, and assumed premiums written for reinsurance, other than life insurance,
13 with respect to all property and risks resident, located or to be performed in this
14 state, by the sum of direct premiums written for insurance on all property and risks,
15 other than life insurance, wherever located during the taxable year, as reflects, and
16 assumed premiums written on insurance for reinsurance on all property and risks,
17 other than life insurance, where the subject of insurance was resident, located or to
18 be performed outside this state wherever located. In this paragraph, "direct
19 premiums" means direct premiums as reported for the taxable year on an annual
20 statement that is filed by the insurer with the commissioner of insurance. In this
21 paragraph, "assumed premiums" means assumed reinsurance premiums from
22 domestic insurance companies as reported for the taxable year on an annual
23 statement that is filed by the commissioner of insurance.

24 *-1837/5.23* SECTION 1752. 71.45 (3) (b) of the statutes is renumbered 71.45

25 (3) (b) 1. and amended to read:

1 71.45 (3) (b) 1. The Subject to par. (c), the percentage of determined by dividing
2 the payroll, exclusive of life insurance payroll, paid in this state in the taxable year
3 by total payroll, exclusive of life insurance payroll, paid everywhere in the taxable
4 year as reflects such compensation paid outside this state.

5 2. Compensation is paid outside this state if the individual's service is
6 performed entirely outside this state; or the individual's service is performed both
7 within and without this state, but the service performed within is incidental to the
8 individual's service without this state; or some service is performed without this
9 state and the base of operations, or if there is no base of operations, the place from
10 which the service is directed or controlled is without this state, or the base of
11 operations or the place from which the service is directed or controlled is not in any
12 state in which some part of the service is performed, but the individual's residence
13 is outside this state.

14 ***b0678/5.24* SECTION 1752d.** 71.45 (3) (c) of the statutes is created to read:

15 71.45 (3) (c) 1. For taxable years beginning after December 31, 2000, and before
16 January 1, 2002, the percentage under par. (a) represents 63% of the average of the
17 amounts under pars. (a) and (b) 1.

18 2. For taxable years beginning after December 31, 2001, and before January
19 1, 2003, the percentage under par. (a) represents 85% of the average of the amounts
20 under pars. (a) and (b) 1.

21 3. For taxable years beginning after December 31, 2002, a domestic insurer
22 that is subject to apportionment under this subsection shall multiply the net income
23 figure derived by application of sub. (2) by the percentage under par. (a) to determine
24 Wisconsin income for purposes of the franchise tax.

25 ***-1837/5.24* SECTION 1753.** 71.45 (3m) of the statutes is amended to read:

1 71.45 (3m) ARITHMETIC AVERAGE. The Except as provided in sub. (3) (c), the
2 arithmetic average of the 2 percentages referred to in sub. (3) shall be applied to the
3 net income figure arrived at by the successive application of sub. (2) (a) and (b) with
4 respect to Wisconsin insurers to which sub. (2) (a) and (b) applies and which have
5 collected premiums written upon insurance, other than life insurance, where the
6 subject of such insurance was resident, located or to be performed outside this state,
7 to arrive at Wisconsin income constituting the measure of the franchise tax.

8 ***b0677/3.4* SECTION 1753g.** 71.45 (6) of the statutes is created to read:

9 71.45 (6) PARTNERSHIPS AND LIMITED LIABILITY COMPANIES. (a) A general or
10 limited partner's share of the numerator and denominator of a partnership's
11 apportionment fractions under this section are included in the numerator and
12 denominator of the general or limited partner's apportionment fractions under this
13 section.

14 (b) If a limited liability company is considered by the department of revenue
15 to be a partnership, for tax purposes, a member's share of the numerator and
16 denominator of a limited liability company's apportionment fractions under this
17 section are included in the numerator and denominator of the member's
18 apportionment fractions under this section.

19 ***b0569/1.8* SECTION 1754t.** 71.47 (1dj) (am) 1. of the statutes is amended to
20 read:

21 71.47 (1dj) (am) 1. Modify "member of a targeted group", as defined in section
22 51 (d) of the internal revenue code as amended to December 31, 1995, to include
23 persons unemployed as a result of a business action subject to s. 109.07 (1m) and
24 ~~persons specified under 29 USC 1651 (a)~~ dislocated workers, as defined in 29 USC
25 2801 (9), and to require a member of a targeted group to be a resident of this state.

1 ***b0569/1.8* SECTION 1754v.** 71.47 (1dj) (am) 2. of the statutes is amended to
2 read:

3 71.47 (1dj) (am) 2. Modify “designated local agency”, as defined in section 51
4 (d) (15) of the internal revenue code, to include the ~~job training partnership act~~
5 ~~organization~~ local workforce development board established under 29 USC 2832 for
6 the area that includes the development zone in which the employe in respect to whom
7 the credit under this subsection is claimed works, if the department of commerce
8 approves the criteria used for certification, and the department of commerce.

9 ***-0549/1.3* SECTION 1755.** 71.47 (1dj) (am) 3. of the statutes is amended to
10 read:

11 71.47 (1dj) (am) 3. Modify the rule for certification under section 51 (d) (16) (A)
12 of the internal revenue code to allow certification within the ~~90-day~~ period beginning
13 with the first day of employment of the employe ~~by the claimant~~.

14 ***b0676/1.3* SECTION 1755g.** 71.47 (1dx) (b) (intro.) of the statutes is amended
15 to read:

16 71.47 (1dx) (b) *Credit.* (intro.) Except or provided in s. 73.03 (35) and subject
17 to s. 560.785, for any taxable year for which the person is certified under s. 560.765
18 (3), any person may claim as a credit against taxes imposed on the person’s income
19 from the person’s business activities in a development zone under this subchapter
20 the following amounts:

21 ***-0550/1.3* SECTION 1756.** 71.47 (1dx) (b) 4. of the statutes is amended to read:

22 71.47 (1dx) (b) 4. The amount determined by multiplying the amount
23 determined under s. 560.785 (1) ~~(b)~~ (bm) by the number of full-time jobs retained,
24 as provided in the rules under s. 560.785, excluding jobs for which a credit has been
25 claimed under sub. (1dj), in a an enterprise development zone under s. 560.797 and

1 ~~filled by a member of a targeted group for which significant capital investment was~~
2 ~~made~~ and by then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

3 *b0438/2.11* SECTION 1756h. 71.47 (1dy) of the statutes is created to read:

4 71.47 (1dy) SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. (a) *Definitions*. In
5 this subsection:

6 1. “Brownfield” has the meaning given in sub. (1dx) (a) 1.

7 2. “Environmental remediation” means removal or containment of
8 environmental pollution, as defined in s. 299.01 (4), and restoration of soil or
9 groundwater that is affected by environmental pollution, as defined in s. 299.01 (4),
10 in a brownfield and investigation unless the investigation determines that
11 remediation is required but remediation is not undertaken.

12 (b) *Credit*. For any taxable year for which the person is certified under s. 292.77
13 (5), a person may claim as a credit against taxes imposed under this subchapter 50%
14 of the amount expended for environmental remediation under the program under s.
15 292.77.

16 (c) *Administration*. Subsection (1dx) (c), (d) and (e), as it applies to the credit
17 under sub. (1dx), applies to the credit under this subsection.

18 *b0678/5.26* SECTION 1757b. 71.47 (2m) (a) 1. b. of the statutes is amended
19 to read:

20 71.47 (2m) (a) 1. b. For partnerships, except publicly traded partnerships
21 treated as corporations under s. 71.22 (1) (1g), or limited liability companies, except
22 limited liability companies treated as corporations under s. 71.22 (1) (1g), “claimant”
23 means each individual partner or member.

24 *-1837/5.25* SECTION 1758. 71.47 (4) (a) of the statutes is amended to read:

1 71.47 (4) (a) *Credit*. Any corporation may credit against taxes otherwise due
2 under this chapter an amount equal to 5% of the amount obtained by subtracting
3 from the corporation's qualified research expenses, as defined in section 41 of the
4 internal revenue code, except that "qualified research expenses" includes only
5 expenses incurred by the claimant, incurred for research conducted in this state for
6 the taxable year, except that a taxpayer may elect the alternative computation under
7 section 41 (c) (4) of the Internal Revenue Code and that election applies until the
8 department permits its revocation and except that "qualified research expenses"
9 does not include compensation used in computing the credit under subs. (1dj) and
10 (1dx), the corporation's base amount, as defined in section 41 (c) of the internal
11 revenue code, except that gross receipts used in calculating the base amount means
12 gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2. and,
13 (d), (dc), (dg), (dn) and (dr). Section 41 (h) of the internal revenue code does not apply
14 to the credit under this paragraph.

15 ***b0678/5.27* SECTION 1759d.** 71.47 (4) (i) of the statutes is amended to read:

16 71.47 (4) (i) *Nonclaimants*. The credits under this subsection may not be
17 claimed by a partnership, except a publicly traded partnership treated as a
18 corporation under s. 71.22 (1) (1g), limited liability company, except a limited liability
19 company treated as a corporation under s. 71.22 (1) (1g), or tax-option corporation
20 or by partners, including partners of a publicly traded partnership, members of a
21 limited liability company or shareholders of a tax-option corporation.

22 ***b0438/2.12* SECTION 1760q.** 71.49 (1) (eon) of the statutes is created to read:

23 71.49 (1) (eon) Sustainable urban development zone credit under s. 71.47 (1dy).

24 ***-1917/1.30* SECTION 1762.** 71.54 (1) (d) (intro.) of the statutes is amended to
25 read:

1 71.54 (1) (d) ~~1991 and thereafter to 1999~~. (intro.) The amount of any claim filed
2 in ~~1991 and thereafter to 1999~~ and based on property taxes accrued or rent
3 constituting property taxes accrued during the previous year is limited as follows:

4 *~~1917/1.31~~* **SECTION 1763.** 71.54 (1) (e) of the statutes is created to read:

5 71.54 (1) (e) *2000 and thereafter*. The amount of any claim filed in 2000 and
6 thereafter and based on property taxes accrued or rent constituting property taxes
7 accrued during the previous year is limited as follows:

8 1. If the household income was \$8,000 or less in the year to which the claim
9 relates, the claim is limited to 80% of the property taxes accrued or rent constituting
10 property taxes accrued or both in that year on the claimant's homestead.

11 2. If the household income was more than \$8,000 in the year to which the claim
12 relates, the claim is limited to 80% of the amount by which the property taxes accrued
13 or rent constituting property taxes accrued or both in that year on the claimant's
14 homestead exceeds 11.8% of the household income exceeding \$8,000.

15 3. No credit may be allowed if the household income of a claimant exceeds
16 \$20,290.

17 *~~0494/2.1~~* **SECTION 1764.** 71.54 (2) (a) (intro.) of the statutes is amended to
18 read:

19 71.54 (2) (a) (intro.) Property taxes accrued or rent constituting property taxes
20 accrued shall be reduced by one-twelfth for each month or portion of a month for
21 which the claimant received relief from any county under s. 59.53 (21) equal to or in
22 excess of \$400, participated in Wisconsin works under s. 49.147 (4) or (5) or 49.148
23 (1m) or received assistance under s. 49.19, except assistance received:

24 ***b0678/5.28*** **SECTION 1764q.** 71.58 (1) (c) of the statutes is amended to read:

1 71.58 (1) (c) For partnerships except publicly traded partnerships treated as
2 corporations under s. 71.22 (~~1~~) (1g), “claimant” means each individual partner.

3 ***b0678/5.28* SECTION 1764s.** 71.58 (1) (cm) of the statutes is amended to read:
4 71.58 (1) (cm) For limited liability companies, except limited liability
5 companies treated as corporations under s. 71.22 (~~1~~) (1g), “claimant” means each
6 individual member.

7 ***-1917/1.32* SECTION 1784.** 71.64 (9) (b) of the statutes is renumbered 71.64
8 (9) (b) (intro.) and amended to read:

9 71.64 (9) (b) (intro.) The department shall from time to time adjust the
10 withholding tables to reflect any changes in income tax rates, any applicable surtax
11 or any changes in dollar amounts in s. 71.06 (1), (~~1m~~), (~~1n~~), (~~1p~~) and (2) resulting from
12 statutory changes, except that the as follows:

13 1. The department may not adjust the withholding tables to reflect the changes
14 in rates in s. 71.06 (1m) and (2) (c) and (d) and any changes in dollar amounts with
15 respect to bracket indexing under s. 71.06 (2e), with respect to changes in rates under
16 s. 71.06 (1m) and (2) (c) and (d), and with respect to standard deduction indexing
17 under s. 71.05 (22) (ds) for any taxable year that begins before January 1, 2000.

18 (c) The tables shall account for the working families tax credit under s. 71.07
19 (5m), subject to s. 71.07 (5m) (e). The tables shall be extended to cover from zero to
20 10 withholding exemptions, shall assume that the payment of wages in each pay
21 period will, when multiplied by the number of pay periods in a year, reasonably
22 reflect the annual wage of the employe from the employer and shall be based on the
23 further assumption that the annual wage will be reduced for allowable deductions
24 from gross income. The department may determine the length of the tables and a
25 reasonable span for each bracket. In preparing the tables the department shall

1 adjust all withholding amounts not an exact multiple of 10 cents to the next highest
2 figure that is a multiple of 10 cents. The department shall also provide instructions
3 with the tables for withholding with respect to quarterly, semiannual and annual pay
4 periods.

5 ***-1917/1.33* SECTION 1785.** 71.64 (9) (b) 2. of the statutes is created to read:

6 71.64 (9) (b) 2. The department shall adjust the withholding tables to reflect
7 the changes in rates in s. 71.06 (1n), (1p) and (2) (e), (f), (g) and (h) and any changes
8 in dollar amounts with respect to bracket indexing, with respect to changes in rates
9 under s. 71.06 (1p) and (2) (g) and (h) on July 1, 2000.

10 ***-1917/1.34* SECTION 1786.** 71.67 (4) (a) of the statutes is amended to read:

11 71.67 (4) (a) The administrator of the lottery division in the department under
12 ch. 565 shall withhold from any lottery prize of \$2,000 or more an amount determined
13 by multiplying the amount of the prize by the highest rate applicable to individuals
14 under s. 71.06 (1) ~~or~~, (1m), (1n) or (1p). The administrator shall deposit the amounts
15 withheld, on a monthly basis, as would an employer depositing under s. 71.65 (3) (a).

16 ***-1917/1.35* SECTION 1787.** 71.67 (5) (a) of the statutes is amended to read:

17 71.67 (5) (a) *Wager winnings.* A person holding a license to sponsor and
18 manage races under s. 562.05 (1) (b) or (c) shall withhold from the amount of any
19 payment of pari-mutuel winnings under s. 562.065 (3) (a) or (3m) (a) an amount
20 determined by multiplying the amount of the payment by the highest rate applicable
21 to individuals under s. 71.06 (1) (a) to (c) ~~or~~, (1m), (1n) or (1p) if the amount of the
22 payment is more than \$1,000.

23 ***-0762/1.1* SECTION 1788.** 71.75 (8) of the statutes is amended to read:

24 71.75 (8) A refund payable on the basis of a separate return shall be issued to
25 the person who filed the return. A refund payable on the basis of a joint return shall

1 be issued jointly to the persons who filed the return, except that, if a judgment of
2 divorce under ch. 767 apportions any refund that may be due the formerly married
3 persons to one of the former spouses, or between the spouses, and if they include with
4 their income tax return a copy of that portion of the judgment of divorce that relates
5 to the apportionment of their tax refund, the department shall issue the refund to
6 the person to whom the refund is awarded under the terms of the judgment of divorce
7 or the department shall issue one check to each of the former spouses according to
8 the apportionment terms of the judgment.

9 ***b0320/1.1* SECTION 1797p.** 73.03 (2a) of the statutes is amended to read:

10 73.03 (2a) To prepare, have published and distribute to each property tax
11 assessor and to others who so request assessment manuals. The manual shall
12 discuss and illustrate accepted assessment methods, techniques and practices with
13 a view to more nearly uniform and more consistent assessments of property at the
14 local level. The manual shall be amended by the department from time to time to
15 reflect advances in the science of assessment, court decisions concerning assessment
16 practices, costs, and statistical and other information considered valuable to local
17 assessors by the department. The manual shall incorporate standards for the
18 assessment of all types of renewable energy resource systems used in this state as
19 soon as such systems are used in sufficient numbers and sufficient data exists to
20 allow the formulation of valid guidelines. The manual shall incorporate standards,
21 which the department of revenue and the state historical society of Wisconsin shall
22 develop, for the assessment of nonhistoric property in historic districts and for the
23 assessment of historic property, including but not limited to property that is being
24 preserved or restored; property that is subject to a protective easement, covenant or
25 other restriction for historic preservation purposes; property that is listed in the

1 national register of historic places in Wisconsin or in this state's register of historic
2 places and property that is designated as a historic landmark and is subject to
3 restrictions imposed by a municipality or by a landmarks commission. The manual
4 shall incorporate general guidelines about ways to determine whether property is
5 taxable in part under s. 70.1105 and examples of the ways that s. 70.1105 applies in
6 specific situations. The manual shall state that assessors are required to comply
7 with s. 70.32 (1g) and shall suggest procedures for doing so. The manual or a
8 supplement to it shall specify per acre value guidelines for each municipality for
9 various categories of agricultural land based on the income that could be generated
10 from its estimated rental for agricultural use, as defined by rule, and capitalization
11 rates established by rule. The manual or a supplement to it shall not specify per acre
12 value guidelines for each municipality unless such guidelines are based on
13 procedures that are established by rule. The manual shall include guidelines for
14 classifying land as agricultural land, as defined in s. 70.32 (2) (c) 1. and guidelines
15 for distinguishing between land and improvements to land. The cost of the
16 development, preparation, publication and distribution of the manual and of
17 revisions and amendments to it shall be borne by the assessors and requesters at an
18 individual volume cost or a subscription cost as determined by the department. All
19 receipts shall be credited to the appropriation under s. 20.566 (2) (hi). The
20 department may provide free assessment manuals to other state agencies or
21 exchange them at no cost with agencies of other states or of the federal government
22 for similar information or publications.

23 ***b0686/2.2* SECTION 1797m.** 73.03 (33m) of the statutes is amended to read:

24 73.03 (33m) To collect, as taxes under ch. 71 are collected, from each person
25 who owes to the department of revenue delinquent taxes, fees, interest or penalties,

1 a fee for each delinquent account equal to \$35 or 6.5% of the taxes, fees, interest and
2 penalties owed as of the due date specified in the assessment, notice of amount due
3 or notice of redetermination on that account, whichever is greater. The department
4 of revenue shall deposit into the general fund as general purpose revenue—earned all
5 fees collected under this subsection.

6 ***b0686/2.2* SECTION 1797p.** 73.03 (33p) of the statutes is created to read:

7 73.03 (33p) To collect, as taxes under ch. 71 are collected, from each person who
8 owes to the department of revenue delinquent taxes, fees, interest or penalties, a \$20
9 fee for each delinquent taxpayer who enters into an agreement with the department
10 of revenue to pay in instalments the taxpayer's delinquent taxes, including fees,
11 interest or penalties and to collect costs incurred to the department of revenue for
12 court actions that are related to the collection of delinquent taxes. The department
13 of revenue shall deposit into the general fund as general purpose revenue—earned all
14 fees and costs collected under this subsection.

15 ***-1186/4.36* SECTION 1798.** 73.03 (35) of the statutes is amended to read:

16 73.03 (35) To deny a portion of a credit claimed under s. 71.07 (2dd), (2de), (2di),
17 (2dj), (2dL), (2dr), (2ds) or (2dx) or (2dy), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds),
18 (1dx), (2dy) or (4) (am) or 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (2dy) or
19 (4) (am) if granting the full amount claimed would violate the a requirement under
20 s. 560.797 (4) (e) 560.785 or would bring the total of the credits granted to that
21 claimant under s. ~~560.797 (4) (e), or the total of the credits granted to that claimant~~
22 ~~under~~ all of those subsections, over the limit for that claimant under s. 560.768,
23 560.795 (2) (b) or 560.797 (5) (b).

24 ***b0402/3.1* SECTION 1801m.** 73.0305 of the statutes is amended to read:

1 **73.0305 Revenue limits and school aids calculations.** The department of
2 revenue shall annually determine and certify to the state superintendent of public
3 instruction, no later than the 4th Monday in June, the allowable rate of increase ~~for~~
4 ~~the limit imposed under ss.121.15 (3m) (a) 1m. a. to c. and 121.85 (6) (ar) and subch.~~
5 VII of ch. 121. ~~For that limit, the~~ The allowable rate of increase is the percentage
6 change in the consumer price index for all urban consumers, U.S. city average,
7 between the preceding March 31 and the 2nd preceding March 31, as computed by
8 the federal department of labor.

9 *~~1431/2.1~~* **SECTION 1805.** 75.105 (3) of the statutes is amended to read:

10 75.105 (3) **ADMINISTRATION.** Upon the cancellation of all or a portion of real
11 property taxes under sub. (2), the county treasurer shall execute and provide to the
12 owner of the property a statement identifying the property for which taxes have been
13 canceled and shall enter on the tax certificate the date upon which the taxes were
14 canceled and the amount of taxes canceled. The county treasurer shall charge back
15 to the taxation district that included the tax-delinquent real property on its tax roll
16 all of the amount of taxes canceled and shall include the amount of taxes canceled
17 as a special charge in the next tax levy against the taxation district. The county
18 treasurer shall notify the taxation district treasurer of the amount of taxes canceled
19 by October 1. The taxation district shall determine the amount of canceled taxes to
20 be charged back to, and collected from, each taxing jurisdiction for which taxes were
21 collected by the taxation district. The amount determined may not include any
22 interest.

23 *~~1005/1.1~~* **SECTION 1806.** 75.17 of the statutes is created to read:

24 **75.17 Transfer of contaminated land to a municipality.** (1) In this
25 section:

1 (a) “Hazardous substance” has the meaning given in s. 292.01 (5).

2 (b) “Municipality” means a city, village or town.

3 (2) If a county does not take a tax deed for property that is subject to a tax
4 certificate and that is contaminated by a hazardous substance, within 2 years after
5 the expiration of the redemption period that is described under s. 75.14 (1) and
6 specified in s. 74.57 (2) (a) and (b) (intro.), the county shall take a tax deed for such
7 property upon receiving a written request to do so from the municipality in which the
8 property is located. The county may then retain ownership of the property or, if the
9 county does not wish to retain ownership of the property, the county shall transfer
10 ownership of the property to the municipality, for no consideration, within 180 days
11 after receiving the written request from the municipality.

12 *~~0756/3.2~~* **SECTION 1807.** 76.025 (1) of the statutes is amended to read:

13 76.025 (1) The property taxable under s. 76.13 shall include all franchises, and
14 all real and personal property of the company used or employed in the operation of
15 its business, ~~except excluding property that is exempt from the property tax under~~
16 s. 70.11 (39), such motor vehicles as are exempt under s. 70.112 (5) and treatment
17 plant and pollution abatement equipment exempt under s. 70.11 (21) (a). The
18 taxable property shall include all title and interest of the company referred to in such
19 property as owner, lessee or otherwise, and in case any portion of the property is
20 jointly used by 2 or more companies, the unit assessment shall include and cover a
21 proportionate share of that portion of the property jointly used so that the
22 assessments of the property of all companies having any rights, title or interest of
23 any kind or nature whatsoever in any such property jointly used shall, in the
24 aggregate, include only one total full value of such property.

25 *~~0756/3.3~~* **SECTION 1808.** 76.03 (1) of the statutes is amended to read:

1 76.03 (1) The property, both real and personal, including all rights, franchises
2 and privileges used in and necessary to the prosecution of the business and including
3 ~~property that is exempt from the property tax under s. 70.11 (39)~~ of any company
4 enumerated in s. 76.02 shall be deemed personal property for the purposes of
5 taxation, and shall be valued and assessed together as a unit.

6 ***b0672/1.1* SECTION 1810d.** 76.91 (1m) of the statutes is created to read:

7 76.91 (1m) If the amount calculated under sub. (1) is a negative amount and
8 the taxpayer's annual gross revenue under s. 76.38, 1993 stats., is less than
9 \$10,000,000, the taxpayer may claim a credit against the fee imposed under this
10 subchapter as follows:

11 (a) For the transitional adjustment fee paid for 1999, the taxpayer may
12 consider the negative amount calculated under sub. (1) to be a positive amount and
13 may claim a credit in an amount equal to 60% of the positive amount.

14 (b) For the transitional adjustment fee paid for the year 2000, the taxpayer may
15 consider the negative amount calculated under sub. (1) to be a positive amount and
16 may claim a credit in an amount equal to 40% of the positive amount.

17 ***b0618/3.2* SECTION 1812k.** 77.265 (10) of the statutes is created to read:

18 77.265 (10) Any person may use a return filed as a result of a conveyance to
19 a nonprofit conservation organization, as defined in s. 23.0955 (1), that uses public
20 funds, as defined in s. 16.023 (1m) (a) 3., for a transaction, as defined in s. 16.023 (1m)

21 (a) 4.

22 ***b0618/3.2* SECTION 1812L.** 77.265 (10) of the statutes, as affected by 1999
23 Wisconsin Act [this act], is repealed.

24 ***-0622/1.1* SECTION 1815.** 77.60 (2) (intro.) of the statutes is amended to read:

*SPACING
problem?*

1

77.60 (2) (intro.) Delinquent sales and use tax returns shall be subject to a \$10

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\$20 late filing fee unless the return was not timely filed because of the death of the

3

person required to file or unless the return was not timely filed ~~because of a~~

4

reasonable due to good cause and not ~~because of~~ due to neglect. The fee shall not

5

apply if the department has failed to issue a seller's permit or a use tax registration

6

within 30 days of the receipt of an application for a seller's permit or use tax

7

registration accompanied by the fee established under s. 73.03 (50), if the person does

8

not hold a valid certificate under s. 73.03 (50), and the security required under s.

9

77.61 (2) has not been placed with the department. Delinquent sales and use taxes

10

shall bear interest at the rate of 1.5% per month until paid. The taxes imposed by

11

this subchapter shall become delinquent if not paid:

12

***b0673/2.3* SECTION 1815g.** 77.63 of the statutes is created to read:

13

77.63 Agreements with direct marketers. (1) (a) The department of

14

revenue may enter into agreements with out-of-state direct marketers to collect the

15

sales tax and the use tax imposed under this subchapter at the rate imposed under

16

this subchapter plus the rate imposed under subch. V. An out-of-state direct

17

marketer that collects the sales tax and the use tax under this section may retain 5%

18

of the first \$1,000,000 of the taxes collected in a year and 6% of the taxes collected

19

in excess of \$1,000,000 in a year. This section does not apply to an out-of-state direct

20

marketer who is required to collect the sales tax and the use tax imposed under this

21

subchapter and under subch. V.

22

(b) Sections 77.58, 77.59 and 77.60, as they apply to the taxes imposed under

23

this subchapter, apply to agreements under this section, except that the department

24

of revenue may negotiate payment schedules and audit procedures with out-of-state

1 direct marketers. The retailer's discount under s. 77.61 (4) (c) does not apply to
2 agreements under this section.

3 (2) Annually, by July 31, the department of revenue shall certify to the
4 department of health and family services an amount equal to one-eleventh of the
5 taxes collected under sub. (1) for grants to counties under s. 46.513.

6 ***-1672/3.2* SECTION 1816.** 77.76 (3) of the statutes is amended to read:

7 77.76 (3) From the appropriation under s. 20.835 (4) (g) the department shall
8 distribute ~~98.5%~~ 98.25% of the county taxes reported for each enacting county, minus
9 the county portion of the retailers' discounts, to the county and shall indicate the
10 taxes reported by each taxpayer, no later than the end of the 3rd month following the
11 end of the calendar quarter in which such amounts were reported. In this subsection,
12 the "county portion of the retailers' discount" is the amount determined by
13 multiplying the total retailers' discount by a fraction the numerator of which is the
14 gross county sales and use taxes payable and the denominator of which is the sum
15 of the gross state and county sales and use taxes payable. The county taxes
16 distributed shall be increased or decreased to reflect subsequent refunds, audit
17 adjustments and all other adjustments of the county taxes previously distributed.
18 Interest paid on refunds of county sales and use taxes shall be paid from the
19 appropriation under s. 20.835 (4) (g) at the rate paid by this state under s. 77.60 (1)
20 (a). The county may retain the amount it receives or it may distribute all or a portion
21 of the amount it receives to the towns, villages, cities and school districts in the
22 county. Any county receiving a report under this subsection is subject to the duties
23 of confidentiality to which the department of revenue is subject under s. 77.61 (5).

24 ***-1672/3.3* SECTION 1817.** 77.76 (4) of the statutes is amended to read:

1 77.76 (4) There shall be retained by the state 1.5% of the taxes collected under
2 ~~this subchapter for taxes imposed by special districts under s. 77.705 and 1.75% of~~
3 ~~the taxes collected for taxes imposed by counties under s. 77.70~~ to cover costs
4 incurred by the state in administering, enforcing and collecting the tax. All interest
5 and penalties collected shall be deposited and retained by this state in the general
6 fund.

7 ***b0675/4.4* SECTION 1817d.** 77.982 (3) of the statutes is amended to read:

8 77.982 (3) From the appropriation under s. 20.835 (4) (gg), the department of
9 revenue shall distribute ~~97%~~ 98.25% of the taxes collected under this subchapter for
10 each district to that district, no later than the end of the month following the end of
11 the calendar quarter in which the amounts were collected. The taxes distributed
12 shall be increased or decreased to reflect subsequent refunds, audit adjustments and
13 all other adjustments. Interest paid on refunds of the tax under this subchapter shall
14 be paid from the appropriation under s. 20.835 (4) (gg) at the rate under s. 77.60 (1)
15 (a). Those taxes may be used only for the district's debt service on its bond
16 obligations. Any district that receives a report along with a payment under this
17 subsection is subject to the duties of confidentiality to which the department of
18 revenue is subject under s. 77.61 (5).

19 ***b0675/4.4* SECTION 1817g.** 77.991 (3) of the statutes is amended to read:

20 77.991 (3) From the appropriation under s. 20.835 (4) (gg), the department of
21 revenue shall distribute ~~97%~~ 98.25% of the taxes collected under this subchapter for
22 each district to that district, no later than the end of the month following the end of
23 the calendar quarter in which the amounts were collected. The taxes distributed
24 shall be increased or decreased to reflect subsequent refunds, audit adjustments and
25 all other adjustments. Interest paid on refunds of the tax under this subchapter shall

1 be paid from the appropriation under s. 20.835 (4) (gg) at the rate under s. 77.60 (1)
2 (a). Those taxes may be used only for the district's debt service on its bond
3 obligations. Any district that receives a report along with a payment under this
4 subsection is subject to the duties of confidentiality to which the department of
5 revenue is subject under s. 77.61 (5).

6 ***-1490/2.1* SECTION 1818.** 77.996 (2) (i) of the statutes is created to read:

7 77.996 (2) (i) Formal wear rental firms.

8 ***b0435/1.1* SECTION 1818d.** 77.9961 (1) of the statutes is amended to read:

9 77.9961 (1) No person may operate a dry cleaning facility in this state unless
10 the person completes and submits to the department a form that the department
11 prescribes and pays to the department a fee for each dry cleaning facility that the
12 person operates. The fee is shall be paid in instalments, as provided in sub. (2), and
13 each instalment is equal to 1.8% of the previous year's gross receipts from the
14 previous 3 months from dry cleaning apparel and household fabrics, but not from
15 formal wear the facility rents to the general public.

16 ***b0435/1.1* SECTION 1818f.** 77.9961 (2) of the statutes is amended to read:

17 77.9961 (2) Persons who owe a fee under this section shall pay it in instalments
18 on or before April 25, July 25, October 25 and January 15 25. The department shall
19 issue a license to each person who pays the fee January 25 instalment and the
20 previous 3 instalments and submits the form under this section. The license is valid
21 through December 31 of for the year during in which the fee January 25 instalment
22 is due. If a dry cleaning facility is sold, the seller may transfer the license to the
23 buyer. Each holder of a license under this section shall display it prominently in the
24 facility to which it applies.

1 ***b0435/1.1* SECTION 1818g.** 77.9961 (4) of the statutes is renumbered 77.9961
2 (4) (a).

3 ***b0435/1.1* SECTION 1818h.** 77.9961 (4) (b) of the statutes is created to read:
4 77.9961 (4) (b) Any person who operates a dry cleaning facility and who pays
5 an instalment under sub. (2) after the instalment is due shall pay to the department
6 a penalty of \$5 for each day from the date that the instalment is due to the date that
7 the instalment is paid.

8 ***b0456/1.1* SECTION 1818c.** 77.996 (4) of the statutes is created to read:
9 77.996 (4) “Formal wear” includes tuxedos, suits and dresses, but does not
10 include costumes, table linens or household fabrics.

11 ***b0456/1.1* SECTION 1818e.** 77.996 (5) of the statutes is created to read:
12 77.996 (5) “Formal wear rental firm” means a facility that rents formal wear
13 to the general public and dry cleans only the formal wear that it rents to the general
14 public.

15 ***b0456/1.1* SECTION 1818L.** 77.9964 (4) of the statutes is created to read:
16 77.9964 (4) The department shall reimburse the owner or operator of a formal
17 wear rental firm an amount equal to the sum of any fees paid by the owner or operator
18 under s. 77.9961 (1) prior to the effective date of this subsection [revisor inserts
19 date].

20 ***b0634/1.1* SECTION 1818m.** 84.01 (30) (g) of the statutes is created to read:
21 84.01 (30) (g) If the department determines that such a provision advances the
22 public interest, a provision exempting the private entity from the restrictions under
23 ss. 84.25 (11) and 86.19 (1), and specifying any requirements that the department
24 determines will practicably advance the purposes of ss. 84.25 (11) and 86.19 (1).

25 ***-2157/2.1* SECTION 1819.** 84.013 (3) (zb) of the statutes is created to read:

1 84.013 (3) (zb) USH 41 extending from 1.5 miles south of Frog Pond Road in
2 Oconto County to 1.3 miles north of Schacht Road in Marinette County.

3 ***b0596/2.1* SECTION 1819m.** 84.1044 of the statutes is created to read:

4 **84.1044 John R. Plewa Memorial Lake Parkway.** The department shall
5 designate and mark I 794 and STH 794 in Milwaukee County commencing from the
6 Daniel Webster Hoan Memorial Bridge and proceeding southerly to the intersection
7 with East Layton Avenue as the “John R. Plewa Memorial Lake Parkway” in
8 recognition and appreciation of the life of John R. Plewa and his public service as a
9 member of the Wisconsin legislature for more than 20 years.

10 ***b0627/2.1* SECTION 1819d.** 84.013 (4) (b) of the statutes is amended to read:

11 84.013 (4) (b) The department may not, within any 6–year period, construct a
12 highway project consisting of separate contiguous projects which do not individually
13 qualify as major highway projects but which in their entirety would constitute a
14 major highway project without first submitting the project to the transportation
15 projects commission for its recommendations and report and without specific
16 authorization under sub. (3), except as provided in par. (c) and sub. (6).

17 ***b0627/2.1* SECTION 1819e.** 84.013 (4) (c) of the statutes is created to read:

18 84.013 (4) (c) The department may construct highway projects involving STH
19 59 between STH 164 on the eastern edge of the city of Waukesha and Calhoun Road
20 in Waukesha County and STH 59 from Calhoun Road to the Waukesha County line
21 in Waukesha County without first submitting the projects to the transportation
22 projects commission for its recommendations and report and without specific
23 authorization under sub. (3).

24 ***b0633/2.2* SECTION 1819d.** 84.013 (4) (a) of the statutes is amended to read:

1 84.013 (4) (a) ~~In~~ Subject to s. 13.489 (1m), in preparation for future major
2 highway projects, the department may perform preliminary engineering and design
3 work and studies for possible major highway projects not listed under sub. (3), but
4 no major highway may be constructed unless the project is listed under sub. (3) or
5 approved under sub. (6).

6 *~~1585/1.4~~* **SECTION 1820.** 84.106 of the statutes is created to read:

7 **84.106 Scenic byways program.** (1) DESIGNATION. The department shall
8 develop, implement and administer a program to designate highways, as defined in
9 s. 340.01 (22), or portions of highways in this state that have outstanding scenic,
10 historic, cultural, natural, recreational or archeological qualities as scenic byways.
11 The department may seek designation by the federal government of a highway
12 designated as a scenic byway under this section as a national scenic byway or as an
13 All-American Road.

14 (2) RULES. The department shall promulgate rules under this section
15 consistent with 23 USC 162 and regulations established under that section.

16 *~~b0465/2.1~~* **SECTION 1820m.** 84.185 (10) of the statutes is created to read:

17 84.185 (10) PRIORITY OF BROWNFIELDS. The department shall promote the
18 program under this section as required under s. 85.61.

19 *~~b0631/1.1~~* **SECTION 1820m.** 84.11 (5r) of the statutes is created to read:

20 84.11 (5r) MILWAUKEE 6TH STREET VIADUCT COST SHARING. Notwithstanding sub.
21 (5m), the costs for any project governed by an agreement that is in effect before June
22 30, 1993, for which funding is provided under s. 84.11 (5), 1993 stats., and for which
23 no contract for construction is awarded before May 1, 1999, shall be paid as specified
24 in an agreement entered into on or after April 20, 1999, by the city and county in
25 which the bridge is wholly located and this state.

1 ***b0634/1.2* SECTION 1820m.** 84.25 (11) of the statutes is amended to read:

2 84.25 (11) COMMERCIAL ENTERPRISES. No commercial enterprise, except a
3 vending facility which is licensed by the department of workforce development and
4 operated by blind or visually impaired persons, or a commercial enterprise exempted
5 from this subsection by an agreement under s. 84.01 (30) (g), shall be authorized or
6 conducted within or on property acquired for or designated as a controlled-access
7 highway.

8 ***b0653/2.1* SECTION 1820k.** 84.11 (5n) of the statutes is created to read:

9 84.11 (5n) DESIGN-BUILD CONTRACTS. (a) In this subsection, “design-build
10 contract” means a contract for a project under which the engineering, design and
11 construction services are provided by a single entity.

12 (b) Notwithstanding any other provision of this section and ss. 84.01 (13) and
13 84.06 (2), the department may enter into a design-build contract for the design and
14 construction of a bridge for which funding is provided under s. 84.11 (5), 1993 stats.,
15 and for which no contract for construction is awarded before May 1, 1999. The
16 department may enter into a contract under this paragraph only if all of the following
17 conditions are met:

18 1. The design-build contract is awarded through a competitive selection
19 process that utilizes, at a minimum, contractor qualifications, quality, completion
20 time and cost as award criteria. In order to be eligible to participate in the selection
21 process, the contractor must be prequalified by the department as a design
22 consultant and as a contractor.

23 2. The design-build contract is approved by the secretary of the federal
24 department of transportation under an experimental program described under

1 section 1307 (d) of P.L. 105–178 pursuant to the authority granted under section 1307
2 (e) of P.L. 105–178.

3 3. The design–build contract is approved by the governor.

4 (c) No later than 5 years after the effective date of this paragraph ... [revisor
5 inserts date], the department shall submit a report to the governor, and to the
6 legislature under s. 13.172 (2), describing the effectiveness of the design–build
7 process contracting procedures under this subsection.

8 ***–0305/1.1* SECTION 1821.** 84.30 (2m) of the statutes is created to read:

9 84.30 (2m) CONDITIONAL USES AND SPECIAL EXCEPTIONS NOT CONSIDERED. No uses
10 of real property that are authorized by special zoning permission, including uses by
11 conditional use, special exception, zoning variance or conditional permit, may be
12 considered when determining whether the area is a business area.

13 ***–1024/1.1* SECTION 1822.** 84.30 (3) (c) (intro.) of the statutes is amended to
14 read:

15 84.30 (3) (c) (intro.) Signs advertising activities conducted on the property on
16 which they are located if such on–property signs comply with applicable federal law
17 and the June 1961 agreement between the department and the federal highway
18 administrator relative to control of advertising adjacent to interstate highways.
19 ~~Additionally, any such sign located outside the incorporated area of a city or village~~
20 ~~shall comply with the following criteria~~ No on–property sign may be erected in a
21 location where it constitutes a traffic hazard. If the department issues permits for
22 outdoor advertising signs, the department is not required to issue permits for
23 on–property signs that conform to the requirements of this paragraph. On–property
24 signs may be illuminated, subject to the following restrictions:

1 ***-1024/1.2*** SECTION 1823. 84.30 (3) (c) 1. to 3. of the statutes are repealed and
2 recreated to read:

3 84.30 (3) (c) 1. Signs which contain, include or are illuminated by any flashing,
4 intermittent or moving light or lights are prohibited, except electronic signs
5 permitted by rule of the department.

6 2. Signs which are not effectively shielded as to prevent beams or rays of light
7 from being directed at any portion of the traveled ways of the interstate or
8 federal-aid primary highway and which are of such intensity or brilliance as to cause
9 glare or to impair the vision of the driver of any motor vehicle, or which otherwise
10 interfere with any driver's operation of a motor vehicle, are prohibited.

11 3. No sign may be so illuminated that it interferes with the effectiveness of or
12 obscures an official traffic sign, device or signal.

13 ***-1024/1.3*** SECTION 1824. 84.30 (3) (c) 5. of the statutes is repealed.

14 ***b0681/3.1*** SECTION 1824f. 84.30 (10m) of the statutes is created to read:

15 84.30 (10m) ANNUAL PERMIT FEE REQUIREMENT. The department may
16 promulgate a rule requiring persons specified in the rule to pay annual permit fees
17 for signs. If the department establishes an annual permit fee under this subsection,
18 failure to pay the fee within 2 months after the date on which payment is due is
19 evidence that the sign has been abandoned for the purposes of s. TRANS 201.10 (2)
20 (f), Wis. Adm. Code.

21 ***-1432/7.47*** SECTION 1825. 84.59 (2) of the statutes is amended to read:

22 84.59 (2) The department may, under s. ~~18.56 (5) and (9) (j)~~ 18.561 or 18.562
23 deposit in a separate and distinct fund outside the state treasury, in an account
24 maintained by a trustee, revenues derived under s. 341.25. The revenues deposited
25 are the trustee's revenues in accordance with the agreement between this state and

1 the trustee or in accordance with the resolution pledging the revenues to the
2 repayment of revenue obligations issued under this section.

3 ***-1014/2.1* SECTION 1826.** 84.59 (6) of the statutes is amended to read:

4 84.59 (6) ~~Revenue obligations may be contracted by the~~ The building
5 commission may contract revenue obligations when it reasonably appears to the
6 building commission that all obligations incurred under this section can be fully paid
7 from moneys received or anticipated and pledged to be received on a timely basis.
8 Revenue Except as provided in this subsection, the principal amount of revenue
9 obligations issued under this section shall may not exceed \$1,348,058,900 in
10 principal amount, excluding obligations issued to refund outstanding revenue
11 obligations. Not more than \$1,255,499,900 of the \$1,348,058,900 may
12 \$1,440,665,900 and may be used for transportation facilities under s. 84.01 (28) and
13 major highway projects under ss. 84.06 and 84.09. In addition to the foregoing limit
14 on principal amount, the building commission may contract revenue obligations
15 under this section as the building commission determines is desirable to refund
16 outstanding revenue obligations contracted under this section and to pay expenses
17 associated with revenue obligations contracted under this section.

18 ***b0291/6.1* SECTION 1828m.** 85.021 of the statutes is created to read:

19 **85.021 Long-range transportation plans.** (1) In this section, “long-range
20 transportation plan” means a plan for the development or maintenance of airports,
21 highways, bicycle and pedestrian facilities, railroads, railroad facilities, harbor
22 facilities, harbors or mass transit systems that covers a time period of more than 6
23 years.

24 (2) If the department proposes to adopt a long-range transportation plan the
25 secretary shall, prior to the department’s adoption of the plan, submit the plan to the

1 joint committee on finance. If the cochairpersons of the committee do not notify the
2 department within 14 working days after the date of the department's submittal that
3 the committee has scheduled a meeting for the purpose of reviewing the plan, the
4 department may adopt the plan. If, within 14 working days after the date of the
5 department's submittal, the cochairpersons of the committee notify the department
6 that the committee has scheduled a meeting for the purpose of reviewing the plan,
7 the department may adopt the plan only upon approval of the committee. If the
8 committee directs the department to reconsider parts of the plan, the department
9 may adopt the plan only after reconsidering the plan, resubmitting a revised plan to
10 the committee and receiving the committee's approval.

11 ***-1016/1.1* SECTION 1830.** 85.024 (2) of the statutes is amended to read:

12 85.024 (2) The department shall administer a bicycle and pedestrian facilities
13 program to award grants of assistance to political subdivisions for the planning,
14 development or construction of bicycle and pedestrian facilities. ~~Annually, the~~ The
15 department shall award from the appropriation under s. 20.395 (2) (nx) grants to
16 political subdivisions under this section. A political subdivision that is awarded a
17 grant under this section shall contribute matching funds equal to at least 25% of the
18 amount awarded under this section. ~~The department shall select grant recipients~~
19 ~~annually beginning in 1994 from applications submitted to the department on or~~
20 ~~before April 1 of each year.~~

21 ***b0465/2.2* SECTION 1830m.** 85.026 (2) of the statutes is amended to read:

22 85.026 (2) PROGRAM. ~~The~~ Subject to s. 85.61, the department may administer
23 a program to award grants of assistance to any political subdivision or state agency,
24 as defined in s. 20.001 (1), for transportation enhancement activities consistent with

1 federal regulations promulgated under 23 USC 133 (b) (8). The grants shall be
2 awarded from the appropriations under s. 20.395 (2) (nv) and (nx).

3 ***b0633/2.3* SECTION 1830m.** 85.05 of the statutes is amended to read:

4 **85.05 Evaluation of proposed major highway projects.** The department
5 by rule shall establish a procedure for numerically evaluating projects considered for
6 enumeration under s. 84.013 (3) as a major highway project. The evaluation
7 procedure may include any criteria that the department considers relevant. The
8 rules shall establish a minimum score that a project shall meet or exceed when
9 evaluated under the procedure established under this section before the department
10 may recommend the project to the transportation projects commission for
11 consideration under s. 13.489 (4).

12 ***b0638/2.1* SECTION 1830p.** 85.07 (7) of the statutes is renumbered 85.07 (7)
13 (a).

14 ***b0638/2.1* SECTION 1830q.** 85.07 (7) (b) of the statutes is created to read:

15 85.07 (7) (b) When evaluating and selecting proposed hazard elimination
16 projects to be funded using federal funds available under 23 USC 152, the
17 department shall consider the reduction in motor vehicle accidents that will result
18 from the proposed projects, except that, if a proposed project will reduce the response
19 time of emergency vehicles, the department shall consider both the reduction in
20 motor vehicle accidents that will result from the proposed project and the public
21 safety benefits that will result from a reduction in the response time of emergency
22 vehicles.

23 ***b0657/3.2* SECTION 1830j.** 85.055 of the statutes is created to read:

1 **85.055 Passenger railroad station improvements.** (1) In this section,
2 “Local governmental unit” means a city, village, town or county or an agency or
3 subdivision of a city, village, town or county.

4 (2) The department shall administer a passenger railroad station
5 improvement grant program. From the appropriation under s. 20.395 (2) (ct), the
6 department shall award grants to local governmental units or private entities for the
7 construction or rehabilitation of passenger railroad stations along existing or
8 proposed rail passenger routes. The amount of a grant awarded under this section
9 shall be limited to an amount equal to 33% of the cost of the project or \$60,000,
10 whichever is less.

11 (3) The department may not award a grant under this section to a public entity
12 unless the governing body of the city, town, village or county has adopted a resolution
13 supporting the proposed project.

14 (4) The department shall promulgate rules to administer the program.

15 ***-0169/1.3*** **SECTION 1832.** 85.12 (3) of the statutes is created to read:

16 85.12 (3) The department may contract with any local governmental unit, as
17 defined in s. 16.97 (7), to provide that local governmental unit with services under
18 this section.

19 ***-0887/1.2*** **SECTION 1834.** 85.20 (1) (g) of the statutes is amended to read:

20 85.20 (1) (g) “Operating expenses” mean costs accruing to an urban mass
21 transit system by virtue of its operations, including costs to subsidize fares paid by
22 disabled persons for transportation within the urban area of the eligible applicant,
23 and, for eligible applicants receiving aid under sub. (4m) (a) 7. or 8., maintenance.
24 For a publicly owned system, operating expenses do not include profit, return on
25 investment or depreciation as costs. If a local public body contracts for the services

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1 of a privately owned system on the basis of competitive bids, operating expenses may
2 include as costs depreciation on the facilities and equipment that the privately
3 owned system acquired without benefit of public financial assistance, profit and
4 return on investment. If a local public body contracts for the services of a privately
5 owned system on the basis of negotiated procurement, operating expenses may
6 include as costs depreciation on the facilities and equipment that the privately
7 owned system acquired without benefit of public financial assistance. In an urban
8 area which is served exclusively by shared-ride taxicab systems, operating expenses
9 may include costs to subsidize reasonable fares paid by all users for transportation
10 within the urban area of the eligible applicant.

11 *b0644/3.8* SECTION 1839mm. 85.20 (4m) (a) 6. cm. of the statutes is created
12 to read:

13 85.20 (4m) (a) 6. cm. Beginning with aid payable for calendar year 2000, from
14 the appropriation under s. 20.395 (1) (ht), the department shall pay \$53,555,600 to
15 the eligible applicant that pays the local contribution required under par. (b) 1. for
16 an urban mass transit system that has annual operating expenses in excess of
17 \$80,000,000. If the eligible applicant that receives aid under this subd. 6. cm. is
18 served by more than one urban mass transit system, the eligible applicant may
19 allocate the aid between the urban mass transit systems in any manner the eligible
20 applicant considers desirable.

21 *b0644/3.8* SECTION 1839mr. 85.20 (4m) (a) 6. d. of the statutes is created to
22 read:

23 85.20 (4m) (a) 6. d. Beginning with aid payable for calendar year 2000, from
24 the appropriation under s. 20.395 (1) (hu), the department shall pay \$14,297,600 to
25 the eligible applicant that pays the local contribution required under par. (b) 1. for

1 an urban mass transit system that has annual operating expenses in excess of
2 \$20,000,000 but less than \$80,000,000. If the eligible applicant that receives aid
3 under this subd. 6. d. is served by more than one urban mass transit system, the
4 eligible applicant may allocate the aid between the urban mass transit systems in
5 any manner the eligible applicant considers desirable.

6 ***-0887/1.9* SECTION 1841.** 85.20 (4m) (a) 7. b. of the statutes is amended to
7 read:

8 85.20 (4m) (a) 7. b. For the purpose of making allocations under subd. 7. a., the
9 amounts for aids are ~~\$17,799,600 in calendar year 1998 and \$18,422,500 in calendar~~
10 ~~year 1999~~ and \$19,804,200 in calendar year 2000 and thereafter. These amounts,
11 to the extent practicable, shall be used to determine the uniform percentage in the
12 particular calendar year.

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13 ***-0887/1.12* SECTION 1844.** 85.20 (4m) (a) 8. b. of the statutes is amended to
14 read:

15 85.20 (4m) (a) 8. b. For the purpose of making allocations under subd. 8. a., the
16 amounts for aids are ~~\$4,807,600 in calendar year 1998 and \$4,975,900 in calendar~~
17 ~~year 1999~~ and \$5,349,100 in calendar year 2000 and thereafter. These amounts, to
18 the extent practicable, shall be used to determine the uniform percentage in the
19 particular calendar year.

20 ***b0644/3.9* SECTION 1847q.** 85.20 (4s) of the statutes, as affected by 1999
21 Wisconsin Act 27, is amended to read:

22 85.20 (4s) PAYMENT OF AIDS UNDER THE CONTRACT. The contracts executed
23 between the department and eligible applicants under this section shall provide that
24 the payment of the state aid allocation under sub. (4m) (a) for the last quarter of the

1 state's fiscal year shall be provided from the following fiscal year's appropriation
2 under s. 20.395 (1) (hq), (hr) ~~or~~, (hs), (ht) or (hu).

3 ***b0645/5.13* SECTION 1847m.** 85.20 (4r) of the statutes is created to read:

4 85.20 (4r) EXPANSION OF SERVICE. An eligible applicant that receives aid under
5 sub. (4m) (a) 7. or 8. shall notify the department if the eligible applicant anticipates
6 receiving new or expanded services provided by an urban mass transit system in a
7 manner that will increase operating expenses. The eligible applicant shall provide
8 the notice during the calendar year preceding the calendar year in which the new or
9 expanded services will first be provided. The notice shall include an estimate of the
10 projected annual operating expenses of the new or expanded services. The
11 department may modify the projected annual operating expenses to an amount that
12 the department considers reasonable. The department shall adjust the projected
13 annual operating expenses for inflation and, for each calendar year for which actual
14 operating costs of the new or expanded services are not known, shall add the adjusted
15 projected annual operating expenses to the operating expenses used to determine the
16 uniform percentage under sub. (4m) (a) (intro.).

17 ***-0887/1.16* SECTION 1848.** 85.20 (6) (c) of the statutes is created to read:

18 85.20 (6) (c) Disclose to the department the amount of federal aid over which
19 the eligible applicant has spending discretion and that the eligible applicant intends
20 to apply towards operating expenses for a calendar year. ^{This paragraph applies only}
21 to an eligible applicant that receives aid under sub. (4m) (a) 7. or 8.

22 ***b0646/1.1* SECTION 1849g.** 85.20 (7) (c) of the statutes is created to read:

23 85.20 (7) (c) Beginning with contracts for aid payable for calendar year 2000,
24 the department may not enter into a contract for payment of state aids under sub.
25 (4m) unless the rules promulgated under this subsection are in effect and unless the

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1 contract requires the urban mass transit system to comply with those rules as a
2 condition of receiving aid under sub. (4m).

3 ***-0886/1.1* SECTION 1850.** 85.22 (2) (am) (intro.) of the statutes is amended
4 to read:

5 85.22 (2) (am) (intro.) “Eligible applicant” means any applicant that meets
6 eligibility requirements for federal assistance under 49 USC Appendix 1612 (b) (2)
7 and is one of the following:

8 ***-0886/1.2* SECTION 1851.** 85.22 (4) of the statutes is renumbered 85.22 (4) (a)
9 (intro.) and amended to read:

10 85.22 (4) (a) (intro.) Commencing with the highest ranked application and to
11 the extent that state moneys are available, the department shall offer to each eligible
12 applicant an amount of state aid such that the sum of federal and state aid received
13 by an applicant does not exceed 80% any of the following:

14 1. The percentage, specified by the department by rule, of the estimated capital
15 project costs.

16 (b) State aids available under this section shall not be available for operating
17 purposes.

18 ***-0886/1.3* SECTION 1852.** 85.22 (4) (a) 2. of the statutes is created to read:

19 85.22 (4) (a) 2. For the specific type or category of capital equipment for which
20 aid is paid, the percentage of the estimated capital costs that are eligible for federal
21 aid.

22 ***b0226/3.4* SECTION 1852m.** 85.32 of the statutes is created to read:

23 **85.32 Statewide trauma care system transfer.** Beginning July 1, 2000,
24 and annually thereafter, the secretary shall transfer \$80,000 from the appropriation

1 under s. 20.395 (5) (dq) to the appropriation under s. 20.435 (1) (kx) for the purposes
2 of the statewide trauma care system under s. 146.56.

3 ***-1055/1.2* SECTION 1853.** 85.50 of the statutes is repealed.

4 ***-0120/1.1* SECTION 1854.** 85.515 of the statutes, as created by 1997
5 Wisconsin Act 84, is amended to read:

6 **85.515 Implementation of 1997 Wisconsin Act 84.** If the secretary
7 determines that the changes to the department's computerized information systems
8 made necessary by 1997 Wisconsin Act 84 will be operational before May 1, 2000
9 2001, the secretary shall publish a notice in the Wisconsin Administrative Register
10 that states the date on which the changes to the department's computerized
11 information system will begin operating, and that ~~the~~ clearly states which portion
12 of revisions to the operator's license suspension and revocation law made by 1997
13 Wisconsin Act 84 will become effective on that date.

14 ***b0465/2.3* SECTION 1854m.** 85.52 (3) (a) of the statutes is amended to read:

15 85.52 (3) (a) ~~The~~ Subject to s. 85.61, the department shall administer a
16 transportation infrastructure loan program to make loans, and to provide other
17 assistance, to eligible applicants for highway projects or transit capital projects. The
18 department of transportation may not make a loan or provide other assistance under
19 the program unless the secretary of administration approves of the loan or other
20 assistance and determines that the amounts in the fund, together with anticipated
21 receipts, will be sufficient to fully pay principal and interest costs incurred on the
22 revenue obligations issued under sub. (5). Loans or other assistance under the
23 program for highway projects shall be credited to the highway account. Loans or
24 other assistance under the program for transit capital projects shall be credited to
25 the transit account.

1 *~~1432/7.48~~* SECTION 1855. 85.52 (5) (c) of the statutes is amended to read:

2 85.52 (5) (c) The department of administration may, under s. ~~18.56 (5) and (9)~~
3 ~~(j) 18.561 or 18.562~~, deposit in a separate and distinct fund in the state treasury or
4 in an account maintained by a trustee outside the state treasury, any portion of the
5 revenues derived under s. 25.405 (2). The revenues deposited with a trustee outside
6 the state treasury are the trustee's revenues in accordance with the agreement
7 between this state and the trustee or in accordance with the resolution pledging the
8 revenues to the repayment of revenue obligations issued under this subsection.

9 *~~b0289/1.1~~* SECTION 1855g. 85.53 (3) of the statutes is amended to read:

10 85.53 (3) Grants under this section shall be paid from the appropriation under
11 s. 20.395 (5) (jr). The amount of a grant may not exceed 80% of the amount expended
12 by an eligible applicant for services related to the program. ~~The total amount of~~
13 ~~grants awarded under this section may not exceed \$500,000.~~

14 *~~b0465/2.4~~* SECTION 1855L. 85.61 of the statutes is created to read:

15 **85.61 Programs to assist brownfields redevelopment.** The department
16 shall promote the following programs in a manner that ensures that the programs
17 assist the restoration of the environment and the redevelopment of brownfields, as
18 defined in s. 234.88 (1) (a), to the greatest extent possible:

19 (1) Activities funded from the appropriation under s. 20.395 (2) (fv) or (fx).

20 (2) Transportation facilities economic assistance and development under s.
21 84.185.

22 (3) The transportation enhancement activities program under s. 85.026, if the
23 department administers such a program.

24 (4) The transportation infrastructure loan program under s. 85.52.

25 *~~b0626/3.1~~* SECTION 1855j. 86.19 (1r) of the statutes is created to read:

1 86.19 (1r) Notwithstanding sub. (1), the department shall erect and maintain
2 directional signs along I 43 for America's Black Holocaust Museum in Milwaukee
3 County. The department may not charge any fee related to any sign erected and
4 maintained under this subsection.

5 ***b0634/1.3* SECTION 1855p.** 86.19 (1) of the statutes is amended to read:

6 86.19 (1) Except as provided in sub. (1m) or s. 84.01 (30) (g), no sign shall be
7 placed within the limits of any street or highway except such as are necessary for the
8 guidance or warning of traffic or as provided by ss. 60.23 (17m) and 66.046. The
9 authorities charged with the maintenance of streets or highways shall cause the
10 removal therefrom and the disposal of all other signs.

11 ***-0881/1.1* SECTION 1856.** 86.30 (2) (a) 1. of the statutes is amended to read:

12 86.30 (2) (a) 1. Except as provided in pars. (b), (d) and (dm), sub. (10) and s.
13 86.303, the amount of transportation aids payable by the department to each county
14 shall be the aids amount calculated under subd. 2. and to each municipality shall be
15 the aids amount calculated under subd. 2. or 3., whichever is greater. If the amounts
16 calculated for a municipality under subd. 2. or 3. are the same, transportation aids
17 to that municipality shall be paid under subd. 2.

18 ***-0881/1.2* SECTION 1857.** 86.30 (2) (a) 3. f. of the statutes is repealed.

19 ***-0881/1.3* SECTION 1858.** 86.30 (2) (a) 3. g. of the statutes is amended to read:

20 86.30 (2) (a) 3. g. In calendar ~~year~~ years 1998 and thereafter 1999, \$1,596.

21 ~~***-0881/1.4* SECTION 1859.** 86.30 (2) (a) 3. h. of the statutes is created to read:~~

22 86.30 (2) (a) 3. h. In calendar year 2000, \$1,692.

23 ***b0642/4.3* SECTION 1859m.** 86.30 (2) (a) 3. i. of the statutes is created to read:

24 86.30 (2) (a) 3. i. In calendar year 2001 and thereafter, \$1,709.

25 ***-0881/1.5* SECTION 1862.** 86.30 (9) (b) of the statutes is amended to read:

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1 86.30 (9) (b) For the purpose of calculating and distributing aids under sub. (2),
2 the amounts for aids to counties are ~~\$70,644,200 in calendar year 1997 and~~
3 \$78,744,300 in calendar year years 1998 and 1999, \$83,469,000 in calendar year
4 2000 and \$84,303,700 in calendar year 2001 and thereafter. These amounts, to the
5 extent practicable, shall be used to determine the statewide county average
6 cost-sharing percentage in the particular calendar year.

7 ***-0881/1.6* SECTION 1863.** 86.30 (9) (c) of the statutes is amended to read:

8 86.30 (9) (c) For the purpose of calculating and distributing aids under sub. (2),
9 the amounts for aids to municipalities are ~~\$222,255,300 in calendar year 1997 and~~
10 \$247,739,100 in calendar year years 1998 and 1999, \$262,603,400 in calendar year
11 2000 and \$265,229,400 in calendar year 2001 and thereafter. These amounts, to the
12 extent practicable, shall be used to determine the statewide municipal average
13 cost-sharing percentage in the particular calendar year.

14 ***b0642/4.9* SECTION 1863m.** 86.30 (10) of the statutes is created to read:

15 86.30 (10) AID PAYMENTS FOR CALENDAR YEARS 2000 AND 2001. (a) 1. For calendar
16 years 2000 and 2001, the department shall determine the percentage change
17 between the amount of moneys appropriated for distribution under this section to
18 counties for those years and the amount of moneys appropriated for distribution
19 under this section to counties for the preceding calendar year.

20 2. Notwithstanding sub. (2) (a), (b) and (d) and s. 86.303 (5) (e), (f), (h) and (i),
21 the amount of aid payable to each county in calendar years 2000 and 2001 shall be
22 the amount paid to that county for the preceding calendar year, plus an amount equal
23 to the percentage determined under subd. 1. of the amount paid to the county for the
24 preceding calendar year.

1 (b) 1. For calendar years 2000 and 2001, the department shall determine the
2 percentage change between the amount of moneys appropriated for distribution
3 under this section to municipalities for those years and the amount of moneys
4 appropriated for distribution under this section to municipalities for the preceding
5 calendar year.

6 2. Notwithstanding sub. (2) (a), (b) and (d) and s. 86.303 (5) (e), (f), (h) and (i),
7 the amount of aid payable to each municipality in calendar years 2000 and 2001 shall
8 be the amount paid to that municipality for the preceding calendar year, plus an
9 amount equal to the percentage determined under subd. 1. of the amount paid to the
10 municipality for the preceding calendar year.

11 *~~0884/1.1~~* **SECTION 1864.** 86.302 (title) of the statutes is repealed and
12 recreated to read:

13 **86.302 (title) Local roads; inventory and assessment.**

14 *~~0884/1.2~~* **SECTION 1865.** 86.302 (1) of the statutes is renumbered 86.302 (1g)
15 and amended to read:

16 86.302 (1g) Except as provided in sub. (1m), beginning on January 1, 2001, the
17 board of every town, village and county, and the governing body of every city, shall
18 file with the department ~~and with the county clerk~~ not later than December 15 of
19 every ~~odd-numbered~~ year, a certified plat of ~~such town, village, city~~ the municipality
20 or county showing the ~~roads and streets~~ highways under ~~their~~ its jurisdiction and the
21 mileage thereof to be open and used for travel as of the succeeding January 1, ~~which~~
22 ~~may be used by the.~~ The department may use the plats in making computations of
23 transportation aids. One-half of the mileage of ~~roads or streets~~ highways on
24 boundary lines shall be considered as lying in each ~~town, village, city~~ municipality
25 or county.

1 *~~0884/1.3~~* **SECTION 1866.** 86.302 (1d) of the statutes is created to read:

2 86.302 (1d) (a) “Highway” has the meaning given in s. 340.01 (22).

3 (b) “Municipality” means a city, village or town.

4 *~~0884/1.4~~* **SECTION 1867.** 86.302 (1m) (a) of the statutes is renumbered
5 86.302 (1m) (a) 1. and amended to read:

6 86.302 (1m) (a) 1. ~~The board of a town, village or county and the governing body~~
7 ~~of a city need not file a certified plat under sub. (1) if the town, village, In lieu of filing~~
8 ~~a certified plat under sub. (1g), if a municipality or county or city has not added or~~
9 deleted jurisdictional mileage since filing its last preceding certified plat under sub.
10 (1) (1g), its board or governing body may file a certified statement to that effect with
11 the department.

12 *~~0884/1.5~~* **SECTION 1868.** 86.302 (1m) (a) 2. of the statutes is created to read:

13 86.302 (1m) (a) 2. Notwithstanding subd. 1., the department may require every
14 municipality and county to file a certified plat under sub. (1g) with the department
15 in the year after the year in which a federal decennial census is conducted.

16 *~~0884/1.6~~* **SECTION 1869.** 86.302 (1m) (b) of the statutes is amended to read:

17 86.302 (1m) (b) Upon incorporation of a village or city, the board of the village
18 and the governing body of the city shall file with the department ~~and with the county~~
19 ~~clerk~~ a certified plat of the village or city showing the ~~roads and streets~~ highways
20 under its jurisdiction and the mileage thereof to be open and used for travel as of the
21 date of incorporation, which may be used by the department in making computations
22 of transportation aids. One-half of the mileage of ~~roads or streets~~ highways on
23 boundary lines shall be considered as lying in the village or city.

24 *~~0884/1.7~~* **SECTION 1870.** 86.302 (2) of the statutes is amended to read:

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86.302 (2) ~~The department shall assess the accuracy of mileage reported by municipalities and counties and may use field investigations to verify a portion of the mileage constituting a valid random sample or such specialized sample as the department considers appropriate. The department shall cooperate with and provide assistance to local units of government in their jurisdictional mileage determination efforts. The department shall inventory and verify all road mileage in a county or municipality once every 10 years under this subsection.~~

-0884/1.8 SECTION 1871. 86.302 (3) of the statutes is amended to read:

86.302 (3) For the purposes of transportation aid determinations under s. 86.30, ~~the department shall use changes in the road highway mileage of a city, municipality or county, town or village indicated on the certified plat filed under sub. (1) shall be used by the department (1g) in making computations of transportation aids to be paid beginning in the next odd-numbered 2nd year following the odd-numbered year in which the certified plat is filed. The department shall consider the following factors shall be considered by the department:~~

(a) New ~~roads~~ highways.

(b) Abandoned ~~roads~~ highways.

(c) Changes in jurisdictional mileage responsibilities for existing ~~roads~~ highways.

-0884/1.9 SECTION 1872. 86.303 (4) (b) of the statutes is amended to read:

86.303 (4) (b) In the case of municipalities formed within the previous 6 years, the information needed for the determinations under this section shall be calculated as follows: for those years for which the necessary data does not exist, the data for the new municipality and the municipality from which it was formed shall be combined and the sum shall be apportioned to each municipality in proportion to the

1 total mileage of ~~roads and streets~~ highways under their respective jurisdictions. In
2 making these calculations, the department shall use the certified plats filed under
3 s. 86.302 ~~(1)~~ (1g).

4 ***-0882/1.1* SECTION 1873.** 86.303 (6) (c) (intro.) of the statutes is amended to
5 read:

6 86.303 (6) (c) (intro.) The following other costs to the extent ~~to which~~ they are
7 highway related are reportable:

8 ***-0882/1.2* SECTION 1874.** 86.303 (6) (c) 4. of the statutes is amended to read:
9 86.303 (6) (c) 4. ~~Traffic police and street~~ Street lighting costs.

10 ***-0882/1.3* SECTION 1875.** 86.303 (6) (cm) of the statutes is created to read:
11 86.303 (6) (cm) Some portion of law enforcement costs determined by the
12 department, in consultation with the representatives appointed under sub. (5) (am),
13 may be reported as eligible cost items. The department may establish different
14 portions under this paragraph for different classes of counties or municipalities.

15 ***b0622/1.1* SECTION 1875f.** 86.31 (3m) of the statutes is amended to read:
16 86.31 (3m) TOWN ROAD IMPROVEMENTS. From the appropriation under s. 20.395
17 (2) (fr), the department shall allocate \$1,500,000 in fiscal year 1999-2000 and
18 \$500,000 in each following fiscal year to fund town road improvements with eligible
19 costs totaling \$100,000 or more. The funding of improvements under this subsection
20 is in addition to the allocation of funds for entitlements under sub. (3).

21 ***-2070/1.2* SECTION 1877.** 88.15 of the statutes is created to read:

22 **88.15 Drainage board grants.** (1) From the appropriation under s. 20.115
23 (7) (d), the department of agriculture, trade and consumer protection shall make
24 grants to boards to assist boards to comply with this chapter and rules promulgated
25 under this chapter. A grant under this section may not exceed 40% of the costs

1 incurred by the board to comply with this chapter and rules promulgated under this
2 chapter.

3 (2) The department of agriculture, trade and consumer protection shall
4 promulgate rules for the administration of the program under this section.

5 (3) The department of agriculture, trade and consumer protection may not
6 make grants under this section after June 30, 2004.

7 ***b0309/3.10* SECTION 1909p.** 92.07 (2) of the statutes is amended to read:

8 92.07 (2) STANDARDS. Each land conservation committee may develop and
9 adopt standards and specifications for management practices to control erosion,
10 sedimentation and nonpoint source water pollution. The standards and
11 specifications for agricultural facilities and practices that are constructed or begun
12 on or after October 14, 1997, and, if cost-sharing is available to the owner or operator
13 under s. 92.14, ~~281.16 (5)~~ or 281.65 or from any other source, for agricultural facilities
14 and practices that are constructed or begun before that date shall be consistent with
15 the performance standards, prohibitions, conservation practices and technical
16 standards under s. 281.16 (3). The land conservation committee shall use the rules
17 promulgated under s. 281.16 (3) (e) to determine whether cost-sharing is available.

18 ***b0309/3.10* SECTION 1909w.** 92.08 of the statutes is repealed.

19 ***b0309/3.10* SECTION 1910e.** 92.10 (3) of the statutes is repealed.

20 ***b0309/3.10* SECTION 1910h.** 92.10 (4) (c) of the statutes is amended to read:

21 92.10 (4) (c) *Plan assistance.* The department shall assist land conservation
22 committees in preparing land and water resource management plans. The
23 ~~department may allocate funds appropriated under s. 20.115 (7) (c) to land~~
24 ~~conservation committees in identified priority counties to cover up to 50% of the cost~~
25 ~~of preparing land and water resource management plans.~~

1 ***b0309/3.10* SECTION 1913b.** 92.10 (6) (a) of the statutes is repealed and
2 recreated to read:

3 92.10 (6) (a) *Plan preparation.* A land conservation committee shall prepare
4 a land and water resource management plan that, at a minimum, does all of the
5 following:

6 1. Includes an assessment of water quality and soil erosion conditions
7 throughout the county, including any assessment available from the department of
8 natural resources.

9 2. Specifies water quality objectives for each water basin, priority watershed,
10 as defined in s. 281.65 (2) (c), and priority lake, as defined in s. 281.65 (2) (be).

11 3. Identifies the best management practices to achieve the objectives under
12 subd. 2. and to achieve the tolerable erosion level under s. 92.04 (2) (i).

13 4. Identifies applicable performance standards and prohibitions related to the
14 control of pollution from nonpoint sources, as defined in s. 281.65 (2) (b), and to soil
15 erosion control, including those under this chapter and chs. 281 and 283 and ss.
16 59.692 and 59.693.

17 5. Includes a multiyear description of planned county activities, and priorities
18 for those activities, related to land and water resources, including those designed to
19 meet the objectives specified under subd. 2. and to ensure compliance with the
20 standards and prohibitions identified under subd. 4.

21 6. Describes a system to monitor the progress of activities described in the plan.

22 7. Includes a strategy to provide information and education related to soil and
23 water resource management.

24 8. Describes methods for coordinating activities described in the plan with
25 programs of other local, state and federal agencies.

1 ***b0309/3.10* SECTION 1913m.** 92.10 (8) of the statutes is created to read:

2 92.10 (8) DUTIES OF THE DEPARTMENT OF NATURAL RESOURCES. The department
3 of natural resources shall provide counties with assistance in land and water
4 resource management planning, including providing available water quality data
5 and information, providing training and support for water resource assessments and
6 appraisals and providing related program information.

7 ***b0309/3.11* SECTION 1915b.** 92.105 (1) of the statutes is amended to read:

8 92.105 (1) ESTABLISHMENT. A land conservation committee shall establish soil
9 and water conservation standards. The standards ~~and specifications~~ for agricultural
10 facilities and practices that are constructed or begun on or after October 14, 1997,
11 and, if cost-sharing is available to the farmer under s. 92.14, ~~281.16 (5)~~ or 281.65 or
12 from any other source, for agricultural facilities and practices that are constructed
13 or begun before that date shall be consistent with the performance standards,
14 prohibitions, conservation practices and technical standards under s. 281.16 (3). It
15 shall submit these standards to the board for review.

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~~SECTION 1835. 85.20 (3) (cr) of the statutes is amended to read:
85.20 (3) (cr) To conduct a management performance audit of all urban mass transit systems participating in the program at least once every 5 years. If a management performance audit is required of all urban mass transit systems participating in the program, an eligible applicant served exclusively by a shared-ride taxicab system may be exempted from an audit if the eligible applicant voluntarily complies with s. 85.20 (4m) (b).~~

SECTION 1836. 85.20 (4m) (a) (intro.) of the statutes is amended to read:

~~85.20 (4m) (a) (intro.) An amount shall be allocated Except as provided in s. 85.20 (4m) (b) 2., the department shall allocate to each eligible applicant to ensure that the sum of state and federal aids for the projected operating expenses of each eligible applicant's urban mass transit system is an amount equal to a uniform percentage, established by the department, of the projected operating expenses of the each eligible applicant's urban mass transit system for the calendar year. The department shall make allocations as follows:~~

SECTION 1837. 85.20 (4m) (a) 1., 2., 3., 4. and 5. of the statutes are repealed.

SECTION 1838. 85.20 (4m) (a) 6. b. of the statutes is amended to read:

insert
959-10B

85.20 (4m) (a) 6. b. For the purpose of making allocations under subd. 6. a., the amount for aids ~~and~~ \$60,984,900 in calendar year 1998 and \$63,119,300 in calendar year 1999 ~~and \$65,012,900 in calendar year 2000~~ and thereafter. These amounts, to the extent practicable, shall be used to determine the uniform percentage in the particular calendar year. ~~These amounts, to the extent practicable, shall be used to determine the uniform percentage in the particular calendar year.~~

strike

amount

strike \$65,012,900

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959-10C

. This amount,

SECTION 1839. 85.20 (4m) (a) 6. c. of the statutes is created to read:

85.20 (4m) (a) 6. c. The sum of state aids allocated under this section and federal mass transit aids provided for the projected operating expenses of an urban

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(4) The department shall promulgate rules to administer the program.”.

b0636/1.1 ~~89~~. Page 913, line 16: delete lines 16 to 18.

b0299/2.1 ~~90~~. Page 913, line 23: delete lines 23 to 25.

b0299/2.2 ~~91~~. Page 914, line 1: delete lines 1 to 9.

b0645/5.2 ~~92~~. Page 914, line 14: after “and” insert “, for eligible applicants receiving aid under sub. (4m) (a) 7. or 8.”. ✓

b0645/5.3 ~~93~~. Page 915, line 1: delete lines 1 to 7.

b0645/5.4 ~~95~~. Page 915, line 8: delete “1836” and substitute “1886m”.

b0645/5.5 ~~96~~. Page 915, line 9: delete lines 9 to 15 and substitute:

~~85.20 (4m) (a) (intro.) An amount shall be allocated~~ The department shall pay annually to the eligible applicant described in subd. 6. cm. the amount of aid specified in subd. 6. cm. The department shall pay annually to the eligible applicant described in subd. 6. d. the amount of aid specified in subd. 6. d. The department shall allocate an amount to each eligible applicant described in subd. 7. or 8. to ensure that the sum of state and federal aids for the projected operating expenses of each eligible applicant’s urban mass transit system is equal to a uniform percentage, established by the department, of the projected operating expenses of the mass transit system for the calendar year. For calendar year 1999, the operating expenses used to establish the uniform percentage shall be the projected operating expenses of an urban mass transit system. Subject to sub. (4r), for calendar year 2000 and thereafter the operating expenses used to establish the uniform percentage shall be the operating expenses incurred during the 2nd calendar year preceding the



Insert
959-10A
(cont.)

1 calendar year for which aid is paid under this section. The department shall make
2 allocations as follows: *De*

Insert
959-10B

3 ~~*b0644/3.3* 97.~~ Page 915, line 18: after that line insert *De*

4 ~~*b0644/3.3*~~ SECTION 1837m. 85.20 (4m) (a) 6. a. of the statutes is amended
5 to read:

6 85.20 (4m) (a) 6. a. From the appropriation under s. 20.395 (1) (hq), the uniform
7 percentage for each eligible applicant in an urban area served by an urban mass
8 transit system with annual operating expenses in excess of \$20,000,000. This subd.
9 6. a. does not apply to aid payable for calendar year 2000 or thereafter. *De*

10 ~~*b0644/3.4* 98.~~ Page 915, line 19: delete "amounts for aids are" and
11 substitute "amounts amount for aids are is".

12 ~~*b0644/3.5* 99.~~ Page 915, line 20: delete that line and substitute "year 1999
13 and thereafter. These amounts, This amount."

****NOTE: This LRBb0644/3 is reconciled with LRBb0645/5. See LRBb0645/5 for
the treatment of s. 85.20 (4m) (a) (intro.) necessary to establish fixed aid payments to Tier
A eligible applicants.

Insert
959-10C

14 ~~*b0644/3.6* 100.~~ Page 915, line 22: after "year." insert "This subd. 6. b. does
15 not apply to aid payable for calendar year 2000 or thereafter."

16 ~~*b0644/3.7* 94.~~ Page 915, line 23: delete the material beginning with that
17 line and ending with page 916, line 6.

18 ~~*b0644/3.8* 102.~~ Page 916, line 7: before that line insert:

19 ~~*b0644/3.8*~~ SECTION 1839mm. 85.20 (4m) (a) 6. cm. of the statutes is created
20 to read:

21 85.20 (4m) (a) 6. cm. Beginning with aid payable for calendar year 2000, from
22 the appropriation under s. 20.395 (1) (ht), the department shall pay \$53,555,600 to