

1 ***b1205/2.1* 975.** Page 850, line 3: after that line insert:

2 ***b1205/2.1* "SECTION 1715m.** 71.07 (6m) of the statutes is created to read:

3 71.07 (6m) ARMED FORCES MEMBER TAX CREDIT. (a) *Definitions.* In this
4 subsection:

5 1. "Claimant" means an active duty member of the U.S. armed forces, as
6 defined in 26 USC 7701 (a) (15).

7 2. "Military income" means an amount of basic, special or incentive pay income,
8 as those terms are used in 37 USC chapters 3 and 5, received by a claimant from the
9 federal government.

10 (b) *Filing claims.* Subject to the limitations and conditions provided in this
11 subsection, a claimant may claim as a credit against the tax imposed under s. 71.02,
12 up to the amount of those taxes, an amount up to \$200 of military income for services
13 performed by the claimant while he or she is stationed outside of the United States.

14 (c) *Limitations and conditions.* 1. No credit may be allowed under this
15 subsection unless it is claimed within the time period under s. 71.75 (2).

16 2. Part-year residents and nonresidents of this state are not eligible for the
17 credit under this subsection.

18 3. If both spouses of a married couple meet the definition of claimant under par.
19 (a) 1., each spouse may claim the credit under this subsection.

20 (d) *Administration.* Subsection (9e) (d), to the extent that it applies to the credit
21 under that subsection, applies to the credit under this subsection."

22 ***b1870/2.3* 976.** Page 850, line 6: after that line insert:

23 ***b1870/2.3* "SECTION 1716m.** 71.07 (9) (b) 1. of the statutes is amended to
24 read:

1 71.07 (9) (b) 1. Subject to the limitations under this subsection and except as
2 provided in ~~subd. subds. 2. and 3.~~, a claimant may claim as a credit against, but not
3 to exceed the amount of, taxes under s. 71.02, 10% of the first \$2,000 of property taxes
4 or rent constituting property taxes, or 10% of the first \$1,000 of property taxes or rent
5 constituting property taxes of a married person filing separately.

6 ***b1870/2.3* SECTION 1716p.** 71.07 (9) (b) 3. of the statutes is created to read:

7 71.07 (9) (b) 3. For taxable years beginning after December 31, 1999, and before
8 January 1, 2001, subject to the limitations under this subsection, a claimant may
9 claim as a credit against, but not to exceed the amount of, taxes under s. 71.02, 6.4%
10 of the first \$2,000 of property taxes or rent constituting property taxes, or 6.4% of the
11 first \$1,000 of property taxes or rent constituting property taxes of a married person
12 filing separately.”.

13 ***b1870/2.4* 977.** Page 850, line 9: delete “1999” and substitute “2000”.

14 ***b1897/2.9* 978.** Page 850, line 17: delete lines 17 to 22

15 ***b1205/2.2* 979.** Page 851, line 2: after “(6)” insert “, (6m)”.

16 ***b1205/2.3* 980.** Page 851, line 7: after that line insert:

17 ***b1205/2.3* “SECTION 1719j.** 71.10 (4) (cm) of the statutes is created to read:

18 71.10 (4) (cm) The armed forces member tax credit under s. 71.07 (6m).”.

19 ***b1912/2.1* 981.** Page 852, line 3: delete the material beginning with that
20 line and ending with page 853, line 8, and substitute:

21 ***b1912/2.1* “SECTION 1721es.** 71.14 (3) (intro.) of the statutes is amended to
22 read:

23 71.14 (3) (intro.) Except as provided in sub. (2) and s. 71.04 (1) (b) 2., trusts
24 created by contract, declaration of trust or implication of law that are made

1 irrevocable before the effective date of this subsection [revisor inserts date], shall
2 be considered resident at the place where the trust is being administered. The
3 following trusts shall be considered to be administered in the state of domicile of the
4 corporate trustee of the trust at any time that the grantor of the trust is not a resident
5 of this state:

6 *b1912/2.1* SECTION 1721it. 71.14 (3m) of the statutes is created to read:

7 71.14 (3m) (a) Subject to par. (b) and except as provided in sub. (2) and s. 71.04
8 (1) (b) 2., only the following trusts, or portions of trusts, which become irrevocable
9 on or after the effective date of this paragraph [revisor inserts date], are resident
10 of this state:

11 1. Trusts, or portions of trusts, the assets of which consist of property placed
12 in the trust by a person who is a resident of this state at the time that the property
13 was placed in the trust if, at the time that the assets were placed in the trust, the trust
14 was irrevocable.

15 2. Trusts, or portions of trusts, the assets of which consist of property placed
16 in the trust by a person who is a resident of this state at the time that the trust
17 became irrevocable if, at the time that the property was placed in the trust, the trust
18 was revocable.

19 (b) A trust described under par. (a):

20 1. Is revocable if the person whose property constitutes the trust may revest
21 title to the property in that person.

22 2. Is irrevocable if the power to revest title, as described in par. (a), does not
23 exist.”.

24 *b1897/2.10* 982. Page 853, line 14: delete lines 14 to 18.

"Doing business" also includes issuing credit, debit or travel and entertainment cards to customers in this state.

1 ***b1897/2.11* 983.** Page 853, line 23: delete the material beginning with that
2 line and ending with page 854, line 7.

3 ***b1902/2.1* 984.** Page 854, line 11: delete that line and substitute "state for
4 pecuniary gain, if the income from the partnership or company is unitary or
5 operational income of the taxpayer or a direct or indirect affiliate of the taxpayer or
6 if such income has a taxable presence in this state".

7 ***b1897/2.12* 985.** Page 854, line 12: delete lines 12 to 17.

8 ***b1181/3.4* 986.** Page 873, line 19: after "both" insert ", or that buy or sell
9 lottery prizes if the winning tickets were originally bought in this state".

10 ***b1181/3.5* 987.** Page 873, line 21: after that line insert:

11 ***b1181/3.5*** "SECTION 1722yb. 71.23 (2) of the statutes is amended to read:

12 71.23 (2) FRANCHISE TAX. For the privilege of exercising its franchise, buying
13 or selling lottery prizes if the winning tickets were originally bought in this state or
14 doing business in this state in a corporate capacity, except as provided under sub. (3),
15 every domestic or foreign corporation, except corporations specified in s. 71.26 (1),
16 and every nuclear decommissioning trust or reserve fund shall annually pay a
17 franchise tax according to or measured by its entire Wisconsin net income of the
18 preceding taxable year at the rate set forth in s. 71.27 (2). In addition, except as
19 provided in sub. (3) and s. 71.26 (1), a corporation that ceases doing business in this
20 state and a nuclear decommissioning trust or reserve fund that is terminated shall
21 pay a special franchise tax according to or measured by its entire Wisconsin net
22 income for the taxable year during which the corporation ceases doing business in
23 this state or the nuclear decommissioning trust or reserve fund is terminated at the
24 rates under s. 71.27 (2). Every corporation organized under the laws of this state

1 shall be deemed to be residing within this state for the purposes of this franchise tax.
2 All provisions of this chapter and ch. 73 relating to income taxation of corporations
3 shall apply to franchise taxes imposed under this subsection, unless the context
4 requires otherwise. The tax imposed by this subsection on national banking
5 associations shall be in lieu of all taxes imposed by this state on national banking
6 associations to the extent it is not permissible to tax such associations under federal
7 law.

8 ***b1181/3.5* SECTION 1722ym.** 71.25 (5) (b) of the statutes is amended to read:

9 71.25 (5) (b) *Nonapportionable income.* 1. Income, gain or loss from the sale
10 of nonbusiness real property or nonbusiness tangible personal property, rental of
11 nonbusiness real property or nonbusiness tangible personal property and royalties
12 from nonbusiness real property or nonbusiness tangible personal property are
13 nonapportionable and shall be allocated to the situs of the property, except that all
14 income that is realized from the sale of or purchase and subsequent sale or
15 redemption of lottery prizes if the winning tickets were originally bought in this state
16 shall be allocated to this state.

17 2. All income, gain or loss from intangible property that is earned by a personal
18 holding company, as defined in section 542 of the internal revenue code, as amended
19 to December 31, 1974, shall be allocated to the residence of the taxpayer, except that
20 all income that is realized from the sale of or purchase and subsequent sale or
21 redemption of lottery prizes if the winning tickets were originally bought in this state
22 shall be allocated to this state.”.

23 ***b1742/1.1* 988.** Page 873, line 21: after that line insert:

24 ***b1742/1.1* “SECTION 1722yc.** 71.23 (3) (d) of the statutes is created to read:

1 71.23 (3) (d) The storage for no more than 90 days in this state in or on property
2 owned by a person, other than the foreign corporation, of the foreign corporation's
3 tangible personal property, if the tangible personal property is transferred to the
4 person and is used in this state by the person for fabricating, processing,
5 manufacturing or printing on the parcel of property in or on which the tangible
6 personal property is stored and if the parcel of property has an assessed value, for
7 property tax purposes, of at least \$10,000,000 but no more than \$11,000,000 on
8 January 1, 1999.”.

9 ***b1902/2.2* 989.** Page 873, line 21: after that line insert:

10 ***b1902/2.2*** “SECTION 1722yd. 71.25 (5) (a) (intro.) of the statutes is amended
11 to read:

12 71.25 (5) (a) *Apportionable income.* (intro.) Except as provided in sub. (6),
13 corporations engaged in business both within and without this state are subject to
14 apportionment. Income gain or loss from the sources listed in this paragraph is
15 presumed apportionable as unitary or operational income or other income that has
16 a taxable presence in this state. Apportionable income includes all income or loss of
17 corporations, other than nonapportionable income as specified in par. (b), including,
18 but not limited to, income, gain or loss from the following sources.”.

19 ***b1897/2.13* 990.** Page 873, line 22: delete the material beginning with that
20 line and ending with page 877, line 22.

21 ***b1897/2.14* 991.** Page 878, line 1: after “of the service” insert “, except as
22 provided in subd. 4”.

23 ***b1897/2.15* 992.** Page 878, line 21: after that line insert:

1 “4. If the benefit of a service is received in this state, as provided under this
2 subsection, and the taxpayer submits evidence to the department that another state
3 that has jurisdiction to tax the service attributes the receipts from the service to that
4 state to determine the income that is taxable by that state, the taxpayer may elect,
5 by a method prescribed by the department, to attribute the receipts from the service
6 to this state in proportion to the direct cost of performing such service in this state
7 as compared to the total direct cost of performing the service in all states that have
8 jurisdiction to tax such service.”.

9 ***b1897/2.16* 993.** Page 878, line 22: delete the material beginning with that
10 line and ending with page 888, line 14.

11 ***b1181/3.6* 994.** Page 888, line 25: after that line insert:

12 ***b1181/3.6* “SECTION 1738t.** 71.26 (1) (a) of the statutes is amended to read:
13 71.26 (1) (a) *Certain corporations.* Income of corporations organized under ch.
14 185, except income of a cooperative sickness care association organized under s.
15 185.981, or of a service insurance corporation organized under ch. 613, that is derived
16 from a health maintenance organization as defined in s. 609.01 (2) or a limited
17 service health organization as defined in s. 609.01 (3), or operating under subch. I
18 of ch. 616 which are bona fide cooperatives operated without pecuniary profit to any
19 shareholder or member, or operated on a cooperative plan pursuant to which they
20 determine and distribute their proceeds in substantial compliance with s. 185.45,
21 and the income, except the unrelated business taxable income as defined in section
22 512 of the internal revenue code and except income that is derived from a health
23 maintenance organization as defined in s. 609.01 (2) or a limited service health
24 organization as defined in s. 609.01 (3), of all religious, scientific, educational,

1 benevolent or other corporations or associations of individuals not organized or
2 conducted for pecuniary profit. This paragraph does not apply to the income of
3 savings banks, mutual loan corporations or savings and loan associations. This
4 paragraph does not apply to income that is realized from the sale of or purchase and
5 subsequent sale or redemption of lottery prizes if the winning tickets were originally
6 bought in this state. This paragraph applies to the income of credit unions except to
7 the income of any credit union that is derived from public deposits for any taxable
8 year in which the credit union is approved as a public depository under ch. 34 and
9 acts as a depository of state or local funds under s. 186.113 (20). For purposes of this
10 paragraph, the income of a credit union that is derived from public deposits is the
11 product of the credit union's gross annual income for the taxable year multiplied by
12 a fraction, the numerator of which is the average monthly balance of public deposits
13 in the credit union during the taxable year, and the denominator of which is the
14 average monthly balance of all deposits in the credit union during the taxable year.”.

15 *b1902/2.3* **995.** Page 910, line 18: after that line insert:

16 *b1902/2.3* “SECTION 1740n. 71.26 (3) (L) of the statutes is amended to read:

17 71.26 (3) (L) Section 265 is excluded and replaced by the rule that any amount
18 otherwise deductible under this chapter that is directly or indirectly related to
19 income wholly exempt from taxes imposed by this chapter or to losses from the sale
20 or other disposition of assets the gain from which would be exempt under this
21 paragraph if the assets were sold or otherwise disposed of at a gain is not deductible.
22 In this paragraph, “wholly exempt income”, for corporations subject to franchise or
23 income taxes, includes ~~amounts received from affiliated or subsidiary corporations~~
24 ~~for interest, dividends or capital gains that, because of the degree of common~~

1 ownership, control or management between the payor and payee, are not subject to
2 taxes under this chapter. In this paragraph, “wholly exempt income”, for
3 corporations subject to income taxation under this chapter, also includes interest on
4 obligations of the United States. In this paragraph, “wholly exempt income” does not
5 include income excludable, not recognized, exempt or deductible under specific
6 provisions of this chapter. If any expense or amount otherwise deductible is
7 indirectly related both to wholly exempt income or loss and to other income or loss,
8 a reasonable proportion of the expense or amount shall be allocated to each type of
9 income or loss, in light of all the facts and circumstances.”.

10 *b1891/1.4* **996.** Page 911, line 6: after that line insert:

11 *b1891/1.4* **SECTION 1741n.** 71.28 (1di) (a) (intro.) of the statutes is amended
12 to read:

13 71.28 (1di) (a) (intro.) Except as provided in pars. (dm) and (f) and s. 73.03 (35),
14 for any taxable year for which the person is ~~certified under s. 560.765 (3) for entitled~~
15 under s. 560.795 (3) to claim tax benefits, any person may claim as a credit against
16 taxes otherwise due under this chapter 2.5% of the purchase price of depreciable,
17 tangible personal property, or 1.75% of the purchase price of depreciable, tangible
18 personal property that is expensed under section 179 of the internal revenue code for
19 purposes of the taxes under this chapter, except that:

20 *b1891/1.4* **SECTION 1741o.** 71.28 (1di) (a) 1. of the statutes is amended to
21 read:

22 71.28 (1di) (a) 1. The investment must be in property that is purchased after
23 the person is ~~certified under s. 560.765 (3) for entitled under s. 560.795 (3) to claim~~
24 tax benefits and that is used for at least 50% of its use in the conduct of the person's

1 business operations for which the claimant is certified under s. 560.765 (3) at a
2 location in a development zone under subch. VI of ch. 560 or, if the property is mobile,
3 the base of operations of the property for at least 50% of its use must be a location
4 in a development zone.

5 ***b1891/1.4* SECTION 1741p.** 71.28 (1di) (d) 1. of the statutes is amended to
6 read:

7 71.28 (1di) (d) 1. A copy of ~~the claimant's certification for a verification from~~
8 the department of commerce that the claimant may claim tax benefits under s.
9 ~~560.765 (3)~~ 560.795 (3).

10 ***b1891/1.4* SECTION 1741pm.** 71.28 (1di) (f) of the statutes is amended to
11 read:

12 71.28 (1di) (f) ~~If the certification of a person for who is entitled under s. 560.795~~
13 (3) to claim tax benefits ~~under s. 560.765 (3) is revoked~~ becomes ineligible for such
14 tax benefits, that person may claim no credits under this subsection for the taxable
15 year that includes the day on which ~~the certification is revoked~~ person becomes
16 ineligible for tax benefits or succeeding taxable years and that person may carry over
17 no unused credits from previous years to offset tax under this chapter for the taxable
18 year that includes the day on which ~~certification is revoked~~ the person becomes
19 ineligible for tax benefits or succeeding taxable years.

20 ***b1891/1.4* SECTION 1741pn.** 71.28 (1di) (g) of the statutes is amended to
21 read:

22 71.28 (1di) (g) If a person who is ~~certified under s. 560.765 (3)~~ entitled under
23 s. 560.795 (3) to claim tax benefits ceases business operations in the development
24 zone during any of the taxable years that that zone exists, that person may not carry
25 over to any taxable year following the year during which operations cease any

1 unused credits from the taxable year during which operations cease or from previous
2 taxable years.

3 ***b1891/1.4* SECTION 1741pp.** 71.28 (1di) (j) of the statutes is amended to read:

4 71.28 (1di) (j) No credit may be claimed under this subsection for taxable years
5 that begin ~~on January 1, 1998, or thereafter~~ after December 31, 1997, and end before
6 January 1, 2000. Credits under this subsection for taxable years that begin before
7 January 1, 1998, may be carried forward to taxable years that begin on January 1,
8 1998, or thereafter.”

9 ***b1891/1.5* 997.** Page 912, line 2: delete the material beginning with
10 “certified” and ending with “(3)” on line 3 and substitute “entitled under s. 560.795
11 (3) to claim tax benefits or certified under s. 560.765 (3) or 560.797 (4)”.

12 ***b1891/1.6* 998.** Page 912, line 12: after that line insert:

13 ***b1891/1.6* “SECTION 1743b.** 71.28 (1dx) (c) of the statutes is amended to read:
14 71.28 (1dx) (c) *Credit precluded.* If the certification of a person for tax benefits
15 under s. 560.765 (3) or 560.797 (4) is revoked, or if the person becomes ineligible for
16 tax benefits under s. 560.795 (3), that person may not claim credits under this
17 subsection for the taxable year that includes the day on which the certification is
18 revoked; the taxable year that includes the day on which the person becomes
19 ineligible for tax benefits; or succeeding taxable years and that person may not carry
20 over unused credits from previous years to offset tax under this chapter for the
21 taxable year that includes the day on which certification is revoked; the taxable year
22 that includes the day on which the person becomes ineligible for tax benefits; or
23 succeeding taxable years.

1 ***b1891/1.6* SECTION 1743bb.** 71.28 (1dx) (d) of the statutes is amended to
2 read:

3 71.28 (1dx) (d) *Carry-over precluded.* If a person who is entitled under s.
4 560.795 (3) to claim tax benefits or certified under s. 560.765 (3) or 560.797 (4) for tax
5 benefits ceases business operations in the development zone during any of the
6 taxable years that that zone exists, that person may not carry over to any taxable
7 year following the year during which operations cease any unused credits from the
8 taxable year during which operations cease or from previous taxable years.”.

9 ***b1897/2.17* 999.** Page 913, line 3: delete the material beginning with that
10 line and ending with page 914, line 4.

11 ~~***b1639/2.6* 1000.** Page 913, line 7: after that line insert:~~

12 ~~***b1639/2.6* “SECTION 1744be.** 71.28 (2m) (b) 1. a. of the statutes is amended
13 to read:~~

14 71.28 (2m) (b) 1. a. Subject to the limitations provided in this subsection and
15 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income
16 taxes otherwise due, the amount derived under par. (c). If the allowable amount of
17 claim exceeds the income taxes otherwise due on the claimant’s income or if there are
18 no Wisconsin income taxes due on the claimant’s income, the amount of the claim not
19 used as an offset against income taxes shall be certified to the department of
20 administration for payment to the claimant by check, share draft or other draft paid
21 from the ~~appropriation~~ appropriations under s. 20.835 (2) (ka) and (q).”.

22 ***b1888/4.17* 1001.** Page 913, line 7: after that line insert:

23 ***b1888/4.17* “SECTION 1744bd.** 71.28 (2m) (b) 1. a. of the statutes is amended
24 to read:

1 71.28 (2m) (b) 1. a. Subject to the limitations provided in this subsection and
2 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income or
3 franchise taxes otherwise due, the amount derived under par. (c). If the allowable
4 amount of claim exceeds the income or franchise taxes otherwise due on or measured
5 by the claimant's income or if there are no Wisconsin income or franchise taxes due
6 on or measured by the claimant's income, the amount of the claim not used as an
7 offset against income or franchise taxes shall be certified to the department of
8 administration for payment to the claimant by check, share draft or other draft paid
9 from the ~~appropriation~~ ^{appropriations} under s. 20.835 (2) (q) ~~(dn)~~ ^{and (ka)} ✓

10 ***b1888/4.17* SECTION 1744be.** 71.28 (2m) (b) 1. a. of the statutes, as affected
11 by 1999 Wisconsin Act (this act), is repealed and recreated to read:

12 71.28 (2m) (b) 1. a. Subject to the limitations provided in this subsection and
13 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income
14 taxes otherwise due, the amount derived under par. (c). If the allowable amount of
15 claim exceeds the income taxes otherwise due on the claimant's income or if there are
16 no Wisconsin income taxes due on the claimant's income, the amount of the claim not
17 used as an offset against income taxes shall be certified to the department of
18 administration for payment to the claimant by check, share draft or other draft paid
19 from the ~~appropriation~~ ^{appropriations} under s. 20.835 (2) (q) ^{(ka) and} ✓

20 ***b1888/4.17* SECTION 1744bf.** 71.28 (2m) (c) 3. of the statutes, as created by
21 1999 Wisconsin Act 5, is amended to read:

22 71.28 (2m) (c) 3. The department shall annually adjust the percentage that is
23 used to determine the amount of a claim under subd. 1. based on the estimated
24 number of claims and the amount estimated to be expended from the appropriation
25 under s. 20.835 (2) (q) ~~(dn)~~, as determined under s. 79.13. The department shall

1 incorporate the annually adjusted percentage into the income tax forms and
2 instructions.

3 ***b1888/4.17* SECTION 1744bg.** 71.28 (2m) (c) 3. of the statutes, as affected by
4 1999 Wisconsin Act ... (this act), is repealed and recreated to read:

5 71.28 (2m) (c) 3. The department shall annually adjust the percentage that is
6 used to determine the amount of a claim under subd. 1. based on the estimated
7 number of claims and the amount estimated to be expended from the appropriation
8 under s. 20.835 (2) (q), as determined under s. 79.13. The department shall
9 incorporate the annually adjusted percentage into the income tax forms and
10 instructions.”.

11 ***b1181/3.7* 1002.** Page 927, line 8: after that line insert:

12 ***b1181/3.7* “SECTION 1748Lm.** 71.362 (1) of the statutes is amended to read:

13 71.362 (1) All tax–option items of nonresident individuals, nonresident estates
14 and nonresident trusts derived from a tax–option corporation not requiring
15 apportionment under sub. (2) shall follow the situs of the business of the corporation
16 from which they are derived, except that all income that is realized from the sale of
17 or purchase and subsequent sale or redemption of lottery prizes if the winning tickets
18 were originally bought in this state shall be allocated to this state.

19 ***b1181/3.7* SECTION 1748Ln.** 71.362 (2) of the statutes is amended to read:

20 71.362 (2) Nonresident individuals, nonresident estates and nonresident
21 trusts deriving income from a tax–option corporation which is engaged in business
22 within and without this state shall be taxed only on the income of the corporation
23 derived from business transacted and property located in this state and losses and
24 other items of the corporation deductible by such shareholders shall be limited to

1 their proportionate share of the Wisconsin loss or other item, except that all income
2 that is realized from the sale of or purchase and subsequent sale or redemption of
3 lottery prizes if the winning tickets were originally bought in this state shall be
4 allocated to this state. For purposes of this subsection, all intangible income of
5 tax-option corporations passed through to shareholders is business income that
6 follows the situs of the business, except that all income that is realized from the sale
7 of or purchase and subsequent sale or redemption of lottery prizes if the winning
8 tickets were originally bought in this state shall be allocated to this state.”.

9 ***b1181/3.8* 1003.** Page 937, line 24: after “both” insert “, or that buy or sell
10 lottery prizes if the winning tickets were originally bought in this state”.

11 ***b1181/3.9* 1004.** Page 938, line 2: after that line insert:

12 ***b1181/3.9* “SECTION 1748yb.** 71.43 (2) of the statutes is amended to read:

13 71.43 (2) FRANCHISE TAX ON CORPORATIONS. For the privilege of exercising its
14 franchise, buying or selling lottery prizes if the winning tickets were originally
15 bought in this state or doing business in this state in a corporate capacity, except as
16 provided under s. 71.23 (3), every domestic or foreign corporation, except
17 corporations specified in ss. 71.26 (1) and 71.45 (1), shall annually pay a franchise
18 tax according to or measured by its entire Wisconsin net income of the preceding
19 taxable year at the rates set forth in s. 71.46 (2). In addition, except as provided in
20 ss. 71.23 (3), 71.26 (1) and 71.45 (1), a corporation that ceases doing business in this
21 state shall pay a special franchise tax according to or measured by its entire
22 Wisconsin net income for the taxable year during which the corporation ceases doing
23 business in this state at the rate under s. 71.46 (2). Every corporation organized
24 under the laws of this state shall be deemed to be residing within this state for the

1 purposes of this franchise tax. All provisions of this chapter and ch. 73 relating to
2 income taxation of corporations shall apply to franchise taxes imposed under this
3 subsection, unless the context requires otherwise. The tax imposed by this
4 subsection on insurance companies subject to taxation under this chapter shall be
5 based on Wisconsin net income computed under s. 71.45, and no other provision of
6 this chapter relating to computation of taxable income for other corporations shall
7 apply to such insurance companies. All other provisions of this chapter shall apply
8 to insurance companies subject to taxation under this chapter unless the context
9 clearly requires otherwise.

10 ***b1181/3.9* SECTION 1748ym.** 71.45 (1) of the statutes is amended to read:

11 71.45 (1) EXEMPT AND EXCLUDABLE INCOME. There shall be exempt from taxation
12 under this subchapter income of insurers exempt from federal income taxation
13 pursuant to section 501 (c) (15) of the internal revenue code, town mutuals organized
14 under or subject to ch. 612, foreign insurers, and domestic insurers engaged
15 exclusively in life insurance business, domestic insurers insuring against financial
16 loss by reason of nonpayment of principal, interest and other sums agreed to be paid
17 under the terms of any note or bond or other evidence of indebtedness secured by a
18 mortgage, deed of trust or other instrument constituting a lien or charge on real
19 estate and corporations organized under ch. 185, but not including income of
20 cooperative sickness care associations organized under s. 185.981, or of a service
21 insurance corporation organized under ch. 613, that is derived from a health
22 maintenance organization as defined in s. 609.01 (2) or a limited service health
23 organization as defined in s. 609.01 (3), or operating under subch. I of ch. 616 which
24 are bona fide cooperatives operated without pecuniary profit to any shareholder or
25 member, or operated on a cooperative plan pursuant to which they determine and

1 distribute their proceeds in substantial compliance with s. 185.45. This subsection
2 does not apply to income that is realized from the sale of or purchase and subsequent
3 sale or redemption of lottery prizes if the winning tickets were originally bought in
4 this state.”.

5 ***b1181/3.10* 1005.** Page 938, line 23: after that line insert:

6 ***b1181/3.10* “SECTION 1749p.** 71.45 (2) (a) 15. of the statutes is created to
7 read:

8 71.45 (2) (a) 15. By subtracting from federal taxable income all income that is
9 realized from the purchase and subsequent sale or redemption of lottery prizes that
10 is treated as nonapportionable income under sub. (3r).”.

11 ***b1897/2.18* 1006.** Page 938, line 24: delete the material beginning with
12 that line and ending with page 941, line 10.

13 ***b1181/3.11* 1007.** Page 941, line 10: after that line insert:

14 ***b1181/3.11* “SECTION 1753d.** 71.45 (3r) of the statutes is created to read:

15 71.45 (3r) ALLOCATION OF CERTAIN PROCEEDS. All income that is realized from
16 the purchase and subsequent sale or redemption of lottery prizes if the winning
17 tickets were originally bought in this state shall be allocated to this state.”.

18 ***b1181/3.12* 1008.** Page 941, line 21: after that line insert:

19 ***b1181/3.12* “SECTION 1753m.** 71.46 (3) of the statutes is amended to read:

20 71.46 (3) The tax imposed under this subchapter on each domestic insurer on
21 or measured by its entire net income attributable to lines of insurance in this state
22 may not exceed 2% of the gross premiums, as defined in s. 76.62, received during the
23 taxable year by the insurer on all policies on those lines of insurance if the subject
24 of that insurance was resident, located or to be performed in this state plus 7.9% of

1 the income that is realized from the sale of or purchase and subsequent sale or
2 redemption of lottery prizes if the winning tickets were originally bought in this
3 state.”.

4 *b1891/1.7* **1009.** Page 941, line 21: after that line insert:

5 *b1891/1.7* **SECTION 1754g.** 71.47 (1di) (a) (intro.) of the statutes is amended
6 to read:

7 71.47 (1di) (a) (intro.) Except as provided in pars. (dm) and (f) and s. 73.03 (35),
8 for any taxable year for which the person is ~~certified under s. 560.765 (3) for~~ entitled
9 under s. 560.795 (3) to claim tax benefits, any person may claim as a credit against
10 taxes otherwise due under this chapter 2.5% of the purchase price of depreciable,
11 tangible personal property, or 1.75% of the purchase price of depreciable, tangible
12 personal property that is expensed under section 179 of the internal revenue code for
13 purposes of the taxes under this chapter, except that:

14 *b1891/1.7* **SECTION 1754h.** 71.47 (1di) (a) 1. of the statutes is amended to
15 read:

16 71.47 (1di) (a) 1. The investment must be in property that is purchased after
17 the person is ~~certified under s. 560.765 (3) for~~ entitled under s. 560.795 (3) to claim
18 tax benefits and that is used for at least 50% of its use in the conduct of the person's
19 business operations ~~for which the claimant is certified under s. 560.765 (3) at a~~
20 location in a development zone under subch. VI of ch. 560 or, if the property is mobile,
21 the base of operations of the property for at least 50% of its use must be a location
22 in a development zone.

23 *b1891/1.7* **SECTION 1754j.** 71.47 (1di) (d) 1. of the statutes is amended to
24 read:

1 71.47 (1di) (d) 1. A copy of ~~the claimant's certification for a verification from~~
2 ~~the department of commerce that the claimant may claim~~ tax benefits under s.
3 ~~560.765 (3)~~ 560.795 (3).

4 ***b1891/1.7* SECTION 1754k.** 71.47 (1di) (f) of the statutes is amended to read:

5 71.47 (1di) (f) ~~If the certification of a person for who is entitled under s. 560.795~~
6 ~~(3) to claim tax benefits under s. 560.765 (3) is revoked~~ becomes ineligible for such
7 tax benefits, that person may claim no credits under this subsection for the taxable
8 year that includes the day on which ~~the certification is revoked~~ person becomes
9 ineligible for tax benefits or succeeding taxable years and that person may carry over
10 no unused credits from previous years to offset tax under this chapter for the taxable
11 year that includes the day on which ~~certification is revoked~~ the person becomes
12 ineligible for tax benefits or succeeding taxable years.

13 ***b1891/1.7* SECTION 1754L.** 71.47 (1di) (g) of the statutes is amended to read:

14 71.47 (1di) (g) ~~If a person who is certified under s. 560.765 (3) for~~ entitled under
15 s. 560.795 (3) to claim tax benefits ceases business operations in the development
16 zone during any of the taxable years that that zone exists, that person may not carry
17 over to any taxable year following the year during which operations cease any
18 unused credits from the taxable year during which operations cease or from previous
19 taxable years.

20 ***b1891/1.7* SECTION 1754m.** 71.47 (1di) (i) of the statutes is amended to read:

21 71.47 (1di) (i) No credit may be claimed under this subsection for taxable years
22 that begin ~~on January 1, 1998, or thereafter~~ after December 31, 1997, and end before
23 January 1, 2000. Credits under this subsection for taxable years that begin before
24 January 1, 1998, may be carried forward to taxable years that begin on January 1,
25 1998, or thereafter.”

1 ***b1891/1.8* 1010.** Page 942, line 16: delete the material beginning with
2 “certified” and ending with “(3)” on line 17 and substitute “entitled under s. 560.795
3 (3) to claim tax benefits or certified under s. 560.765 (3) or 560.797 (4)”.

4 ***b1891/1.9* 1011.** Page 943, line 2: after that line insert:

5 ***b1891/1.9* SECTION 1756d.** 71.47 (1dx) (c) of the statutes is amended to read:
6 71.47 (1dx) (c) *Credit precluded.* If the certification of a person for tax benefits
7 under s. 560.765 (3) or 560.797 (4) is revoked, or if the person becomes ineligible for
8 tax benefits under s. 560.795 (3), that person may not claim credits under this
9 subsection for the taxable year that includes the day on which the certification is
10 revoked; the taxable year that includes the day on which the person becomes
11 ineligible for tax benefits; or succeeding taxable years and that person may not carry
12 over unused credits from previous years to offset tax under this chapter for the
13 taxable year that includes the day on which certification is revoked; the taxable year
14 that includes the day on which the person becomes ineligible for tax benefits; or
15 succeeding taxable years.

16 ***b1891/1.9* SECTION 1756e.** 71.47 (1dx) (d) of the statutes is amended to read:
17 71.47 (1dx) (d) *Carry-over precluded.* If a person who is entitled under s.
18 560.795 (3) to claim tax benefits or certified under s. 560.765 (3) or 560.797 (4) for tax
19 benefits ceases business operations in the development zone during any of the
20 taxable years that that zone exists, that person may not carry over to any taxable
21 year following the year during which operations cease any unused credits from the
22 taxable year during which operations cease or from previous taxable years.”.

23 ***b1897/2.19* 1012.** Page 943, line 18: delete the material beginning with
24 that line and ending with page 944, line 19.

1 ~~*b1639/2.7* 1013. Page 943, line 22: after that line insert:~~

2 ~~*b1639/2.7* SECTION 1757be. 71.47 (2m) (b) 1. a. of the statutes is amended~~
3 ~~to read:~~

4 ~~71.47 (2m) (b) 1. a. Subject to the limitations provided in this subsection and~~
5 ~~s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income~~
6 ~~taxes otherwise due, the amount derived under par. (c). If the allowable amount of~~
7 ~~claim exceeds the income taxes otherwise due on the claimant's income or if there are~~
8 ~~no Wisconsin income taxes due on the claimant's income, the amount of the claim not~~
9 ~~used as an offset against income taxes shall be certified to the department of~~
10 ~~administration for payment to the claimant by check, share draft or other draft paid~~
11 ~~from the appropriation appropriations under s. 20.835 (2) (ka) and (q)."~~

12 *b1888/4.18* 1014. Page 943, line 22: after that line insert:

13 *b1888/4.18* SECTION 1757bd. 71.47 (2m) (b) 1. a. of the statutes is amended
14 to read:

15 71.47 (2m) (b) 1. a. Subject to the limitations provided in this subsection and
16 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income or
17 franchise taxes otherwise due, the amount derived under par. (c). If the allowable
18 amount of claim exceeds the income or franchise taxes otherwise due on or measured
19 by the claimant's income or if there are no Wisconsin income or franchise taxes due
20 on or measured by the claimant's income, the amount of the claim not used as an
21 offset against income or franchise taxes shall be certified to the department of
22 administration for payment to the claimant by check, share draft or other draft paid

23 from the appropriation } under s. 20.835 (2) (q) (dn) and (ka) ✓
appropriations

1 ***b1888/4.18* SECTION 1757be.** 71.47 (2m) (b) 1. a. of the statutes, as affected
2 by 1999 Wisconsin Act (this act), is repealed and recreated to read:

3 71.47 (2m) (b) 1. a. Subject to the limitations provided in this subsection and
4 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income
5 taxes otherwise due, the amount derived under par. (c). If the allowable amount of
6 claim exceeds the income taxes otherwise due on the claimant's income or if there are
7 no Wisconsin income taxes due on the claimant's income, the amount of the claim not
8 used as an offset against income taxes shall be certified to the department of
9 administration for payment to the claimant by check, share draft or other draft paid
10 from the ~~appropriation~~ ^{appropriations} (under s. 20.835 (2) (q)) ^(ka) and

11 ***b1888/4.18* SECTION 1744bf.** 71.47 (2m) (c) 3. of the statutes, as created by
12 Wisconsin Act 5, is amended to read:

13 71.47 (2m) (c) 3. The department shall annually adjust the percentage that is
14 used to determine the amount of a claim under subd. 1. based on the estimated
15 number of claims and the amount estimated to be expended from the appropriation
16 under s. 20.835 (2) ~~(q)~~ ^(dn), as determined under s. 79.13. The department shall
17 incorporate the annually adjusted percentage into the income tax forms and
18 instructions.

19 ***b1888/4.18* SECTION 1744bg.** 71.47 (2m) (c) 3. of the statutes, as affected by
20 1999 Wisconsin Act (this act), is repealed and recreated to read:

21 71.47 (2m) (c) 3. The department shall annually adjust the percentage that is
22 used to determine the amount of a claim under subd. 1. based on the estimated
23 number of claims and the amount estimated to be expended from the appropriation
24 under s. 20.835 (2) (q), as determined under s. 79.13. The department shall

1 incorporate the annually adjusted percentage into the income tax forms and
2 instructions.”.

3 ***b1870/2.5* 1015.** Page 945, line 2: delete that line and substitute:
4 “71.54 (1) (e) 2000. The amount of any claim filed in 2000”.

5 ***b1870/2.6* 1016.** Page 945, line 3: delete “thereafter”.

6 ***b1870/2.7* 1017.** Page 945, line 13: after that line insert:

7 ***b1870/2.7* “SECTION 1763c.** 71.54 (1) (f) of the statutes is created to read:

8 71.54 (1) (f) 2001 and thereafter. The amount of any claim filed in 2001 and
9 thereafter and based on property taxes accrued or rent constituting property taxes
10 accrued during the previous year is limited as follows:

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

14 2. If the household income was more than \$8,000 in the year to which the claim
15 relates, the claim is limited to 80% of the amount by which the property taxes accrued
16 or rent constituting property taxes accrued or both in that year on the claimant’s
17 homestead exceeds 8.788% of the household income exceeding \$8,000.

18 3. No credit may be allowed if the household income of a claimant exceeds
19 \$24,500.”.

20 ***b1897/2.20* 1018.** Page 945, line 20: delete the material beginning with
21 that line and ending with page 946, line 3.

22 ***b1870/2.8* 1019.** Page 946, line 16: delete “, subject to s. 71.07 (5m) (e)”.

23 ***b1181/3.13* 1020.** Page 947, line 11: delete lines 11 and 12 and substitute
24 “by multiplying the amount of the prize by the highest rate applicable to individuals

1 ~~under s. 71.06 (1) or (1m) to the person who claims the prize.~~ The administrator shall
2 deposit the amounts”.

3 ***b1654/3.12* 1021.** Page 950, line 21: after that line insert:

4 ***b1654/3.12* “SECTION 1800d.** 73.0301 (1) (d) 2. of the statutes is amended to
5 read:

6 73.0301 (1) (d) 2. A license issued by the department of health and family
7 services under s. 48.66 (1) (a) to a child welfare agency, group home, shelter care
8 facility or day care center, as required by s. 48.60, 48.625, 48.65 or 938.22 (7).”.

9 ***b1839/3.10* 1022.** Page 950, line 21: after that line insert:

10 ***b1839/3.10* “SECTION 1798r.** 73.03 (50) of the statutes is renumbered 73.03
11 (50) (intro.) and amended to read:

12 73.03 (50) (intro.) With the approval of the joint committee on finance, to
13 establish fees for obtaining a business tax registration certificate, which, except as
14 provided in s. 73.0302, is valid for 2 years, and for renewing that certificate and,
15 except as provided in s. 73.0302, shall issue and renew those certificates if the person
16 who wishes to obtain or renew a certificate applies does all of the following:

17 (a) Applies on a form that the department prescribes; ~~sets.~~

18 (b) Sets forth the name under which the applicant intends to operate, the
19 location of the applicant’s place of operations, ~~the social security number of the~~
20 ~~applicant if the applicant is a natural person~~ and the other information that the
21 department requires; ~~and, in.~~

22 (d) In the case of a sole proprietor, signs the form or, in the case of other persons,
23 has an individual who is authorized to act on behalf of the person sign the form, or,

1 in the case of a single-owner entity that is disregarded as a separate entity under
2 section 7701 of the Internal Revenue Code, the person is the owner.

3 ***b1839/3.10* SECTION 1798s.** 73.03 (50) (c) of the statutes is created to read:

4 73.03 (50) (c) In the case of an applicant who is an individual and who has a
5 social security number, sets forth the social security number of the applicant or, in
6 the case of an applicant who is an individual and who does not have a social security
7 number, submits a statement made or subscribed under oath or affirmation that the
8 applicant does not have a social security number. The form of the statement shall
9 be prescribed by the department of workforce development. A certificate issued in
10 reliance upon a false statement submitted under this paragraph is invalid.

11 ***b1839/3.10* SECTION 1798w.** 73.0301 (2) (c) 1. a. of the statutes is amended
12 to read:

13 73.0301 (2) (c) 1. a. If the license holder is an individual, the license holder's
14 social security number. *and has a social security number*

15 ***b1839/3.10* SECTION 1798x.** 73.0301 (2) (c) 1. am. of the statutes is created
16 to read:

17 73.0301 (2) (c) 1. am. If the applicant is an individual and does not have a social
18 security number, a statement made or subscribed under oath or affirmation that the
19 applicant does not have a social security number. The form of the statement shall
20 be prescribed by the department of workforce development. A license issued in
21 reliance upon a false statement submitted under this subd. 1. am. is invalid.

22 ***b1839/3.10* SECTION 1798y.** 73.0301 (2) (c) 2. of the statutes is amended to
23 read:

24 73.0301 (2) (c) 2. A licensing department may not disclose any information
25 received under subd. 1. a. or b. to any person except to the department of revenue for

1 the sole purpose of requesting certifications under par. (b) 2. in accordance with the
2 memorandum of understanding under sub. (4) or to the department of workforce
3 development for the purpose of administering s. 49.22.”.

4 *b1856/2.2* **1023.** Page 950, line 21: after that line insert:

5 *b1856/2.2* “SECTION 1798m. 73.03 (49) (b) of the statutes is repealed.”.

6 *b1893/1.2* **1024.** Page 950, line 21: after that line insert:

7 *b1893/1.2* “SECTION 1800m. 73.0301 (1) (d) 6. of the statutes is amended to
8 read:

9 73.0301 (1) (d) 6. A license or certificate of registration issued by the
10 department of financial institutions, or a division of it, under s. 138.09, 138.12,
11 217.06, 218.01, 218.02, 218.04, 218.05 or, 224.72, 224.93 or under subch. III of ch.
12 551.”.

13 *b0971/1.1* **1025.** Page 950, line 23: delete “school aids” and substitute
14 “intradistrict transfer aid”.

15 *b0971/1.2* **1026.** Page 951, line 1: delete “ss. 121.15 (3m) (a) 1m. a. to c.
16 and” and substitute “s.”.

17 *b1856/2.3* **1027.** Page 951, line 5: after that line insert:

18 *b1856/2.3* “SECTION 1801n. 74.48 (1) of the statutes is renumbered 74.48 (1)
19 (a) and amended to read:

20 74.48 (1) (a) If a person who owns land that has been valued under s. 70.32 (2r)
21 ~~(b) is sold by a person who has owned it for less than 5 years and who has benefited~~
22 ~~from a value lower than that established by~~ changes the use of the land so that the
23 land is not valued under s. 70.32 (2r) (a), there is imposed on that person a penalty
24 equal to 5% of the difference between the sale price of the agricultural land and the

1 value that would be established for it under s. 70.32 (2r) (e) during property taxes
2 that would have been levied on the land if the land had been assessed at full market
3 value and the property taxes levied on the land for the last year of the person's
4 ownership 2 years that the land has been valued under s. 70.32 (2r).

5 *b1856/2.3* SECTION 1801p. 74.48 (1) (b) of the statutes is created to read:

6 74.48 (1) (b) A person who owns land that has been valued under s. 70.32 (2r)
7 and who sells the land, shall notify the buyer of the land that the land has been
8 valued under s. 70.32 (2r).

9 *b1856/2.3* SECTION 1801r. 74.48 (2) of the statutes is amended to read:

10 74.48 (2) Any amount due under sub. (1) shall be paid to the ~~department of~~
11 revenue taxation district in which the land as described in sub. (1) is located. The
12 taxation district shall distribute the amount to the taxing jurisdictions in which the
13 land is located in proportion to the taxes levied by the taxing jurisdictions during the
14 2 years that the land has been valued under s. 70.32 (2r).

15 *b1856/2.3* SECTION 1801s. 74.48 (3) of the statutes is amended to read:

16 74.48 (3) The ~~department of revenue~~ taxation district in which the land as
17 described in sub. (1) is located shall administer the penalty under this section.”.

18 *b1786/1.1* 1028. Page 951, line 6: delete lines 6 to 19.

19 *b1931/1.12* 1029. Page 953, line 3: after that line insert:

20 *b1931/1.12* “SECTION 1809b. 76.28 (1) (d) of the statutes is amended to read:

21 76.28 (1) (d) “Gross revenues” for a light, heat and power company other than
22 a qualified wholesale electric company or a transmission company means total
23 operating revenues as reported to the public service commission except revenues for
24 interdepartmental sales and for interdepartmental rents as reported to the public

1 service commission and deductions from the sales and use tax under s. 77.61 (4),
2 except that the company may subtract from revenues either the actual cost of power
3 purchased for resale, as reported to the public service commission, by a light, heat
4 and power company, except a municipal light, heat and power company, that
5 purchases under federal or state approved wholesale rates more than 50% of its
6 electric power from a person other than an affiliated interest, as defined in s. 196.52
7 (1), if the revenue from that purchased electric power is included in the seller's gross
8 revenues or the following percentages of the actual cost of power purchased for
9 resale, as reported to the public service commission, by a light, heat and power
10 company, except a municipal light, heat and power company that purchases more
11 than 90% of its power and that has less than \$50,000,000 of gross revenues: 10% for
12 the fee assessed on May 1, 1988, 30% for the fee assessed on May 1, 1989, and 50%
13 for the fee assessed on May 1, 1990, and thereafter. For a qualified wholesale electric
14 company, "gross revenues" means total business revenues from those businesses
15 included under par. (e) 1. to 4. For a transmission company, "gross revenues" means
16 total operating revenues as reported to the public service commission, except
17 revenues for transmission service that is provided to a public utility that is subject
18 to the license fee under sub. (2) (d), to a public utility, as defined in s. 196.01 (5), or
19 to a cooperative association organized under ch. 185 for the purpose of providing
20 electricity to its members only. For an electric utility, as defined in s. 16.957 (1) (g),
21 "gross revenues" does not include public benefits fees collected by the electric utility
22 under s. 16.957 (4) (a) or (5) (a). For a generator public utility, "gross revenues" does
23 not include any grants awarded to the generator public utility under s. 16.958 (2) (b).
24 For a wholesale supplier, as defined in s. 16.957 (1) (w), "gross revenues" does not
25 include any public benefits fees that are received from a municipal utility or retail

1 electric cooperative or under a joint program established under s. 16.957 (5) (f). For
2 a municipal utility, “gross revenues” does not include public benefits fees received by
3 the municipal utility from a municipal utility or retail electric cooperative under a
4 joint program established under s. 16.957 (5) (f).

5 ***b1931/1.12* SECTION 1809f.** 76.28 (1) (e) (intro.) of the statutes is amended
6 to read:

7 76.28 (1) (e) (intro.) “Light, heat and power companies” means any person,
8 association, company or corporation, including corporations described in s. 66.069 (2)
9 ~~and including~~, qualified wholesale electric companies and transmission companies
10 and except only business enterprises carried on exclusively either for the private use
11 of the person, association, company or corporation engaged in them, or for the private
12 use of a person, association, company or corporation owning a majority of all
13 outstanding capital stock or who control the operation of business enterprises and
14 except electric cooperatives taxed under s. 76.48 that engage in any of the following
15 businesses:

16 ***b1931/1.12* SECTION 1809k.** 76.28 (1) (e) 5. of the statutes is created to read:

17 76.28 (1) (e) 5. Transmitting electric current for light, heat or power.

18 ***b1931/1.12* SECTION 1809h.** 76.28 (1) (eg) of the statutes is created to read:

19 76.28 (1) (eg) “Municipal utility” has the meaning given in s. 16.957 (1) (q).

20 ***b1931/1.12* SECTION 1809j.** 76.28 (1) (gr) of the statutes is created to read:

21 76.28 (1) (gr) “Retail electric cooperative” has the meaning given in s. 16.957

22 (1) (t).

23 ***b1931/1.12* SECTION 1809no.** 76.28 (1) (j) of the statutes is created to read:

24 76.28 (1) (j) “Transmission company” has the meaning given in s. 196.485 (1)

25 (ge).

1 ***b1931/1.12* SECTION 1809s.** 76.28 (2) (c) (intro.) of the statutes is amended
2 to read:

3 76.28 (2) (c) (intro.) ~~For~~ Except as provided under par. (e), for private light, heat
4 and power companies for 1986 and thereafter, an amount equal to the apportionment
5 factor multiplied by the sum of:

6 ***b1931/1.12* SECTION 1809w.** 76.28 (2) (d) of the statutes is amended to read:

7 76.28 (2) (d) ~~For~~ Except as provided under par. (e), for municipal light, heat and
8 power companies, an amount equal to the gross revenues, except gross revenues from
9 operations within the municipality that operates the company, multiplied by the
10 rates under par. (b) or (c).

11 ***b1931/1.12* SECTION 1809y.** 76.28 (2) (e) of the statutes is created to read:

12 76.28 (2) (e) For transmission companies, an amount equal to the gross
13 revenues multiplied by the rates under par. (c).”.

14 ***b1931/1.13* 1030.** Page 953, line 4: before that line insert:

15 ***b1931/1.13* “SECTION 1809zm.** 76.48 (1g) (d) of the statutes is amended to
16 read:

17 76.48 (1g) (d) “Gross revenues” means total operating revenues, except
18 revenues for interdepartmental sales and for interdepartmental rents, less
19 deductions from the sales and use tax under s. 77.61 (4) and, in respect to any electric
20 cooperative that purchases more than 50% of the power it sells, less the actual cost
21 of power purchased for resale by an electric cooperative, if the revenue from that
22 purchased electric power is included in the seller’s gross revenues or if the electric
23 cooperative purchased more than 50% of the power it sold in the year prior to January
24 1, 1988, from a seller located outside this state. For an electric cooperative, “gross

1 revenues” does not include grants awarded to the electric cooperative under s. 16.958
2 (2) (b). For a retail electric cooperative, “gross revenues” does not include public
3 benefits fees collected by the retail electric cooperative under s. 16.957 (5) (a), public
4 benefits fees received by the retail electric cooperative from a retail electric
5 cooperative or municipal utility under a joint program established under s. 16.957
6 (5) (f). For a wholesale supplier, as defined in s. 16.957 (1) (w), “gross revenues” does
7 not include any public benefits fees that are received from a municipal utility, as
8 defined in s. 16.957 (1) (q), or retail electric cooperative or under a joint program
9 established under s. 16.957 (5) (f).

10 ***b1931/1.13* SECTION 1809zo.** 76.48 (1g) (dm) of the statutes is created to
11 read:

12 76.48 (1g) (dm) “Municipal utility” has the meaning given in s. 16.957 (1) (q).

13 ***b1931/1.13* SECTION 1809zp.** 76.48 (1g) (fm) of the statutes is created to
14 read:

15 76.48 (1g) (fm) “Retail electric cooperative” has the meaning given in s. 16.957
16 (1) (t).”.

17 ***b1157/2.1* 1031.** Page 953, line 14: after that line insert:

18 ***b1157/2.1* “SECTION 1810dm.** 77.21 (1) of the statutes is amended to read:
19 77.21 (1) “Conveyance” includes deeds and other instruments for the passage
20 of ownership interests in real estate, including contracts and assignments of a
21 vendee’s interest therein, including instruments that are evidence of a sale of
22 time-share property, as defined in s. 707.02 (32), and including leases for at least 99
23 years but excluding leases for less than 99 years, easements and wills.”.

24 ***b1868/3.3* 1032.** Page 953, line 14: after that line insert:

LFB:.....Russell - Exception for filing real estate transfer form
 FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 133

p. 364 2 18
 b1846/1.1

INS. 364-18

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~~At the locations indicated, amend the substitute amendment as follows:~~

1. Page 953, line 14: after that line insert:

SECTION 1810dm. 77,255 of the statutes is amended to read:

77.255 Exemptions from return. No return is required with respect to conveyances exempt under s. 77.25 (1), (2r), (3), (4) or (11) from the fee imposed under s. 77.22. No return is required with respect to conveyances exempt under s. 77.25 (2) unless the transferor is also a lender for the transaction.”.

(END)

1 ***b0853/1.1* 1036.** Page 953, line 21: after that line insert:

2 ***b0853/1.1* "SECTION 1812p.** 77.54 (30) (a) 3. of the statutes is amended to
3 read:

4 77.54 (30) (a) 3. Electricity sold ~~during the months of November, December,~~
5 ~~January, February, March and April~~ for use in farming, including but not limited to
6 agriculture, dairy farming, floriculture and horticulture.”.

7 ***b1156/2.1* 1037.** Page 953, line 21: after that line insert:

8 ***b1156/2.1* "SECTION 1812Lb.** 77.54 (20) (c) 4m. of the statutes is created to
9 read:

10 77.54 (20) (c) 4m. Taxable sales do not include food and beverage items under
11 pars. (b) 4. and (c) 2., and disposable products that are transferred with such items,
12 that are provided by a restaurant to the restaurant’s employe during the employe’s
13 work hours.”.

14 ***b1157/2.2* 1038.** Page 953, line 21: after that line insert:

15 ***b1157/2.2* "SECTION 1812Lm.** 77.51 (4) (c) 6. of the statutes is repealed.

16 ***b1157/2.2* SECTION 1812Ln.** 77.52 (2) (a) 1. of the statutes is amended to
17 read:

18 77.52 (2) (a) 1. The furnishing of rooms or lodging to transients by hotelkeepers,
19 motel operators and other persons furnishing accommodations that are available to
20 the public, irrespective of whether membership is required for use of the
21 accommodations, ~~including the furnishing of rooms or lodging through the sale of a~~
22 ~~time-share property, as defined in s. 707.02 (32),~~ if the use of the rooms or lodging
23 is not fixed at the time of sale as to the starting day or the lodging unit. In this
24 subdivision, “transient” means any person residing for a continuous period of less

1 than one month in a hotel, motel or other furnished accommodations available to the
2 public. In this subdivision, “hotel” or “motel” means a building or group of buildings
3 in which the public may obtain accommodations for a consideration, including,
4 without limitation, such establishments as inns, motels, tourist homes, tourist
5 houses or courts, lodging houses, rooming houses, summer camps, apartment hotels,
6 resort lodges and cabins and any other building or group of buildings in which
7 accommodations are available to the public, except accommodations, including
8 mobile homes as defined in s. 66.058 (1) (d), rented for a continuous period of more
9 than one month and accommodations furnished by any hospitals, sanatoriums, or
10 nursing homes, or by corporations or associations organized and operated
11 exclusively for religious, charitable or educational purposes provided that no part of
12 the net earnings of such corporations and associations inures to the benefit of any
13 private shareholder or individual. In this subdivision, “one month” means a calendar
14 month or 30 days, whichever is less, counting the first day of the rental and not
15 counting the last day of the rental.

16 *b1157/2.2* SECTION 1812Lp. 77.52 (2) (a) 2. of the statutes is amended to
17 read:

18 77.52 (2) (a) 2. The sale of admissions to amusement, athletic, entertainment
19 or recreational events or places except county fairs, the sale, rental or use of regular
20 bingo cards, extra regular cards, special bingo cards and the sale of bingo supplies
21 to players and the furnishing, for dues, fees or other considerations, the privilege of
22 access to clubs or the privilege of having access to or the use of amusement,
23 entertainment, athletic or recreational devices or facilities, including, ~~in connection~~
24 ~~with the sale or use of time-share property, as defined in s. 707.02 (32),~~ the sale or
25 furnishing of use of recreational facilities on a periodic basis or other recreational

1 rights, including but not limited to membership rights, vacation services and club
2 memberships.”.

3 *b1158/3.1* **1039.** Page 953, line 21: after that line insert:

4 *b1158/3.1* “SECTION 1812np. 77.54 (20) (c) 6. of the statutes is amended to
5 read:

6 77.54 (20) (c) 6. For purposes of subd. 1., “premises” shall be construed broadly,
7 and, by way of illustration but not limitation, shall include the lobby, aisles and
8 auditorium of a theater or the seating, aisles and parking area of an arena, rink or
9 stadium or the parking area of a drive-in or outdoor theater. The premises of a
10 caterer with respect to catered meals or beverages shall be the place where served.
11 ~~Vending machine premises shall include the room or area in which located~~ Sales from
12 a vending machine shall be considered sales for off-premises consumption.”.

13 *b1892/1.1* **1040.** Page 953, line 21: after that line insert:

14 *b1892/1.1* “SECTION 1812s. 77.51 (9) (e) of the statutes is amended to read:

15 77.51 (9) (e) ~~An auction which is~~ Five or fewer auctions that are the sale of
16 personal farm property or household goods and ~~not~~ that are held by the same
17 auctioneer at regular intervals the same location during the year. In this paragraph,
18 with respect to indoor locations, “location” means a building, except that in the case
19 of a shopping center or a shopping mall “location” means a store.”.

20 *b1931/1.15* **1041.** Page 953, line 21: after that line insert:

21 *b1931/1.15* “SECTION 1813s. 77.51 (14g) (fm) of the statutes is created to
22 read:

23 77.51 (14g) (fm) The transfer of transmission facilities, as defined in s. 196.485
24 (1) (h), to a transmission company, as defined in s. 196.485 (1) (ge), after the

1 organizational start-up date, as defined in s. 196.485 (1) (dv), of such company in
2 exchange for securities, as defined in s. 196.485 (1) (fe);

3 ***b1931/1.15* SECTION 1183v.** 77.54 (44) of the statutes is created to read:

4 77.54 (44) The gross receipts from the collection of public benefits fees that are
5 charged under s. 16.957 (4) (a) or (5) (a).”.

6 ***b1868/3.4* 1042.** Page 956, line 3: after that line insert:

7 ***b1868/3.4* “SECTION 1817bb.** Subchapter VII (title) of chapter 77 [precedes
8 77.92] of the statutes is amended to read:

9 CHAPTER 77

10 ~~TEMPORARY~~ RECYCLING SURCHARGE

11 ***b1868/3.4* SECTION 1817bc.** 77.92 (4) of the statutes is amended to read:

12 77.92 (4) “Net business income”, with respect to a partnership, means taxable
13 income as calculated under section 703 of the ~~internal revenue code~~ Internal
14 Revenue Code; plus the items of income and gain under section 702 of the ~~internal~~
15 ~~revenue code~~ Internal Revenue Code, including taxable state and municipal bond
16 interest and excluding nontaxable interest income or dividend income from federal
17 government obligations; minus the items of loss and deduction under section 702 of
18 the ~~internal revenue code~~ Internal Revenue Code, except items that are not
19 deductible under s. 71.21; plus guaranteed payments treated as not made to partners
20 under section 707 (a) (c) of the internal revenue code Internal Revenue Code; plus
21 the credits claimed under s. 71.07 (2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds), (2dx)
22 and (3s); and plus or minus, as appropriate, transitional adjustments, depreciation
23 differences and basis differences under s. 71.05 (13), (15), (16), (17) and (19); but
24 excluding income, gain, loss and deductions from farming. “Net business income”,

1 with respect to a natural person, estate or trust, means profit from a trade or
2 business for federal income tax purposes and includes net income derived as an
3 employe as defined in section 3121 (d) (3) of the ~~internal revenue code~~ Internal
4 Revenue Code.

5 *b1868/3.4* SECTION 1817bcm. 77.92 (4r) of the statutes is repealed.

6 *b1868/3.4* SECTION 1817bd. 77.93 (intro.) of the statutes is amended to read:

7 **77.93 Applicability.** (intro.) For the privilege of doing business in this state,
8 there is imposed a temporary recycling surcharge on the following entities:

9 *b1868/3.4* SECTION 1817be. 77.93 (1) of the statutes is amended to read:

10 77.93 (1) All corporations required to file a return under subch. IV or V of ch.
11 71 that have at least ~~\$4,000~~ more than \$1,000,000 in total gross receipts from all
12 activities for the taxable year except corporations that are exempt from taxation
13 under s. 71.26 (1) and that have no unrelated business income reportable under s.
14 71.24 (1m). The surcharge is imposed on the tax-option corporation, not on its
15 shareholders, except that if a tax-option corporation's surcharge is delinquent, its
16 shareholders are jointly and severally liable for it.

17 *b1868/3.4* SECTION 1817bf. 77.93 (4) of the statutes is amended to read:

18 77.93 (4) All insurers that are required to file a return under subch. VII of ch.
19 71 and that have at least ~~\$4,000~~ more than \$1,000,000 in total gross receipts from
20 all activities for the taxable year.

21 *b1868/3.4* SECTION 1817bg. 77.94 (1) (intro.) of the statutes is amended to
22 read:

23 77.94 (1) (intro.) Except as provided in subs. sub. (2) and (3), for taxable years
24 ending beginning after ~~April 1, 1991~~ December 31, 1999, the surcharge imposed
25 under s. 77.93 is calculated as follows:

1 ***b1868/3.4* SECTION 1817bh.** 77.94 (1) (a) of the statutes is amended to read:

2 77.94 (1) (a) On a corporation under s. 77.93 (1) and (4), an amount equal to
3 the amount calculated by multiplying gross tax liability for the taxable year of the
4 corporation by ~~5.5%~~ 3.3%, or in the case of a tax-option corporation an amount equal
5 to the amount calculated by multiplying net income under s. 71.34 by ~~0.4345%~~
6 0.2607%, up to a maximum of ~~\$9,800~~ \$20,000, or \$25, whichever is greater.

7 ***b1868/3.4* SECTION 1817bi.** 77.94 (1) (b) of the statutes is amended to read:

8 77.94 (1) (b) On an entity under s. 77.93 (2) or (3), except an entity that has less
9 ~~than \$4,000~~ no more than \$1,000,000 of gross receipts, an amount equal to the
10 amount calculated by multiplying net business income as allocated or apportioned
11 to this state by means of the methods under s. 71.04, for the taxable year of the entity
12 by ~~0.4345%~~ 0.2607%, up to a maximum of ~~\$9,800~~ \$20,000, or \$25, whichever is
13 greater.

14 ***b1868/3.4* SECTION 1817bj.** 77.94 (1) (c) of the statutes is amended to read:

15 77.94 (1) (c) On an entity under s. 77.93 (5), except an entity that has a ~~net farm~~
16 ~~profit~~ gross receipts from farming of less no more than \$1,000 \$1,000,000, a
17 surcharge of \$25, regardless of whether the entity is subject to a surcharge
18 determined under par. (b).

19 ***b1868/3.4* SECTION 1817bk.** 77.94 (3) of the statutes is repealed.

20 ***b1868/3.4* SECTION 1817bL.** 77.94 (4) of the statutes is repealed.

21 ***b1868/3.4* SECTION 1817bm.** 77.945 of the statutes is repealed.

22 ***b1868/3.4* SECTION 1817bn.** 77.96 (6) of the statutes is amended to read:

23 77.96 (6) The department of revenue shall refer to the surcharge under this
24 subchapter as the ~~temporary~~ recycling surcharge.”

1 ***b1171/1.4* 1043.** Page 956, line 6: on lines 6 and 18, delete “98.25%” and
2 substitute “97.45%”.

3 ***b1888/4.19* 1044.** Page 958, line 14: after that line insert:

4 ***b1888/4.19* “SECTION 1818Lb.** 79.10 (11) (b) of the statutes, as affected by
5 1999 Wisconsin Act 5, is amended to read:

6 79.10 (11) (b) Before October 16, the department of administration shall
7 determine the total funds available for distribution under the lottery and gaming
8 credit in the following year and shall inform the joint committee on finance of that
9 total. Total funds available for distribution shall be all moneys projected to be
10 transferred to the lottery fund under ss. 20.455 (2) (g) and 20.505 (8) (am), (g) and
11 (jm) and all existing and projected lottery proceeds and interest for the fiscal year of
12 the distribution, less the amount estimated to be expended ~~under ss. 20.455 (2) (r),~~
13 ~~20.566 (2) (r) and s. 20.835 (2) (q) and (3) (r)~~ and less the required reserve under s.
14 20.003 (5). The joint committee on finance may revise the total amount to be
15 distributed if it does so at a meeting that takes place before November 1. If the joint
16 committee on finance does not schedule a meeting to take place before November 1,
17 the total determined by the department of administration shall be the total amount
18 estimated to be distributed under the lottery and gaming credit in the following year.

19 ***b1888/4.19* SECTION 1818Lc.** 79.10 (11) (b) of the statutes, as affected by
20 1999 Wisconsin Act (this act), is repealed and recreated to read:

21 79.10 (11) (b) Before October 16, the department of administration shall
22 determine the total funds available for distribution under the lottery and gaming
23 credit in the following year and shall inform the joint committee on finance of that
24 total. Total funds available for distribution shall be all moneys projected to be

1 transferred to the lottery fund under ss. 20.455 (2) (g) and 20.505 (8) (am), (g) and
2 (jm) and all existing and projected lottery proceeds and interest for the fiscal year of
3 the distribution, less the amount estimated to be expended under ss. 20.455 (2) (r),
4 20.566 (2) (r) and 20.835 (2) (q) and (3) (r) and less the required reserve under s.
5 20.003 (5). The joint committee on finance may revise the total amount to be
6 distributed if it does so at a meeting that takes place before November 1. If the joint
7 committee on finance does not schedule a meeting to take place before November 1,
8 the total determined by the department of administration shall be the total amount
9 estimated to be distributed under the lottery and gaming credit in the following year.

10 ***b1888/4.19* SECTION 1818Ld.** 79.13 (1) of the statutes, as created by 1999
11 Wisconsin Act 5, is amended to read:

12 79.13 (1) In the 1999–2000 fiscal year, the amount that is estimated to be
13 expended from the appropriation under s. 20.835 (2) (~~q~~) (dn) is \$15,000,000.

14 ***b1888/4.19* SECTION 1818Lf.** 79.13 (2) of the statutes, as created by 1999
15 Wisconsin Act 5, is renumbered 79.13 (2) (a) and amended to read:

16 79.13 (2) (a) In the 2000–01 fiscal year, ~~and in each fiscal year thereafter~~, the
17 amount that is estimated to be expended from the appropriation under s. 20.835 (2)
18 (~~q~~) (dn) is \$15,000,000, plus the amount that is estimated to be expended from the
19 appropriation under s. 20.835 (2) (~~q~~) (dn) in the previous fiscal year and less the
20 actual amount that is expended from the appropriation under s. 20.835 (2) (~~q~~) (dn)
21 in the previous fiscal year.

22 ***b1888/4.19* SECTION 1818Lg.** 79.13 (2) (b) of the statutes is created to read:

23 79.13 (2) (b) In the 2001–02 fiscal year, the amount that is estimated to be
24 expended from the appropriation under s. 20.835 (2) (q) is \$15,000,000, plus the
25 amount that is estimated to be expended from the appropriation under s. 20.835 (2)

1 (dn) in the previous fiscal year and less the actual amount that is expended from the
2 appropriation under s. 20.835 (2) (dn) in the previous fiscal year.

3 *b1888/4.19* **SECTION 1818Lh.** 79.13 (2) (c) of the statutes is created to read:

4 79.13 (2) (c) In the 2002–03 fiscal year, and in each fiscal year thereafter, the
5 amount that is estimated to be expended from the appropriation under s. 20.835 (2)
6 (q) is \$15,000,000, plus the amount that is estimated to be expended from the
7 appropriation under s. 20.835 (2) (q) in the previous fiscal year and less the actual
8 amount that is expended from the appropriation under s. 20.835 (2) (q) in the
9 previous fiscal year.”.

10 *b1907/2.2* **1045.** Page 958, line 14: after that line insert:

11 *b1907/2.2* **SECTION 1818Lq.** 79.05 (2) (c) of the statutes is amended to read:

12 79.05 (2) (c) Its municipal budget, exclusive of principal and interest on
13 long-term debt and exclusive of payments of the recycling fee under s. 289.645, for
14 the year of the statement under s. 79.015 increased over its municipal budget as
15 adjusted under sub. (6), exclusive of principal and interest on long-term debt and
16 exclusive of payments of the recycling fee under s. 289.645, for the year before that
17 year by less than the sum of the inflation factor and the valuation factor, rounded to
18 the nearest 0.10%.”.

19 *b1919/1.5* **1046.** Page 958, line 14: after that line insert:

20 *b1919/1.5* **SECTION 1818Lk.** 79.01 (1) of the statutes is amended to read:

21 79.01 (1) There is established an account in the general fund entitled the
22 “Expenditure Restraint Program Account”. There shall be appropriated to that
23 account \$25,000,000 in 1991, in 1992 and in 1993, \$42,000,000 in 1994 and,

1 \$48,000,000 in each year beginning in 1995 and ending in 1999 and \$57,000,000 in
2 the year 2000 and in each year thereafter.

3 *b1919/1.5* SECTION 1818Ln. 79.03 (3c) (f) of the statutes is amended to read:

4 79.03 (3c) (f) *Distribution amount.* If the total amounts calculated under pars.
5 (c) to (e) exceed the total amount to be distributed under this subsection, the amount
6 paid to each eligible municipality shall be paid on a prorated basis. The total amount
7 to be distributed under this subsection from s. 20.835 (1) (b) is \$10,000,000 beginning
8 in 1996 and ending in 1999 and \$11,875,000 in the year 2000 and in each year
9 thereafter.

10 *b1919/1.5* SECTION 1818Lp. 79.03 (4) of the statutes is amended to read:

11 79.03 (4) ~~In 1991, the total amount to be distributed under ss. 79.03, 79.04 and~~
12 ~~79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be~~
13 ~~distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) is \$885,961,300.~~
14 ~~In 1993, the total amount to be distributed under ss. 79.03, 79.04 and 79.06 from s.~~
15 ~~20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this~~
16 ~~section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to~~
17 ~~municipalities and \$168,981,800 to counties. In Beginning in 1995 and subsequent~~
18 ~~years ending in 1999, the total amounts to be distributed under ss. 79.03, 79.04 and~~
19 ~~79.06 from s. 20.835 (1) (d) are \$761,478,000 to municipalities and \$168,981,800 to~~
20 ~~counties. In the year 2000 and subsequent years, the total amounts to be distributed~~
21 ~~under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) are \$776,707,600 to~~
22 ~~municipalities and \$172,361,400 to counties.~~

23 *b1919/1.5* SECTION 1818Ls. 79.058 (3) (b) of the statutes is amended to read:

24 79.058 (3) (b) In Beginning in 1995 and subsequent years ending in 1999,
25 \$20,159,000.

1 ***b1919/1.5* SECTION 1818Lt.** 79.058 (3) (c) of the statutes is created to read:

2 79.058 (3) (c) In the year 2000 and subsequent years, \$20,763,800.”

3 ***b1920/2.1* 1047.** Page 958, line 14: after that line insert:

4 ***b1920/2.1* “SECTION 1818Lm.** 79.10 (10) (bn) of the statutes is created to
5 read:

6 79.10 (10) (bn) If a person who owns and uses property as specified under sub.
7 (1) (dm) as of the certification date under par. (a), transfers the property after the
8 certification date, the transferee may apply for the credit under sub. (9) (bm) on a
9 form prescribed by the department of revenue. The transferee shall attest that, to
10 the transferee’s knowledge, the transferor used the property in the manner specified
11 under sub. (1) (dm) as of the certification date under par. (a). A claim that is made
12 under this paragraph is valid for the year in which the property is transferred.”

13 ***b1805/2.1* 1048.** Page 958, line 15: delete lines 15 to 19 and substitute:

14 ***b1805/2.1* “SECTION 1818mn.** 84.01 (30) (g) of the statutes is created to read:

15 84.01 (30) (g) 1. In this paragraph, “park-and-ride facility” means a facility
16 with a parking lot and, within a reasonable walking distance, a station or transfer
17 point where commuters access a mass transit system.

18 2. If the department determines that such a provision advances the public
19 interest, a provision exempting the private entity from the restrictions under ss.
20 84.25 (11) and 86.19 (1), and specifying any requirements that the department
21 determines will practicably advance the purposes of ss. 84.25 (11) and 86.19 (1). This
22 subdivision applies only to park-and-ride facilities.”

23 ***b0908/1.1* 1049.** Page 958, line 19: after that line insert:

24 ***b0908/1.1* “SECTION 1818w.** 84.013 (3) (ra) of the statutes is created to read:

1 84.013 (3) (ra) STH 23 between STH 67 and USH 41 in Sheboygan and Fond
2 du Lac counties.”.

3 *b0910/1.1* **1050.** Page 958, line 19: after that line insert:

4 *b0910/1.1* “SECTION 1818p. 84.01 (31) of the statutes is created to read:

5 84.01 (31) STATE HIGHWAY REHABILITATION FUNDS. The department may not use
6 funds from the appropriations under s. 20.395 (3) (cq) to (cx) for the maintenance or
7 replacement of curb and pavement or other markings, or for the operation,
8 maintenance or replacement of highway signs, traffic signals or highway lighting,
9 unless the maintenance, replacement or operation is in conjunction with activities
10 related to a state trunk highway reconditioning, reconstruction or resurfacing
11 project.”.

12 *b1069/3.2* **1051.** Page 958, line 19: after that line insert:

13 *b1069/3.2* “SECTION 1818r. 84.013 (2) (a) of the statutes is amended to read:

14 84.013 (2) (a) ~~Major~~ Subject to s. 86.255, major highway projects shall be
15 funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and 20.866
16 (2) (ur) to (uu).

17 *b1069/3.2* SECTION 1818t. 84.013 (2) (b) of the statutes is amended to read:

18 84.013 (2) (b) ~~Reconditioning~~ Subject to s. 86.255, reconditioning,
19 reconstruction and resurfacing of highways shall be funded from the appropriations
20 under s. 20.395 (3) (cq) to (cx).”.

21 *b1069/3.3* **1052.** Page 959, line 17: after that line insert:

22 *b1069/3.3* “SECTION 1819gg. 84.03 (9) (a) of the statutes is amended to read:

23 84.03 (9) (a) ~~That~~ Subject to s. 86.255, that part of the appropriation made by
24 s. 20.395 (3), not required for the other purposes therein provided, may be used by

1 the department for the improvement and traffic service of the state trunk highway
2 system and connecting highways, for the purchase and operation of equipment,
3 making surveys for locating local road materials, testing of materials, and for other
4 purposes provided in this section, and to match or supplement federal aid for the
5 construction, reconstruction or improvement of the federal aid highway system,
6 secondary or feeder roads, the elimination of hazards at railroad grade crossings and
7 for any other highway purpose for which the state may match or supplement federal
8 aid funds pursuant to any act of congress. Where such funds are used for the
9 improvement of the state trunk highway system or connecting highways or to match
10 or supplement federal aid they shall be expended in accordance with s. 84.06 and any
11 applicable act of congress. Any funds expended pursuant to this paragraph shall be
12 expended by the department on such projects within the provisions of this
13 paragraph, and executed in such manner as the department shall from time to time
14 determine will best meet the needs of travel and best promote the general welfare.
15 Such funds may be used for improvements, within the provisions of this paragraph,
16 independent of or in conjunction with other funds available for such improvements.
17 The Subject to s. 86.255, the requirements of any federal highway act, or regulations
18 issued thereunder, may be met from such appropriation.

19 *b1069/3.3* SECTION 1819gm. 84.065 (4) of the statutes is amended to read:

20 84.065 (4) FUNDS. The Subject to s. 86.255, the department may make loans
21 under this section from the appropriations under s. 20.395 (3) (bv) and (cv). The total
22 outstanding balance of loans under this section may not exceed \$500,000.”.

23 *b1804/1.1* 1053. Page 959, line 17: after that line insert:

24 *b1804/1.1* “SECTION 1819g. 84.02 (14) of the statutes is created to read:

1 84.02 (14) I 39 INTERCHANGE. If a waiver from the federal department of
2 transportation is required for the construction of an interchange at the intersection
3 of I 39 and Kowalski Road in Marathon County, and if the state department of
4 transportation determines that construction of the interchange will have no adverse
5 impact on safety in the vicinity of the intersection, the state department of
6 transportation shall request a waiver to permit construction of the interchange. If
7 a waiver is granted, or if the state department of transportation determines both that
8 a waiver is not required and that such construction will have no adverse impact on
9 safety in the vicinity of the intersection, the department of transportation shall
10 design the interchange specified in this subsection and allocate funds from the
11 appropriations under s. 20.395 (3) (cq) to (cx) sufficient to construct the
12 interchange.”.

13 ***b1830/3.3* 1054.** Page 959, line 17: after that line insert:

14 ***b1830/3.3* “SECTION 1819j.** 84.014 of the statutes is created to read:

15 **84.014 Intelligent transportation systems. (1)** In this section, “intelligent
16 transportation system” means a specialized computer or other technical system,
17 including roadway detector loops, closed circuit television, variable message signs,
18 ramp meters or an integrated traffic signal system, that is used for the purpose of
19 traffic flow measurement and management, congestion avoidance, incident
20 management, travel time information or other similar purposes.

21 **(2)** The department may fund the installation, maintenance and replacement
22 of intelligent transportation systems. After June 30, 2000, the department may
23 encumber funds for intelligent transportation systems only from the appropriation
24 accounts under s. 20.395 (3) (gq) to (gx) unless the intelligent transportation system

1 is physically integrated with and installed as part of a highway project that includes
2 construction or improvement in addition to the intelligent transportation system.”.

3 ***b1069/3.4* 1055.** Page 961, line 19: after that line insert:

4 ***b1069/3.4* “SECTION 1820mg.** 84.20 of the statutes is amended to read:

5 **84.20 State repair and maintenance of highways and streets.** Damage
6 to any county trunk or town highway or city or village street caused by reason of its
7 use as a detour designated by the department or for hauling materials incident to the
8 maintenance, repair or construction by the department of any state trunk highway
9 or street over which a state trunk highway is routed, shall be repaired by the
10 department. Such highway or street shall also be maintained by the department
11 during such use. The Subject to s. 86.255, the cost of such repairs and maintenance
12 shall be paid from funds appropriated and available to the department for the
13 maintenance and improvement of state trunk highways and connecting highways
14 under s. 20.395 (3).”.

15 ***b1069/3.5* 1056.** Page 963, line 13: after that line insert:

16 ***b1069/3.5* “SECTION 1824fm.** 84.31 (8) (b) of the statutes is amended to read:

17 **84.31 (8) (b)** The department and another state agency may enter into
18 agreements for the purpose of assigning to the other state agency the responsibility
19 for the administration of this section and rules adopted under this section. To the
20 extent responsibility for administration is assigned to the other agency under such
21 agreements, the other state agency shall have the same powers and duties conferred
22 on the department under this section. The department shall reimburse the other
23 state agency from the appropriation under s. 20.395 (3) (cq) and (cx) for all expenses,
24 including administrative expenses, incurred by the other state agency in connection

1 with the screening, relocation, removal or disposal of junkyards under the authority
2 assigned to the other state agency, except that no moneys may be reimbursed for the
3 acquisition of land or interests in land contrary to s. 86.255.”

4 *b1821/1.2* **1057.** Page 964, line 5: delete “\$1,440,665,900” and substitute
5 “\$1,447,085,500”.

6 *b1016/1.1* **1058.** Page 964, line 11: delete the material beginning with that
7 line and ending with page 965, line 3.

8 *b1829/6.4* **1059.** Page 965, line 8: delete “(nx)” and substitute “~~(nx)~~ (ox)”.

9 *b1829/6.5* **1060.** Page 965, line 13: delete “year.” and substitute “year The
10 total amount of the grants awarded under this subsection and ss. 85.026 (2) (b) and
11 85.243 (2) (am) and projects approved under s. 85.245 (1m) for the planning, design
12 or construction of bicycle and pedestrian facilities may not exceed \$9,755,000 in the
13 fiscal year in which the grants are awarded or the projects are approved. If the
14 department determines that a grant was awarded under this subsection for a project
15 on which construction will not be completed within a reasonable time after the grant
16 is awarded, the department may withdraw that grant and the amount of the grant
17 withdrawn may not be counted under this subsection.”

18 *b1829/6.6* **1061.** Page 965, line 14: delete lines 14 to 19 and substitute:

19 *b1829/6.6* “**SECTION 1830gb.** 85.026 (2) of the statutes is renumbered 85.026
20 (2) (a) and amended to read:

21 85.026 (2) (a) The Subject to s. 85.61, the department may administer a
22 program to award grants of assistance to any political subdivision or state agency,
23 as defined in s. 20.001 (1), for transportation enhancement activities consistent with
24 federal regulations promulgated under 23 USC 133 (b) (8). The Except as provided

1 in par. (b), the grants shall be awarded from the appropriations under s. 20.395 (2)
2 (nv) and (nx).

3 ***b1829/6.6* SECTION 1830gc.** 85.026 (2) (b) of the statutes is created to read:

4 85.026 (2) (b) Grants awarded under this section for the planning, design and
5 construction of bicycle and pedestrian facilities shall be only awarded from the
6 appropriation under s. 20.395 (2) (ox). The total amount of the grants awarded under
7 this paragraph and ss. 85.024 and 85.243 (2) (am) and projects approved under s.
8 85.245 (1m) for the planning, design or construction of bicycle and pedestrian
9 facilities may not exceed \$9,755,000 in the fiscal year in which the grants are
10 awarded or the projects are approved. If the department determines that a grant was
11 awarded under this paragraph for a project on which construction will not be
12 completed within a reasonable time after the grant is awarded, the department may
13 withdraw that grant and the amount of the grant withdrawn may not be counted
14 under this paragraph.”.

15 ***b1831/4.9* 1062.** Page 965, line 19: after that line insert:

16 ***b1831/4.9* “SECTION 1830gm.** 85.037 of the statutes is amended to read:

17 **85.037 Certification of fees collected.** Annually, no later than October 1,
18 the secretary of transportation shall certify to the secretary of administration the
19 amount of fees collected under ~~s.~~ ss. 101.9208 (1) (dm) and 342.14 (3m) during the
20 previous fiscal year, for the purpose of determining the amounts to be transferred
21 under s. 20.855 (4) (f) during the current fiscal year.”.

22 ***b1874/1.1* 1063.** Page 965, line 19: after that line insert:

23 ***b1874/1.1* “SECTION 1830gb.** 85.026 (3) of the statutes is created to read:

1 85.026 (3) PROCEDURE. The department may not approve a grant under sub.
2 (2) until after enactment of the biennial budget act for the biennium during which
3 the grant will be awarded. The total amount of grants awarded under sub. (2) and
4 paid from the appropriations under s. 20.395 (2) (nv) and (nx) may not exceed the
5 amounts appropriated under s. 20.395 (2) (nv) and (nx) for the purposes of
6 transportation enhancement activities for the biennium during which the grants are
7 awarded. If the department determines that a grant was awarded under sub. (2) for
8 a project on which construction will not be completed within a reasonable time after
9 the grant is awarded, the department may withdraw that grant and the amount of
10 the grant so withdrawn may not be counted under this subsection.”.

11 ***b0941/3.1* 1064.** Page 967, line 12: after that line insert “Operating
12 expenses” do not include costs accruing to an urban mass transit system from
13 services provided by a publicly owned urban mass transit system under a contract
14 awarded on the basis of competitive bids unless the urban mass transit system’s bid
15 used the fully allocated cost methodology described in sub. (8).”.

16 ***b0941/3.2* 1065.** Page 967, line 24: after that line insert:

17 ***b0941/3.2* SECTION 1834m.** 85.20 (1) (h) of the statutes is amended to read:
18 85.20 (1) (h) “Operating revenues” mean income accruing to an urban mass
19 transit system by virtue of its operations, but do not include income accruing from
20 operations under a contract awarded on the basis of competitive bids to a publicly
21 owned urban mass transit system that did not use the fully allocated cost
22 methodology described in sub. (8).”.

23 ***b1851/1.1* 1066.** Page 971, line 10: after that line insert:

24 ***b1851/1.1* SECTION 1849d.** 85.20 (6m) of the statutes is created to read:

1 85.20 (6m) LOCAL SEGREGATED ACCOUNT REQUIRED. (a) Notwithstanding sub.
2 (4m), the department may not pay state aid under this section to an eligible applicant
3 unless the eligible applicant does all of the following:

4 1. Establishes and administers a separate segregated account from which
5 moneys may be used only for purposes related to a mass transit system.

6 2. Deposits in the account established under subd. 1. all of the following:

7 a. All moneys received from this state and from the federal government for a
8 mass transit system.

9 b. All local moneys required by this state, or by the federal government, to
10 match moneys described under subd. 2. a. as a condition of receiving or expending
11 those state or federal moneys.

12 c. All local moneys allocated for a mass transit system by the eligible applicant.

13 d. All moneys received from a local revenue source that is dedicated to a mass
14 transit system.

15 (b) If an eligible applicant does not meet the requirements under par. (a) at the
16 time that aid should be paid under this section, the department shall withhold the
17 aid payment until the eligible applicant meets the requirements under par. (a).
18 When the eligible applicant meets the requirements under par. (a), the department
19 shall pay the aid withheld under this paragraph, without interest, except that, if the
20 eligible applicant fails to meet the requirements under par. (a) within 180 days after
21 the time that the aid should be paid, that aid is forfeited and may not be paid to that
22 eligible applicant. Aid that is forfeited under this paragraph shall be counted under
23 this section as if the aid had been paid.

1 (c) The department, in consultation with the representatives appointed under
2 s. 86.303 (5) (am), shall promulgate rules implementing this subsection. The
3 department may not require any eligible applicant to do any of the following:

4 1. Pay expenses related to law enforcement using moneys from an account
5 established under this subsection.

6 2. Maintain separate checking accounts to implement this subsection, if the
7 eligible applicant implements this subsection by segregating revenues and
8 expenditures described in this subsection in the eligible applicant's bookkeeping
9 system."

10 *b0941/3.3* **1067**. Page 971, line 16: after that line insert:

11 *b0941/3.3* "SECTION 1849gm. 85.20 (8) of the statutes is created to read:

12 (12) 85.20 (8) FULLY ALLOCATED COST BIDDING ~~methodology~~ If a local public body solicits
13 bids to contract for services, the bids of a publicly owned urban ~~mass transit~~ system
14 shall use a fully allocated cost methodology established by the department by rule.

15 The fully allocated cost methodology shall do all of the following:

16 (a) Be based on generally accepted accounting principles.

17 (b) Consider all shared costs and direct costs of the mass transit system that
18 are related to and support the service being considered. A publicly owned urban
19 mass transit system's costs include all subsidies provided to the system, including
20 operating subsidies, capital grants and the use of public facilities.

21 (c) Assign each cost of a publicly owned urban mass transit system to one of the
22 following categories:

23 1. Costs that depend on the number of vehicle hours operated, including
24 operators' salaries and fringe benefits.

*w/120:
Delete (Intro.)*

set ~~methodology~~

1 2. Costs that depend on the number of vehicle miles traveled, including fuel
2 costs, maintenance costs and maintenance personnel salaries and fringe benefits.

3 3. Costs that depend on the maximum number of vehicles that are in service
4 during the day, including administrative and capital costs.”.

5 ***b1844/3.2* 1068.** Page 971, line 16: after that line insert:

6 ***b1844/3.2* “SECTION 1849gm.** 85.205 of the statutes is created to read:

7 **85.205 Prohibited expenditures for light rail.** Notwithstanding ss.
8 85.022, 85.062 and 85.063, the department may not encumber or expend any federal
9 funds received under P.L. 102–240, section 1045, or P.L. 105–277, section 373, or
10 state funds for any purpose related to a light rail mass transit system. This section
11 does not apply to any light rail mass transit system that is being constructed on the
12 effective date of this section [revisor inserts date]. This section does not apply to
13 any funds expended or activity related to a mass transit system that is done under
14 the memorandum of agreement concerning USH 12 between Middleton and Lake
15 Delton, Wisconsin, that was executed by the governor, the secretary of
16 transportation, the secretary of natural resources, the county executive of Dane
17 County, the administrative coordinator of Sauk County, and others, and that became
18 effective on April 22, 1999. This section does not apply after June 30, 2001.”.

19 ***b1829/6.7* 1069.** Page 972, line 10: after that line insert:

20 ***b1829/6.7* “SECTION 1852g.** 85.243 (2) (am) of the statutes is created to read:

21 85.243 (2) (am) Grants awarded under this section for the planning, design or
22 construction of bicycle and pedestrian facilities shall be only awarded from the
23 appropriation under s. 20.395 (2) (ox). The total amount of the grants awarded under
24 this paragraph and ss. 85.024 and 85.026 (2) (b) and projects approved under s.

1 85.245 (1m) for the planning, design or construction of bicycle and pedestrian
2 facilities may not exceed \$9,755,000 in the fiscal year in which the grants are
3 awarded or the projects are approved. If the department determines that a grant was
4 awarded under this paragraph for a project on which construction will not be
5 completed within a reasonable time after the grant is awarded, the department may
6 withdraw that grant and the amount of the grant withdrawn may not be counted
7 under this paragraph.

8 *b1829/6.7* SECTION 1852j. 85.245 (1) of the statutes is amended to read:

9 85.245 (1) The department may administer a program for the distribution of
10 federal funds for congestion mitigation and air quality improvement projects made
11 available to the state under 23 USC 149. The Except as provided in sub. (1m), the
12 cost of any project shall be funded from the appropriations under s. 20.395 (2) (kv)
13 and (kx).

14 *b1829/6.7* SECTION 1852k. 85.245 (1m) of the statutes is created to read:

15 85.245 (1m) The cost of any project funded under this section for the planning,
16 design or construction of a bicycle and pedestrian facility shall be only funded from
17 the appropriation under s. 20.395 (2) (ox). The total amount of any project approved
18 under this subsection and the amount of grants awarded under ss. 85.024, 85.026 (2)
19 (b) and 85.243 (2) (am) for the planning, design or construction of bicycle and
20 pedestrian facilities may not exceed \$9,755,000 in the fiscal year in which the
21 projects are approved or the grants are awarded. If the department determines that
22 a project was approved under this subsection on which construction will not be
23 completed within a reasonable time after the project is approved, the department
24 may withdraw its approval of that project and the cost of the project for which
25 approval was withdrawn may not be counted under this subsection.”

1 ***b1874/1.2* 1070.** Page 972, line 10: after that line insert:

2 ***b1874/1.2* "SECTION 1852f.** 85.243 (2) (a) of the statutes is amended to read:

3 85.243 (2) (a) The Subject to par. (ar), the department shall administer a
4 surface transportation discretionary grants program to promote the development
5 and implementation of surface transportation projects that foster the diverse
6 transportation needs of the people of this state. Annually, the department may make
7 grants to eligible applicants for surface transportation projects that promote
8 nonhighway use or that otherwise supplement existing transportation activities. A
9 grant may not exceed 80% of the total cost of a project. The department shall give
10 priority to funding projects that foster alternatives to single-occupancy automobile
11 trips. In deciding whether to award a grant under this section, the department may
12 consider whether other funding sources are available for the proposed project.

13 ***b1874/1.2* SECTION 1852gd.** 85.243 (2) (ar) of the statutes is created to read:

14 85.243 (2) (ar) The department may not approve a grant under par. (a) until
15 after enactment of the biennial budget act for the biennium during which the grant
16 will be awarded. The total amount of grants awarded under par. (a) and paid from
17 the appropriations under s. 20.395 (2) (jq), (jv) and (jx) may not exceed the amounts
18 appropriated under s. 20.395 (2) (jq), (jv) and (jx) for the biennium during which the
19 grants are awarded. If the department determines that a grant was awarded under
20 par. (a) for a project on which construction will not be completed within a reasonable
21 time after the grant is awarded, the department may withdraw that grant and the
22 amount of the grant so withdrawn may not be counted under this paragraph.”.

23 ***b1132/1.1* 1071.** Page 974, line 21: delete that line and substitute: “86.19

24 **(1r)** The department shall maintain”.

1 ***b1132/1.2* 1072.** Page 974, line 22: delete “directional signs along I 43” and
2 substitute “the directional sign existing on the effective date of this subsection ...
3 (revisor inserts date), that is located along I 43”.

4 ***b1132/1.3* 1073.** Page 974, line 23: delete “any sign erected and” and
5 substitute “the sign”.

6 ***b1069/3.6* 1074.** Page 974, line 24: after that line insert:

7 ***b1069/3.6*** “SECTION 1855rm. 86.255 of the statutes is created to read:

8 **86.255 Limitation on moneys used to purchase land remote from**
9 **highway project.** (1) Notwithstanding ss. 84.09 and 86.25, beginning with
10 purchase contracts executed on the effective date of this subsection [revisor
11 inserts date], and with relocation orders initially filed under ch. 32 on the effective
12 date of this subsection [revisor inserts date], the department may not encumber
13 or expend any moneys from the appropriations under s. 20.395 (3) for purposes
14 related to the purchase of land, easements, or development rights in land, unless the
15 land or interest in land is purchased in association with a highway improvement
16 project and the land or interest in land is located within one-quarter mile of the
17 centerline or proposed centerline of the highway.

18 (2) Subsection (1) does not apply to any of the following:

19 (a) The purchase of any land that is acquired as compensatory mitigation for
20 another wetland, as defined in s. 23.32 (1), that will suffer an adverse impact by
21 degradation or destruction as part of a highway project.

22 (b) The purchase of any land, easements, or development rights in land, under
23 an agreement executed in the name of the department before the effective date of this

1 paragraph [revisor inserts date], or under a relocation order filed under ch. 32
2 before the effective date of this paragraph [revisor inserts date].”.

3 *b1894/1.1* **1075.** Page 974, line 24: after that line insert:

4 *b1894/1.1* “SECTION 1855rm. 86.195 (2) (ag) 16m. of the statutes is created
5 to read:

6 86.195 (2) (ag) 16m. STH 172 from I 43 southeast of Green Bay to USH 41 at
7 Ashwaubenon.”.

8 *b1785/1.3* **1076.** Page 975, line 11: delete “, \$1,692” and substitute “and
9 thereafter, \$1,704”.

10 *b1785/1.4* **1077.** Page 975, line 12: delete lines 12 and 13.

11 *b1785/1.5* **1078.** Page 975, line 17: delete “\$83,469,000” and substitute
12 “and \$84,059,500”.

13 *b1785/1.6* **1079.** Page 975, line 18: delete “\$84,303,700 in calendar year
14 2001 and”.

15 *b1785/1.7* **1080.** Page 975, line 24: delete “\$262,603,400” and substitute
16 “and \$264,461,500”.

17 *b1785/1.8* **1081.** Page 975, line 25: delete “\$265,229,400 in calendar year
18 2001 and”.

19 *b1785/1.9* **1082.** Page 976, line 4: delete lines 4 to 23, and substitute:

20 “86.30 (10) AID PAYMENTS FOR CALENDAR YEAR 2001. (a) 1. For calendar year 2001,
21 the department shall determine the percentage change between the amount of
22 moneys appropriated for distribution under this section to counties for calendar year

1 2001 and the amount of moneys appropriated for distribution under this section to
2 counties for calendar year 2000.

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

7 (b) 1. For calendar year 2001, the department shall determine the percentage
8 change between the amount of moneys appropriated for distribution under this
9 section to municipalities for calendar year 2001 and the amount of moneys
10 appropriated for distribution under this section to municipalities for calendar year
11 2000.

12 2. Notwithstanding sub. (2) (a), (b) and (d) and s. 86.303 (5) (e), (f), (h) and (i),
13 the amount of aid payable to each municipality in calendar year 2001 shall be the
14 amount paid to that municipality for calendar year 2000, plus an amount equal to
15 the percentage determined under subd. 1. of the amount paid to the municipality for
16 calendar year 2000.”.

17 *b1851/1.2* **1083.** Page 976, line 23: after that line insert:

18 *b1851/1.2* “SECTION 1863md. 86.30 (11) of the statutes is created to read:

19 86.30 (11) LOCAL SEGREGATED ACCOUNT REQUIRED. (a) Notwithstanding sub. (2),
20 the department may not pay state aid under this section to a municipality or county
21 unless the municipality or county does all of the following:

22 1. Establishes and administers a separate segregated account from which
23 moneys may be used only for purposes related to local highways.

24 2. Deposits in the account established under subd. 1. all of the following:

1 a. All moneys received from this state and from the federal government for local
2 highway purposes.

3 b. All local moneys required by this state, or by the federal government, to
4 match moneys described under subd. 2. a. as a condition of receiving or expending
5 those state or federal moneys.

6 c. All local moneys allocated for local highway purposes by the local governing
7 body.

8 d. All moneys received from a local revenue source that is dedicated to local
9 highways.

10 (b) If a municipality or county does not meet the requirements under par. (a)
11 at the time that aid should be paid under this section, the department shall withhold
12 the aid payment until the municipality or county meets the requirements under par.

13 (a). When the municipality or county meets the requirements under par. (a), the
14 department shall pay the aid withheld under this paragraph, without interest,
15 except that, if the municipality or county fails to meet the requirements under par.

16 (a) within 180 days after the time that the aid should be paid, that aid is forfeited and
17 may not be paid to that municipality or county. Aid that is forfeited under this
18 paragraph shall be counted under sub. (2) as if the aid had been paid.

19 (c) The department, in consultation with the representatives appointed under
20 s. 86.303 (5) (am), shall promulgate rules implementing this subsection. The
21 department may not require any eligible applicant to do any of the following:

22 1. Pay expenses related to law enforcement using moneys from an account
23 established under this subsection.

24 2. Maintain separate checking accounts to implement this subsection, if the
25 eligible applicant implements this subsection by segregating revenues and

1 expenditures described in this subsection in the eligible applicant's bookkeeping
2 system."

3 *b1067/4.3* **1084.** Page 978, line 13: before "The department" insert "Not
4 later than December 15, 2001, and biennially thereafter, each municipality and
5 county shall assess the physical condition of highways under its jurisdiction, using
6 a pavement rating system approved by the department and report the results of that
7 assessment to the department.".

8 *b1067/4.4* **1085.** Page 978, line 13: after "mileage" insert "or other data
9 concerning highways".

10 *b1067/4.5* **1086.** Page 978, line 15: delete "mileage" and substitute "data".

11 *b1067/4.6* **1087.** Page 978, line 17: delete "jurisdictional mileage" and
12 substitute "jurisdictional mileage".

13 *b1067/4.7* **1088.** Page 978, line 18: delete "determination efforts" and
14 substitute "determination efforts under this subsection".

15 *b1067/4.8* **1089.** Page 978, line 19: delete "years." and substitute "years
16 Information collected under this subsection is inadmissible as evidence, except to
17 show compliance with this subsection.".

18 *b0895/2.1* **1090.** Page 979, line 25: after that line insert:

19 *b0895/2.1* "**SECTION 1875cb.** 86.31 (1) (am) of the statutes is amended to
20 read:

21 86.31 (1) (am) "County highway improvement program district committee"
22 means a committee established by the department by rule under sub. (6) (f)
23 consisting of ~~not more than 5 county executives or county board chairpersons in~~
24 ~~counties that do not have county executives, or their designees,~~ all of the county

1 highway commissioners from counties within a county highway improvement
2 program district.

3 *b0895/2.1* SECTION 1875cg. 86.31 (2) (b) of the statutes is amended to read:

4 86.31 (2) (b) Except as provided in par. (d), improvements for highway
5 construction projects funded under the program shall be under contracts. Such
6 contracts shall be awarded on the basis of competitive bids and shall be awarded to
7 the lowest responsible bidder. If a city, ~~village or town~~ or village does not receive a
8 responsible bid for an improvement, the city, ~~village or town~~ or village may contract
9 with a county for the improvement. A town may contract with a county for the
10 improvement subject to the criteria and procedures promulgated as rules under sub.
11 (6) (h).

12 *b0895/2.1* SECTION 1875dc. 86.31 (2) (d) 1. of the statutes is repealed.

13 *b0895/2.1* SECTION 1875dd. 86.31 (2) (d) 1m. of the statutes is created to
14 read:

15 86.31 (2) (d) 1m. The county highway department demonstrates that it is
16 cost-effective for it to perform the work and that competitive bidding is to be used
17 for improvements with an estimated total cost at least equal to the total funds
18 allocated for its county trunk highway improvements under the program during the
19 current biennium.

20 *b0895/2.1* SECTION 1875de. 86.31 (2) (d) 2. of the statutes is repealed.

21 *b0895/2.1* SECTION 1875df. 86.31 (2) (d) 3. of the statutes is repealed.

22 *b0895/2.1* SECTION 1875dg. 86.31 (2) (d) 5. of the statutes is renumbered
23 86.31 (2) (d) 5. (intro.) and amended to read:

24 86.31 (2) (d) 5. (intro.) Each county highway improvement program district
25 committee shall be responsible for ensuring compliance with this paragraph. do all

1 of the following with respect to any work to be performed by any county highway
2 department within the county highway improvement program district:

3 *b0895/2.1* SECTION 1875dh. 86.31 (2) (d) 5. a. and b. of the statutes are
4 created to read:

5 86.31 (2) (d) 5. a. Review the proposed work and determine that it is
6 cost-effective for the county highway department to perform the work.

7 b. Approve the proposed work prior to its being performed by the county
8 highway department.”.

9 *b1800/1.2* 1091. Page 980, line 1: before that line insert:

10 *b1800/1.2* SECTION 1875cd. 86.31 (1) (f) of the statutes is created to read:
11 86.31 (1) (f) “Street” has the meaning given in s. 340.01 (64).

12 *b1800/1.2* SECTION 1875ce. 86.31 (2) (a) of the statutes is amended to read:

13 86.31 (2) (a) The department shall administer a local roads improvement
14 program to accelerate the improvement of seriously deteriorating local roads by
15 reimbursing political subdivisions for improvements. The selection of improvements
16 that may be funded under the program shall be performed by officials of each political
17 subdivision, consistent with the requirements of subs. (3), (3g) ~~and~~, (3m) and (3r).
18 The department shall notify each county highway commissioner of any deadline that
19 affects eligibility for reimbursement under the program no later than 15 days before
20 such deadline.

21 *b1800/1.2* SECTION 1875di. 86.31 (3) (b) (intro.) of the statutes is amended
22 to read:

1 86.31 (3) (b) (intro.) From the appropriation under s. 20.395 (2) (fr), after first
2 deducting the funds allocated under subs. (3g) ~~and~~, (3m) and (3r), the department
3 shall allocate funds for entitlement as follows.”

4 ***b1801/1.2* 1092.** Page 980, line 3: delete “\$1,500,000” and substitute
5 “\$2,000,000”.

6 ***b0895/2.2* 1093.** Page 980, line 6: after that line insert:

7 ***b0895/2.2* SECTION 1875gd.** 86.31 (6) (g) of the statutes is created to read:

8 86.31 (6) (g) Specific criteria for making determinations of cost-effectiveness
9 under sub. (2) (d) 5. a. and procedures for review by the department of disputes
10 relating to whether proposed work to be performed by a county highway department
11 is cost-effective for purposes of sub. (2) (d) 5. a.

12 ***b0895/2.2* SECTION 1875ge.** 86.31 (6) (h) of the statutes is created to read:

13 86.31 (6) (h) Criteria and procedures for contracting with a county for a town
14 road improvement that includes at least all of the following:

15 1. A requirement that a written and sealed estimate of the cost of the
16 improvement that includes the source of the estimate be prepared prior to the time
17 set for the opening of bids for the improvement and not be opened until after the
18 opening of all bids.

19 2. A requirement that all bids may be rejected and the contract awarded to a
20 county for the improvement if the lowest bid exceeds the cost estimate under subd.
21 1. by at least 10% and the town board notifies the 2 lowest bidders or, if only one bid
22 was received, the bidder to provide information on the accuracy of the cost estimate
23 under subd. 1.

1 3. A requirement that the amount of the contract with a county for the
2 improvement be at least 10% below the lowest bid received for the improvement.

3 4. A provision that permits rebidding if the amount of the proposed contract
4 with a county for the improvement is less than 10% below the lowest bid received for
5 the improvement.”.

6 ***b1800/1.3* 1094.** Page 980, line 6: after that line insert:

7 ***b1800/1.3* “SECTION 1875fd.** 86.31 (3r) of the statutes is created to read:

8 86.31 (3r) MUNICIPAL STREET IMPROVEMENTS. From the appropriation under s.
9 20.395 (2) (fr), the department shall allocate \$1,250,000 in fiscal year 1999–2000,
10 and \$750,000 in each fiscal year thereafter, to fund municipal street improvement
11 projects having total estimated costs of \$250,000 or more. The funding of
12 improvements under this subsection is in addition to the allocation of funds for
13 entitlements under sub. (3).

14 ***b1800/1.3* SECTION 1875gc.** 86.31 (6) (d) of the statutes is amended to read:

15 86.31 (6) (d) Procedures for reimbursements for county trunk highway
16 improvements under sub. (3g) and, for town road improvements under sub. (3m) and
17 for municipal street improvements under sub. (3r).”.

18 ***b1875/1.3* 1095.** Page 980, line 6: after that line insert:

19 ***b1875/1.3* “SECTION 1876e.** 87.30 (1) (d) of the statutes is created to read:

20 87.30 (1) (d) For an amendment to a floodplain zoning ordinance that affects
21 an activity that meets all of the requirements under s. 281.165 (2) or (3) (a), the
22 department may not proceed under this subsection, or otherwise review the
23 amendment, to determine whether the ordinance, as amended, is insufficient.”.

24 ***b1895/2.5* 1096.** Page 980, line 6: after that line insert:

1 ***b1895/2.5*** “SECTION 1876m. 88.01 (8m) of the statutes is created to read:
2 88.01 (8m) “Duck Creek Drainage District” has the meaning given in s. 30.01
3 (1nm).”.

4 ***b0866/1.1* 1097.** Page 980, line 11: substitute “60%” for “40%”.

5 ***b0866/1.2* 1098.** Page 980, line 17: substitute “2006” for “2004”.

6 ***b0914/1.1* 1099.** Page 980, line 17: after that line insert:

7 ***b0914/1.1*** “SECTION 1903. 91.75 (1) of the statutes is repealed and recreated
8 to read:

9 91.75 (1) A minimum lot size is specified.”.

10 ***b1684/1.1* 1100.** Page 980, line 17: after that line insert:

11 ***b1684/1.1*** “SECTION 1909m. 92.05 (3) (L) of the statutes is created to read:
12 92.05 (3) (L) *Technical assistance; performance standards.* The department
13 shall provide technical assistance to county land conservation committees and local
14 units of government for the development of ordinances that implement standards
15 adopted under s. 92.07 (2), 92.105 (1), 92.15 (2) or (3) or 281.16 (3). The department’s
16 technical assistance shall include preparing model ordinances, providing data
17 concerning the standards and reviewing draft ordinances to determine whether the
18 draft ordinances comply with applicable statutes and rules.”.

19 ***b1895/2.6* 1101.** Page 980, line 17: after that line insert:

20 ***b1895/2.6*** “SECTION 1877d. 88.31 (7m) of the statutes is created to read:
21 88.31 (7m) The Duck Creek Drainage District is exempt from the permit
22 requirements and procedures under subs. (1) to (7).

23 ***b1895/2.6* SECTION 1877e.** 88.31 (8) (intro.) of the statutes is amended to
24 read:

1 88.31 (8) (intro.) Subject to other restrictions imposed by this chapter, a
2 drainage board which has obtained a permit under this chapter all of the permits as
3 required under this chapter and ch. 30 may:

4 ***b1895/2.6* SECTION 1877f.** 88.35 (5m) of the statutes is amended to read:

5 88.35 (5m) If navigable waters are affected by the proposed drainage, the
6 drainage board shall obtain a permit under s. 88.31. This subsection does not apply
7 to the Duck Creek Drainage District.

8 ***b1895/2.6* SECTION 1877j.** 88.62 (3) of the statutes is renumbered 88.62 (3)

9 (a) and amended to read:

10 88.62 (3) (a) If drainage work is undertaken in navigable waters, the drainage
11 board shall obtain a permit under s. 30.20 or 88.31 or ch. 31, as directed by the
12 department of natural resources, except as provided in par. (b).

13 ***b1895/2.6* SECTION 1877k.** 88.62 (3) (b) of the statutes is created to read:

14 88.62 (3) (b) If drainage work is undertaken in navigable waters located in the
15 Duck Creek Drainage District, the board for that district shall obtain a permit under
16 s. 30.20 or ch. 31, as directed by the department of natural resources.

17 ***b1895/2.6* SECTION 1877m.** 88.72 (3) of the statutes is amended to read:

18 88.72 (3) At the hearing on the petition, any interested person may appear and
19 contest its sufficiency and the necessity for the work. If the drainage board finds that
20 the petition has the proper number of signers and that to afford an adequate outlet
21 it is necessary to remove dams or other obstructions from waters and streams which
22 may be navigable, or to straighten, clean out, deepen or widen any waters or streams
23 either within or beyond the limits of the district, the board shall ~~file an application~~
24 ~~with the department of natural resources as provided in s. 30.20 or 88.31, as directed~~
25 ~~by the department of natural resources. Thereafter, proceedings shall be had as~~

1 ~~provided in s. 30.20 or 88.31 insofar as the same is applicable~~ obtain any permit that
2 is required under this chapter or ch. 30 or 31.

3 ***b1895/2.6* SECTION 1877p.** 88.72 (4) of the statutes is amended to read:

4 88.72 (4) Within 30 days after the department of natural resources has issued
5 ~~a permit under s. 30.20 or 88.31~~ all of the permits as required under this chapter and
6 chs. 30 and 31, the board shall proceed to estimate the cost of the work, including the
7 expenses of the proceeding together with the damages that will result from the work,
8 and shall, within a reasonable time, award damages to all lands damaged by the
9 work and assess the cost of the work against the lands in the district in proportion
10 to the assessment of benefits then in force.”.

11 ***b1233/1.1* 1102.** Page 991, line 9: after that line insert:

12 ***b1233/1.1* SECTION 1930r.** 93.07 (7) (e) of the statutes is created to read:

13 93.07 (7) (e) On September 1 of each year, to submit a consumer
14 telecommunication services report to the chief clerk of each house of the legislature
15 for distribution to the appropriate standing committees under s. 13.172 (3). The
16 report shall contain all of the following information for the preceding 12 months:

17 1. The types of consumer complaints received by the department regarding
18 telecommunication services, by category.

19 2. The number of consumer complaints in each category reported under subd.
20 1. and the aggregate number of consumer complaints for all categories reported
21 under subd. 1.

22 3. The number of consumer complaints reported under subd. 1. that the
23 department referred to the department of justice for prosecution and the result of
24 those prosecutions.

1 4. A description of the department's efforts to coordinate with the department
2 of justice and the public service commission to respond to and address consumer
3 complaints regarding telecommunication services and the results of those efforts.

4 5. A description of how the services offered by the department to respond to and
5 address consumer complaints regarding telecommunication services differ from
6 those offered by the department of justice and the public service commission.”.

7 ***b1839/3.11* 1103.** Page 991, line 9: after that line insert:

8 ***b1839/3.11*** “SECTION 1931v. 93.135 (1) (intro.) of the statutes is amended to
9 read:

10 93.135 (1) (intro.) The Except as provided in sub. (1m), the department shall
11 require each applicant who is an individual to provide the department with the
12 applicant's social security number as a condition of issuing or renewing any of the
13 following:”.

14 ***b1839/3.12* 1104.** Page 991, line 11: after that line insert:

15 ***b1839/3.12*** “SECTION 1932c. 93.135 (1m) of the statutes is created to read:

16 93.135 (1m) (a) If an individual who applies for the issuance or renewal of a
17 license, registration, registration certificate or certification specified in sub. (1) does
18 not have a social security number, the department shall require the applicant, as a
19 condition of issuing or renewing the license, registration, registration certificate or
20 certification, to submit a statement made or subscribed under oath or affirmation
21 that the applicant does not have a social security number. The statement shall be
22 in the form prescribed by the department of workforce development.

1 (b) A license, registration, registration certificate or certification specified in
2 sub. (1) that is issued in reliance on a statement submitted under par. (a) is invalid
3 if the statement is false.”.

4 ***b1088/1.3* 1105.** Page 991, line 12: delete lines 12 to 19.

5 ***b1086/3.5* 1106.** Page 991, line 21: delete the material beginning with that
6 line and ending with page 992, line 2, and substitute:

7 ***b1086/3.5* “SECTION 1933gm.** 93.70 of the statutes is created to read:

8 **93.70 Conservation reserve enhancement program. (1) DEFINITIONS.** In
9 this section:

10 (a) “Conservation easement” has the meaning given in s. 700.40 (1) (a).

11 (b) “Nonprofit conservation organization” has the meaning given in s. 23.0955
12 (1).

13 **(2) STATE PARTICIPATION.** Subject to subs. (3) to (6), the department may expend
14 funds from the appropriation account under s. 20.866 (2) (wf) to improve water
15 quality, erosion control and wildlife habitat through participation by this state in the
16 conservation reserve enhancement program as approved by the secretary of the
17 federal department of agriculture under 16 USC 3834 (f) (4). The department shall
18 administer the program in cooperation with the department of natural resources.

19 **(3) FORMS OF PARTICIPATION.** (a) Land enrolled in the conservation reserve
20 enhancement program may either be subject to a permanent conservation easement
21 or to a contract under which the owner of the land agrees to remove the land from
22 agricultural production. The department shall provide greater financial incentives
23 for landowners to grant permanent easements than to enter into contracts. The

1 department shall provide a financial bonus to landowners who allow public access
2 to enrolled land.

3 (b) The department shall administer the conservation reserve enhancement
4 program so that at least 50% of the acreage of land enrolled in the program is covered
5 by permanent conservation easements under par. (a). If, after 50,000 acres of land
6 have been enrolled in the program, less than 50% of the acreage of land enrolled in
7 the program is covered by permanent conservation easements, the department and
8 the department of natural resources shall review the effectiveness of the program to
9 determine whether the program is meeting its water quality and wildlife habitat
10 objectives and shall report the results of the review to the legislature under s. 13.172
11 (2).

12 (c) On behalf of this state, the department and the department of natural
13 resources shall jointly hold conservation easements entered into for land enrolled in
14 the conservation reserve enhancement program.

15 (d) The department may provide funding from the appropriation under s.
16 20.866 (2) (wf) for a contract under par. (a) only if the contract has a term of 20 years
17 or longer.

18 (4) GRASSLAND COMPONENT. (a) If the plan approved by the secretary of the
19 federal department of agriculture authorizes this state to enroll 100,000 or more
20 acres in the conservation resource enhancement program, the department shall
21 administer the program so that at least 30,000 acres are designated for grassland
22 wildlife habitat. If the secretary of the federal department of agriculture authorizes
23 this state to enroll fewer than 100,000 acres, the department shall administer the
24 program so that at least 30% of the acreage of land enrolled in the program is
25 designated for grassland wildlife habitat. The department shall designate for

1 grassland wildlife habitat areas that include the Blue Mounds area in Iowa, Dane
2 and Green counties, the prairie chicken range in Portage, Clark, Taylor and
3 Marathon counties and the western prairie area in Polk and St. Croix counties.

4 (b) The department may not require that land designated for grassland wildlife
5 habitat be riparian land.

6 (c) The department shall provide a financial bonus to landowners who enroll
7 land that is designated for grassland habitat if the land is adjacent to land that is
8 owned by another person and that is enrolled and designated for grassland habitat.
9 The department shall also provide a financial bonus to a landowner who enrolls land
10 that is designated for grassland habitat if the landowner agrees to implement a
11 conservation practice that requires restoration of native prairie vegetation.

12 (5) PARTICIPATION REQUIREMENTS. The department may not impose more
13 restrictive requirements for participation in the conservation reserve enhancement
14 program with respect to production and land ownership than are required by the
15 secretary of the federal department of agriculture under 16 USC 3834 (f) (4).

16 (6) STATE, LOCAL AND NONPROFIT ORGANIZATION INVOLVEMENT. A nonprofit
17 conservation organization may negotiate contracts or easements under sub. (3) (a)
18 with landowners with the assistance of the department and the department of
19 natural resources. A county may negotiate contracts or easements under sub. (3) (a)
20 with landowners with the assistance of the department and the department of
21 natural resources. In counties that do not choose to participate, the department and
22 the department of natural resources shall negotiate the contracts or easements.

23 (7) PROHIBITION. No person may use land enrolled in the conservation reserve
24 enhancement program as a pheasant and quail farm licensed under s. 29.865, a game

1 bird and animal farm licensed under s. 29.867, a fur animal farm licensed under s.
2 29.869 or a deer farm licensed under s. 29.871.”.

3 *b0870/2.2* **1107.** Page 992, line 9: delete “amount”.

4 *b0870/2.3* **1108.** Page 992, line 10: delete lines 10 and 11 and substitute
5 “person is licensed under sub. (3).”.

6 *b0870/2.4* **1109.** Page 992, line 16: delete that line and substitute “grows
7 nursery stock for sale.”.

8 *b0870/2.5* **1110.** Page 992, line 17: delete lines 17 to 19.

9 *b0870/2.6* **1111.** Page 992, line 20: delete that line and substitute
10 ““Nursery” does not”.

11 *b0870/2.7* **1112.** Page 992, line 23: delete “or Christmas”.

12 *b0870/2.8* **1113.** Page 992, line 24: delete “tree grower”.

13 *b0870/2.9* **1114.** Page 993, line 10: delete that line.

14 *b0870/2.10* **1115.** Page 996, line 1: after “(c)” insert “and under par. (cm),
15 if applicable”.

16 *b0870/2.11* **1116.** Page 996, line 6: after “(e)” insert “, plus the additional
17 license fee under par. (cm), if applicable”.

18 *b0870/2.12* **1117.** Page 996, line 8: delete that line and substitute “stock,
19 \$40.”.

20 *b0870/2.13* **1118.** Page 996, line 10: delete “and Christmas trees, \$100”
21 and substitute “, \$75”.

22 *b0870/2.14* **1119.** Page 996, line 12: delete “and Christmas trees, \$200”
23 and substitute “, \$125”.