

1 the credit are based on their payment of amounts under par. (a). A partnership,
2 limited liability company, or tax-option corporation shall compute the amount of
3 credit that each of its partners, members, or shareholders may claim and shall
4 provide that information to each of them. Partners, members of limited liability
5 companies, and shareholders of tax-option corporations may claim the credit in
6 proportion to their ownership interest.

7 ***-0667/5.11* SECTION 2194.** 71.49 (1) (emb) of the statutes is created to read:

8 71.49 (1) (emb) Development zone capital investment credit under s. 71.47
9 (1dm).

10 ***-1856/6.6* SECTION 2195.** 71.49 (1) (eon) of the statutes is created to read:

11 71.49 (1) (eon) Technology zones credit under s. 71.47 (3g).

12 ***b0625/3.25* SECTION 2200c.** 71.93 (1) (a) 4. of the statutes is amended to read:

13 71.93 (1) (a) 4. An amount that the department of workforce development may
14 recover under s. ~~49.125~~ or 49.195 (3) or 49.793, if the department of workforce
15 development has certified the amount under s. 49.85.

16 ***b0303/1.2* SECTION 2200cm.** 71.93 (1) (a) 6. of the statutes is created to read:

17 71.93 (1) (a) 6. An amount owed to the department of military affairs under s.
18 21.49 (3m) (b).

19 ***b0677/2.1* SECTION 2200d.** 72.01 (11m) of the statutes is created to read:

20 72.01 (11m) "Federal credit" means, for deaths occurring before October 1,
21 2002, the federal estate tax credit in effect on December 31, 2000, and for deaths
22 occurring after September 30, 2002, the federal estate tax credit in effect on the day
23 of the decedent's death.

24 ***b0677/2.1* SECTION 2200e.** 72.01 (11n) of the statutes is created to read:

1 72.01 (11n) “Federal estate tax” means, for deaths occurring before October 1,
2 2002, the federal estate tax in effect on December 31, 2000, and for deaths occurring
3 after September 30, 2002, the federal estate tax in effect on the day of the decedent’s
4 death.

5 ***b0677/2.1* SECTION 2200g.** 72.02 of the statutes is amended to read:

6 **72.02 Estate tax imposed.** An estate tax is imposed upon the transfer of all
7 property that is subject to a federal estate tax and that has a taxable situs in this
8 state. The tax imposed is equal to the federal credit allowed for state death taxes
9 against the federal estate tax as finally determined. If only a portion of a decedent’s
10 property has a taxable situs in this state, the tax imposed is the amount obtained by
11 multiplying the federal credit allowed for state death taxes by a fraction the
12 numerator of which is the value of the decedent’s estate that has a taxable situs in
13 this state and the denominator of which is the total value of the property in the estate
14 that qualifies for the federal credit allowed for state death taxes.

15 ***b0677/2.1* SECTION 2200k.** 72.30 (1) of the statutes is renumbered 72.30 (1)
16 (a) and amended to read:

17 72.30 (1) (a) If Except as provided in par. (b), if a federal estate tax return is
18 required, the personal representative, special administrator, trustee, distributee or
19 other person interested shall prepare the return for the tax under this chapter,
20 compute the tax due under this chapter and on or before the due date, as extended,
21 of the federal estate tax return file the return for the tax under this chapter, a copy
22 of the federal estate tax return and a copy of all documents submitted with the
23 federal estate tax return.

24 ***b0677/2.1* SECTION 2200L.** 72.30 (1) (b) of the statutes is created to read:

1 72.30 (1) (b) For deaths occurring after December 31, 2001, and before October
2 1, 2002, the personal representative, special administrator, trustee, distributee, or
3 other person interested shall prepare the return for the tax under this chapter in the
4 manner prescribed by the department.

5 ***-0546/2.7*** SECTION 2201. 73.01 (4) (a) of the statutes is amended to read:

6 73.01 (4) (a) Subject to the provisions for judicial review contained in s. 73.015,
7 the commission shall be the final authority for the hearing and determination of all
8 questions of law and fact arising under sub. (5) and s. 72.86 (4), 1985 stats., and ss.
9 ~~70.11 (21)~~, 70.38 (4) (a), 70.397, 70.64, and 70.995 (8), s. 76.38 (12) (a), 1993 stats.,
10 ss. 76.39 (4) (c), 76.48 (6), 76.91, 77.26 (3), 77.59 (6) (b), 78.01, 78.22, 78.40, 78.555,
11 139.02, 139.03, 139.06, 139.31, 139.315, 139.33, 139.76, 139.78, 341.405, and 341.45,
12 subch. XIV of ch. 71, and subch. VII of ch. 77. Whenever with respect to a pending
13 appeal there is filed with the commission a stipulation signed by the department of
14 revenue and the adverse party, under s. 73.03 (25), or the department of
15 transportation and the adverse party agreeing to an affirmance, modification, or
16 reversal of the department of revenue's or department of transportation's position
17 with respect to some or all of the issues raised in the appeal, the commission shall
18 enter an order affirming or modifying in whole or in part, or canceling the assessment
19 appealed from, or allowing in whole or in part or denying the petitioner's refund
20 claim, as the case may be, pursuant to and in accordance with the stipulation filed.
21 No responsibility shall devolve upon the commission, respecting the signing of an
22 order of dismissal as to any pending appeal settled by the department of revenue or
23 the department of transportation without the approval of the commission.

24 ***-0546/2.8*** SECTION 2202. 73.01 (5) (a) of the statutes is amended to read:

1 73.01 (5) (a) Any person who is aggrieved by a determination of the state board
2 of assessors under s. 70.995 (8) ~~or by the department of revenue under s. 70.11 (21)~~
3 or who has filed a petition for redetermination with the department of revenue and
4 who is aggrieved by the redetermination of the department of revenue may, within
5 60 days of the determination of the state board of assessors or of the department of
6 revenue or, in all other cases, within 60 days after the redetermination but not
7 thereafter, file with the clerk of the commission a petition for review of the action of
8 the department of revenue and the number of copies of the petition required by rule
9 adopted by the commission. Any person who is aggrieved by a determination of the
10 department of transportation under s. 341.405 or 341.45 may, within 30 days after
11 the determination of the department of transportation, file with the clerk of the
12 commission a petition for review of the action of the department of transportation
13 and the number of copies of the petition required by rule adopted by the commission.
14 If a municipality appeals, its appeal shall set forth that the appeal has been
15 authorized by an order or resolution of its governing body and the appeal shall be
16 verified by a member of that governing body as pleadings in courts of record are
17 verified. The clerk of the commission shall transmit one copy to the department of
18 revenue, or to the department of transportation, and to each party. In the case of
19 appeals from manufacturing property assessments, the person assessed shall be a
20 party to a proceeding initiated by a municipality. At the time of filing the petition,
21 the petitioner shall pay to the commission a \$25 filing fee. The commission shall
22 deposit the fee in the general fund. Within 30 days after such transmission the
23 department of revenue, except for petitions objecting to manufacturing property
24 assessments, or the department of transportation, shall file with the clerk of the
25 commission an original and the number of copies of an answer to the petition

1 required by rule adopted by the commission and shall serve one copy on the petitioner
2 or the petitioner's attorney or agent. Within 30 days after service of the answer, the
3 petitioner may file and serve a reply in the same manner as the petition is filed. Any
4 person entitled to be heard by the commission under s. 76.38 (12) (a), 1993 stats., or
5 s. 76.39 (4) (c), 76.48, or 76.91 may file a petition with the commission within the time
6 and in the manner provided for the filing of petitions in income or franchise tax cases.
7 Such papers may be served as a circuit court summons is served or by certified mail.
8 For the purposes of this subsection, a petition for review is considered timely filed
9 if mailed by certified mail in a properly addressed envelope, with postage duly
10 prepaid, which envelope is postmarked before midnight of the last day for filing.

11 ***-0667/5.12* SECTION 2203.** 73.03 (35) of the statutes is amended to read:

12 73.03 (35) To deny a portion of a credit claimed under s. 71.07 (2dd), (2de), (2di),
13 (2dj), (2dL), (2dm), (2dr), (2ds) or (2dx), 71.28 (1dd), (1de), (1di), (1dj), (1dm), (1dL),
14 (1ds), (1dx), or (4) (am) or 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1dm), (1ds), (1dx), or
15 (4) (am) if granting the full amount claimed would violate a requirement under s.
16 560.785 or would bring the total of the credits granted to that claimant under all of
17 those subsections over the limit for that claimant under s. 560.768, 560.795 (2) (b),
18 or 560.797 (5) (b).

19 ***-1856/6.7* SECTION 2204.** 73.03 (35m) of the statutes is created to read:

20 73.03 (35m) To deny a portion of a credit claimed under s. 71.07 (3g), 71.28 (3g),
21 or 71.47 (3g), if granting the full amount claimed would violate a requirement under
22 s. 560.96 or would bring the total of the credits claimed under ss. 71.07 (3g), 71.28
23 (3g), and 71.47 (3g) over the limit for all claimants under s. 560.96 (2).

24 ***b0494/1.1* SECTION 2204m.** 73.03 (46) of the statutes is repealed.

25 ***-0937/1.1* SECTION 2205.** 73.03 (52m) of the statutes is created to read:

1 73.03 (52m) To enter into agreements with other states that provide for
2 offsetting state tax refunds against tax obligations of other states and offsetting tax
3 refunds of other states against state tax obligations, if the agreements provide that
4 setoffs under ss. 71.93 and 71.935 occur before the setoffs under those agreements.

5 ***b0686/1.1* SECTION 2205m.** 73.03 (56) of the statutes is created to read:

6 73.03 (56) To work with the Internal Revenue Service and the University of
7 Wisconsin—Extension to undertake a program that accomplishes all of the following:

8 (a) Promotes volunteering among the state’s financial and legal professionals
9 in the volunteer income tax assistance program.

10 (b) Provides training for the volunteers.

11 (c) Assists in the creation of mobile sites that offer assistance to individuals who
12 are eligible to participate in the volunteer income tax assistance program and who
13 reside in rural and underserved areas.

14 ***-2057/1.1* SECTION 2207.** 73.0305 of the statutes is amended to read:

15 **73.0305 Revenue limits and intradistrict transfer aid calculations.** The
16 department of revenue shall annually determine and certify to the state
17 superintendent of public instruction, no later than the 4th Monday in June, the
18 allowable rate of increase under ~~ss. 121.85 (6) (a) and~~ subch. VII of ch. 121. The
19 allowable rate of increase is the percentage change in the consumer price index for
20 all urban consumers, U.S. city average, between the preceding March 31 and the 2nd
21 preceding March 31, as computed by the federal department of labor.

22 ***-0401/1.3* SECTION 2208.** 74.23 (1) (a) 2. of the statutes is amended to read:

23 74.23 (1) (a) 2. Pay to the proper treasurer all collections of special
24 assessments, special charges and special taxes, except that occupational taxes under

1 ss. 70.40 to ~~70.425~~ 70.421 and forest cropland, woodland and managed forest land
2 taxes under ch. 77 shall be settled for under s. 74.25 (1) (a) 1. to 8.

3 *~~0543/3.16~~* SECTION 2209. 74.23 (1) (a) 5. of the statutes is created to read:

4 74.23 (1) (a) 5. Pay to each taxing jurisdiction within the district its
5 proportionate share of the taxes and interest under s. 70.995 (12) (a).

6 *~~0401/1.4~~* SECTION 2211. 74.25 (1) (a) 2. of the statutes is amended to read:

7 74.25 (1) (a) 2. Pay to the proper treasurer all collections of special
8 assessments, special charges and special taxes, except that occupational taxes under
9 ss. 70.40 to ~~70.425~~ 70.421 and forest cropland, woodland and managed forest land
10 taxes under ch. 77 shall be settled for under subs. 5. to 8.

11 *~~0401/1.5~~* SECTION 2212. 74.25 (1) (a) 3. of the statutes is amended to read:

12 74.25 (1) (a) 3. Retain all collections of special assessments, special charges and
13 special taxes due to the taxation district, except that occupational taxes under ss.
14 70.40 to ~~70.425~~ 70.421 and forest cropland, woodland and managed forest land taxes
15 under ch. 77 shall be settled for under subs. 5. to 8.

16 *~~0543/3.17~~* SECTION 2213. 74.25 (1) (a) 4m. of the statutes is created to read:

17 74.25 (1) (a) 4m. Pay to each taxing jurisdiction within the district its
18 proportionate share of the taxes and interest under s. 70.995 (12) (a).

19 *~~0401/1.6~~* SECTION 2216. 74.30 (1) (b) of the statutes is amended to read:

20 74.30 (1) (b) Pay to the proper treasurer all collections of special assessments,
21 special charges and special taxes, except that occupational taxes under ss. 70.40 to
22 ~~70.425~~ 70.421 and forest cropland, woodland and managed forest land taxes under
23 ch. 77 shall be settled for under pars. (e) to (h).

24 *~~0401/1.7~~* SECTION 2217. 74.30 (1) (c) of the statutes is amended to read:

1 74.30 (1) (c) Retain all collections of special assessments, special charges and
2 special taxes due to the taxation district, except that occupational taxes under ss.
3 70.40 to ~~70.425~~ 70.421 and forest cropland, woodland and managed forest land taxes
4 under ch. 77 shall be settled for under pars. (e) to (h).

5 *~~0543/3.18~~* SECTION 2218. 74.30 (1) (dm) of the statutes is created to read:

6 74.30 (1) (dm) Pay to each taxing jurisdiction within the district its
7 proportionate share of the taxes and interest under s. 70.995 (12) (a).

8 *~~0925/1.2~~* SECTION 2226. 74.41 (1) (d) of the statutes is created to read:

9 74.41 (1) (d) Have been corrected under s. 70.73 (1m).

10 *~~0832/5.10~~* SECTION 2231. 76.02 (1) of the statutes is amended to read:

11 76.02 (1) “Air carrier company” means any person engaged in the business of
12 transportation in aircraft of persons or property for hire on regularly scheduled
13 flights, except an air carrier company whose property is exempt from taxation under
14 s. 70.11 (42) (b). In this subsection, “aircraft” means a completely equipped operating
15 unit, including spare flight equipment, used as a means of conveyance in air
16 commerce.

17 *~~2389/1.4~~* SECTION 2234. 76.28 (1) (f) of the statutes is amended to read:

18 76.28 (1) (f) “Payroll factor” means a fraction the numerator of which is the total
19 amount paid in this state during the tax period by the taxpayer for compensation and
20 the denominator of which is the total compensation paid everywhere during the tax
21 period, except that compensation solely related to the production of nonoperating
22 revenues shall be excluded from the numerator and denominator of the payroll factor
23 and except that compensation related to the production of both operating and
24 nonoperating revenue shall be partially excluded from the numerator and
25 denominator of the payroll factor so as to exclude as near as possible the portion of

1 compensation related to the production of nonoperating revenue. Compensation is
2 paid in this state if the individual's service is performed entirely within this state,
3 or if the individual's service is performed both within and outside this state but the
4 service performed outside this state is incidental to the individual's service within
5 this state, or if some of the service is performed in this state and the base of operations
6 or, if there is no base of operations, the place from which the service is directed or
7 controlled is in this state or the base of operations or the place from which the service
8 is directed or controlled is not in any state in which part of the service is performed
9 and the individual's residence is in this state. In this paragraph, "compensation"
10 includes management and service fees paid to an affiliated service corporation
11 pursuant to 15 USC 79.

12 *b0569/2.3* SECTION 2234m. 76.28 (1) (gm) of the statutes is renumbered
13 76.28 (1) (gm) (intro.) and amended to read:

14 76.28 (1) (gm) (intro.) "Qualified wholesale electric company" means any all of
15 the following:

16 1. Any person that owns or operates facilities for the generation and sale of
17 electricity to a public utility, as defined in s. 196.01 (5), or to any other entity that sells
18 electricity directly to the public, except that "qualified wholesale electric company"
19 does not include any person that sells less than 95% of its net production of electricity
20 or that does not own, operate, or control electric generating facilities that have a total
21 power production capacity of at least 50 megawatts.

22 *b0569/2.3* SECTION 2234n. 76.28 (1) (gm) 2. of the statutes is created to read:
23 76.28 (1) (gm) 2. A wholesale merchant plant, as defined in s. 196.491 (1) (w),
24 that has a total power production capacity of at least 50 megawatts.

25 *-1321/2.3* SECTION 2235. 76.28 (2) (a) of the statutes is amended to read:

1 76.28 (2) (a) There Except as provided in s. 76.29, there is imposed on every
2 light, heat and power company an annual license fee to be assessed by the
3 department on or before May 1, 1985, and every May 1 thereafter measured by the
4 gross revenues of the preceding year; excluding for the tax period, as defined in s.
5 76.29 (1) (f), gross revenues that are subject to the license fee under s. 76.29; at the
6 rates and by the methods set forth under pars. (b) to (d). The fee shall become
7 delinquent if not paid when due and when delinquent shall be subject to interest at
8 the rate of 1.5% per month until paid. Payment in full of the May 1 assessment
9 constitutes a license to carry on business for the 12-month period commencing on the
10 preceding January 1.

11 *–1321/2.4* SECTION 2236. 76.29 of the statutes is created to read:

12 **76.29 License fee for selling electricity at wholesale. (1) DEFINITIONS.**

13 In this section:

14 (a) “Apportionment factor” has the meaning given in s. 76.28 (1) (a).

15 (b) “Department” means the department of revenue.

16 (c) “Electric cooperative” has the meaning given in s. 76.48 (1g) (c).

17 (d) “Gross revenues” means total revenues from the sale of electricity for resale
18 by the purchaser of the electricity.

19 (e) “Light, heat, and power companies” has the meaning given in s. 76.28 (1)

20 (e).

21 (f) “Tax period” means each calendar year or portion of a calendar year from
22 January 1, 2004, to December 31, 2009.

23 (2) IMPOSITION. There is imposed on every light, heat, and power company and
24 electric cooperative that owns an electric utility plant, an annual license fee to be
25 assessed by the department on or before May 1, 2005, and every May 1 thereafter,

1 ending with the assessment on May 1, 2010, measured by the gross revenues of the
2 preceding tax period in an amount equal to the apportionment factor multiplied by
3 gross revenues multiplied by 1.59%. The fee shall become delinquent if not paid
4 when due and when delinquent shall be subject to interest at the rate of 1.5% per
5 month until paid. Gross revenues earned by a light, heat, and power company after
6 December 31, 2009, are subject to the license fee imposed under s. 76.28 (2). Gross
7 revenues earned by an electric cooperative after December 31, 2009, are subject to
8 the license fee imposed under s. 76.48 (1r).

9 (3) ADMINISTRATION. Section 76.28 (3) (c) and (4) to (11), as it applies to the fee
10 imposed under s. 76.28 (2), applies to the fee imposed under this section.

11 *b0521/3.7* SECTION 2236m. 76.31 of the statutes is created to read:

12 **76.31 Determination of ad valorem tax receipts for hub facility**
13 **exemptions.** By July 1, 2004, and every July 1 thereafter, the department shall
14 determine the total amount of the tax imposed under subch. I of ch. 76 that was paid
15 by each air carrier company, as defined in s. 70.11 (42) (a) 1., whose property is
16 exempt from taxation under s. 70.11 (42) (b) for the most recent taxable year that the
17 air carrier company paid the tax imposed under subch. I of ch. 76. The total amount
18 determined under this section shall be transferred under s. 20.855 (4) (fm) to the
19 transportation fund.

20 *-1321/2.5* SECTION 2237. 76.48 (1r) of the statutes is amended to read:

21 76.48 (1r) ~~Every~~ Except as provided in s. 76.29, every electric cooperative shall
22 pay, in lieu of other general property and income or franchise taxes, an annual license
23 fee equal to its apportionment factor multiplied by its gross revenues; excluding for
24 the tax period, as defined in s. 76.29 (1) (f), gross revenues that are subject to the
25 license fee under s. 76.29; multiplied by 3.19%. Real estate and personal property

1 not used primarily for the purpose of generating, transmitting or distributing
2 electric energy are subject to general property taxes. If a general structure is used
3 in part to generate, transmit or distribute electric energy and in part for
4 nonoperating purposes, the license fee imposed by this section is in place of the
5 percentage of all other general property taxes that fairly measures and represents
6 the extent of the use in generating, transmitting or distributing electric energy, and
7 the balance is subject to local assessment and taxation, except that the entire general
8 structure is subject to special assessments for local improvements.

9 ***-0544/3.3* SECTION 2243.** 76.81 of the statutes is amended to read:

10 **76.81 Imposition.** There is imposed a tax on the real property of, and the
11 tangible personal property of, every telephone company, excluding property that is
12 exempt from the property tax under s. 70.11 (39), motor vehicles that are exempt
13 under s. 70.112 (5), property that is used less than 50% in the operation of a telephone
14 company, as provided under s. 70.112 (4) (b), and treatment plant and pollution
15 abatement equipment that is exempt under s. 70.11 (21) (a). Except as provided in
16 s. 76.815, the rate for the tax imposed on each description of real property and on each
17 item of tangible personal property is the net rate for the prior year for the tax under
18 ch. 70 in the taxing jurisdictions where the description or item is located. The real
19 and tangible personal property of a telephone company shall be assessed as provided
20 under s. 70.112 (4) (b).

21 ***-2302/1.1* SECTION 2244.** 77.51 (20) of the statutes is amended to read:

22 77.51 (20) “Tangible personal property” means all tangible personal property
23 of every kind and description and includes electricity, natural gas, steam, and water,
24 and also leased property affixed to realty if the lessor has the right to remove the
25 property upon breach or termination of the lease agreement, unless the lessor of the

1 property is also the lessor of the realty to which the property is affixed. “Tangible
2 personal property” also includes coins and stamps of the United States sold or traded
3 as collectors’ items above their face value and computer programs ~~except, including~~
4 custom computer programs.

5 *~~0540/1.1~~* **SECTION 2245.** 77.52 (2) (a) 10. of the statutes is amended to read:

6 77.52 (2) (a) 10. Except for installing or applying tangible personal property
7 which, when installed or applied, will constitute an addition or capital improvement
8 of real property, the repair, service, alteration, fitting, cleaning, painting, coating,
9 towing, inspection and maintenance of all items of tangible personal property unless,
10 at the time of such repair, service, alteration, fitting, cleaning, painting, coating,
11 towing, inspection or maintenance, a sale in this state of the type of property
12 repaired, serviced, altered, fitted, cleaned, painted, coated, towed, inspected or
13 maintained would have been exempt to the customer from sales taxation under this
14 subchapter, other than the exempt sale of a motor vehicle or truck body to a
15 nonresident under s. 77.54 (5) (a) and other than nontaxable sales under s. 77.51
16 (14r). For purposes of this paragraph, the following items shall be deemed to have
17 retained their character as tangible personal property, regardless of the extent to
18 which any such item is fastened to, connected with or built into real property:
19 furnaces, boilers, stoves, ovens, including associated hoods and exhaust systems,
20 heaters, air conditioners, humidifiers, dehumidifiers, refrigerators, coolers, freezers,
21 water pumps, water heaters, water conditioners and softeners, clothes washers,
22 clothes dryers, dishwashers, garbage disposal units, radios and radio antennas,
23 incinerators, television receivers and antennas, record players, tape players,
24 jukeboxes, vacuum cleaners, furniture and furnishings, carpeting and rugs,
25 bathroom fixtures, sinks, awnings, blinds, gas and electric logs, heat lamps,

1 electronic dust collectors, grills and rotisseries, bar equipment, intercoms,
2 recreational, sporting, gymnasium and athletic goods and equipment including by
3 way of illustration but not of limitation bowling alleys, golf practice equipment, pool
4 tables, punching bags, ski tows and swimming pools; ~~office, restaurant and tavern~~
5 ~~type equipment in offices, business facilities, schools, and hospitals but not in~~
6 residential facilities including personal residences, apartments, long-term care
7 facilities, as defined under s. 16.009 (1) (em), state institutions, as defined under s.
8 101.123 (1) (i), or similar facilities, including by way of illustration but not of
9 limitation lamps, chandeliers, and fans, venetian blinds, canvas awnings, office and
10 business machines, ice and milk dispensers, beverage-making equipment, vending
11 machines, soda fountains, steam warmers and tables, compressors, condensing units
12 and evaporative condensers, pneumatic conveying systems; laundry, dry cleaning,
13 and pressing machines, power tools, burglar alarm and fire alarm fixtures, electric
14 clocks and electric signs. “Service” does not include services performed by
15 veterinarians. The tax imposed under this subsection applies to the repair, service,
16 alteration, fitting, cleaning, painting, coating, towing, inspection, or maintenance of
17 items listed in this subdivision, regardless of whether the installation or application
18 of tangible personal property related to the items is an addition to or a capital
19 improvement of real property, except that the tax imposed under this subsection does
20 not apply to the original installation or the complete replacement of an item listed
21 in this subdivision, if such installation or replacement is a real property construction
22 activity under s. 77.51 (2).

23 *b0338/1.1* SECTION 2245d. 77.52 (2) (a) 10. of the statutes, as affected by
24 2001 Wisconsin Act (this act), is amended to read:

1 77.52 (2) (a) 10. Except for installing or applying tangible personal property
2 which, when installed or applied, will constitute an addition or capital improvement
3 of real property, the repair, service, alteration, fitting, cleaning, painting, coating,
4 towing, inspection and maintenance of all items of tangible personal property unless,
5 at the time of such repair, service, alteration, fitting, cleaning, painting, coating,
6 towing, inspection or maintenance, a sale in this state of the type of property
7 repaired, serviced, altered, fitted, cleaned, painted, coated, towed, inspected or
8 maintained would have been exempt to the customer from sales taxation under this
9 subchapter, other than the exempt sale of a motor vehicle or truck body to a
10 nonresident under s. 77.54 (5) (a) and other than nontaxable sales under s. 77.51
11 (14r). For purposes of this paragraph, the following items shall be deemed to have
12 retained their character as tangible personal property, regardless of the extent to
13 which any such item is fastened to, connected with or built into real property:
14 furnaces, boilers, stoves, ovens, including associated hoods and exhaust systems,
15 heaters, air conditioners, humidifiers, dehumidifiers, refrigerators, coolers, freezers,
16 water pumps, water heaters, water conditioners and softeners, clothes washers,
17 clothes dryers, dishwashers, garbage disposal units, radios and radio antennas,
18 incinerators, television receivers and antennas, record players, tape players,
19 jukeboxes, vacuum cleaners, furniture and furnishings, carpeting and rugs,
20 bathroom fixtures, sinks, awnings, blinds, gas and electric logs, heat lamps,
21 electronic dust collectors, grills and rotisseries, bar equipment, intercoms,
22 recreational, sporting, gymnasium and athletic goods and equipment including by
23 way of illustration but not of limitation bowling alleys, golf practice equipment, pool
24 tables, punching bags, ski tows and swimming pools; equipment in offices, business
25 facilities, schools and hospitals but not in residential facilities including personal

1 residences, apartments, long-term care facilities, as defined under s. 16.009 (1) (em),
2 state institutions, as defined under s. 101.123 (1) (i), Type 1 secured correctional
3 facilities, as defined in s. 938.02 (19), or similar facilities, including by way of
4 illustration but not of limitation lamps, chandeliers, and fans, venetian blinds,
5 canvas awnings, office and business machines, ice and milk dispensers,
6 beverage-making equipment, vending machines, soda fountains, steam warmers
7 and tables, compressors, condensing units and evaporative condensers, pneumatic
8 conveying systems; laundry, dry cleaning, and pressing machines, power tools,
9 burglar alarm and fire alarm fixtures, electric clocks and electric signs. “Service”
10 does not include services performed by veterinarians. The tax imposed under this
11 subsection applies to the repair, service, alteration, fitting, cleaning, painting,
12 coating, towing, inspection, or maintenance of items listed in this subdivision,
13 regardless of whether the installation or application of tangible personal property
14 related to the items is an addition to or a capital improvement of real property, except
15 that the tax imposed under this subsection does not apply to the original installation
16 or the complete replacement of an item listed in this subdivision, if such installation
17 or replacement is a real property construction activity under s. 77.51 (2).

18 *–1335/7.55* SECTION 2246. 77.54 (9a) (a) of the statutes is amended to read:

19 77.54 (9a) (a) This state or any agency thereof and, the University of Wisconsin
20 Hospitals and Clinics Authority, and the Fox River Navigational System Authority.

21 *b0695/1.1* SECTION 2246m. 77.54 (45) of the statutes is amended to read:

22 77.54 (45) The gross receipts from the sale of and the use or other consumption
23 of a onetime license or similar right to purchase admission to professional football
24 games at a football stadium, as defined in s. 229.821 (6), that is granted by a
25 municipality; a local professional football stadium district; or a professional football

1 team or related party, as defined in s. 229.821 (12); if the person who buys the license
2 or right is entitled, at the time the license or right is transferred to the person, to
3 purchase admission to at least 3 professional football games in this state during one
4 football season. ~~The exemption under this subsection does not apply to a license or~~
5 ~~right that is sold after December 31, 2003.~~

6 *b0630/1.1* SECTION 2247b. 77.76 (3) of the statutes is amended to read:

7 77.76 (3) From the appropriation under s. 20.835 (4) (g) the department shall
8 distribute 98.25% of the county taxes reported for each enacting county, minus the
9 county portion of the retailers' discounts, to the county and shall indicate the taxes
10 reported by each taxpayer, no later than ~~the end of the 3rd month~~ 75 days following
11 ~~the end~~ last day of the calendar quarter in which such amounts were reported. In
12 this subsection, the "county portion of the retailers' discount" is the amount
13 determined by multiplying the total retailers' discount by a fraction the numerator
14 of which is the gross county sales and use taxes payable and the denominator of
15 which is the sum of the gross state and county sales and use taxes payable. The
16 county taxes distributed shall be increased or decreased to reflect subsequent
17 refunds, audit adjustments and all other adjustments of the county taxes previously
18 distributed. Interest paid on refunds of county sales and use taxes shall be paid from
19 the appropriation under s. 20.835 (4) (g) at the rate paid by this state under s. 77.60
20 (1) (a). The county may retain the amount it receives or it may distribute all or a
21 portion of the amount it receives to the towns, villages, cities and school districts in
22 the county. Any county receiving a report under this subsection is subject to the
23 duties of confidentiality to which the department of revenue is subject under s. 77.61
24 (5).

25 *b0475/3.1* SECTION 2247d. 77.82 (1) (a) 2. of the statutes is amended to read:

1 77.82 (1) (a) 2. At least ~~80%~~ 65% of the parcel must be producing or capable of
2 producing a minimum of 20 cubic feet of merchantable timber per acre per year.

3 ***b0475/3.1* SECTION 2247h.** 77.82 (1) (b) 1. of the statutes is amended to read:

4 77.82 (1) (b) 1. A parcel of which more than ~~20%~~ 35% consists of land that is
5 unsuitable for producing merchantable timber, including water, marsh, muskeg,
6 bog, rock outcrops, or sand dunes, ~~farmland, roadway or railroad and utility~~
7 ~~rights-of-way.~~

8 ***b0475/3.1* SECTION 2247p.** 77.82 (1) (b) 1g. of the statutes is created to read:

9 77.82 (1) (b) 1g. A parcel of which more than 20% consists of land that is
10 farmland, roadway, or a railroad or utility right-of-way or that is not capable of
11 producing merchantable timber because the production would affect the land's
12 natural resources including land that contains sensitive soil, as determined by the
13 department, endangered species as defined in s. 29.604 (2) (a), threatened species,
14 as defined in s. 29.604 (2) (b), or an archeological site, or land that lacks sound
15 forestry regeneration options, as determined by the department.

16 ***b0475/3.1* SECTION 2247t.** 77.82 (7) (a) 3. of the statutes is amended to read:

17 77.82 (7) (a) 3. That a stand of merchantable timber will be developed on at
18 least ~~80%~~ 65% of the land within a reasonable period of time.

19 ***-0667/5.13* SECTION 2248.** 77.92 (4) of the statutes is amended to read:

20 77.92 (4) "Net business income", with respect to a partnership, means taxable
21 income as calculated under section 703 of the Internal Revenue Code; plus the items
22 of income and gain under section 702 of the Internal Revenue Code, including taxable
23 state and municipal bond interest and excluding nontaxable interest income or
24 dividend income from federal government obligations; minus the items of loss and
25 deduction under section 702 of the Internal Revenue Code, except items that are not

1 deductible under s. 71.21; plus guaranteed payments to partners under section 707
2 (c) of the Internal Revenue Code; plus the credits claimed under s. 71.07 (2dd), (2de),
3 (2di), (2dj), (2dL), (2dm), (2dr), (2ds), (2dx), and (3g), and (3s); and plus or minus, as
4 appropriate, transitional adjustments, depreciation differences, and basis
5 differences under s. 71.05 (13), (15), (16), (17), and (19); but excluding income, gain,
6 loss, and deductions from farming. “Net business income”, with respect to a natural
7 person, estate, or trust, means profit from a trade or business for federal income tax
8 purposes and includes net income derived as an employee as defined in section 3121
9 (d) (3) of the Internal Revenue Code.

10 ***-1446/1.1* SECTION 2249.** 77.94 (1) (b) of the statutes is amended to read:

11 77.94 (1) (b) On an entity under s. 77.93 (2) ~~or~~, (3), or (5), except an entity that
12 has less than \$4,000,000 of gross receipts, an amount equal to the amount calculated
13 by multiplying net business income as allocated or apportioned to this state by means
14 of the methods under s. 71.04, for the taxable year of the entity by 0.2 %, up to a
15 maximum of \$9,800, or \$25, whichever is greater.

16 ***-1446/1.2* SECTION 2250.** 77.94 (1) (c) of the statutes is repealed.

17 ***b0289/4.3* SECTION 2250m.** 77.994 (1) of the statutes is repealed and
18 recreated to read:

19 77.994 (1) Except as provided in sub. (2) and subject to sub. (3), a municipality
20 or a county all of which is included in a premier resort area under s. 66.1113 may, by
21 ordinance, impose a tax at a rate of 0.5% of the gross receipts from the sale, lease,
22 or rental in the municipality or county of goods or services that are taxable under
23 subch. III made by businesses that are classified in the North American Industry
24 Classification System, 1997 edition, published by the U.S. office of management and
25 budget, under the following industry numbers:

- 1 (a) 452990 — All other general merchandise stores.
- 2 (b) 445292 — Confectionery and nut stores.
- 3 (c) 445299 — All other specialty food stores.
- 4 (d) 311811 — Retail bakeries.
- 5 (e) 447100 — Gasoline stations.
- 6 (f) 722110 — Full-service restaurants.
- 7 (g) 722210 — Limited-service eating places.
- 8 (h) 722300 — Special food services.
- 9 (i) 722410 — Drinking places.
- 10 (j) 446110 — Pharmacies and drug stores.
- 11 (k) 445310 — Beer, wine, and liquor stores.
- 12 (L) 451110 — Sporting goods stores.
- 13 (m) 443130 — Camera and photographic supply stores.
- 14 (n) 453220 — Gift, novelty, and souvenir stores.
- 15 (o) 721110 — Hotels and motels.
- 16 (p) 721120 — Casino hotels.
- 17 (q) 721191 — Bed-and-breakfast inns.
- 18 (r) 721199 — All other traveler accommodations.
- 19 (s) 721214 — Recreational and vacation camps.
- 20 (t) 721211 — Recreational vehicle parks and campgrounds.
- 21 (u) 711212 — Racetracks.
- 22 (v) 713910 — Golf courses and country clubs.
- 23 (w) 713100 — Amusement parks and arcades.
- 24 (x) 713200 — Gambling industries.
- 25 (y) 713920 — Skiing facilities.

1 (z) 713990 — All other amusement and recreation industries.

2 *b0289/4.3* SECTION 2250n. 77.994 (3) of the statutes is created to read:

3 77.994 (3) If a premier resort area has imposed a tax under this subchapter that
4 is based on the standard industrial classification manual, 1987 edition, published by
5 the U.S. office of management and budget, the tax imposed by the premier resort
6 area applies to the businesses specified under sub. (1).

7 *-0320/5.4* SECTION 2251. 77.996 (2) (intro.) of the statutes is amended to
8 read:

9 77.996 (2) (intro.) “Dry cleaning facility” means a facility that dry cleans
10 apparel or household fabrics for the general public using a dry cleaning product,
11 other than the following facilities:

12 *-0320/5.5* SECTION 2252. 77.996 (3) of the statutes is amended to read:

13 77.996 (3) “Dry cleaning solvent product” means a ~~chlorine-based or~~
14 ~~hydrocarbon-based formulation or product that is used as a primary cleaning agent~~
15 ~~in dry cleaning facilities~~ hazardous substance used to clean apparel or household
16 fabrics, except a hazardous substance used to launder apparel or household
17 products.

18 *-0320/5.6* SECTION 2253. 77.9962 of the statutes is amended to read:

19 77.9962 **Dry cleaning solvents products fee.** There is imposed on each
20 person who sells a dry cleaning solvent product to a dry cleaning facility a fee equal
21 to \$5 per gallon of perchloroethylene sold and 75 cents per gallon of ~~a~~
22 ~~hydrocarbon-based solvent~~ any dry cleaning product sold, other than
23 perchloroethylene. The fees for the previous 3 months are due on January 25, April
24 25, July 25, and October 25.

25 *-0320/5.7* SECTION 2254. 77.9963 of the statutes is repealed.

1 ***-0832/5.12*** SECTION 2255. 78.55 (1) of the statutes is amended to read:

2 78.55 (1) “Air carrier company” has the meaning given in s. ~~76.02 (1)~~ 70.11 (42)

3 (a) 1.

4 ***-1321/2.6*** SECTION 2282. 79.04 (1) (intro.) of the statutes is amended to read:

5 79.04 (1) (intro.) Annually the department of administration, upon
6 certification by the department of revenue, shall distribute to a municipality having
7 within its boundaries a production plant or a general structure, including production
8 plants and general structures under construction, used by a light, heat, or power
9 company assessed under s. 76.28 (2) or 76.29 (2), except property described in s.
10 66.0813 unless the production plant is owned or operated by a local governmental
11 unit located outside of the municipality, or by an electric cooperative assessed under
12 ss. 76.07 and 76.48, respectively, or by a municipal electric company under s. 66.0825
13 the amount determined as follows:

14 ***-1321/2.9*** SECTION 2285. 79.04 (2) (a) of the statutes is amended to read:

15 79.04 (2) (a) Annually, the department of administration, upon certification by
16 the department of revenue, shall distribute from the shared revenue account to any
17 county having within its boundaries a production plant or a general structure,
18 including production plants and general structures under construction, used by a
19 light, heat or power company assessed under s. 76.28 (2) or 76.29 (2), except property
20 described in s. 66.0813 unless the production plant is owned or operated by a local
21 governmental unit that is located outside of the municipality in which the production
22 plant is located, or by an electric cooperative assessed under ss. 76.07 and 76.48,
23 respectively, or by a municipal electric company under s. 66.0825 an amount
24 determined by multiplying by 6 mills in the case of property in a town and by 3 mills
25 in the case of property in a city or village the first \$125,000,000 of the amount shown

1 in the account, plus leased property, of each public utility except qualified wholesale
2 electric companies, as defined in s. 76.28 (1) (gm), on December 31 of the preceding
3 year for either “production plant, exclusive of land” and “general structures”, or
4 “work in progress” for production plants and general structures under construction,
5 in the case of light, heat and power companies, electric cooperatives or municipal
6 electric companies, for all property within the municipality in accordance with the
7 system of accounts established by the public service commission or rural
8 electrification administration, less depreciation thereon as determined by the
9 department of revenue and less the value of treatment plant and pollution
10 abatement equipment, as defined under s. 70.11 (21) (a), as determined by the
11 department of revenue plus an amount from the shared revenue account determined
12 by multiplying by 6 mills in the case of property in a town, and 3 mills in the case of
13 property in a city or village, of the total original cost of production plant, general
14 structures and work-in-progress less depreciation, land and approved waste
15 treatment facilities of each qualified wholesale electric company, as defined in s.
16 76.28 (1) (gm), as reported to the department of revenue of all property within the
17 municipality. The total of amounts, as depreciated, from the accounts of all public
18 utilities for the same production plant is also limited to not more than \$125,000,000.
19 The amount distributable to a county in any year shall not exceed \$100 times the
20 population of the county.

21 *~~0923/4.2~~* SECTION 2292. 79.10 (6m) of the statutes is renumbered 79.10 (6m)
22 (a) and amended to read:

23 79.10 (6m) (a) ~~If~~ Except as provided in pars. (b) and (c), if the department of
24 administration or the department of revenue determines by October 1 of the year of
25 any distribution under subs. (4) and (5) that there was an overpayment or

1 underpayment made in that year's distribution by the department of administration
2 to municipalities, as determined under subs. (4) and (5), because of an error by the
3 department of administration, the department of revenue or any municipality, the
4 overpayment or underpayment shall be corrected as provided in this subsection
5 paragraph. Any overpayment shall be corrected by reducing the subsequent year's
6 distribution, as determined under subs. (4) and (5), by an amount equal to the
7 amount of the overpayment. Any underpayment shall be corrected by increasing the
8 subsequent year's distribution, as determined under subs. (4) and (5), by an amount
9 equal to the amount of the underpayment. Corrections shall be made in the
10 distributions to all municipalities affected by the error. Corrections shall be without
11 interest.

12 ***-0923/4.3*** SECTION 2293. 79.10 (6m) (b) of the statutes is created to read:

13 79.10 (6m) (b) If, after March 1 of the year of any distribution under sub. (5),
14 a municipality discovers an error in the notice that the municipality furnished under
15 sub. (1m) that resulted in an overpayment of that year's distribution to the
16 municipality, as determined under sub. (5), the municipality shall correct the error
17 and notify the department of revenue of the correction on a form that the department
18 prescribes. If, after March 1 of the year of any distribution under sub. (5), the
19 department of administration or the department of revenue discovers an error in the
20 notice that the municipality furnished under sub. (1m) that resulted in an
21 overpayment of that year's distribution to the municipality, as determined under
22 sub. (5), the department of administration or the department of revenue shall notify
23 the municipality and the municipality shall correct the error. The municipality may
24 pay the amount of the overpayment to the department of revenue and, if the
25 municipality chooses to make such a payment, shall submit the payment with the

1 form prescribed under this paragraph. If the municipality does not pay the amount
2 of the overpayment, the department of administration may collect the amount of the
3 overpayment as a special charge to the municipality or may correct the overpayment
4 as provided under par. (a). Payments under this paragraph shall be without interest
5 and shall be deposited in the lottery fund.

6 ***-0923/4.4* SECTION 2294.** 79.10 (6m) (c) of the statutes is created to read:

7 79.10 (6m) (c) If, after March 1 of the year of any distribution under sub. (5),
8 a municipality discovers an error in the notice that the municipality furnished under
9 sub. (1m) that resulted in an underpayment of that year's distribution to the
10 municipality, as determined under sub. (5), the municipality shall correct the error
11 and notify the department of revenue on a form that the department prescribes. If,
12 after March 1 of the year of any distribution under sub. (5), the department of
13 administration or the department of revenue discovers an error in the notice that the
14 municipality furnished under sub. (1m) that resulted in an underpayment of that
15 year's distribution to the municipality, as determined under sub. (5), the department
16 of administration or the department of revenue shall notify the municipality and the
17 municipality shall correct the error. The department of revenue may either pay the
18 amount of the underpayment to the municipality, from the appropriation under s.
19 20.835 (3) (q), or correct the underpayment as provided under par. (a). Payments
20 under this paragraph shall be without interest.

21 ***-0578/2.4* SECTION 2295.** 84.01 (31) of the statutes is created to read:

22 84.01 (31) ACCOMMODATION OF UTILITY FACILITIES WITHIN HIGHWAY RIGHTS-OF-WAY.
23 Notwithstanding ss. 84.06 (4), 84.063, 84.065, and 84.093, the department may, upon
24 finding that it is feasible and advantageous to the state, negotiate and enter into an
25 agreement to accept any plant or equipment used for the conveyance, by wire, optics,

1 radio signal, or other means, of voice, data, or other information at any frequency
2 over any part of the electromagnetic spectrum, or to accept any services associated
3 with the collection, storage, forwarding, switching, and delivery incidental to such
4 communication, as payment for the accommodation of a utility facility, as defined in
5 s. 84.063 (1) (b), within a highway right-of-way. Any agreement under this
6 subsection is exempt from ss. 16.70 to 16.75, 16.755 to 16.82, and 16.85 to 16.89, but
7 ss. 16.528, 16.752, and 16.754 apply to such agreement.

8 ***0579/1.1*** SECTION 2296. 84.01 (32) of the statutes is created to read:

9 84.01 (32) CONFIDENTIALITY OF BIDDER INFORMATION. (a) The department may
10 not disclose to any person any information requested by the department for the
11 purpose of complying with 49 CFR 26, as that section existed on October 1, 1999, that
12 relates to an individual's statement of net worth, a statement of experience, or a
13 company's financial statement, including the gross receipts of a bidder.

14 (b) This subsection does not prohibit the department from disclosing
15 information to any of the following persons:

- 16 1. The person to whom the information relates.
- 17 2. Any person who has the written consent of the person to whom the
18 information relates to receive such information.
- 19 3. Any person to whom 49 CFR 26, as that section existed on October 1, 1999,
20 requires or specifically authorizes the department to disclose such information.

21 ***b0519/3.1*** SECTION 2296m. 84.01 (33) of the statutes is created to read:

22 84.01 (33) TRANSPORTATION FUNDING REPORT. By January 15, 2003, and
23 biennially thereafter, the department shall submit a report to the chief clerk of each
24 house of the legislature for distribution to the appropriate standing committee
25 dealing with transportation matters in each house of the legislature that shows

1 transportation revenues and the funding for transportation programs for at least 15
2 years preceding the report, including changes to funding levels following the
3 enactment of biennial budget bills and an explanation of major changes in the
4 funding levels for appropriations included in the most recent biennial budget act.

5 ***-1798/2.1* SECTION 2297.** 84.013 (2) (a) of the statutes is amended to read:

6 84.013 (2) (a) Subject to ~~s. ss. 84.59 (1) and 86.255~~, major highway projects shall
7 be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and
8 20.866 (2) (ur) to (uu).

9 ***-2228/4.4* SECTION 2298.** 84.013 (2) (b) of the statutes is amended to read:

10 84.013 (2) (b) ~~Subject~~ Except as provided in ss. 84.014 and 84.03 (3) and subject
11 to s. 86.255, reconditioning, reconstruction and resurfacing of highways shall be
12 funded from the appropriations under s. 20.395 (3) (cq) to (cx).

13 ***-0081/1.1* SECTION 2299.** 84.013 (3) (a), (b), (c), (d), (e), (em), (f), (g), (h), (i),
14 (j), (k), (L), (m), (n), (o), (p), (q), (r), (s), (t), (tj), (u), (v), (vc), (vg), (vL), (vp), (vt), (vx),
15 (w), (wr), (x), (xf), (xo), (xs), (xw), (xy), (y), (yb), (yf), (yk), (yo), (ys), (yw), (yy) and (z)
16 of the statutes are repealed.

17 ***-1685/1.1* SECTION 2300.** 84.013 (3) (pe) of the statutes is created to read:

18 84.013 (3) (pe) STH 17 extending approximately 3.25 miles from the
19 intersection of STH 17 and Birchwood Drive to USH 8 approximately 0.16 miles east
20 of Germond Road, designated as the Rhinelander relocation, in Oneida County.

21 ***-1685/1.2* SECTION 2301.** 84.013 (3) (pm) of the statutes is created to read:

22 84.013 (3) (pm) STH 26 extending approximately 48 miles between I 90 in
23 Janesville and STH 60 north of Watertown in Rock, Jefferson, and Dodge counties.

24 ***-1685/1.3* SECTION 2302.** 84.013 (3) (ps) of the statutes is created to read:

1 84.013 (3) (ps) I 39/USH 51 extending approximately 8 miles from south of Fox
2 Glove Road to north of Bridge Street, designated as the Wausau beltline, in
3 Marathon County.

4 ***b0507/2.1* SECTION 2302c.** 84.013 (3m) (d) of the statutes is created to read:

5 84.013 (3m) (d) In constructing the major highway project specified under sub.
6 (3) (ac), the department shall construct USH 12, as designated on the effective date
7 of this paragraph [revisor inserts date], between Fern Dell Road and Old Highway
8 33 in Sauk County to 5 lanes, and the department may not require a matching fund
9 contribution from any city, village, town, or county for this construction.

10 ***b0528/1.1* SECTION 2302e.** 84.013 (3m) (e) of the statutes is created to read:

11 84.013 (3m) (e) The major highway project specified under sub. (3) (tp) shall
12 include an interchange, with grade separation at each interchange ramp, at the
13 intersection of STH 57 and CTH “P” in Brown County.

14 ***b0527/1.1* SECTION 2302g.** 84.013 (3m) (f) of the statutes is created to read:

15 84.013 (3m) (f) The major highway project specified under sub. (3) (ai) shall
16 include an interchange, with grade separation at each interchange ramp, at the
17 intersection of USH 141 and CTH “B” in Marinette County.

18 ***b0519/3.2* SECTION 2302m.** 84.013 (10) of the statutes is created to read:

19 84.013 (10) By June 1, 2002, and annually thereafter, the department shall
20 submit a report that shows the current schedule for the construction of major
21 highway projects enumerated under sub. (3), including the projected expenditures
22 in each fiscal year for each major highway project, to the transportation projects
23 commission and to the chief clerk of each house of the legislature for distribution to
24 the appropriate standing committee dealing with transportation matters in each
25 house of the legislature.

1 ***b0422/3.5* SECTION 2303b.** 84.014 of the statutes is created to read:

2 **84.014 Southeast Wisconsin freeway reconstruction; Marquette**
3 **interchange reconstruction project.** (1) In this section:

4 (a) “Interim repair” means any improvement not specified in a notice given
5 under s. 84.01 (17) that is needed to remedy unanticipated roadway deficiencies.

6 (b) “Marquette interchange” means all highways, including ramps and
7 shoulders, encompassing I 43, I 94, and I 794 in Milwaukee County within the area
8 bordered by 25th Street to the west, North Avenue to the north, the southern end of
9 Burnham Canal to the south, and the Milwaukee River to the east.

10 (c) “Reconstruction” means the rebuilding of highways and bridges, including
11 improvements to enhance highway safety, design, or capacity. The term includes
12 activities associated with such rebuilding, including design engineering, traffic
13 mitigation, property acquisition, and utility facility relocation. The term does not
14 include interim repairs.

15 (2) Notwithstanding s. 84.013 and subject to s. 86.255, the Marquette
16 interchange reconstruction project may be funded only from the appropriations
17 under s. 20.395 (3) (cr), (cw), and (cy).

18 (3) The department may not expend from the appropriations under s. 20.395
19 (3) (cr) and (cy) more than \$160,643,900 in the 2001–03 fiscal biennium, or more than
20 \$45,918,500 in any fiscal year thereafter, for the Marquette interchange
21 reconstruction project, unless the expenditure of more funds is approved or modified
22 and approved by the joint committee on finance under sub. (5). From funds that
23 would otherwise be expended from the appropriations under s. 20.395 (3) (cr) and (cy)
24 for other southeast Wisconsin freeway reconstruction projects, the department may
25 exceed the expenditure limit for the 2001–03 fiscal biennium or for a fiscal year

1 thereafter to meet project deadlines if the department makes a reduction in
2 subsequent allocations for the Marquette interchange reconstruction project that is
3 equal to the amount by which the applicable expenditure limit was exceeded.

4 (4) The department may transfer the funding of southeast Wisconsin freeway
5 reconstruction projects between the appropriations for s. 20.395 (3) (cr) and (cy) to
6 minimize project costs.

7 (5) The department may not take any of the following actions unless the action
8 is approved or modified and approved by the joint committee on finance under s.
9 13.101:

10 (a) Transfer any funds from the appropriations under s. 20.395 (3) (cq), (cv), and
11 (cx) to the appropriations under s. 20.395 (3) (cr), (cw), and (cy).

12 (b) Except as otherwise provided in this section and 2001 Wisconsin Act (this
13 act), section 9152 (5w), make any other adjustments to the appropriations under s.
14 20.395 (3) (cr), (cw), and (cy) or to the allocations for the Marquette interchange
15 reconstruction project.

16 (6) The department shall submit its proposed relocation assistance agreement
17 with Aldrich Chemical Company, Inc., in the city of Milwaukee that is associated
18 with the Marquette interchange reconstruction project to the joint committee on
19 finance. The proposed relocation assistance agreement shall include a designation
20 of the relative responsibilities of each party to the agreement with respect to
21 remediation of any environmental contamination on the property. If the
22 cochairpersons of the committee do not notify the department within 14 working
23 days after the date of the department's submission that the committee has scheduled
24 a meeting to review the proposed agreement, the department may enter into the
25 proposed agreement. If, within 14 working days after the date of the department's

1 submission, the cochairpersons of the committee notify the department that the
2 committee has scheduled a meeting to review the proposed agreement, the
3 department may enter into the proposed agreement only upon approval of the
4 committee.

5 (7) The Marquette interchange reconstruction project shall include an
6 interchange at the intersection of 13th Street and I 94. Notwithstanding ss. 84.29
7 (6) and 84.295 (7), the department shall keep the 13th Street interchange existing
8 on the effective date of this subsection [revisor inserts date], open for travel during
9 the Marquette interchange reconstruction project.

10 *-0081/1.2* SECTION 2305. 84.02 (8) (d) of the statutes is repealed.

11 *b0501/2.1* SECTION 2305c. 84.02 (15) of the statutes is created to read:

12 84.02 (15) TRAFFIC CONTROL SIGNAL EMERGENCY PREEMPTION DEVICES. (a) In this
13 subsection:

14 1. “Additional cost” means the difference in cost between installation of a traffic
15 control signal that is equipped with an emergency preemption device and
16 confirmation signal and installation of a traffic control signal that is not so equipped,
17 and includes the difference in incidental costs such as electrical wiring.

18 2. “Authorized emergency vehicle” has the meaning given in s. 340.01 (3) (a),
19 (c), (g), or (i).

20 3. “Confirmation signal” means a white signal, located on or near a traffic
21 control signal equipped with an emergency preemption device, that is designed to be
22 visible to the operator of an approaching authorized emergency vehicle and that
23 confirms to the operator that the emergency preemption device has received a
24 transmission from the operator.

1 4. “Emergency preemption device” means an electrical device, located on or
2 within a traffic control signal, that is designed to receive an electronic, radio, or sonic
3 transmission from an approaching authorized emergency vehicle that alters the
4 normal sequence of the traffic control signal to provide or maintain a green signal for
5 the authorized emergency vehicle to proceed through the intersection.

6 5. “Political subdivision” means a county, city, village, or town.

7 6. “Traffic control signal” means any electrical device by which traffic is
8 alternately directed to stop and permitted to proceed by means of exhibiting different
9 colored lights successively.

10 (b) Before the department installs a new traffic control signal on a state trunk
11 highway within the corporate limits of any political subdivision, the department
12 shall do all of the following:

13 1. Notify the political subdivision of the planned traffic control signal
14 installation.

15 2. Notify the political subdivision of the additional cost of equipping the traffic
16 control signal with an emergency preemption device and confirmation signal.

17 3. Provide the political subdivision with the opportunity to request that the
18 traffic control signal be equipped with an emergency preemption device and
19 confirmation signal.

20 (c) If any political subdivision requests under par. (b) 3. that the department
21 equip the traffic control signal with an emergency preemption device and
22 confirmation signal, and one or more political subdivisions contributes a total of 50%
23 of the additional cost specified under par. (b) 2., the department shall equip the traffic
24 control signal with an emergency preemption device and confirmation signal when
25 the department installs the traffic control signal.

1 (d) Notwithstanding pars. (b) and (c), this subsection does not prohibit the
2 department from installing on any state trunk highway, at the department's
3 expense, any traffic control signal equipped with an emergency preemption device
4 and confirmation signal. The department may install a new traffic control signal
5 equipped with an emergency preemption device and confirmation signal under this
6 paragraph without providing notice and an opportunity to respond under par. (b) to
7 any political subdivision. The department shall install a confirmation signal with
8 every new emergency preemption device installed by the department under this
9 paragraph.

10 (e) Any traffic control signal installed by the department on a state trunk
11 highway after the effective date of this paragraph [revisor inserts date], that is
12 not equipped with an emergency preemption device shall include all electrical wiring
13 necessary to equip the traffic control signal with an emergency preemption device
14 and confirmation signal.

15 (f) The department shall promulgate rules to implement and administer this
16 subsection. The rules shall include procedures and deadlines for the department's
17 notification of political subdivisions, and for political subdivisions' requests and
18 contributions to the department, under this subsection.

19 ***b0519/3.3* SECTION 2305g.** 84.02 (16) of the statutes is created to read:

20 **84.02 (16) STATE TRUNK HIGHWAY REPORT TO LEGISLATURE.** By September 15,
21 2002, and biennially thereafter, the department shall submit a report to the chief
22 clerk of each house of the legislature for distribution to the appropriate standing
23 committee dealing with transportation matters in each house of the legislature that
24 provides statistics on the condition and performance of state trunk highways,

1 including pavement smoothness and distress, geometric deficiencies, safety
2 problems, structural and functional bridge deficiencies, and traffic congestion.

3 ***b0506/3.1* SECTION 2305k.** 84.02 (17) of the statutes is created to read:

4 84.02 (17) WIDENING OF USH 12; VILLAGE OF CAMBRIDGE. With respect to any
5 reconstruction or repair of the portion of USH 12 in the village of Cambridge in Dane
6 County, the department may not, between the effective date of this subsection ...
7 [revisor inserts date], and December 31, 2011, widen the portion of USH 12 between
8 the intersection of USH 12 and USH 18 and the Koshkonong Creek Bridge.

9 ***b0423/1.1* SECTION 2305m.** 84.03 (2) (b) 2. of the statutes is amended to read:

10 84.03 (2) (b) 2. The secretary is required to submit a plan under subd. 1. only
11 if the department's most recent estimate of the amount of federal funds that the
12 department will be appropriated under s. 20.395 in the current state fiscal year is
13 less than ~~95%~~ 97% or more than ~~105%~~ 103% of the amount of federal funds shown
14 in the schedule for the appropriations under s. 20.395 in that fiscal year.

15 ***-1965/7.5* SECTION 2306.** 84.03 (3) of the statutes is created to read:

16 84.03 (3) WEST CANAL STREET RECONSTRUCTION PROJECT. (a) Subject to par. (b),
17 the department shall, from the appropriations under s. 20.395 (3) (cr) and (cy), award
18 a grant of \$5,000,000 from the amounts allocated for the Marquette interchange
19 reconstruction project under 2001 Wisconsin Act (this act), section 9152 (5w), and
20 shall award grants totaling \$5,000,000 from the appropriation under s. 20.395 (3)
21 (ck), to the city of Milwaukee for reconstruction of West Canal Street in the city of
22 Milwaukee to serve as a transportation corridor for the purpose of mitigating traffic
23 associated with the reconstruction of the Marquette interchange.

24 (b) No grant may be awarded under par. (a) unless the city of Milwaukee
25 contributes \$10,000,000 toward the West Canal Street reconstruction project.

1 (c) This subsection does not apply after December 31, 2005.

2 ***-2387/3.1* SECTION 2307.** 84.03 (4) of the statutes is created to read:

3 84.03 (4) PARK EAST FREEWAY CORRIDOR COST SHARING. (a) The maximum state
4 share of costs for the project for the demolition of the Park East Freeway corridor in
5 Milwaukee County, as provided in an agreement entered into on April 20, 1999,
6 between the city of Milwaukee, Milwaukee County, and the state, shall be
7 \$8,000,000, of which \$6,800,000 shall be federal interstate cost estimate funds
8 received by the state.

9 (b) The local share of costs of the project described in par. (a) shall be not less
10 than the amount of \$17,000,000 provided for in the agreement specified under par.
11 (a), of which \$14,450,000 shall be federal interstate cost estimate funds received by
12 the city or county.

13 ***b0489/1.1* SECTION 2307k.** 84.1033 of the statutes is created to read:

14 **84.1033 Leo Frigo Memorial Bridge.** Not later than June 30, 2003, the
15 department shall designate and mark the bridge on I 43 across the Fox River in the
16 city of Green Bay as the “Leo Frigo Memorial Bridge” in recognition and appreciation
17 of Leo Frigo, a civic and philanthropic leader in the Green Bay area whose legacy
18 includes one of the largest food pantry programs in the nation for feeding the hungry.

19 ***b0491/1.1* SECTION 2307r.** 84.1041 of the statutes is created to read:

20 **84.1041 Gateway to the North Bridge.** Not later than June 30, 2003, the
21 department shall designate and mark the bridge on USH 45 across the south branch
22 of the Embarrass River in the village of Tigerton in Shawano County as the “Gateway
23 to the North” to serve as a welcome to visitors to the northern part of this state.

24 ***b0511/2.1* SECTION 2308h.** 84.185 (6m) of the statutes is amended to read:

1 84.185 **(6m)** ADMINISTRATION. From the appropriations under s. 20.395 (2) (iq),
2 (iv), and (ix), upon the approval of the secretary under sub. (2), the department may
3 make improvements to or provide other assistance for the improvement of a
4 transportation facility under sub. (1) (d) 1. to 3. or provide other assistance for the
5 improvement of a transportation facility under sub. (1) (d) 4. or 5. The department
6 may not allocate more than 80% of the total funds appropriated under s. 20.395 (2)
7 (iq) and (iw) in fiscal year 2002–03, and in any fiscal year thereafter, for grants under
8 this section. The department may make loans from the appropriations under s.
9 20.395 (2) (iq) and (iw) for the improvement of a transportation facility. The state
10 share of costs for the improvement of a transportation facility, including any loans
11 made under this subsection for the improvement of the transportation facility, may
12 not exceed 50% of the cost of the improvement. The department shall give priority
13 to funding applications for which the applicant has indicated a willingness to accept
14 a loan made under this subsection for all or part of the state share of costs for the
15 improvement of the transportation facility.

16 ***b0532/3.1* SECTION 2308m.** 84.205 of the statutes is created to read:

17 **84.205 Claims arising from repair and maintenance of state trunk**
18 **highways.** (1) In this section, “political subdivision” means a city, village, town, or
19 county.

20 (2) From funds appropriated and available to the department under s. 20.395
21 (3), the department shall pay, in whole or in part, any claims submitted to the
22 department by a political subdivision, on a form prescribed by the department, for
23 damage to any gravel road maintained by the political subdivision that is determined
24 by the department to be caused by reason of the road’s use as a detour incident to the
25 maintenance, repair, or construction by the department of any state trunk highway,

1 if the gravel road is not part of a detour route designated by the department. The
2 political subdivision shall include with the claim a description of the nature and
3 cause of the alleged damage, the asserted value of the claim, and all known evidence
4 in support of the claim. In making its determination after submittal of the claim, the
5 department shall consider each of the following factors:

6 (a) The condition of the gravel road at the time the claim was submitted.

7 (b) The condition of the gravel road, if known, immediately prior to its use as
8 a detour incident to the maintenance, repair, or construction by the department of
9 the state trunk highway.

10 (c) The proximity and convenience of the gravel road to the state trunk highway
11 and to any applicable detour route.

12 (d) The extent of motor truck traffic in the vicinity of the state trunk highway
13 and the gravel road.

14 (e) Any other factors or evidence submitted by the political subdivision with its
15 claim under this subsection.

16 (3) The department shall promulgate rules to implement and administer this
17 section.

18 ***-2228/4.6* SECTION 2309.** 84.59 (1) of the statutes is amended to read:

19 84.59 (1) Transportation facilities under s. 84.01 (28) and major highway
20 projects as defined under s. 84.013 (1) (a) for the purposes under ss. 84.06 and 84.09
21 may be funded with the proceeds of revenue obligations issued subject to and in
22 accordance with subch. II of ch. 18, except that funding for major highway projects
23 with such proceeds may not exceed 55% of the total funds encumbered in any period
24 of 3 consecutive fiscal years, beginning with the 3-year period of 2002–03 to 2004–05,
25 for major highway projects.

1 *~~2228/4.7~~* SECTION 2310. 84.59 (6) of the statutes is amended to read:

2 84.59 (6) The building commission may contract revenue obligations when it
3 reasonably appears to the building commission that all obligations incurred under
4 this section can be fully paid from moneys received or anticipated and pledged to be
5 received on a timely basis. Except as provided in this subsection, the principal
6 amount of revenue obligations issued under this section may not exceed
7 ~~\$1,447,085,500 and may \$1,753,067,500 , excluding any obligations that have been~~
8 ~~defeased under a cash optimization program administered by the building~~
9 ~~commission, to be used for transportation facilities under s. 84.01 (28) and major~~
10 ~~highway projects for the purposes under ss. 84.06 and 84.09. In addition to the~~
11 ~~foregoing limit on principal amount, the building commission may contract revenue~~
12 ~~obligations under this section as the building commission determines is desirable to~~
13 ~~refund outstanding revenue obligations contracted under this section and to pay~~
14 ~~expenses associated with revenue obligations contracted under this section.~~

15 *~~1813/4.12~~* SECTION 2311. 85.037 of the statutes is repealed.

16 *~~0082/2.1~~* SECTION 2312. 85.107 (title) of the statutes is amended to read:

17 85.107 (title) ~~Minority civil engineer scholarship~~ **Scholarship and loan**
18 **repayment incentive grant program.**

19 *~~0082/2.2~~* SECTION 2313. 85.107 (1) of the statutes is amended to read:

20 85.107 (1) PURPOSE. The ~~minority civil engineer~~ scholarship and loan
21 repayment incentive grant program is created to assist in improving the
22 representation of ~~minorities among employees of targeted group members within job~~
23 ~~classifications in which targeted group members are underutilized in the~~
24 ~~department who are classified as civil engineers.~~

25 *~~0082/2.3~~* SECTION 2314. 85.107 (2) of the statutes is repealed.

1 ***-0082/2.4*** SECTION 2315. 85.107 (2m) (intro.) of the statutes is created to
2 read:

3 85.107 (2m) DEFINITIONS. (intro.) In this section:

4 ***-0082/2.5*** SECTION 2316. 85.107 (2m) (am) of the statutes is created to read:

5 85.107 (2m) (am) “Person with a disability” means any person who has a
6 physical or mental disability that constitutes or results in a substantial barrier to
7 employment.

8 ***-0082/2.6*** SECTION 2317. 85.107 (2m) (b) of the statutes is created to read:

9 85.107 (2m) (b) “Targeted group member” means a person with disabilities, or
10 a person who belongs to a class of race, color, or sex, whose percent of the workforce
11 within any job classification in the department is less than that class’s percent of the
12 statewide labor market for such job activities.

13 ***-0082/2.7*** SECTION 2318. 85.107 (3) (a) (intro.) of the statutes is amended to
14 read:

15 85.107 (3) (a) (intro.) Award scholarships to ~~resident minority students~~
16 targeted group members who are enrolled fulltime full time and registered as
17 sophomores, juniors or seniors in a ~~civil engineering bachelor of science~~ degree
18 program offered by an accredited institution of higher education in this state.
19 Scholarships under this paragraph shall not exceed the following amounts:

20 ***-0082/2.8*** SECTION 2319. 85.107 (3) (am) of the statutes is created to read:

21 85.107 (3) (am) Award scholarships of not more than \$2,000 each to any
22 targeted group member who is registered in his or her 2nd year of full-time
23 enrollment in an associate degree program, as defined in s. 38.01 (1), or vocational
24 diploma program, as defined in s. 38.01 (11), at a technical college in this state.

1 *~~0082/2.9~~* SECTION 2320. 85.107 (3) (b) 1. (intro.) of the statutes is amended
2 to read:

3 85.107 (3) (b) 1. (intro.) Make loan repayment grants to ~~minority civil engineers~~
4 targeted group members who are employed by the department and have education
5 loans outstanding. Subject to subd. 2., loan repayment grants under this subdivision
6 shall not exceed the following amounts:

7 *~~1857/5.111~~* SECTION 2321. 85.12 (3) of the statutes is amended to read:

8 85.12 (3) The department may contract with any local governmental unit, as
9 defined in s. ~~16.97~~ 22.01 (7), to provide that local governmental unit with services
10 under this section.

11 *~~b0253/1.1~~* SECTION 2321m. 85.12 (4) of the statutes is created to read:

12 85.12 (4) Beginning with fiscal year 2001–02, if the department of
13 transportation provides radio services under this section to the department of
14 natural resources in any fiscal year, the department of natural resources shall make
15 quarterly payments from the appropriation under s. 20.370 (8) (mu) of \$111,450 to
16 the department of transportation.

17 *~~2161/1.1~~* SECTION 2323. 85.20 (4m) (a) 6. a. and b. of the statutes are
18 repealed.

19 *~~b0523/2.1~~* SECTION 2324m. 85.20 (4m) (a) 6. cm. of the statutes is amended
20 to read:

21 85.20 (4m) (a) 6. cm. ~~Beginning with aid payable for calendar year 2000~~ For
22 aid payable for calendar years 2000 and 2001, from the appropriation under s. 20.395
23 (1) (ht), the department shall pay \$53,555,600 to the eligible applicant that pays the
24 local contribution required under par. (b) 1. for an urban mass transit system that
25 has annual operating expenses in excess of \$80,000,000. For aid payable for calendar

1 year 2002, from the appropriation under s. 20.395 (1) (ht), the department shall pay
2 \$55,697,800 to the eligible applicant that pays the local contribution required under
3 par. (b) 1. for an urban mass transit system that has annual operating expenses in
4 excess of \$80,000,000. Beginning with aid payable for calendar year 2003 and for
5 each calendar year thereafter, from the appropriation under s. 20.395 (1) (ht), the
6 department shall pay \$56,811,800 to the eligible applicant that pays the local
7 contribution required under par. (b) 1. for an urban mass transit system that has
8 annual operating expenses in excess of \$80,000,000. If the eligible applicant that
9 receives aid under this subd. 6. cm. is served by more than one urban mass transit
10 system, the eligible applicant may allocate the aid between the urban mass transit
11 systems in any manner the eligible applicant considers desirable.

12 *b0523/2.1* SECTION 2325m. 85.20 (4m) (a) 6. d. of the statutes is amended to
13 read:

14 85.20 (4m) (a) 6. d. ~~Beginning with aid payable for calendar year 2000~~ For aid
15 payable for calendar years 2000 and 2001, from the appropriation under s. 20.395
16 (1) (hu), the department shall pay \$14,297,600 to the eligible applicant that pays the
17 local contribution required under par. (b) 1. for an urban mass transit system that
18 has annual operating expenses in excess of \$20,000,000 but less than \$80,000,000.
19 For aid payable for calendar year 2002, from the appropriation under s. 20.395 (1)
20 (hu), the department shall pay \$14,869,500 to the eligible applicant that pays the
21 local contribution required under par. (b) 1. for an urban mass transit system that
22 has annual operating expenses in excess of \$20,000,000 but less than \$80,000,000.
23 Beginning with aid payable for calendar year 2003 and for each calendar year
24 thereafter, from the appropriation under s. 20.395 (1) (hu), the department shall pay
25 \$15,166,900 to the eligible applicant that pays the local contribution required under

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

6 ***b0523/2.1* SECTION 2326m.** 85.20 (4m) (a) 7. of the statutes is amended to
7 read:

8 85.20 (4m) (a) 7. a. From the appropriation under s. 20.395 (1) (hr), for aid
9 payable for calendar year 2001, the uniform percentage for each eligible applicant
10 served by an urban mass transit system operating within an urbanized area having
11 a population as shown in the 1990 federal decennial census of at least 50,000 or
12 receiving federal mass transit aid for such area, and not specified in subd. 6. From
13 the appropriation under s. 20.395 (1) (hr), beginning with aid payable for calendar
14 year 2002 and for each calendar year thereafter, the uniform percentage for each
15 eligible applicant served by an urban mass transit system operating within an
16 urbanized area having a population as shown in the 2000 federal decennial census
17 of at least 50,000 or receiving federal mass transit aid for such area, and not specified
18 in subd. 6.

19 b. For the purpose of making allocations under subd. 7. a., the amounts for aids
20 are ~~\$18,422,500 in calendar year 1999 and \$19,804,200 in calendar year 2000 and~~
21 ~~years 2000 and 2001,~~ \$20,596,400 in calendar year 2002, and \$21,008,300 in
22 calendar year 2003 and in each calendar year thereafter. These amounts, to the
23 extent practicable, shall be used to determine the uniform percentage in the
24 particular calendar year.

1 ***b0523/2.1* SECTION 2327m.** 85.20 (4m) (a) 8. of the statutes is amended to
2 read:

3 85.20 (4m) (a) 8. a. From the appropriation under s. 20.395 (1) (hs), for aid
4 payable for calendar year 2001, the uniform percentage for each eligible applicant
5 served by an urban mass transit system operating within an area having a
6 population as shown in the 1990 federal decennial census of less than 50,000 or
7 receiving federal mass transit aid for such area. From the appropriation under s.
8 20.395 (1) (hs), beginning with aid payable for calendar year 2002 and for each
9 calendar year thereafter, the uniform percentage for each eligible applicant served
10 by an urban mass transit system operating within an area having a population as
11 shown in the 2000 federal decennial census of less than 50,000 or receiving federal
12 mass transit aid for such area.

13 b. For the purpose of making allocations under subd. 8. a., the amounts for aids
14 are \$4,975,900 in calendar year 1999 and \$5,349,100 in calendar year 2000 and years
15 2000 and 2001, \$5,563,100 in calendar year 2002, and \$5,674,400 in calendar year
16 2003 and in each calendar year thereafter. These amounts, to the extent practicable,
17 shall be used to determine the uniform percentage in the particular calendar year.

18 ***-0284/2.5* SECTION 2331.** 85.24 (title) of the statutes is repealed and
19 recreated to read:

20 **85.24 (title) Transportation employment and mobility program.**

21 ***-0284/2.6* SECTION 2332.** 85.24 (1) of the statutes is amended to read:

22 85.24 (1) PURPOSE. The purpose of this section is to promote the conservation
23 of energy, reduce traffic congestion, improve air quality ~~and~~, enhance the efficient
24 use of existing transportation systems, and enhance the success of welfare-to-work
25 programs by providing efficient and effective transportation services that link

1 low-income workers with jobs, training centers, and child care facilities, by planning
2 and promoting demand management and ride-sharing programs, and by providing
3 technical and financial assistance to public and private organizations for job access
4 and employment transportation assistance programs and for the development and
5 implementation of demand management and ride-sharing programs.

6 *~~0284/2.7~~* SECTION 2333. 85.24 (2) (ag) of the statutes is created to read:

7 85.24 (2) (ag) “Job access and employment transportation assistance” means
8 policies and programs that are directed at resolving the transportation needs of
9 low-income workers and recipients of public assistance with respect to
10 transportation to-and-from jobs, including welfare-to-work programs, and
11 activities related to their employment.

12 *~~0284/2.8~~* SECTION 2334. 85.24 (2) (br) of the statutes is created to read:

13 85.24 (2) (br) “Transportation employment and mobility” means policies and
14 programs that encompass demand management, ride sharing, and job access and
15 employment transportation assistance.

16 *~~0284/2.9~~* SECTION 2335. 85.24 (3) (a) of the statutes is amended to read:

17 85.24 (3) (a) The department of transportation shall be the lead state agency
18 in demand management and ride-sharing activities and shall collaborate with the
19 department of workforce development in job access and employment transportation
20 assistance programs. The department of transportation shall have all powers
21 necessary to develop and implement a state ~~demand management and ride-sharing~~
22 ~~assistance program which shall include~~ transportation employment and mobility
23 program that includes the coordination of demand management ~~and,~~ ride-sharing,
24 and job access and employment transportation assistance activities in this state; the
25 promotion and marketing of demand management ~~and,~~ ride-sharing, and job access

1 and employment transportation assistance activities; the dissemination of technical
2 information; the provision of technical and financial assistance to public and private
3 organizations for the planning, development, and implementation of demand
4 management and, ride-sharing, and job access and employment transportation
5 assistance programs; and the development and distribution of computer and
6 manual ride-matching systems.

7 ***-0284/2.10*** SECTION 2336. 85.24 (3) (c) of the statutes is amended to read:

8 85.24 (3) (c) The department may administer a program for the distribution of
9 any federal funds for ride sharing and, demand management, and job access and
10 employment transportation assistance that are made available to the state.

11 ***-0284/2.11*** SECTION 2337. 85.24 (3) (d) (intro.) of the statutes is amended to
12 read:

13 85.24 (3) (d) (intro.) The department may award grants from the appropriation
14 under s. 20.395 (1) (bs) to public and private organizations for the development and
15 implementation of demand management and, ride-sharing, and job access and
16 employment transportation assistance programs. As a condition of obtaining a grant
17 under this paragraph, a public or private organization may be required to provide
18 matching funds at any percentage. The For demand management and ride-sharing
19 purposes, the department shall give priority in the awarding of grants to those
20 programs that provide the greatest reduction in automobile trips, especially during
21 peak hours of traffic congestion. The department shall have all powers necessary
22 and convenient to implement this paragraph, including the following powers:

23 ***b0241/2.2*** SECTION 2337k. 85.285 of the statutes is created to read:

24 **85.285 Extrication training grants.** From the appropriation under s. 20.395
25 (5) (ds), the department shall award a grant of \$375,000 in fiscal year 2002–03 and

1 in each fiscal year thereafter to a nonprofit corporation that has experience providing
2 training that meets the standards of the National Fire Protection Association and
3 that prepares trained individuals to teach extrication techniques for all types of
4 vehicles to rescue personnel. A grant made under this section may be used to provide
5 training, acquire extrication equipment, or develop extrication training curricula.
6 The department may not award a grant under this section unless the recipient of the
7 grant enters into a written agreement with the department that specifies the
8 conditions for use of the grant proceeds, including the use of any training curriculum
9 developed with grant proceeds.

10 *~~0758/2.1~~* SECTION 2338. 85.51 (title) of the statutes is amended to read:

11 **85.51 (title) State traffic patrol services; special events fee.**

12 *~~0758/2.2~~* SECTION 2339. 85.51 of the statutes is renumbered 85.51 (1) (a)

13 and amended to read:

14 85.51 (1) (a) ~~The~~ Except as provided in par. (b), the department may charge ~~the~~
15 an event sponsor, as defined by rule, a fee, in an amount calculated under a uniform
16 method established by rule, for security and traffic enforcement services provided by
17 the state traffic patrol at any public event for which an admission fee is charged for
18 spectators ~~if the event is organized by a private organization~~. The department may
19 not impose a fee for such services except as provided in this section paragraph.

20 **(3) USE OF FEES.** All moneys received under this ~~subsection~~ section shall be
21 deposited in the general fund and credited to the appropriation account under s.
22 20.395 (5) (dg).

23 *~~b0252/2.4~~* SECTION 2339g. 85.51 (1) (title) of the statutes is created to read:

24 85.51 (1) (title) SPECIAL EVENTS FEE.

25 *~~b0252/2.4~~* SECTION 2339m. 85.51 (1) (b) of the statutes is created to read:

1 85.51 (1) (b) Paragraph (a) does not apply to farm progress days subject to s.
2 85.511.

3 ***-0758/2.3*** **SECTION 2340.** 85.51 (2) of the statutes is created to read:

4 85.51 (2) **SECURITY AND TRAFFIC ENFORCEMENT SERVICES FEE.** The department
5 may charge any person a fee, in an amount calculated under a uniform method
6 established by rule, for security and traffic enforcement services provided by the
7 state traffic patrol during that person's installation, inspection, removal, relocation,
8 or repair of a utility facility, as defined in s. 30.40 (19), located on a highway, as
9 defined in s. 340.01 (22), if that person requests such services in writing.

10 ***b0252/2.5*** **SECTION 2340i.** 85.511 of the statutes is created to read:

11 **85.511 Farm progress days.** (1) The department is prohibited from charging
12 any sponsor of farm progress days for any costs incurred by the department
13 associated with farm progress days.

14 (2) The department shall promulgate rules specifying eligibility as a sponsor
15 under sub. (1) and determining the conditions that shall be satisfied to qualify as
16 farm progress days under sub. (1).

17 ***b0248/2.1*** **SECTION 2340k.** 85.517 of the statutes is created to read:

18 **85.517 Database redesign; division of motor vehicles.** By January 2,
19 2002, and biennially by January 2 thereafter, the department shall submit to the
20 joint committee on finance, and to the appropriate standing committees of the
21 legislature under s. 13.172 (3), a report on the progress of the division of motor
22 vehicles database redesign. The report shall include all of the following:

23 (1) The identification of all portions of the database redesign that have been
24 completed and all portions planned for completion within 12 months following the
25 report.

1 (2) The identification of any change in data processing, administrative, or other
2 process efficiencies realized from those portions of the database redesign that have
3 been completed, or anticipated from those portions of the database redesign that are
4 planned for completion within 12 months following the report.

5 (3) A timetable for completion of the database redesign, including the
6 identification of all portions of the database redesign that remain to be completed
7 and their projected dates of completion.

8 (4) Any recommended statutory changes or funding levels to facilitate the
9 database redesign or any data processing, administrative, or other process
10 efficiencies associated with the database redesign.

11 ***b0254/1.1* SECTION 2340t.** 85.56 of the statutes is created to read:

12 **85.56 Joint committee on finance review of transportation safety**
13 **contracts.** The department may not enter into any contract relating to alcohol or
14 traffic enforcement activities to be funded in whole or in part with federal
15 transportation safety funds unless the department first notifies the joint committee
16 on finance in writing of the proposed contract. If the cochairpersons of the committee
17 do not notify the department within 14 working days after the date of the
18 department's notification that the committee has scheduled a meeting to review the
19 proposed contract, the department may enter into the proposed contract. If, within
20 14 working days after the date of the department's notification, the chairpersons of
21 the committee notify the department that the committee has scheduled a meeting to
22 review the proposed contract, the department may enter into the proposed contract
23 only upon approval of the committee.

24 ***b0517/2.1* SECTION 2340x.** 86.193 of the statutes is created to read:

1 **86.193 Agricultural tourism signs.** The department shall develop and
2 implement a plan, consistent with federal and state laws, to promote and maximize
3 the erection of agricultural tourism signs on highways in this state to identify and
4 provide directional information to any agricultural tourism facility located in this
5 state. In developing and implementing the plan under this section, the department
6 shall consult with the department of agriculture, trade and consumer protection.

7 ***-2162/1.1* SECTION 2341.** 86.30 (2) (a) 3. (intro.) of the statutes is renumbered
8 86.30 (2) (a) 3. and amended to read:

9 86.30 (2) (a) 3. For each mile of road or street under the jurisdiction of a
10 municipality as determined under s. 86.302, the mileage aid payment shall be ~~an~~
11 ~~amount equal to the following:~~ \$1,704 in calendar year 2001, \$1,755 in calendar year
12 2002, and \$1,790 in calendar year 2003 and thereafter.

13 ***-2162/1.2* SECTION 2342.** 86.30 (2) (a) 3. g. of the statutes is repealed.

14 ***-2162/1.3* SECTION 2343.** 86.30 (2) (a) 3. h. of the statutes is repealed.

15 ***-2162/1.4* SECTION 2344.** 86.30 (9) (b) of the statutes is amended to read:

16 86.30 (9) (b) For the purpose of calculating and distributing aids under sub. (2),
17 the amounts for aids to counties are ~~\$78,744,300 in calendar years 1998 and 1999,~~
18 ~~and \$84,059,500 in calendar year years 2000 and 2001,~~ \$86,581,300 in calendar year
19 2002, and \$88,312,900 in calendar year 2003 and thereafter. These amounts, to the
20 extent practicable, shall be used to determine the statewide county average
21 cost-sharing percentage in the particular calendar year.

22 ***-2162/1.5* SECTION 2345.** 86.30 (9) (c) of the statutes is amended to read:

23 86.30 (9) (c) For the purpose of calculating and distributing aids under sub. (2),
24 the amounts for aids to municipalities are ~~\$247,739,100 in calendar years 1998 and~~
25 ~~1999, and \$264,461,500 in calendar year years 2000 and 2001,~~ \$272,395,300 in

1 calendar year 2002, and \$277,843,200 in calendar year 2003 and thereafter. These
2 amounts, to the extent practicable, shall be used to determine the statewide
3 municipal average cost-sharing percentage in the particular calendar year.

4 ***b0652/1.1* SECTION 2346m.** 86.31 (2) (f) of the statutes is created to read:

5 86.31 (2) (f) With respect to town road improvements, the department shall
6 give priority to town road improvements under subs. (3) and (3m) that fund
7 improvements of town roads that have been damaged as a result of heavy motor truck
8 loads.

9 ***b0504/1.1* SECTION 2347f.** 86.31 (3g) of the statutes is amended to read:

10 86.31 (3g) COUNTY TRUNK HIGHWAY IMPROVEMENTS. From the appropriation
11 under s. 20.395 (2) (fr), the department shall allocate ~~\$5,000,000~~ \$5,250,000 in each
12 fiscal year, beginning in fiscal year 2001–02, to fund county trunk highway
13 improvements with eligible costs totaling more than \$250,000. The funding of
14 improvements under this subsection is in addition to the allocation of funds for
15 entitlements under sub. (3).

16 ***b0504/1.1* SECTION 2347k.** 86.31 (3m) of the statutes is amended to read:

17 86.31 (3m) TOWN ROAD IMPROVEMENTS. From the appropriation under s. 20.395
18 (2) (fr), the department shall allocate ~~\$2,000,000 in fiscal year 1999–2000 and~~
19 ~~\$500,000 in each following fiscal year~~ \$750,000 in each fiscal year, beginning in fiscal
20 year 2001–02, to fund town road improvements with eligible costs totaling \$100,000
21 or more. The funding of improvements under this subsection is in addition to the
22 allocation of funds for entitlements under sub. (3).

23 ***b0504/1.1* SECTION 2347r.** 86.31 (3r) of the statutes is amended to read:

24 86.31 (3r) MUNICIPAL STREET IMPROVEMENTS. From the appropriation under s.
25 20.395 (2) (fr), the department shall allocate ~~\$1,250,000 in fiscal year 1999–2000,~~

1 and ~~\$750,000 in each fiscal year thereafter~~ \$1,000,000 in each fiscal year, beginning
2 in fiscal year 2001–02, to fund municipal street improvement projects having total
3 estimated costs of \$250,000 or more. The funding of improvements under this
4 subsection is in addition to the allocation of funds for entitlements under sub. (3).

5 *b0293/2.2* SECTION 2351h. 88.15 (2m) of the statutes is created to read:

6 88.15 (2m) The department of agriculture, trade and consumer protection shall
7 create and maintain a secure Internet site on which drainage districts may post
8 engineering projects in order to obtain bids electronically for engineering services.
9 The department shall promulgate rules that specify fees designed to cover the costs
10 of creating and maintaining the Internet site.

11 *–1813/4.13* SECTION 2380. 92.14 (3) (intro.) of the statutes is amended to
12 read:

13 92.14 (3) BASIC ALLOCATIONS TO COUNTIES. (intro.) To help counties fund their
14 land and water conservation activities, the department shall award an annual grant
15 from the appropriation under s. 20.115 (7) (c) ~~or (d)~~ or under s. 20.866 (2) (we) to any
16 county land conservation committee that has a land and water resource
17 management plan approved by the department under s. 92.10 (4) (d), and that, by
18 county board action, has resolved to provide any matching funds required under sub.
19 (5g). The county may use the grant for land and water resource management
20 planning and for any of the following purposes, consistent with the approved land
21 and water resource management plan:

22 *b0297/5.9* SECTION 2380g. 92.14 (5g) of the statutes is renumbered 92.14
23 (5g) (a) and amended to read:

24 92.14 (5g) (a) If Except as provided in par. (b), if a grant under sub. (3) provides
25 funding for salary and fringe benefits for more than one county staff person, a county

1 shall provide matching funds, as determined by the department, equal to at least
2 30% of the cost of salary and fringe benefits for the 2nd staff person and at least 50%
3 of the cost of salary and fringe benefits for any additional staff persons for whom the
4 grant provides funding.

5 ***b0297/5.9* SECTION 2380i.** 92.14 (5g) (b) of the statutes is created to read:

6 92.14 (5g) (b) For a grant awarded for a year before 2010, the department shall
7 require a county to provide matching funds for priority watershed project staff equal
8 to not less than 10% nor more than 30% of the staff funding that was provided to the
9 county for 1997 for a priority watershed that was designated before July 1, 1998.
10 This paragraph does not apply to matching funds for priority watershed project staff
11 after the termination date that was in effect on October 6, 1998, for the priority
12 watershed project.

13 ***-0397/2.2* SECTION 2383.** 93.06 (12) of the statutes is created to read:

14 93.06 (12) FEDERAL AGRICULTURAL POLICY REFORM. From the appropriation
15 under s. 20.115 (3) (a), provide at least \$50,000 in each fiscal year to organizations
16 to seek the reform of federal agricultural policy for the benefit of agricultural
17 producers in this state. This subsection does not apply after June 30, 2005.

18 ***-0404/3.1* SECTION 2390.** 93.23 (1) (h) of the statutes is repealed.

19 ***-0394/3.18* SECTION 2392.** 93.47 (2) of the statutes is amended to read:

20 93.47 (2) The department may award grants from the appropriation accounts
21 under s. 20.115 (4) (c) and ~~(i)~~ (8) (g) to individuals or organizations to fund
22 demonstration projects designed to encourage the use of sustainable agriculture.
23 The department shall promulgate rules to govern the sustainable agriculture grant
24 program under this section.

25 ***-0403/1.3* SECTION 2393.** 93.48 of the statutes is repealed.

1 ***b0294/2.4* SECTION 2395t.** 94.715 of the statutes is created to read:

2 **94.715 Pest management for schools. (1) DEFINITIONS.** In this section:

3 (a) “Active ingredient” has the meaning given in s. 94.67 (1).

4 (b) “Federal act” has the meaning given in s. 94.67 (13).

5 (c) “Inert ingredient” has the meaning given in s. 94.67 (16).

6 (cm) “Integrated pest management” means a comprehensive strategy of pest
7 control with the main objective of achieving desired levels of pest control in an
8 environmentally responsible manner to reduce or eliminate reliance on pesticides by
9 using a combination of nonchemical pest controls, which may include monitoring,
10 increased sanitation, physical barriers, and the use of natural pest enemies, to
11 address conditions that support pests and judiciously using lowest risk pesticides
12 when necessary after all other methods have failed.

13 (d) “Pest” has the meaning given in s. 94.67 (24).

14 (e) “Pesticide” has the meaning given in s. 94.67 (25), except that “pesticide”
15 does not include a germicide, sanitizer, or disinfectant.

16 **(2) REQUIREMENTS FOR SCHOOL BOARDS.** A school board shall do all of the
17 following:

18 (a) Propose a pest management plan that complies with sub. (4).

19 (am) Before proposing a plan under par. (a), obtain training under s. 36.25 (43)
20 for at least one member of the school board or school district employee who will be
21 involved in developing the pest management plan.

22 (b) After public notice and a hearing on the proposed plan under par. (a) and
23 no later than the first day of the 7th month beginning after the effective date of this
24 paragraph [revisor inserts date], adopt a pest management plan that complies
25 with sub. (4) and submit a copy of the plan to the department.

1 (c) No later than the first day of the 13th month beginning after the effective
2 date of this paragraph [revisor inserts date], implement the pest management
3 plan adopted under par. (b).

4 (d) Provide public notice and a hearing before modifying the pest management
5 plan adopted under par. (b) and notify the department of any modifications to the
6 plan.

7 (dm) Authorize pesticide application in a school or on school grounds to be
8 conducted only by persons who are certified in the applicable pesticide use categories
9 under s. 94.705.

10 (e) When the use of a pesticide is determined to be necessary in a school or on
11 school grounds, use pesticide in accordance with integrated pest management
12 practices.

13 (f) Except as provided in sub. (6), at least 72 hours in advance of each pesticide
14 application in a school or on school grounds, provide written notification, in a font
15 size no smaller than that routinely used for other notices to parents, of the name of
16 the pesticide to be applied, the planned time and location of the application, the
17 potential health effects of exposure to the pesticide, as indicated on its label, and the
18 name and telephone number of a person at the school who can be called for more
19 information or to report health effects from exposure, to all of the following:

20 1. Each employee of the school district, or of a contractor with the school
21 district, who may be present in the area of application within 72 hours after the
22 application.

23 2. Each student who may be present in the area of application within 72 hours
24 after the application.

25 3. The parents or guardians of the students under subd. 2.

1 (g) Post notice of each pesticide application in a school or on school grounds at
2 the time of the application and for at least 72 hours following the application.

3 (h) Maintain a record of all of the following for each application of pesticide in
4 a school or on school grounds:

5 1. The name and certification number of the person applying the pesticide.

6 2. The type of pesticide applied and its brand name, the name of the pesticide
7 as registered under the federal act, the pesticide registration number assigned to the
8 pesticide under the federal act, the manufacturer of the pesticide, and the pesticide's
9 active ingredients and inert ingredients.

10 3. The date and time of the application and the amount of pesticide applied.

11 4. How the pesticide was applied, including any additives used and the type of
12 application device used.

13 5. The street address of the place at which the pesticide was applied and a
14 description of the area to which the pesticide was applied.

15 6. The purpose of the application, including the target pest and whether the
16 application was preventive or reactive.

17 7. For an outdoor application, a description of the weather conditions at the
18 time of the application.

19 8. The symptoms of acute poisoning from the pesticide, as indicated on its label.

20 (i) Make the information under par. (h) available to any person upon request
21 and provide the information about pesticide applications to the department
22 quarterly, except as provided in sub. (6m).

23 (j) Review liability and property insurance maintained by the school board to
24 determine whether coverage is adequate for damage or loss caused by pesticides.

1 (k) Provide any information concerning pest management that is requested by
2 the department.

3 (3) PROHIBITIONS. (a) A school district may not routinely use pesticides on a
4 regularly scheduled basis in a school or on school grounds.

5 (b) A school district may not use pesticide fumigation in a school or on school
6 grounds.

7 (c) A school district may not use pesticides for aesthetic or cosmetic purposes.

8 (d) A school district may not use a pesticide in a school or on school grounds
9 unless nonchemical methods of pest control have failed to prevent unacceptable
10 levels of pest activity and damage.

11 (4) PEST MANAGEMENT PLAN. A school board shall design its pest management
12 plan required under sub. (2) (b) to prevent unacceptable levels of pest activity and
13 damage while minimizing hazards to persons, property, and the environment. In the
14 plan required under sub. (2) (b), a school board shall specify the pest management
15 practices that will be used by the school district and shall include all of the following:

16 (a) A description of the methods that will be used to identify pest problems,
17 including monitoring to determine whether pests are present in sufficient numbers
18 to require treatment with pesticides.

19 (b) A description of the nonchemical methods that the school district will use
20 to seek to prevent unacceptable levels of pest activity and damage.

21 (c) A description of the pesticides and methods of application that the school
22 district will use if the methods under par. (b) fail to prevent unacceptable levels of
23 pest activity and damage.

24 (d) A description of the other means that the school district will use to ensure
25 compliance with subs. (2) (c) to (k) and (3).

1 **(6) EXEMPTION FROM ADVANCE NOTICE REQUIREMENT.** A school board is not
2 required to provide advance notice of a pesticide application if the school district
3 administrator, as defined in s. 115.001 (8), or the school principal declares that a pest
4 emergency exists. If a pesticide is applied in a school or on school grounds without
5 advance notice, the school board shall provide written notification of the name of the
6 pesticide that was applied, the time and location of the application, the potential
7 health effects of exposure to the pesticide, as indicated on its label, and the name and
8 telephone number of a person at the school who can be called for more information
9 or to report health effects from exposure, to all of the persons identified in sub. (2)
10 (f) 1. to 3., as soon as possible after the application. The school board shall provide
11 the notice in a font size no smaller than that routinely used for other notices to
12 parents.

13 **(6m) EXEMPTION FROM REPORTING REQUIREMENT.** A school district is not required
14 to provide quarterly reports to the department under sub. (2) (i) if the school district
15 does not use pesticides and notifies the department that it does not use pesticides.
16 A school district shall begin to make the quarterly reports if it begins to use
17 pesticides.

18 **(7) ASSISTANCE AND COOPERATION.** The department shall provide assistance to
19 school districts in complying with subs. (2) to (4). The department shall consult with
20 the department of health and family services and the department of public
21 instruction concerning school pest management issues. The department and the
22 board of regents of the University of Wisconsin System shall enter into a
23 memorandum of understanding concerning school pest management and the
24 provision of training by the University of Wisconsin–Extension to ensure cooperation
25 between the department and the University of Wisconsin–Extension and to avoid

1 duplication of activities. The University of Wisconsin–Extension and the cooperative
2 educational service agencies shall cooperate in providing the training under s. 36.25
3 (43).

4 (8) AVAILABILITY OF PLANS. The department shall retain pest management plans
5 submitted under sub. (2) (b) and make the plans available to any person upon
6 request.

7 (9) REPORT. On or before January 1 of each even-numbered year, the
8 department, in cooperation with the University of Wisconsin–Extension and the
9 department of health and family services, shall submit a report evaluating the
10 program under this section to the legislature under s. 13.172 (2).

11 *–0401/1.8* SECTION 2398. 95.15 of the statutes is repealed.

12 *–0399/1.2* SECTION 2399. 95.60 (8) of the statutes is created to read:

13 95.60 (8) The department may provide training to veterinarians and other
14 persons who issue fish health certificates for the purposes of this section. The
15 department may charge fees to recover the cost of providing the training.

16 *b0552/1.2* SECTION 2403e. 97.60 of the statutes is created to read:

17 **97.60 Food advisory council.** The food advisory council shall meet at least
18 quarterly and shall advise the department concerning issues related to providing a
19 safe and wholesome food supply in this state, including all of the following:

- 20 (1) Food recalls.
- 21 (2) Rules that apply to retail food establishments and food processing plants.
- 22 (3) Food safety concerns and communications.
- 23 (4) Training.
- 24 (5) Partnerships between the department and the food industry.
- 25 (6) Enforcement and inspection.

1 (7) Other issues related to the food industry.

2 *~~2007/2.3~~* **SECTION 2408.** 100.20 (2) (b) of the statutes is amended to read:

3 100.20 (2) (b) Notwithstanding par. (a), the department may not issue any
4 order or promulgate any rule that regulates the provision of water or sewer service
5 by a ~~mobile~~ manufactured home park operator, as defined in s. ~~196.01 (3t)~~ 101.91 (8),
6 or ~~mobile~~ manufactured home park contractor, as defined in s. ~~196.01 (3e)~~ 101.91
7 (6m), or enforce any rule to the extent that the rule regulates the provision of such
8 water or sewer service.

9 *~~0454/3.2~~* **SECTION 2422.** 100.261 (title) of the statutes is amended to read:

10 **100.261 (title) Consumer information protection assessment.**

11 *~~0454/3.3~~* **SECTION 2423.** 100.261 (1) of the statutes is amended to read:

12 100.261 (1) If a court imposes a fine or forfeiture for a violation of this chapter,
13 ch. 98, a rule promulgated under this chapter or ch. 98 or an ordinance enacted under
14 this chapter or ch. 98, the court shall also impose a consumer ~~information~~ protection
15 assessment in an amount equal to ~~15%~~ 25% of the fine or forfeiture imposed. If
16 multiple violations are involved, the court shall base the consumer ~~information~~
17 protection assessment upon the the total of the fine or forfeiture amounts for all
18 violations. If a fine or forfeiture is suspended in whole or in part, the court shall
19 reduce the assessment in proportion to the suspension.

20 *~~0454/3.4~~* **SECTION 2424.** 100.261 (2) of the statutes is amended to read:

21 100.261 (2) If any deposit is made for a violation to which this section applies,
22 the person making the deposit shall also deposit a sufficient amount to include the
23 consumer ~~information~~ protection assessment required under this section. If the
24 deposit is forfeited, the amount of the consumer ~~information~~ protection assessment

1 shall be transmitted to the state treasurer under sub. (3). If the deposit is returned,
2 the consumer ~~information~~ protection assessment shall also be returned.

3 ***-0454/3.5* SECTION 2425.** 100.261 (3) (a) of the statutes is amended to read:

4 100.261 (3) (a) The clerk of court shall collect and transmit the consumer
5 ~~information~~ protection assessment amounts to the county treasurer under s. 59.40
6 (2) (m). The county treasurer shall then make payment to the state treasurer under
7 s. 59.25 (3) (f) 2.

8 ***-0454/3.6* SECTION 2426.** 100.261 (3) (b) 1. of the statutes is renumbered
9 100.261 (3) (b) and amended to read:

10 100.261 (3) (b) The state treasurer shall deposit the consumer protection
11 assessment amounts in the general fund and shall credit them to the appropriation
12 account under s. 20.115 (1) (jb), subject to the limit under ~~subd. 2~~ par. (c).

13 ***-0454/3.7* SECTION 2427.** 100.261 (3) (b) 2. of the statutes is renumbered
14 100.261 (3) (c) and amended to read:

15 100.261 (3) (c) The amount credited to the appropriation account under s.
16 20.115 (1) (jb) may not excccd ~~\$85,000~~ \$185,000 in each fiscal year.

17 ***-1335/7.56* SECTION 2434.** 100.45 (1) (dm) of the statutes is amended to read:

18 100.45 (1) (dm) “State agency” means any office, department, agency,
19 institution of higher education, association, society or other body in state
20 government created or authorized to be created by the constitution or any law which
21 is entitled to expend moneys appropriated by law, including the legislature and the
22 courts, the Wisconsin Housing and Economic Development Authority, the Bradley
23 Center Sports and Entertainment Corporation, the University of Wisconsin
24 Hospitals and Clinics Authority ~~and~~, the Wisconsin Health and Educational
25 Facilities Authority, and the Fox River Navigational System Authority.