76.635 **(1)** (d) "Investment pool" has the meaning given in s. 560.29 (1) (e), 2009 stats.

***-1465/P4.738* *-1059/P3.479* SECTION 2158.** 76.635 (1) (e) of the statutes is amended to read:

76.635 **(1)** (e) "Qualified investment" has the meaning given in s. 560.29 (1) (g), 2009 stats.

***-1465/P4.739* *-1059/P3.480* SECTION 2159.** 76.636 (1) (b) 1. of the statutes is amended to read:

76.636 **(1)** (b) 1. A development zone under s. 238.30 or s. 560.70, 2009 stats.

***-1465/P4.740* *-1059/P3.481* SECTION 2160.** 76.636 (1) (b) 2. of the statutes is amended to read:

76.636 **(1)** (b) 2. A development opportunity zone under s. 238.395 or s. 560.795, 2009 stats.

***-1465/P4.741* *-1059/P3.482* SECTION 2161.** 76.636 (1) (b) 3. of the statutes is amended to read:

76.636 **(1)** (b) 3. An enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.

***-1465/P4.742* *-1059/P3.483* SECTION 2162.** 76.636 (1) (b) 4. of the statutes is amended to read:

76.636 **(1)** (b) 4. An agricultural development zone under s. 238.398 or s. 560.798, 2009 stats.

***-1195/2.131* SECTION 2163.** 76.636 (1) (e) 13. of the statutes is amended to read:

76.636 **(1)** (e) 13. A ~~food stamp~~ recipient of benefits under the supplemental nutrition assistance program under 7 USC 2011 to 2036.

***-1465/P4.743* *-1059/P3.484* SECTION 2164.** 76.636 (2) (intro.) of the statutes is amended to read:

76.636 **(2)** CREDITS. (intro.) Except as provided in s. 73.03 (35), and subject to s. 238.385 or s. 560.785, 2009 stats., for any taxable year for which an insurer is entitled under s. 238.395 or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s. 238.365 (3), 238.397 (4), or 238.398 (3) or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., or s. 560.798 (3), 2009 stats., the insurer may claim as a credit against the fees due under s. 76.60, 76.63, 76.65, 76.66, or 76.67 the following amounts:

***-1465/P4.744* *-1059/P3.485* SECTION 2165.** 76.636 (2) (b) of the statutes is amended to read:

76.636 **(2)** (b) The amount determined by multiplying the amount determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number of full-time jobs created in a development zone and filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

***-1465/P4.745* *-1059/P3.486* SECTION 2166.** 76.636 (2) (c) of the statutes is amended to read:

76.636 **(2)** (c) The amount determined by multiplying the amount determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time jobs created in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

***-1465/P4.746* *-1059/P3.487* SECTION 2167.** 76.636 (2) (d) of the statutes is amended to read:

76.636 **(2)** (d) The amount determined by multiplying the amount determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the number of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats., excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats., and for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

***-1465/P4.747* *-1059/P3.488* SECTION 2168.** 76.636 (2) (e) of the statutes is amended to read:

76.636 **(2)** (e) The amount determined by multiplying the amount determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats., excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

***-1465/P4.748* *-1059/P3.489* SECTION 2169.** 76.636 (4) (intro.) of the statutes is amended to read:

76.636 **(4)** CREDIT PRECLUDED. (intro.) If the certification of a person for tax benefits under s. 238.365 (3), 238.397 (4), or 238.398 (3) or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., or s. 560.798 (3), 2009 stats., is revoked, or if the person becomes ineligible for tax benefits under s. 238.395 (3) or s. 560.795 (3), 2009 stats., that person may not do any of the following:

***-1465/P4.749* *-1059/P3.490* SECTION 2170.** 76.636 (5) of the statutes is amended to read:

76.636 **(5)** CARRY-OVER PRECLUDED. If a person who is entitled under s. 238.395 (3) or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s. 238.365 (3), 238.397 (4), or 238.398 (3) or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., or s. 560.798 (3), 2009 stats., for tax benefits ceases business operations in the development zone during any of the taxable years that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

***-1465/P4.750* *-1059/P3.491* SECTION 2171.** 76.636 (6) of the statutes is amended to read:

76.636 **(6)** ADMINISTRATION. Any insurer who claims a credit under sub. (2) shall include with the insurer's annual return under s. 76.64 a copy of its certification for tax benefits and a copy of its verification of expenses from the department of commerce or the Wisconsin Economic Development Corporation.

***-1465/P4.751* *-1059/P3.492* SECTION 2172.** 76.637 (1) of the statutes is amended to read:

76.637 **(1)** DEFINITION. In this section, "claimant" means an insurer who files a claim under this section and is certified under s. 238.301 (2) or s. 560.701 (2), 2009 stats., and authorized to claim tax benefits under s. 238.303 or s. 560.703, 2009 stats.

***-1465/P4.752* *-1059/P3.493* SECTION 2173.** 76.637 (2) of the statutes is amended to read:

76.637 **(2)** FILING CLAIMS. Subject to the limitations under this section, ss. 238.301 to 238.306, and ss. 560.701 to 560.706, 2009 stats., for taxable years

beginning after December 31, 2008, a claimant may claim as a credit against the fees due under s. 76.60, 76.63, 76.65, 76.66, or 76.67 the amount authorized for the claimant under s. 238.303 or s. 560.703, 2009 stats.

***-1465/P4.753* *-1059/P3.494* SECTION 2174.** 76.637 (3) of the statutes is amended to read:

76.637 **(3)** LIMITATIONS. No credit may be allowed under this section unless the insurer includes with the insurer's annual return under s. 76.64 a copy of the claimant's certification under s. 238.301 (2) or s. 560.701 (2), 2009 stats., and a copy of the claimant's notice of eligibility to receive tax benefits under s. 238.303 (3) or s. 560.703 (3), 2009 stats.

***-1465/P4.754* *-1059/P3.495* SECTION 2175.** 76.637 (4) of the statutes is amended to read:

76.637 **(4)** ADMINISTRATION. If an insurer's certification is revoked under s. 238.305 or s. 560.705, 2009 stats., or if an insurer becomes ineligible for tax benefits under s. 238.302 or s. 560.702, 2009 stats., the insurer may not claim credits under this section for the taxable year that includes the day on which the certification is revoked; the taxable year that includes the day on which the insurer becomes ineligible for tax benefits; or succeeding taxable years and the insurer may not carry over unused credits from previous years to offset the fees imposed under ss. 76.60, 76.63, 76.65, 76.66, or 76.67 for the taxable year that includes the day on which certification is revoked; the taxable year that includes the day on which the insurer becomes ineligible for tax benefits; or succeeding taxable years.

***-1465/P4.755* *-1059/P3.496* SECTION 2176.** 76.638 (1) of the statutes is amended to read:

76.638 **(1)** DEFINITIONS. In this section, "fund manager" means an investment fund manager certified under s. 238.15 (2) or s. 560.205 (2), 2009 stats.

***-1465/P4.756* *-1059/P3.497* SECTION 2177.** 76.638 (2) of the statutes is amended to read:

76.638 **(2)** FILING CLAIMS. For taxable years beginning after December 31, 2008, subject to the limitations provided under this subsection and s. 238.15 or s. 560.205, 2009 stats., an insurer may claim as a credit against the fees imposed under s. 76.60, 76.63, 76.65, 76.66, or 76.67, 25 percent of the insurer's investment paid to a fund manager that the fund manager invests in a business certified under s. 238.15 or s. 560.205 (1), 2009 stats.

***-1320/2.22* SECTION 2178.** Chapter 77 (title) of the statutes is amended to read:

CHAPTER 77

TAXATION OF FOREST CROPLANDS;
REAL ESTATE TRANSFER FEES;
SALES AND USE TAXES; COUNTY,
TRANSIT AUTHORITY, AND
SPECIAL DISTRICT SALES AND USE
TAXES; MANAGED FOREST LAND;
~~RECYCLING~~ ECONOMIC DEVELOPMENT
SURCHARGE; LOCAL FOOD
AND BEVERAGE TAX;
LOCAL RENTAL CAR TAX; PREMIER
RESORT AREA TAXES;
STATE RENTAL VEHICLE FEE;

1 **DRY CLEANING FEES;**
2 **SOUTHEASTERN REGIONAL**
3 **TRANSIT AUTHORITY FEE**

4 ***-1465/P4.757* *-0808/2.256* SECTION 2179.** 77.22 (2) (d) of the statutes is
5 amended to read:

6 77.22 **(2)** (d) If the real estate transferred is not subject to certification under
7 s. 101.122 (4) (a), waiver under s. 101.122 (4) (b) or stipulation under s. 101.122 (4)
8 (c), the reason why it is not so subject or the form prescribed by the department of
9 ~~commerce~~ safety and professional services under s. 101.122 (6).

10 ***-1218/P1.1* SECTION 2180.** 77.54 (5) (am) of the statutes is created to read:

11 77.54 **(5)** (am) Modular homes, as defined in s. 101.71 (6), and manufactured
12 homes, as defined in s. 101.91 (2), that are used in real property construction
13 activities outside this state.

14 ***-1187/P5.399* SECTION 2181.** 77.54 (9a) (a) of the statutes, as affected by
15 2011 Wisconsin Act 7, is amended to read:

16 77.54 **(9a)** (a) This state or any agency thereof, the University of Wisconsin
17 Hospitals and Clinics Authority, the University of Wisconsin–Madison, the
18 Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority,
19 the Wisconsin Quality Home Care Authority, the Wisconsin Economic Development
20 Corporation, and the Fox River Navigational System Authority.

****NOTE: The above exempts the UW from paying state and local sales and use taxes.

21 ***-1219/P2.1* SECTION 2182.** 77.54 (11m) of the statutes is created to read:

77.54 **(11m)** The sales price from the sales of and the storage, use, or other consumption of vegetable oil or animal fat that is converted into motor vehicle fuel that is exempt under s. 78.01 (2n) from the taxes imposed under s. 78.01 (1).

***-0711/P4.2* SECTION 2183.** 77.61 (21) of the statutes is created to read:

77.61 **(21)** Beginning with the taxes that the department receives on July 1, 2012, the department shall annually estimate the amount of, and deposit into the transportation fund, the following percentages of the taxes collected under ss. 77.52 and 77.53 on the sale, lease, or use of motor vehicles and motor vehicle parts and accessories:

(a) For fiscal year 2012-13, 7.5 percent, except that the amount deposited under this paragraph may not exceed $35,127,000.

(b) For fiscal year 2013-14, 10 percent.

(c) For fiscal year 2014-15, 15 percent.

(d) For fiscal year 2015-16, 20 percent.

(e) For fiscal year 2016-17, 25 percent.

(f) For fiscal year 2017-18, 30 percent.

(g) For fiscal year 2018-19, 35 percent.

(h) For fiscal year 2019-20, 40 percent.

(i) For fiscal year 2020-21, 45 percent.

(j) For fiscal year 2021-22, and for each fiscal year thereafter, 50 percent.

***-1388/1.5* SECTION 2184.** 77.708 (1) of the statutes is amended to read:

77.708 **(1)** A transit authority created under s. 66.1039, by resolution <u>and referendum</u> under s. 66.1039 (4) (s), may impose a sales tax and a use tax under this subchapter at a rate not to exceed 0.5 percent of the sales price or purchase price. Those taxes may be imposed only in their entirety. The resolution <u>and referendum</u>

shall be effective on the first day of the first calendar quarter that begins at least 120 days after the adoption of the resolution and affirmative result of the referendum.

***-1320/2.23* SECTION 2185.** Subchapter VII (title) of chapter 77 [precedes 77.92] of the statutes is amended to read:

CHAPTER 77

SUBCHAPTER VII

~~RECYCLING~~ ECONOMIC DEVELOPMENT SURCHARGE

***-1320/2.24* SECTION 2186.** 77.93 (intro.) of the statutes is amended to read:

77.93 Applicability. (intro.) For the privilege of doing business in this state, there is imposed ~~a recycling~~ an economic development surcharge on the following entities:

***-1320/2.25* SECTION 2187.** 77.96 (6) of the statutes is amended to read:

77.96 **(6)** The department of revenue shall refer to the surcharge under this subchapter as the ~~recycling~~ economic development surcharge.

***-1320/2.26* SECTION 2188.** 77.97 of the statutes is amended to read:

77.97 Use of revenue. The department of revenue shall deposit the surcharge, interest and penalties collected under this subchapter in the ~~recycling and renewable energy~~ economic development fund under s. 25.49.

***-1052/P8.1* SECTION 2189.** 79.01 (2d) of the statutes is amended to read:

79.01 **(2d)** There is established an account in the general fund entitled the "County and Municipal Aid Account." ~~Beginning with the distributions in 2011, the~~ The total amount to be distributed ~~each year~~ in 2011 to counties and municipalities from the county and municipal aid account is $824,825,715 and the total amount to be distributed to counties and municipalities in 2012, and in each year thereafter, from the county and municipal aid account is $728,825,715.

***-0809/4.22* SECTION 2190.** 79.02 (3) (e) of the statutes is amended to read:

79.02 **(3)** (e) For the distribution in 2004 and subsequent years, the total amount of the November payments to each county and municipality under s. 79.035 shall be reduced by an amount equal to the amount of supplements paid from the appropriation accounts under s. 20.435 (4) (b) and (gm) that the county or municipality received for the fiscal year in which a payment is made under this section, as determined under s. 49.45 (51).

***-1052/P8.2* SECTION 2191.** 79.02 (5) of the statutes is created to read:

79.02 **(5)** (a) For the distribution in 2012, the total amount of the payments to all municipalities from the county and municipal aid account shall be reduced by $59,500,000 and the total amount of the payments to all counties from the county and municipal aid account shall be reduced by $36,500,000.

(b) 1. To calculate the reduction under this subsection for each municipality, the department of revenue shall first divide $59,500,000 by the total population of all municipalities. The department shall then adjust the result of the calculation to establish a per capita amount applied to all municipalities so that the reduction for each municipality is no more than the maximum allowable reduction under this subsection for that municipality and so that the total reductions to county and municipal aid payments for municipalities under this subsection is $59,500,000.

2. To calculate the reduction under this subsection for each county, the department of revenue shall first divide $36,500,000 by the total population of all counties. The department shall then adjust the result of the calculation to establish a per capita amount applied to all counties so that the reduction for each county is no more than the maximum allowable reduction under this subsection for that

county and so that the total reductions to county and municipal aid payments for counties under this subsection is $36,500,000.

(c) The reduction for a municipality that has a population of less than 2,500 is the amount calculated by multiplying the amount determined under par. (b) 1. by the municipality's population, multiplied by the quotient of the municipality's population divided by 2,500, except that the reduction determined under this paragraph may not exceed the lesser of an amount equal to 50 percent of the municipality's payment from the county and municipal aid account in 2011 or 10 cents for each $1,000 of the municipality's equalized value, as determined under s. 70.57.

(d) 1. The reduction for a municipality that has a population of at least 2,500, but no greater than 10,000, is the amount equal to 10 cents for each $1,000 of the municipality's equalized value, as determined under s. 70.57, plus the amount determined as follows:

a. Multiply the amount determined under par. (b) 1. by the municipality's population.

b. Subtract 2,500 from the municipality's population.

c. Divide the number determined under subd. 1. b. by 7,500.

d. Multiply the number determined under subd. 1. a. by the number determined under subd. 1. c.

2. The reduction determined under this paragraph may not exceed the lesser of an amount equal to 50 percent of the municipality's payment from the county and municipal aid account in 2011 or 15 cents for each $1,000 of the municipality's equalized value, as determined under s. 70.57.

(e) 1. The reduction for a municipality that has a population greater than 10,000, but no greater than 50,000, is the amount equal to 15 cents for each $1,000 of the municipality's equalized value, as determined under s. 70.57, plus the amount determined as follows:

a. Multiply the amount determined under par. (b) 1. by the municipality's population.

b. Subtract 10,000 from the municipality's population.

c. Divide the number determined under subd. 1. b. by 40,000.

d. Multiply the number determined under subd. 1. a. by the number determined under subd. 1. c.

2. The reduction determined under this paragraph may not exceed the lesser of an amount equal to 50 percent of the municipality's payment from the county and municipal aid account in 2011 or 25 cents for each $1,000 of the municipality's equalized value, as determined under s. 70.57.

(f) 1. The reduction for a municipality that has a population greater than 50,000, but no greater than 110,000, is the amount equal to 25 cents for each $1,000 of the municipality's equalized value, as determined under s. 70.57, plus the amount determined as follows:

a. Multiply the amount determined under par. (b) 1. by the municipality's population.

b. Subtract 50,000 from the municipality's population.

c. Divide the number determined under subd. 1. b. by 60,000.

d. Multiply the number determined under subd. 1. a. by the number determined under subd. 1. c.

2. The reduction determined under this paragraph may not exceed the lesser of an amount equal to 50 percent of the municipality's payment from the county and municipal aid account in 2011 or 30 cents for each $1,000 of the municipality's equalized value, as determined under s. 70.57.

(g) The reduction for a municipality that has a population greater than 110,000 is the lesser of an amount equal to 50 percent of the municipality's payment from the county and municipal aid account in 2011 or 30 cents for each $1,000 of the municipality's equalized value, as determined under s. 70.57, plus an amount equal to the municipality's population multiplied by the amount determined under par. (b) 1., except that the reduction determined under this paragraph may not exceed an amount equal to 35 cents for each $1,000 in equalized value, as determined under s. 70.57.

(h) The reduction for a county is the amount determined under par. (b) 2. multiplied by the county's population, except that the reduction determined under this paragraph may not exceed the lesser of an amount equal to 50 percent of the county's payment from the county and municipal aid account in 2011 or $0.15 for each $1,000 of the county's equalized value, as determined under s. 70.57.

***-1052/P8.3* SECTION 2192.** 79.035 (1) of the statutes is amended to read:

79.035 **(1)** In 2004 and subsequent years, except as provided under s. 79.02 (4) <u>and (5)</u>, each county and municipality shall receive a payment from the county and municipal aid account and, beginning with payments in November 2009, from the appropriation accounts under s. 20.835 (1) (q) and (r) in an amount determined under sub. (2).

***-1465/P4.758* *-1059/P3.498* SECTION 2193.** 79.04 (7) (a) of the statutes is amended to read:

79.04 **(7)** (a) Beginning with payments in 2005, if a production plant, as described in sub. (6) (a), other than a nuclear-powered production plant, is built on the site of, or on a site adjacent to, an existing or decommissioned production plant; or is built on a site purchased by a public utility before January 1, 1980, that was identified in an advance plan as a proposed site for a production plant; or is built on, or on a site adjacent to, brownfields, as defined in s. 238.13 (1) (a) or s. 560.13 (1) (a), 2009 stats., after December 31, 2003, and has a name-plate capacity of at least one megawatt, each municipality and county in which such a production plant is located shall receive annually from the public utility account a payment in an amount that is equal to the number of megawatts that represents the production plant's name-plate capacity, multiplied by $600.

***-1052/P8.4* SECTION 2194.** 79.043 (6) of the statutes is amended to read:

79.043 **(6)** For the distribution in 2011 ~~and subsequent years~~, each county and municipality shall receive a payment under this section and s. 79.035 that is equal to the amount of the payment determined for the county or municipality under s. 79.02 (4) in 2010.

***-1052/P8.5* SECTION 2195.** 79.043 (7) of the statutes is created to read:

79.043 **(7)** For the distribution in 2012 and subsequent years, each county and municipality shall receive a payment under this section and s. 79.035 that is equal to the amount of the payment determined for the county or municipality under s. 79.02 (5) for 2012.

***-0642/P3.1* SECTION 2196.** 79.05 (1) (am) of the statutes is amended to read:

79.05 **(1)** (am) "Inflation factor" means a percentage equal to the average annual percentage change in the U.S. consumer price index for all urban consumers, U.S. city average, as determined by the U.S. department of labor, for the 12 months

ending on September 30 of the year before the statement under s. 79.015, except that the percentage under this paragraph shall not be less than ~~3 percent~~ zero.

***-1465/P4.759* *-1059/P3.499* SECTION 2197.** 84.01 (6m) (b) (intro.) of the statutes is amended to read:

84.01 **(6m)** (b) (intro.) The department, in consultation with the ~~department of commerce~~ Wisconsin Economic Development Corporation, shall do all of the following for each economic development program administered by the department:

***-1465/P4.760* *-1059/P3.500* SECTION 2198.** 84.01 (11m) (title) of the statutes is amended to read:

84.01 **(11m)** (title) ECONOMIC DEVELOPMENT ASSISTANCE COORDINATION AND REPORTING.

***-1465/P4.761* *-1059/P3.501* SECTION 2199.** 84.01 (11m) of the statutes is renumbered 84.01 (11m) (b) and amended to read:

84.01 **(11m)** (b) Annually, no later than October 1, the department shall submit to the joint legislative audit committee and to the appropriate standing committees of the legislature under s. 13.172 (3) a comprehensive report assessing economic development programs, as defined in sub. (6m) (a), administered by the department. The report shall include all of the information required under s. ~~560.01 (2) (am)~~ 238.07 (2). The department shall collaborate with the ~~department of commerce~~ Wisconsin Economic Development Corporation to make readily accessible to the public on an Internet-based system the information required under this subsection.

***-1465/P4.762* *-1059/P3.502* SECTION 2200.** 84.01 (11m) (a) of the statutes is created to read:

84.01 **(11m)** (a) The department shall coordinate any economic development assistance with the Wisconsin Economic Development Corporation.

***-1252/P3.7* SECTION 2201.** 84.01 (13) of the statutes is renumbered 84.01 (13) (b) and amended to read:

84.01 **(13)** (b) The department may engage such engineering, consulting, surveying, or other specialized services as it deems advisable. Any engagement of services under this subsection is exempt from ss. 16.70 to 16.75, 16.755 to 16.82, and 16.85 to 16.89, but ss. 16.528, 16.752, 16.753, and 16.754 apply to such engagement. Any engagement involving an expenditure of $3,000 or more shall be by formal contract approved by the governor. The department shall conduct a uniform cost-benefit analysis~~, as defined in s. 16.70 (3g),~~ of each proposed engagement under this subsection that involves an estimated expenditure of more than $25,000 in accordance with standards prescribed by rule of the department. The department shall review periodically, and before any renewal, the continued appropriateness of contracting pursuant to each engagement under this subsection that involves an estimated expenditure of more than $25,000.

***-1403/4.18* SECTION 2202.** 84.01 (33) (c) of the statutes is repealed.

***-1403/4.19* SECTION 2203.** 84.013 (1) (a) (intro.) of the statutes is amended to read:

84.013 **(1)** (a) (intro.) "Major highway project" means a project, except a project providing an approach to a bridge over a river that forms a boundary of the state or a southeast Wisconsin freeway ~~rehabilitation project under s. 84.014, which~~ megaproject under s. 84.0145, that satisfies any of the following:

1m. The project has a total cost of more than ~~$5,000,000~~ $30,000,000, subject to adjustment under sub. (2m), and ~~which~~ involves any of the following:

***-1403/4.20* SECTION 2204.** 84.013 (1) (a) 1. of the statutes is renumbered 84.013 (1) (a) 1m. a.

***-1403/4.21* SECTION 2205.** 84.013 (1) (a) 2. (intro.), a. and b. of the statutes are consolidated, renumbered 84.013 (1) (a) 1m. b. and amended to read:

84.013 **(1)** (a) 1m. b. Reconstructing or reconditioning an existing highway by either ~~of the following: a. Relocating~~ relocating 2.5 miles or more of the existing highway~~. b. Adding~~ or adding one or more lanes 5 miles or more in length to the existing highway.

***-1403/4.22* SECTION 2206.** 84.013 (1) (a) 2m. of the statutes is created to read:

84.013 **(1)** (a) 2m. The project has a total cost of more than $75,000,000, subject to adjustment under sub. (2m).

***-1403/4.23* SECTION 2207.** 84.013 (1) (a) 3. of the statutes is renumbered 84.013 (1) (a) 1m. c.

***-1403/4.24* SECTION 2208.** 84.013 (2) (a) of the statutes is amended to read:

84.013 **(2)** (a) Subject to ss. 84.014 (6) (b), 84.555, and 86.255, major highway projects shall be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (ct) and (4) (jq) and 20.866 (2) (ur) to (uum) and (uus).

***-1403/4.25* SECTION 2209.** 84.013 (2) (b) of the statutes is amended to read:

84.013 **(2)** (b) Except as provided in ss. ~~84.014,~~ 84.03 (3)~~,~~ and 84.555, and subject to ~~s.~~ ss. 84.014 (6) (c) and 86.255, reconditioning, reconstruction and resurfacing of highways shall be funded from the appropriations under ss. 20.395 (3) (cq) to (cx) and 20.866 (2) (uur) and (uut).

***-1403/4.26* SECTION 2210.** 84.013 (2m) of the statutes is created to read:

84.013 **(2m)** The department shall annually adjust the amounts specified in sub. (1) (a) 1m. and 2m. to reflect the annual change in the Wisconsin Department of Transportation Price Index, Yearly Moving Average, as maintained by the department or, if at any time the department no longer maintains this index, another

suitable index as determined by the department. Beginning in 2012, prior to October 1 of each year, the department shall compute the annual adjustment required under this subsection and shall publish the new adjusted amount applicable under sub. (1) (a) 1m. and 2m., which amount shall become effective on October 1 of that year. The department may not adjust the amounts specified in sub. (1) (a) 1m. and 2m. to an amount less than that specified in sub. (1) (a) 1m. and 2m.

***-1403/4.27* SECTION 2211.** 84.013 (3) (ad) of the statutes is created to read:

84.013 **(3)** (ad) Notwithstanding s. 13.489 (4) (c), any project approved by the transportation projects commission under s. 13.489 (4m) (b).

***-1168/1.1* SECTION 2212.** 84.013 (3) (bd) of the statutes is created to read:

84.013 **(3)** (bd) I 39/90 extending approximately 45 miles from USH 12/18 in Dane County to the Illinois-Wisconsin state line in Rock County.

***-1168/1.2* SECTION 2213.** 84.013 (3) (bh) of the statutes is created to read:

84.013 **(3)** (bh) STH 38 extending approximately 9 miles from CTH "K" in Racine County to Oakwood Road in Milwaukee County.

***-1168/1.3* SECTION 2214.** 84.013 (3) (bp) of the statutes is created to read:

84.013 **(3)** (bp) USH 10 and USH 10/STH 441 extending approximately 5 miles from CTH "CB" in Winnebago County to Oneida Street in Calumet County.

***-1168/1.4* SECTION 2215.** 84.013 (3) (bt) of the statutes is created to read:

84.013 **(3)** (bt) STH 15 extending approximately 11 miles from STH 76 to USH 45, near New London, in Outagamie County.

***-1403/4.28* SECTION 2216.** 84.013 (4) (a) of the statutes is amended to read:

84.013 **(4)** (a) Subject to s. 13.489 (1m), in preparation for future major highway projects, the department may perform ~~preliminary~~ engineering and design work and studies for possible major highway projects not listed under sub. (3), but no major

highway may be constructed unless the project is listed under sub. (3) or approved under sub. (6).

***-1465/P4.763* *-1059/P3.503* SECTION 2217.** 84.013 (9) of the statutes is amended to read:

84.013 **(9)** If the department~~, in consultation with the department of commerce,~~ determines that a business development having a payroll exceeding $10,000,000 in a calendar year is being located within a 3-mile radius of the intersection of I 90 and Town Line Road in Rock County, the department shall construct an interchange funded from the appropriations under s. 20.395 (3) (cq) to (cx) off of I 90 to Town Line Road.

***-1403/4.29* SECTION 2218.** 84.014 (2) of the statutes is amended to read:

84.014 **(2)** Subject to ss. 84.555 and 86.255, any southeast Wisconsin freeway rehabilitation projects, including the Marquette interchange reconstruction project and projects that involve adding one or more lanes 5 miles or more in length to the existing freeway, may be funded ~~only~~ from the appropriations under ss. 20.395 (3) (cr), (ct), (cw), and (cy) and 20.866 (2) (uum) and (uup).

***-1403/4.30* SECTION 2219.** 84.014 (6) of the statutes is created to read:

84.014 **(6)** (a) A southeast Wisconsin freeway rehabilitation project under this section may not simultaneously be considered a southeast Wisconsin freeway megaproject under s. 84.0145.

(b) Notwithstanding sub. (5m), a southeast Wisconsin freeway rehabilitation project under this section may also be considered a major highway project, eligible for funding under s. 84.013 (2) (a), if the project meets the criteria for a major highway project under s. 84.013 (1) (a) and satisfies all applicable requirements under ss. 13.489 and 84.013.

(c) Notwithstanding sub. (5m), a southeast Wisconsin freeway rehabilitation project under this section may also be eligible for funding under s. 84.013 (2) (b) if the project is not considered a southeast Wisconsin freeway megaproject under s. 84.0145 or a major highway project under s. 84.013.

***-1403/4.31* SECTION 2220.** 84.0145 of the statutes is created to read:

84.0145 Southeast Wisconsin freeway megaprojects. (1) In this section:

(a) "I 94 north-south corridor" has the meaning given in s. 84.014 (5m) (ag) 1.

(b) "Southeast Wisconsin freeway" has the meaning given in s. 84.014 (1) (e).

(c) "Southeast Wisconsin freeway megaproject" means any project on a southeast Wisconsin freeway having a total cost of more than $500 million, subject to adjustment under sub. (4).

(d) "Zoo interchange" has the meaning given in s. 84.014 (5m) (ag) 2.

(2) Subject to sub. (3) and s. 86.255, any southeast Wisconsin freeway megaproject may be funded only from the appropriations under ss. 20.395 (3) (aq), (av), (ax), and (ct) and 20.866 (2) (uup).

(3) (a) The department may not encumber or expend any moneys for construction of a southeast Wisconsin freeway megaproject unless the project is specifically enumerated in a list under par. (b).

(b) The department may provide funding for the following southeast Wisconsin freeway megaprojects:

1. The I 94 north-south corridor project.

2. The Zoo interchange project.

(4) The department shall annually adjust the amount specified in sub. (1) (c) to reflect the annual change in the Wisconsin Department of Transportation Price Index, Yearly Moving Average, as maintained by the department or, if at any time

the department no longer maintains this index, another suitable index as determined by the department. Beginning in 2012, prior to October 1 of each year, the department shall compute the annual adjustment required under this subsection and shall publish the new adjusted amount applicable under sub. (1) (c), which amount shall become effective on October 1 of that year. The department may not adjust the amount specified in sub. (1) (c) to an amount less than that specified in sub. (1) (c).

***-1384/2.1* SECTION 2221.** 84.016 (2) of the statutes is amended to read:

84.016 **(2)** Notwithstanding ss. 84.013, 84.51, 84.52, 84.53, 84.555, and 84.95, but subject to ~~sub. (3) and~~ s. 86.255, this state's share of costs for any major interstate bridge project, including preliminary design work for the project, may be funded only from the appropriations under ss. 20.395 (3) (dq), (dv), and (dx) and 20.866 (2) (ugm).

***-1384/2.2* SECTION 2222.** 84.016 (3) of the statutes is repealed.

***-1465/P4.764* *-0808/2.257* SECTION 2223.** 84.075 (1c) (a) of the statutes is amended to read:

84.075 **(1c)** (a) "Disabled veteran-owned business" means a business certified by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

***-1465/P4.765* *-0808/2.258* SECTION 2224.** 84.075 (1c) (b) of the statutes is amended to read:

84.075 **(1c)** (b) "Minority business" means a business certified by the department of ~~commerce~~ safety and professional services under s. ~~560.036~~ 490.04 (2).

***-1465/P4.766* *-0808/2.259* SECTION 2225.** 84.075 (3) of the statutes is amended to read:

84.075 **(3)** The department shall at least semiannually, or more often if required by the department of administration, report to the department of administration the total amount of money it has paid to contractors, subcontractors, and vendors that are minority businesses and that are disabled veteran-owned businesses under ss. 84.01 (13), 84.06, and 84.07 and the number of contacts with minority businesses and disabled veteran-owned businesses in connection with proposed purchases and contracts. In its reports, the department shall include only amounts paid to businesses certified by the department of ~~commerce~~ safety and professional services as minority businesses or disabled veteran-owned businesses.

***-1465/P4.767* *-0808/2.260* SECTION 2226.** 84.076 (1) (c) of the statutes is amended to read:

84.076 **(1)** (c) "Minority business" has the meaning given under s. ~~560.036~~ 490.04 (1) (e) 1.

***-1465/P4.768* *-0808/2.261* SECTION 2227.** 84.076 (1) (d) of the statutes is amended to read:

84.076 **(1)** (d) "Minority group member" has the meaning given under s. ~~560.036~~ 490.04 (1) (f).

***-1465/P4.769* *-0805/P2.20* SECTION 2228.** 84.09 (5) (a) of the statutes is amended to read:

84.09 **(5)** (a) Subject to pars. (b) and (c) and to the approval of the governor, the department may sell at public or private sale property of whatever nature owned by the state and under the jurisdiction of the department when the department determines that the property is no longer necessary for the state's use for transportation purposes ~~and, if real property, the real property is not the subject of a petition under s. 560.9810 (2)~~. The department shall present to the governor a full

and complete report of the property to be sold, the reason for the sale, and the minimum price for which the same should be sold, together with an application for the governor's approval of the sale. The governor shall thereupon make such investigation as he or she may deem necessary and approve or disapprove the application. Upon such approval and receipt of the full purchase price, the department shall by appropriate deed or other instrument transfer the property to the purchaser. The approval of the governor is not required for public or private sale of property having an appraised value at the time of sale of not more than $15,000~~,~~ ~~for the transfer of surplus state real property to the department of administration under s. 560.9810,~~ or for the transfer of surplus state personal property to the department of tourism under sub. (5s). The funds derived from sales under this subsection shall be deposited in the transportation fund, and the expense incurred by the department in connection with the sale shall be paid from such fund.

***-1465/P4.770* *-0805/P2.21* SECTION 2229.** 84.09 (5) (b) of the statutes is amended to read:

84.09 **(5)** (b) Subject to the approval of the governor in the manner, scope, and form specified in par. (a), with respect to the sale of property acquired by the department for a project that is completed after May 25, 2006, the department shall, and with respect to the sale of property acquired by the department for a project that is completed before May 25, 2006, the department may offer for sale or transfer ownership of the property that the department determines is no longer necessary for the state's use for transportation purposes~~, if the property is not the subject of a petition under s. 560.9810 (2)~~. This disposition process shall take place within 24 months of the completion of the transportation project for which the property was acquired. Except as provided in par. (c) 3., the department shall offer limited and

general marketable properties at appraised value, as determined by a state-certified or licensed appraiser, for not less than 12 months. If the department does not sell the property at or above its appraised value, the department shall offer the property for sale by means of sealed bids or public auction. For the purposes of this paragraph, a project is completed when final payment is made under the contract for the project.

***-1465/P4.771* *-0805/P2.22* SECTION 2230.** 84.09 (5r) of the statutes is amended to read:

84.09 **(5r)** In lieu of the sale or conveyance of property under sub. (5) or (5m), the department may, subject to the approval of the governor, donate real property that is adjacent to the veterans memorial site located at The Highground in Clark County and owned by the state and under the jurisdiction of the department to the Wisconsin Vietnam Veterans Memorial Project, Inc., for the purpose of the veterans memorial site located at The Highground in Clark County for the purpose of a memorial hall specified in s. 70.11 (9). The department may donate property under this subsection only when the department determines that the property is no longer necessary for the state's use for transportation purposes ~~and is not the subject of a petition under s. 560.9810 (2)~~ and is transferred with a restriction that the donee may not subsequently transfer the real property to any person except to this state, which shall not be charged for any improvements thereon. Such restriction shall be recorded in the office of the register of deeds in the county in which the property is located. The department shall present to the governor a full and complete report of the property to be donated, the reason for the donation, and the minimum price for which the property could likely be sold under sub. (5), together with an application for the governor's approval of the donation. The governor shall thereupon make such investigation as he or she considers necessary and approve or disapprove the

application. Upon such approval, the department shall by appropriate deed or other instrument transfer the property to the donee. The approval of the governor is not required for donation of property having an appraised value at the time of donation of not more than $15,000. Any expense incurred by the department in connection with the donation shall be paid from the transportation fund.

***-1465/P4.772* *-1059/P3.504* SECTION 2231.** 84.185 (1) (a) of the statutes is amended to read:

84.185 **(1)** (a) "Business" ~~has the meaning given in s. 560.60 (2)~~ means a company located in this state, a company that has made a firm commitment to locate a facility in this state, or a group of companies at least 80 percent of which are located in this state.

***-1465/P4.773* *-1059/P3.505* SECTION 2232.** 84.185 (1) (b) of the statutes is amended to read:

84.185 **(1)** (b) "Governing body" ~~has the meaning specified in s. 560.60 (6)~~ means a county board, city council, village board, town board, regional planning commission or transit commission under s. 59.58 (2) or 66.1021.

***-1465/P4.774* *-1059/P3.506* SECTION 2233.** 84.185 (1) (ce) of the statutes is amended to read:

84.185 **(1)** (ce) "Job" ~~has the meaning specified in s. 560.17 (1) (bm)~~ means a position providing full-time equivalent employment. "Job" does not include initial training before an employment position begins.

***-1187/P5.400* SECTION 2234.** 84.27 of the statutes is amended to read:

84.27 Institution roads. The department may administer a program to improve highways forming convenient connections between the University of Wisconsin System, the University of Wisconsin–Madison, and state charitable or

penal institutions, and the state trunk highway system, or to construct roadways under or over state trunk highways that pass through the grounds thereof, or to construct and maintain all drives and roadways on such grounds or the grounds of the state capitol. Within the limitations and for the purposes of this section, work may be performed by or under the supervision or authority of the department, upon the request for such work filed by the ~~board of regents~~ Board of Regents of the University of Wisconsin System, the Board of Trustees of the University of Wisconsin–Madison, or the state boards, commissions, departments or officers, respectively, as to such work in connection with the institution controlled by them. The cost of any work under this section shall be the responsibility of the ~~board of regents~~ Board of Regents of the University of Wisconsin System, the Board of Trustees of the University of Wisconsin–Madison, or the state boards, commissions, departments or officers involved.

***-1403/4.32* SECTION 2235.** 84.555 (1m) of the statutes is amended to read:

84.555 **(1m)** Notwithstanding sub. (1) and ss. 84.51 and 84.59, the proceeds of general obligation bonds issued under s. 20.866 (2) (uum) are allocated for expenditure obligations under s. 84.95 and s. 84.014 and the proceeds of general obligation bonds issued under s. 20.866 (2) (uup) may be used to fund expenditure obligations for the Marquette interchange reconstruction project under s. 84.014 ~~and~~, for the reconstruction of the I 94 north–south corridor, as defined in s. 84.014 (5m) (ag) 1., for the reconstruction of the Zoo interchange, as defined in s. 84.014 (5m) (ag) 2., and southeast Wisconsin freeway megaprojects under s. 84.0145.

****NOTE: This is reconciled s. 84.555 (1m). This SECTION has been affected by drafts with the following LRB numbers: LRB–0459 and LRB–1403.

***-0803/2.4* SECTION 2236.** 84.59 (2) (b) of the statutes is amended to read:

84.59 **(2)** (b) The department may, under s. 18.562, deposit in a separate and distinct special fund outside the state treasury, in an account maintained by a trustee, revenues derived under ss. 341.09 (2) (d), (2m) (a) 1., (4), and (7), 341.14 (2), (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (a) and (b), (2), and (2m), 341.17 (8), 341.19 (1) (a), 341.25, 341.255 (1), (2) (a), (b), and (c), and (5), 341.26 (1), (2), (2m) (am) and (b), (3), (3m), (4), (5), and (7), 341.264 (1), 341.265 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.269 (2) (b), 341.30 (3), 341.305 (3), 341.307 (4) (a), 341.308 (3), 341.36 (1) and (1m), 341.51 (2), and 342.14~~, except s. 342.14 (1r),~~ and from any payments received with respect to agreements or ancillary arrangements entered into under s. 18.55 (6) with respect to revenue obligations issued under this section. The revenues deposited are the trustee's revenues in accordance with the agreement between this state and the trustee or in accordance with the resolution pledging the revenues to the repayment of revenue obligations issued under this section. Revenue obligations issued for the purposes specified in sub. (1) and for the repayment of which revenues are deposited under this paragraph are special fund obligations, as defined in s. 18.52 (7), issued for special fund programs, as defined in s. 18.52 (8).

***-0313/3.1* SECTION 2237.** 84.59 (6) of the statutes is amended to read:

84.59 **(6)** The building commission may contract revenue obligations when it reasonably appears to the building commission that all obligations incurred under this section can be fully paid from moneys received or anticipated and pledged to be received on a timely basis. Except as provided in this subsection, the principal amount of revenue obligations issued under this section may not exceed ~~$3,009,784,200~~ $3,351,547,300, excluding any obligations that have been defeased under a cash optimization program administered by the building commission, to be

used for transportation facilities under s. 84.01 (28) and major highway projects for the purposes under ss. 84.06 and 84.09. In addition to the foregoing limit on principal amount, the building commission may contract revenue obligations under this section as the building commission determines is desirable to refund outstanding revenue obligations contracted under this section, to make payments under agreements or ancillary arrangements entered into under s. 18.55 (6) with respect to revenue obligations issued under this section, and to pay expenses associated with revenue obligations contracted under this section.

***-1403/4.33* SECTION 2238.** 85.05 of the statutes is amended to read:

85.05 Evaluation of proposed major highway projects. The department by rule shall establish a procedure for numerically evaluating projects considered for enumeration under s. 84.013 (3) as a major highway project. The evaluation procedure may include any criteria that the department considers relevant. The rules shall establish a minimum score that a project shall meet or exceed when evaluated under the procedure established under this section before the department may recommend the project to the transportation projects commission for consideration under s. 13.489 (4). <u>This section does not apply to major highway projects identified in s. 84.013 (3) (ad).</u>

***-1465/P4.775* *-0805/P2.23* SECTION 2239.** 85.09 (4i) of the statutes is amended to read:

85.09 **(4i)** DISPOSAL OF RAIL PROPERTY. The department shall sell at public or private sale rail property acquired under sub. (4) when the department determines that the rail property is not necessary for a public purpose ~~and, if real property, the real property is not the subject of a petition under s. 560.9810 (2)~~. Upon receipt of the full purchase price, the department shall, by appropriate deed or other

instrument, transfer the rail property to the purchaser. The funds derived from sales under this subsection shall be deposited in the transportation fund, and the expense incurred by the department in connection with the sale shall be paid from the appropriation under s. 20.395 (2) (bq). This subsection does not apply to real property that is sold under s. 16.848.

***-1465/P4.776* *-1059/P3.507* SECTION 2240.** 85.09 (4m) of the statutes is amended to read:

85.09 **(4m)** RELOCATION PLAN. The department is exempt from s. 32.25 (1) if the department determines that acquiring rail property under this section will not result in any displaced persons as defined in s. 32.19 (2) (e). The department shall file a statement of its determinations with the ~~department of commerce~~ Wisconsin Housing and Economic Development Authority.

***-1465/P4.777* *-1059/P3.508* SECTION 2241.** 85.095 (2) (b) of the statutes is repealed.

***-1389/1.3* SECTION 2242.** 85.11 of the statutes is repealed.

***-0056/1.1* SECTION 2243.** 85.14 (title) of the statutes is amended to read:

85.14 (title) **Payments ~~of fees and deposits~~ by credit card~~, debit card,~~ or other electronic payment mechanism; electronic transactions.**

***-0056/1.2* SECTION 2244.** 85.14 (1) (a) of the statutes is amended to read:

85.14 **(1)** (a) The department may accept payment by credit card, debit card, or any other electronic payment mechanism of ~~a~~ any fee that is required to be paid to the department ~~under ch. 194, 218, 341, 342, 343 or 348~~. The department shall determine which fees may be paid by credit card, debit card, or any other electronic payment mechanism and the manner in which the payments may be made. If the department permits the payment of a fee by credit card, debit card, or any other

electronic payment mechanism, the department may charge a convenience fee for each transaction in an amount to be established by rule. The convenience fee shall approximate the cost to the department for providing this service to persons who request it. If the department permits the payment of a fee by credit card, debit card, or any other electronic payment mechanism, the department may charge a service fee of $2.50 for each transaction until a rule is promulgated under this paragraph.

***-0056/1.3* SECTION 2245.** 85.14 (3) of the statutes is created to read:

85.14 **(3)** The department may establish procedures for conducting any transaction in an electronic format or using an electronic process. Any form prescribed by the department may be prescribed in an automated format to facilitate the department's authority under this subsection.

***-0056/1.4* SECTION 2246.** 85.14 (4) of the statutes is created to read:

85.14 **(4)** The department may promulgate rules requiring a person to pay an additional fee for conducting an in-person, telephone, or paper transaction in lieu of using an electronic filing or submission option when the department has made an electronic filing or submission option available. These rules may provide for exemptions from the additional fee for designated categories of persons or transactions. The fee authorized under this subsection is in addition to any other fee that may be imposed by the department.

***-0799/3.6* SECTION 2247.** 85.20 (4m) (a) 6. cm. of the statutes is amended to read:

85.20 **(4m)** (a) 6. cm. From the appropriation under s. 20.395 (1) (ht), the department shall pay ~~$63,784,700 for aid payable for calendar year 2008, $65,299,200 for aid payable for calendar year 2009,~~ $66,585,600 for aid payable for calendar year 2010, ~~and~~ $68,583,200 for aid payable for calendar year 2011, and

$61,724,900 for aid payable for calendar year 2012 and thereafter, to the eligible applicant that pays the local contribution required under par. (b) 1. for an urban mass transit system that has annual operating expenses of $80,000,000 or more. If the eligible applicant that receives aid under this subd. 6. cm. is served by more than one urban mass transit system, the eligible applicant may allocate the aid between the urban mass transit systems in any manner the eligible applicant considers desirable.

***-0799/3.7* SECTION 2248.** 85.20 (4m) (a) 6. cm. of the statutes, as affected by 2011 Wisconsin Act .... (this act), is amended to read:

85.20 **(4m)** (a) 6. cm. From the appropriation under s. 20.395 (1) ~~(ht)~~ (hc), the department shall pay $66,585,600 for aid payable for calendar year 2010, $68,583,200 for aid payable for calendar year 2011, and $61,724,900 for aid payable for calendar year 2012 and thereafter, to the eligible applicant that pays the local contribution required under par. (b) 1. for an urban mass transit system that has annual operating expenses of $80,000,000 or more. If the eligible applicant that receives aid under this subd. 6. cm. is served by more than one urban mass transit system, the eligible applicant may allocate the aid between the urban mass transit systems in any manner the eligible applicant considers desirable.

***-0799/3.8* SECTION 2249.** 85.20 (4m) (a) 6. d. of the statutes is amended to read:

85.20 **(4m)** (a) 6. d. From the appropriation under s. 20.395 (1) (hu), the department shall pay ~~$16,754,000 for aid payable for calendar year 2008, $17,158,400 for aid payable for calendar year 2009,~~ $17,496,400 for aid payable for calendar year 2010, ~~and~~ $18,021,300 for aid payable for calendar year 2011, and $16,219,200 for aid payable for calendar year 2012 and thereafter, to the eligible

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

***-0799/3.9* SECTION 2250.** 85.20 (4m) (a) 6. d. of the statutes, as affected by 2011 Wisconsin Act .... (this act), is amended to read:

85.20 **(4m)** (a) 6. d. From the appropriation under s. 20.395 (1) ~~(hu)~~ (hd), the department shall pay $17,496,400 for aid payable for calendar year 2010, $18,021,300 for aid payable for calendar year 2011, and $16,219,200 for aid payable for calendar year 2012 and thereafter, to the eligible applicant that pays the local contribution required under par. (b) 1. for an urban mass transit system that has annual operating expenses in excess of $20,000,000 but less than $80,000,000. If the eligible applicant that receives aid under this subd. 6. d. is served by more than one urban mass transit system, the eligible applicant may allocate the aid between the urban mass transit systems in any manner the eligible applicant considers desirable.

***-0799/3.10* SECTION 2251.** 85.20 (4m) (a) 6. e. of the statutes is amended to read:

85.20 **(4m)** (a) 6. e. From the appropriation under s. 20.395 (1) ~~(hw)~~ (he), the department may pay the uniform percentage for each eligible applicant for a commuter or light rail system that has been enumerated under s. 85.062 (3). An eligible applicant may not receive aid under subd. 6. cm. or d., 7., or 8. for a commuter rail or light rail transit system.

***-0799/3.11* SECTION 2252.** 85.20 (4m) (a) 7. a. of the statutes is amended to read:

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

***-0799/3.12* SECTION 2253.** 85.20 (4m) (a) 7. b. of the statutes is amended to read:

85.20 **(4m)** (a) 7. b. For the purpose of making allocations under subd. 7. a., the amounts for aids are ~~$24,034,400 in calendar year 2008, $24,614,500 in calendar year 2009,~~ $25,099,500 in calendar year 2010, ~~and~~ $25,852,500 in calendar year 2011, and $23,267,200 in calendar year 2012 and thereafter. These amounts, to the extent practicable, shall be used to determine the uniform percentage in the particular calendar year.

***-0799/3.13* SECTION 2254.** 85.20 (4m) (a) 8. a. of the statutes is amended to read:

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

***-0799/3.14* SECTION 2255.** 85.20 (4m) (a) 8. b. of the statutes is amended to read:

85.20 **(4m)** (a) 8. b. For the purpose of making allocations under subd. 8. a., the amounts for aids are ~~$5,440,500 in calendar year 2008, $5,571,800 in calendar year 2009,~~ $5,681,600 in calendar year 2010, ~~and~~ $5,852,200 in calendar year 2011, and $5,267,000 in calendar year 2012 and thereafter. These amounts, to the extent practicable, shall be used to determine the uniform percentage in the particular calendar year.

***-0799/3.15* SECTION 2256.** 85.20 (4s) of the statutes is amended to read:

85.20 **(4s)** PAYMENT OF AIDS UNDER THE CONTRACT. The contracts executed between the department and eligible applicants under this section shall provide that the payment of the state aid allocation under sub. (4m) (a) for the last quarter of the state's fiscal year shall be provided from the following fiscal year's appropriation under s. 20.395 (1) ~~(hr), (hs), (ht), (hu), or (hw)~~ (ha), (hb), (hc), (hd), or (he).

***-1465/P4.778* *-0808/2.262* SECTION 2257.** 85.25 (2) (c) 1m. b. of the statutes is amended to read:

85.25 **(2)** (c) 1m. b. It is currently performing a useful business function as defined in s. ~~560.036~~ 490.04 (1) (h).

***-1372/2.3* SECTION 2258.** 85.26 (1) (title) of the statutes is repealed.

***-1372/2.4* SECTION 2259.** 85.26 (1) (intro.) and (a) of the statutes are consolidated, renumbered 85.26 (1) and amended to read:

85.26 **(1)** In this section: ~~(a) "Intercity,~~ "intercity bus service" means regularly scheduled bus service for the general public that operates with limited stops over fixed routes connecting 2 or more urban areas not in close proximity, that has the capacity for transporting baggage carried by passengers, and that makes meaningful

connections with scheduled intercity bus service to more distant points if service to more distant points is available.

***-1372/2.5* SECTION 2260.** 85.26 (1) (b) of the statutes is repealed.

***-1372/2.6* SECTION 2261.** 85.26 (1) (c) of the statutes is repealed.

***-1372/2.7* SECTION 2262.** 85.26 (2) (title) of the statutes is repealed.

***-1372/2.8* SECTION 2263.** 85.26 (2) (a) (intro.) and 1. of the statutes are consolidated, renumbered 85.26 (2) (a) and amended to read:

85.26 **(2)** (a) The department ~~shall develop and administer an intercity bus assistance program to increase the availability of intercity bus service in this state. Under this program, the department may do any of the following: 1. Contract~~ may contract with private providers of intercity bus service to support intercity bus service routes of the provider.

***-1372/2.9* SECTION 2264.** 85.26 (2) (a) 2. of the statutes is repealed.

***-1372/2.10* SECTION 2265.** 85.26 (2) (b) (intro.) of the statutes is amended to read:

85.26 **(2)** (b) (intro.) All expenditures ~~under the program~~ for contracts under par. (a) shall be made from the ~~appropriations~~ appropriation under s. 20.395 (1) ~~(bq), (bv), and~~ (bx). ~~The department may not enter into any contract under par. (a) 1., or award any grant under par. (a) 2., that provides funds to support any intercity bus service route in an amount exceeding the lesser of the following:~~

***-1372/2.11* SECTION 2266.** 85.26 (2) (b) 1. of the statutes is repealed.

***-1372/2.12* SECTION 2267.** 85.26 (2) (b) 2. of the statutes is repealed.

***-1372/2.13* SECTION 2268.** 85.26 (2) (c) of the statutes is repealed.

***-0352/3.1* SECTION 2269.** 86.30 (2) (a) 3. of the statutes is amended to read:

86.30 **(2)** (a) 3. For each mile of road or street under the jurisdiction of a municipality as determined under s. 86.302, the mileage aid payment shall be ~~$1,956 in calendar year 2008, $2,015 in calendar year 2009,~~ $2,055 in calendar year 2010, ~~and~~ $2,117 in calendar year 2011, and $2,053 in calendar year 2012 and thereafter.

***-0352/3.2* SECTION 2270.** 86.30 (2) (b) 1. of the statutes is amended to read:

86.30 **(2)** (b) 1. Except as provided under par. (d) and s. 86.303 (5), no municipality whose aid is determined under par. (a) 2. may receive an increase in its annual transportation aid payment in excess of 15% of its last previous calendar year aid payment or a decrease in its annual transportation aid payment in excess of ~~5%~~ 15 percent of its last previous calendar year transportation aid payment.

***-0352/3.3* SECTION 2271.** 86.30 (2) (b) 1g. of the statutes is amended to read:

86.30 **(2)** (b) 1g. Except as provided under par. (d) and s. 86.303 (5), no municipality whose aid is determined under par. (a) 3. may receive a decrease in its annual transportation aid payment in excess of ~~5%~~ 15 percent of its last previous calendar year transportation aid payment.

***-0352/3.4* SECTION 2272.** 86.30 (2) (b) 1r. of the statutes is amended to read:

86.30 **(2)** (b) 1r. Except as provided under s. 86.303, no county may receive an increase in its annual transportation aid payment in excess of 15% of its last previous calendar year aid payment. Except as provided under par. (dm) and s. 86.303, no county may receive a decrease in its annual transportation aid payment in excess of ~~2%~~ 15 percent of its last previous calendar year transportation aid payment.

***-0352/3.5* SECTION 2273.** 86.30 (9) (b) of the statutes is amended to read:

86.30 **(9)** (b) For the purpose of calculating and distributing aids under sub. (2), the amounts for aids to counties are ~~$96,492,900 in calendar year 2008, $99,387,700 in calendar year 2009,~~ $101,375,500 in calendar year 2010, ~~and~~ $104,416,800 in

calendar year 2011, and $93,975,100 in calendar year 2012 and thereafter. These amounts, to the extent practicable, shall be used to determine the statewide county average cost-sharing percentage in the particular calendar year.

***-0352/3.6* SECTION 2274.** 86.30 (9) (c) of the statutes is amended to read:

86.30 **(9)** (c) For the purpose of calculating and distributing aids under sub. (2), the amounts for aids to municipalities are ~~$303,578,100 in calendar year 2008, $312,685,400 in calendar year 2009,~~ $318,939,100 in calendar year 2010, ~~and~~ $328,507,300 in calendar year 2011, and $295,656,600 in calendar year 2012 and thereafter. These amounts, to the extent practicable, shall be used to determine the statewide municipal average cost-sharing percentage in the particular calendar year.

***-0352/3.7* SECTION 2275.** 86.303 (5) (e) of the statutes is amended to read:

86.303 **(5)** (e) Except as provided in par. (f), if a county or municipality fails to submit a substantially complete and accurate financial report form by the applicable date under par. (c) or (d) each year, the aids payable to the county or municipality during the following year shall be equal to ~~90%~~ 85 percent of the aids actually paid to the county or municipality under s. 86.30 (2) during the preceding year.

***-0352/3.8* SECTION 2276.** 86.303 (5) (f) 2. of the statutes is amended to read:

86.303 **(5)** (f) 2. The amount of aids payable to the county or municipality under s. 86.30 (2) during the following year may not be reduced to less than ~~90%~~ 85 percent of the aids actually paid to the county or municipality under s. 86.30 (2) during the preceding year.

***-0352/3.9* SECTION 2277.** 86.303 (5) (h) of the statutes is amended to read:

86.303 **(5)** (h) Except as provided in par. (i), if a county or municipality under par. (g) fails to submit the financial reports required under par. (g) by July 31 each

year, the aids payable to the county or municipality during the following year shall be equal to ~~90%~~ 85 percent of the aids actually paid to the county or municipality under s. 86.30 (2) during the preceding year.

***-0352/3.10* SECTION 2278.** 86.303 (5) (i) 2. of the statutes is amended to read:

86.303 **(5)** (i) 2. The amount of aids payable to the county or municipality under s. 86.30 (2) during the following year may not be reduced to less than ~~90%~~ 85 percent of the aids actually paid to the county or municipality under s. 86.30 (2) during the preceding year.

***-0352/3.11* SECTION 2279.** 86.303 (7) (b) of the statutes is amended to read:

86.303 **(7)** (b) If the county or municipality fails to conduct an independent audit when ordered to do so by the department, the aids payable during the following year shall be equal to ~~90%~~ 85 percent of the aids actually paid during the preceding year. If the department has reason to believe that the ~~90%~~ 85 percent payment will be greater than the actual payment should be, the department may itself order an independent audit and deduct the audit costs from the transportation aids paid to the county or municipality under s. 86.30 (2). Any underpayment or overpayment of aids resulting from financial reporting errors shall be rectified by adjusting aids paid in the following year.

***-1284/2.9* SECTION 2280.** 91.04 (2) (j) of the statutes is amended to read:

91.04 **(2)** (j) Rezoning of land out of farmland preservation zoning districts under s. 91.48~~, including the amounts of conversion fees paid to political subdivisions under s. 91.48 (1) (b)~~.

***-1284/2.10* SECTION 2281.** 91.48 (1) (intro.) of the statutes is amended to read:

91.48 **(1)** (intro.) A political subdivision with a certified farmland preservation zoning ordinance may rezone land out of a farmland preservation zoning district without having the rezoning certified under s. 91.36, if ~~all of the following apply~~ the political subdivision finds all of the following, after public hearing:

***-1284/2.11* SECTION 2282.** 91.48 (1) (a) (intro.) of the statutes is repealed.

***-1284/2.12* SECTION 2283.** 91.48 (1) (a) 1. to 4. of the statutes are renumbered 91.48 (1) (a) to (d).

***-1284/2.13* SECTION 2284.** 91.48 (1) (b) of the statutes is repealed.

***-1284/2.14* SECTION 2285.** 91.48 (2) (intro.) and (a) of the statutes are consolidated, renumbered 91.48 (2) and amended to read:

91.48 **(2)** A political subdivision shall by March ~~of~~ 1 of each year provide ~~all of the following~~ to the department~~: (a) A~~ a report of the number of acres that the political subdivision has rezoned out of a farmland preservation zoning district under sub. (1) during the previous year and a map that clearly shows the location of those acres.

***-1284/2.15* SECTION 2286.** 91.48 (2) (b) and (c) of the statutes are repealed.

***-1284/2.16* SECTION 2287.** 91.48 (3) of the statutes is amended to read:

91.48 **(3)** A political subdivision that is not a county shall by March 1 of each year submit a copy of the information that it reports to the department under sub. (2) ~~(a) and (b)~~ to the county in which the political subdivision is located.

***-1284/2.17* SECTION 2288.** 91.49 of the statutes is repealed.

***-1187/P5.401* SECTION 2289.** 92.025 (4) of the statutes is amended to read:

92.025 **(4)** INTERIM GOAL; STATE-RUN FARMS. The soil erosion rate on individual cropland fields of farms owned by the University of Wisconsin System, the University

of Wisconsin–Madison, or any other department or agency of state government does not exceed the tolerable soil erosion level on or after July 1, 1990.

***-1187/P5.402* SECTION 2290.** 92.04 (2) (g) of the statutes is amended to read:

92.04 **(2)** (g) *Advise the University of Wisconsin System and University of Wisconsin–Madison.* The board shall advise the University of Wisconsin System and University of Wisconsin–Madison annually on needed research and educational programs relating to soil and water conservation.

***-1187/P5.403* SECTION 2291.** 92.05 (3) (d) of the statutes is amended to read:

92.05 **(3)** (d) *Advise University of Wisconsin System and University of Wisconsin–Madison.* The department shall advise the University of Wisconsin System and University of Wisconsin–Madison annually on developing research and educational programs relating to soil and water conservation.

***-1187/P5.404* SECTION 2292.** 92.07 (5) of the statutes is amended to read:

92.07 **(5)** EDUCATIONAL AND OTHER PROGRAMS. Each land conservation committee may encourage research and educational, informational and public service programs, advise the University of Wisconsin–Madison and University of Wisconsin System on educational needs and assist the University of Wisconsin–Madison and University of Wisconsin System and the department in implementing educational programs under ss. ~~36.25~~ 37.25 (7), 59.56 (3) and 92.05.

****NOTE: Given that s. 36.25 (7) is transferred to s. 37.25 (7), is it okay to refer to both the UW and the UW System in the above?

***-1465/P4.779* *-1369/1.5* SECTION 2293.** 92.07 (15) of the statutes is amended to read:

92.07 **(15)** ADMINISTRATION AND ENFORCEMENT OF ORDINANCES. A land conservation committee may, if authorized by the county board, administer and

enforce those provisions of an ordinance enacted under s. 101.65 (1) (a) related to construction site erosion, a zoning ordinance enacted under s. 59.693 or an ordinance enacted under authority granted under s. ~~281.33 (3m)~~ 101.1206.

***-1465/P4.780* *-1059/P3.509* SECTION 2294.** 93.07 (3) of the statutes is amended to read:

93.07 **(3)** PROMOTION OF AGRICULTURE. To promote the interests of agriculture, dairying, horticulture, manufacturing, commercial fishing and the domestic arts and to advertise Wisconsin and its dairy, food, and agricultural products by conducting campaigns of education throughout the United States and in foreign markets. Such campaigns shall include the distribution of educational and advertising material concerning Wisconsin and its plant, animal, food, and dairy products. The department shall coordinate efforts by the state to advertise and promote agricultural products of this state, with the ~~department of commerce~~ Wisconsin Economic Development Corporation where appropriate. The department shall submit its request and plan for market development program expenditures for each biennium with its biennial budget request. The plan shall include the identification and priority of expenditures for each market development program activity.

***-1465/P4.781* *-1059/P3.510* SECTION 2295.** 93.07 (18) (b) (intro.) of the statutes is amended to read:

93.07 **(18)** (b) (intro.) In consultation with the ~~department of commerce~~ Wisconsin Economic Development Corporation, to do all of the following for each economic development program administered by the department of agriculture, trade and consumer protection:

***-1465/P4.782* *-1059/P3.511* SECTION 2296.** 93.07 (20) (title) of the statutes is amended to read:

93.07 **(20)** (title) ECONOMIC DEVELOPMENT ASSISTANCE COORDINATION AND REPORTING.

***-1465/P4.783* *-1059/P3.512* SECTION 2297.** 93.07 (20) of the statutes is renumbered 93.07 (20) (b) and amended to read:

93.07 **(20)** (b) Annually, no later than October 1, to submit to the joint legislative audit committee and to the appropriate standing committees of the legislature under s. 13.172 (3) a comprehensive report assessing economic development programs, as defined in sub. (18) (a), administered by the department. The report shall include all of the information required under s. ~~560.01 (2) (am)~~ 238.07 (2). The department shall collaborate with the ~~department of commerce~~ Wisconsin Economic Development Corporation to make readily accessible to the public on an Internet-based system the information required under this subsection.

***-1465/P4.784* *-1059/P3.513* SECTION 2298.** 93.07 (20) (a) of the statutes is created to read:

93.07 **(20)** (a) The department shall coordinate any economic development assistance with the Wisconsin Economic Development Corporation.

***-1224/P3.16* SECTION 2299.** 93.07 (26) of the statutes is amended to read:

93.07 **(26)** ALTERNATIVE FUEL REFUELING FACILITIES. To pursue ~~in cooperation with the office of energy independence,~~ the establishment and maintenance of sufficient alternative fuel refueling facilities at public retail outlets to meet the traveling needs of the public.

***-1465/P4.785* *-1059/P3.514* SECTION 2300.** 93.33 (5) (intro.) of the statutes is amended to read:

93.33 **(5)** ANNUAL REPORT. (intro.) In September of each year, the council shall submit a report to the appropriate standing committees of the legislature as

determined by the speaker of the assembly and the president of the senate, under s. 13.172 (3), the governor, the secretary of agriculture, trade and consumer protection, the state superintendent of public instruction, the secretary of workforce development, the secretary of natural resources, the ~~secretary of commerce~~ chief executive officer of the Wisconsin Economic Development Corporation, the president of the University of Wisconsin System, the director of the technical college system, the chancellor of the University of Wisconsin-Extension, the chancellor of the University of Wisconsin-Madison, the chancellor of the University of Wisconsin-Platteville, the chancellor of the University of Wisconsin-River Falls, and the chancellor of the University of Wisconsin-Stevens Point. The council shall include all of the following in the report:

***-1465/P4.786* *-1059/P3.515* SECTION 2301.** 93.42 (1) (e) of the statutes is amended to read:

93.42 **(1)** (e) Cooperating with the ~~department of commerce~~ Wisconsin Economic Development Corporation in promoting the state's products through the state's foreign trade offices.

***-1465/P4.787* *-1059/P3.516* SECTION 2302.** 93.42 (3) of the statutes is repealed.

***-1363/1.2* SECTION 2303.** 93.45 of the statutes is repealed.

***-0157/4.1* SECTION 2304.** 93.46 (1) (am) of the statutes is repealed.

****NOTE: This is reconciled s. 93.46 (1) (am). This SECTION has been affected by drafts with the following LRB numbers: -0157 and -1465.

***-0157/4.2* SECTION 2305.** 93.46 (2) (c) of the statutes is amended to read:

93.46 **(2)** (c) The department may not fund any project under this subsection if the proposed length of the project exceeds 3 years. The total funding to a single project under this subsection may not exceed ~~$50,000~~ $100,000.

***-0157/4.3* SECTION 2306.** 93.46 (2) (d) of the statutes is repealed.

***-1363/1.3* SECTION 2307.** 93.48 of the statutes is repealed.

***-1284/2.18* SECTION 2308.** 93.73 of the statutes is repealed.

***-1465/P4.788* *-0808/2.263* SECTION 2309.** 93.80 of the statutes is amended to read:

93.80 Arsenic in wood. The department, jointly with the department of ~~commerce~~ safety and professional services, shall review scientific evidence to determine whether there is a substantial likelihood that wood treated with copper, chromium, and arsenic is harmful to the environment or to human health.

***-1224/P3.17* SECTION 2310.** 96.01 (4m) of the statutes is amended to read:

96.01 **(4m)** "Bioenergy feedstock" ~~has the meaning given in s. 16.954 (1) (b)~~ means biomass used to produce energy, including transportation fuel, heat, or electricity.

***-0721/7.2* SECTION 2311.** 100.14 (2) of the statutes is amended to read:

100.14 **(2)** The ~~secretary of state~~ department of financial institutions shall, upon application of the department of agriculture, trade and consumer protection, record any such label or trademark under ss. 132.01 to 132.11. The department of agriculture, trade and consumer protection shall be entitled to protect such label or trademark under said sections and in any other manner authorized by law.

***-1465/P4.789* *-0808/2.264* SECTION 2312.** 100.20 (2) (c) of the statutes is created to read:

1 100.20 **(2)** (c) 1. Notwithstanding par. (a), beginning on the effective date of this
2 subdivision .... [LRB inserts date], the department may not issue any order or
3 promulgate any rule, or enforce any order or rule, that regulates unfair methods of
4 competition or unfair trade practices relating to any of the following activities:
5 a. Remodeling or otherwise improving residential or noncommercial property.
6 b. Basement waterproofing.
7 c. Real estate advertising.
8 d. Renting of mobile home sites and sales of mobile homes.
9 e. Renting of residential dwelling units and mobile homes.
10 2. Beginning of the effective date of this subdivision .... [LRB inserts date], the
11 department of safety and professional services may promulgate rules and issue
12 orders regulating the unfair methods and practices described in subd. 1.
13 3. All rules promulgated by the department of agriculture, trade and consumer
14 protection regulating the unfair methods or practices as described in subd. 1. that
15 are in effect on the effective date of this subdivision .... [LRB inserts date], remain
16 in effect until their specified expiration date or until amended or repealed by the
17 department of safety and professional services. All orders issued by the department
18 of agriculture, trade and consumer protection regulating the unfair methods or
19 practices as described in subd. 1. that are in effect on the effective date of this
20 subdivision .... [LRB inserts date], remain in effect until their specified expiration
21 date or until modified or rescinded by the department of safety and professional
22 services and shall be enforced by the department of safety and professional services.
23 ***-1465/P4.790* *-0808/2.265* SECTION 2313.** 100.60 (1) (b) 2. of the statutes
24 is amended to read:

100.60 **(1)** (b) 2. Any other fuel that can substitute for petroleum-based diesel fuel, that is derived from a renewable resource, that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel, and that the department of ~~commerce~~ safety and professional services designates as a diesel-replacement renewable fuel under sub. (7) (a).

***-1465/P4.791* *-0808/2.266* SECTION 2314.** 100.60 (1) (c) 2. of the statutes is amended to read:

100.60 **(1)** (c) 2. Any other fuel that can substitute for gasoline, that is derived from a renewable resource, that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel, and that the department of ~~commerce~~ safety and professional services designates as a gasoline-replacement renewable fuel under sub. (7) (b).

***-1465/P4.792* *-0808/2.267* SECTION 2315.** 100.60 (3) (a) of the statutes is amended to read:

100.60 **(3)** (a) Annually, beginning in 2011, the department, in cooperation with and with assistance from the department of ~~commerce,~~ safety and professional services and the department of revenue, ~~and the office of energy independence,~~ shall determine whether the annual goals for sales of renewable fuels in sub. (2) (b) and (c), for the previous year, were met in the state in that year.

****NOTE: This is reconciled s. 100.60 (3) (a). This SECTION has been affected by drafts with the following LRB numbers: LRB-1224/P2 and LRB-1465/P3.

***-1465/P4.793* *-0808/2.268* SECTION 2316.** 100.60 (6) (a) of the statutes is amended to read:

100.60 **(6)** (a) The department shall consult with the department of ~~commerce,~~ safety and professional services and the department of revenue~~, and the office of~~

~~energy independence~~ to determine if information necessary to make a determination under sub. (3) (a) or an assessment under sub. (4) is being collected by these agencies under laws in effect on June 2, 2010. If the information is not being collected, the department may request the department of ~~commerce,~~ safety and professional services and the department of revenue~~, or the office of energy independence~~ to collect the information if collection by one of these agencies is more cost-effective for state government and less burdensome for the persons subject to the reporting requirements than collection of the information by the department.

****NOTE: This is reconciled s. 100.60 (6) (a). This SECTION has been affected by drafts with the following LRB numbers: LRB-1224/P2 and LRB-1465/P3.

***-1465/P4.794* *-0808/2.269* SECTION 2317.** 100.60 (7) (title) of the statutes is amended to read:

100.60 **(7)** (title) DEPARTMENT OF ~~COMMERCE~~ SAFETY AND PROFESSIONAL SERVICES AUTHORITY.

***-1465/P4.795* *-0808/2.270* SECTION 2318.** 100.60 (7) (a) of the statutes is amended to read:

100.60 **(7)** (a) The department of ~~commerce~~ safety and professional services may promulgate a rule designating a fuel that can substitute for petroleum-based diesel fuel, that is derived from a renewable resource, and that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel as a diesel-replacement renewable fuel for the purposes of this section.

***-1465/P4.796* *-0808/2.271* SECTION 2319.** 100.60 (7) (b) of the statutes is amended to read:

100.60 **(7)** (b) The department of ~~commerce~~ safety and professional services may promulgate a rule designating a fuel that can substitute for gasoline, that is

derived from a renewable resource, and that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel as a gasoline-replacement renewable fuel for the purposes of this section.

***-1465/P4.797* *-0808/2.272* SECTION 2320.** Chapter 101 (title) of the statutes is amended to read:

CHAPTER 101

DEPARTMENT OF ~~COMMERCE~~ SAFETY AND PROFESSIONAL SERVICES — REGULATION OF INDUSTRY, BUILDINGS AND SAFETY

***-1465/P4.798* *-0808/2.273* SECTION 2321.** 101.01 (1m) of the statutes is amended to read:

101.01 **(1m)** "Department" means the department of ~~commerce~~ safety and professional services.

***-1465/P4.799* *-0808/2.274* SECTION 2322.** 101.01 (14) of the statutes is amended to read:

101.01 **(14)** "Secretary" means the secretary of ~~commerce~~ safety and professional services.

***-1465/P4.800* *-0808/2.275* SECTION 2323.** 101.02 (18m) of the statutes is amended to read:

101.02 **(18m)** The department may perform, or contract for the performance of, testing of petroleum products other than testing provided under ch. 168. The department may establish a schedule of fees for such petroleum product testing services. The department shall credit all revenues received from fees established under this subsection to the appropriation account under s. ~~20.143 (3)~~ 20.165 (2) (ga). Revenues from fees established under this subsection may be used by the

department to pay for testing costs, including laboratory supplies and equipment amortization, for such products.

SECTION 2324. 101.02 (20) (a) of the statutes is amended to read:

101.02 **(20)** (a) For purposes of this subsection, "license" means a license, permit, or certificate of certification or registration issued by the department under ss. 101.09 (3) (c), 101.122 (2) (c), ~~101.136,~~ 101.143 (2) (g), 101.147, 101.15 (2) (e), 101.16 (3g), 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2) or (2m), 101.653, 101.73 (5) or (6), 101.82 (1m), (1v), and (2), 101.935, 101.95, 101.951, 101.952, 101.985 (1) to (3), 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18, or 167.10 (6m).

***-1465/P4.801* *-0808/2.276* SECTION 2325.** 101.02 (20) (b) of the statutes is amended to read:

101.02 **(20)** (b) Except as provided in par. (e), the department of ~~commerce~~ safety and professional services may not issue or renew a license unless each applicant who is an individual provides the department of ~~commerce~~ safety and professional services with his or her social security number and each applicant that is not an individual provides the department of ~~commerce~~ safety and professional services with its federal employer identification number. The department of ~~commerce~~ safety and professional services may not disclose the social security number or the federal employer identification number of an applicant for a license or license renewal except to the department of revenue for the sole purpose of requesting certifications under s. 73.0301.

***-1465/P4.802* *-0808/2.277* SECTION 2326.** 101.02 (20) (c) of the statutes is amended to read:

101.02 **(20)** (c) The department of ~~commerce~~ safety and professional services may not issue or renew a license if the department of revenue certifies under s. 73.0301 that the applicant or licensee is liable for delinquent taxes.

***-1465/P4.803* *-0808/2.278* SECTION 2327.** 101.02 (20) (d) of the statutes is amended to read:

101.02 **(20)** (d) The department of ~~commerce~~ safety and professional services shall revoke a license if the department of revenue certifies under s. 73.0301 that the licensee is liable for delinquent taxes.

***-1465/P4.804* *-0808/2.279* SECTION 2328.** 101.02 (20) (e) 1. of the statutes is amended to read:

101.02 **(20)** (e) 1. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license shall submit a statement made or subscribed under oath or affirmation to the department of ~~commerce~~ safety and professional services that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of children and families.

SECTION 2329. 101.02 (21) (a) of the statutes is amended to read:

101.02 **(21)** (a) In this subsection, "license" means a license, permit, or certificate of certification or registration issued by the department under s. 101.09 (3) (c), 101.122 (2) (c), ~~101.136,~~ 101.143 (2) (g), 101.147, 101.15 (2) (e), 101.16 (3g), 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2), 101.653, 101.73 (5) or (6), 101.82 (1m), (1v), and (2), 101.935, 101.95, 101.951, 101.952, 101.985 (1) to (3), 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18, or 167.10 (6m).