

***b0012/P5.15*SECTION 1431bb.** 71.47 (5) (ad) 1. of the statutes is amended to read:

71.47 (5) (ad) 1. Except as provided in subds. 2. and 3., for taxable year 1986 and subsequent for taxable years that begin before January 1, 2014, any corporation may credit against taxes otherwise due under this chapter an amount equal to 5 percent of the amount paid or incurred by that corporation during the taxable year to construct and equip new facilities or expand existing facilities used in this state for qualified research, as defined in section 41 of the Internal Revenue Code. Eligible amounts include only amounts paid or incurred for tangible, depreciable property but do not include amounts paid or incurred for replacement property.

***b0012/P5.15*SECTION 1431bc.** 71.47 (5) (ad) 2. of the statutes is amended to read:

71.47 (5) (ad) 2. For taxable years beginning after June 30, 2007, and before January 1, 2014, any corporation may credit against taxes otherwise due under this chapter an amount equal to 10 percent of the amount paid or incurred by that corporation during the taxable year to construct and equip new facilities or expand existing facilities used in this state for qualified research, as defined in section 41 of the Internal Revenue Code, except that “qualified research expenses” includes only expenses paid or incurred by the claimant for research related to designing internal combustion engines for vehicles, including expenses related to designing vehicles that are powered by such engines and improving production processes for such engines and vehicles. Eligible amounts include only amounts paid or incurred for tangible, depreciable property but do not include amounts paid or incurred for replacement property.

***b0012/P5.15*SECTION 1431bd.** 71.47 (5) (ad) 3. of the statutes is amended to read:

71.47 (5) (ad) 3. For taxable years beginning after June 30, 2007, and before January 1, 2014, any corporation may credit against taxes otherwise due under this chapter an amount equal to 10 percent of the amount paid or incurred by that corporation during the taxable year to construct and equip new facilities or expand existing facilities used in this state for qualified research, as defined in section 41 of the Internal Revenue Code, except that “qualified research expenses” includes only expenses paid or incurred by the claimant for research related to the design and manufacturing of energy efficient lighting systems, building automation and control systems, or automotive batteries for use in hybrid–electric vehicles, that reduce the demand for natural gas or electricity or improve the efficiency of its use. Eligible amounts include only amounts paid or incurred for tangible, depreciable property but do not include amounts paid or incurred for replacement property.

***b0012/P5.15*SECTION 1431be.** 71.47 (5) (c) of the statutes is created to read:

71.47 (5) (c) *Sunset.* No credit may be claimed under this subsection for taxable years beginning after December 31, 2013. Credits under this subsection for taxable years that begin before January 1, 2014, may be carried forward to taxable years that begin after December 31, 2013.

***b0012/P5.15*SECTION 1431c.** 71.47 (5e) (d) of the statutes is renumbered 71.47 (5e) (d) 1.

***b0012/P5.15*SECTION 1431d.** 71.47 (5e) (d) 2. of the statutes is created to read:

71.47 (5e) (d) 2. No credit may be claimed under this subsection for taxable years beginning after December 31, 2013. Credits under this subsection for taxable

years that begin before January 1, 2014, may be carried forward to taxable years that begin after December 31, 2013.

***b0012/P5.15*SECTION 1431e.** 71.47 (5f) (d) 3. of the statutes is created to read:

71.47 (5f) (d) 3. No credit may be claimed under this subsection for taxable years beginning after December 31, 2013.

***b0012/P5.15*SECTION 1431f.** 71.47 (5g) (d) of the statutes is renumbered 71.47 (5g) (d) 1.

***b0012/P5.15*SECTION 1431g.** 71.47 (5g) (d) 2. of the statutes is created to read:

71.47 (5g) (d) 2. No credit may be claimed under this subsection for taxable years beginning after December 31, 2013. Credits under this subsection for taxable years that begin before January 1, 2014, may be carried forward to taxable years that begin after December 31, 2013.

***b0012/P5.15*SECTION 1431h.** 71.47 (5h) (d) 3. of the statutes is created to read:

71.47 (5h) (d) 3. No credit may be claimed under this subsection for taxable years beginning after December 31, 2013.

***b0097/2.29*SECTION 1431c.** 71.47 (5g) (a) of the statutes is amended to read:

71.47 (5g) (a) *Definitions.* In this subsection, “claimant” means an insurer, as defined in s. 149.10 (5), 2011 stats., who files a claim under this subsection.

***b0097/2.29*SECTION 1431d.** 71.47 (5g) (b) of the statutes is amended to read:

71.47 (5g) (b) *Filing claims.* Subject to the limitations provided under this subsection, for taxable years beginning after December 31, 2005, and before January 1, 2014, a claimant may claim as a credit against the taxes imposed under s. 71.43

an amount that is equal to the amount of assessment under s. 149.13, 2011 stats., that the claimant paid in the claimant's taxable year, multiplied by the percentage determined under par. (c) 1.

***b0097/2.29*SECTION 1431e.** 71.47 (5g) (c) 1. of the statutes is amended to read:

71.47 (5g) (c) 1. The department of revenue, in consultation with the office of the commissioner of insurance, shall determine the percentage under par. (b) for each claimant for each taxable year. The percentage shall be equal to \$5,000,000 divided by the aggregate assessment under s. 149.13, 2011 stats. The office of the commissioner of insurance shall provide to each claimant that participates in the cost of administering the plan the aggregate assessment at the time that it notifies the claimant of the claimant's assessment. The aggregate amount of the credit under this subsection and ss. 71.07 (5g), 71.28 (5g), and 76.655 for all claimants participating in the cost of administering the plan under ch. 149, 2011 stats., shall not exceed \$5,000,000 in each fiscal year.

***b0346/P4.7*SECTION 1431b.** 71.47 (4) (i) of the statutes is amended to read:

71.47 (4) (i) *Nonclaimants.* The Except as provided in par. (j), the credits under this subsection may not be claimed by a partnership, except a publicly traded partnership treated as a corporation under s. 71.22 (1k), limited liability company, except a limited liability company treated as a corporation under s. 71.22 (1k), or tax-option corporation or by partners, including partners of a publicly traded partnership, members of a limited liability company or shareholders of a tax-option corporation.

***b0346/P4.7*SECTION 1431c.** 71.47 (4) (j) of the statutes is created to read:

71.47 (4) (j) *Pass-through entities.* Partnerships, limited liability companies, and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts under par. (ad). A partnership, limited liability company, or tax-option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax-option corporations may claim the credit in proportion to their ownership interests.

***-0810/P2.3*SECTION 1432.** 71.47 (5i) (b) of the statutes is amended to read:

71.47 (5i) (b) *Filing claims.* Subject to the limitations provided in this subsection, for taxable years beginning after December 31, 2011, and before January 1, 2014, a claimant may claim as a credit against the taxes imposed under s. 71.43, up to the amount of those taxes, an amount equal to 50 percent of the amount the claimant paid in the taxable year for information technology hardware or software that is used to maintain medical records in electronic form, if the claimant is a health care provider, as defined in s. 146.81 (1) (a) to (p).

***b0012/P5.16*SECTION 1432b.** 71.47 (5j) (b) of the statutes is amended to read:

71.47 (5j) (b) *Filing claims.* Subject to the limitations provided in this subsection, for taxable years beginning after December 31, 2007, and before January 1, ~~2018~~ 2014, a claimant may claim as a credit against the taxes imposed under s. 71.43, up to the amount of the taxes, an amount that is equal to 25 percent of the amount that the claimant paid in the taxable year to install or retrofit pumps located in this state that dispense motor vehicle fuel marketed as gasoline and 85 percent ethanol or a higher percentage of ethanol or motor vehicle fuel marketed as diesel fuel and 20 percent biodiesel fuel or that mix fuels from separate storage tanks and

allow the end user to choose the percentage of gasoline replacement renewable fuel or diesel replacement renewable fuel in the motor vehicle fuel dispensed.

***b0012/P5.16*SECTION 1432d.** 71.47 (5j) (d) of the statutes is renumbered 71.47 (5j) (d) 1.

***b0012/P5.16*SECTION 1432e.** 71.47 (5j) (d) 2. of the statutes is created to read:

71.47 (5j) (d) 2. No credit may be claimed under this subsection for taxable years beginning after December 31, 2013. Credits under this subsection for taxable years that begin before January 1, 2014, may be carried forward to taxable years that begin after December 31, 2013.

***b0012/P5.17*SECTION 1434b.** 71.47 (5r) (d) of the statutes is renumbered 71.47 (5r) (d) 1.

***b0012/P5.17*SECTION 1434c.** 71.47 (5r) (d) 2. of the statutes is created to read:

71.47 (5r) (d) 2. No credit may be claimed under this subsection for taxable years beginning after December 31, 2013. Credits under this subsection for taxable years that begin before January 1, 2014, may be carried forward to taxable years that begin after December 31, 2013.

***b0012/P5.17*SECTION 1434d.** 71.47 (5rm) (b) (intro.) of the statutes is amended to read:

71.47 (5rm) (b) *Filing claims.* (intro.) Subject to the limitations provided in this subsection, for taxable years beginning after December 31, 2009, and before January 1, 2020 2014, a claimant may claim as a credit against the tax imposed under s. 71.43, up to the amount of the tax, the amount determined as follows, except

that the maximum amount that a claimant may claim in a taxable year under this subsection is \$300,000:

***b0012/P5.17*SECTION 1434e.** 71.47 (5rm) (d) of the statutes is renumbered 71.47 (5rm) (d) 1.

***b0012/P5.17*SECTION 1434f.** 71.47 (5rm) (d) 2. of the statutes is created to read:

71.47 (5rm) (d) 2. No credit may be claimed under this subsection for taxable years beginning after December 31, 2013. Credits under this subsection for taxable years that begin before January 1, 2014, may be carried forward to taxable years that begin after December 31, 2013.

***b0012/P5.17*SECTION 1434i.** 71.47 (8r) (d) of the statutes is renumbered 71.47 (8r) (d) 1.

***b0012/P5.17*SECTION 1434j.** 71.47 (8r) (d) 2. of the statutes is created to read:

71.47 (8r) (d) 2. No credit may be claimed under this subsection for taxable years beginning after December 31, 2013.

***b0012/P5.17*SECTION 1434k.** 71.47 (9s) (b) of the statutes is amended to read:

71.47 (9s) (b) *Filing claims.* Subject to the limitations provided under this subsection, for taxable years beginning after December 31, 2010, and before January 1, 2014, for 2 consecutive taxable years beginning with the taxable year in which the claimant's business locates to this state from another state or another country and begins doing business in this state, a claimant may claim as a credit against the taxes imposed under s. 71.43, up to the amount of the taxes, the amount of the claimant's

tax liability under this subchapter after applying all other allowable credits, deductions, and exclusions.

***b0012/P5.17*SECTION 1434L.** 71.47 (9s) (d) 3. of the statutes is created to read:

71.47 (9s) (d) 3. No credit may be claimed under this subsection for taxable years beginning after December 31, 2013. Credits under this subsection for taxable years that begin before January 1, 2014, may be carried forward to taxable years that begin after December 31, 2013.

***b0015/P6.3*SECTION 1434t.** 71.61 (6) of the statutes is amended to read:

71.61 (6) PROHIBITION OF NEW CLAIMS. For taxable years beginning after December 31, 2009, no new claims for a credit may be filed under ss. 71.57 to 71.61, but if an otherwise eligible claimant is subject to a farmland preservation agreement, as defined in s. 91.01 (7), 2007 stats., that is in effect on July 1, 2010, the claimant may continue to file a claim for the credit under ss. 71.57 to 71.61 until the farmland preservation agreement expires, except that no claimant who files a claim under ss. 71.57 to 71.61 may file a claim under s. 71.613 or apply for a grant under s. 91.90.

***b0092/2.4*SECTION 1434g.** 71.47 (6n) (d) of the statutes is renumbered 71.47 (6n) (d) 1.

***b0092/2.4*SECTION 1434h.** 71.47 (6n) (d) 2. of the statutes is created to read:

71.47 (6n) (d) 2. No credit may be claimed under this subsection for taxable years beginning after December 31, 2012. Credits under this subsection for taxable years that begin before January 1, 2013, may be carried forward to taxable years that begin after December 31, 2012.

***b0301/1.3*SECTION 1434e.** 71.47 (6) (a) of the statutes is renumbered 71.47 (6) (a) (intro.) and amended to read:

71.47 (6) (a) (intro.) Any person may credit against taxes otherwise due under this chapter, up to the amount of those taxes, an amount equal to ~~5%~~ one of the following percentages of the costs of qualified rehabilitation expenditures, as defined in section 47 (c) (2) of the ~~internal revenue code~~ Internal Revenue Code, for certified historic structures on property located in this state if the physical work of construction or destruction in preparation for construction begins after December 31, 1988, and the rehabilitated property is placed in service after June 30, 1989.:

***b0301/1.3*SECTION 1434ec.** 71.47 (6) (a) 1. of the statutes is created to read:

71.47 (6) (a) 1. For taxable years beginning before January 1, 2013, 5 percent.

***b0301/1.3*SECTION 1434ef.** 71.47 (6) (a) 2. of the statutes is created to read:

71.47 (6) (a) 2. For taxable years beginning after December 31, 2012, 10 percent.

***b0140/2.2*SECTION 1435c.** 71.613 (3) (f) of the statutes is amended to read:

71.613 (3) (f) The maximum amount of the credits that may be claimed under this section in ~~any~~ the 2011-2012 fiscal year and the 2012-2013 fiscal year is \$27,007,200. If the total amount of eligible claims exceed this amount, the excess claims shall be paid in the next succeeding fiscal year to ensure that the limit specified in this paragraph is not exceeded.

***b0015/P6.4*SECTION 1437e.** 71.613 (5) of the statutes is created to read:

71.613 (5) PROHIBITION OF NEW CLAIMS. For taxable years beginning after December 31, 2013, no new claims for a credit may be filed under this section. If an otherwise eligible claimant is subject to a farmland preservation agreement that is entered into after July 1, 2009, and before the effective date of this subsection [LRB inserts date], the claimant may continue to claim the benefit for the credit that

the claimant would otherwise be eligible for under this section, until the farmland preservation agreement expires, by filing a claim for a grant under s. 91.90.

***b0140/2.3*SECTION 1437c.** 71.613 (3) (g) of the statutes is amended to read:

71.613 (3) (g) For the 2011–2012 fiscal year, and for every succeeding the 2012–2013 fiscal year, the department shall prorate the per acre amounts specified in sub. (2) based on the department’s estimated amount of eligible claims that will be filed for that fiscal year, and to account for any excess claims from the preceding fiscal year that are required to be paid under par. (f).

***-0747/P5.15*SECTION 1438.** 71.64 (9) (b) (intro.) of the statutes is amended to read:

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

***b0097/2.30*SECTION 1438c.** 71.65 (4) of the statutes is repealed.

***-0747/P5.16*SECTION 1439.** 71.67 (5) (a) of the statutes is amended to read:

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

***-0747/P5.17*SECTION 1440.** 71.67 (5m) of the statutes is amended to read:

71.67 (5m) WITHHOLDING FROM PAYMENTS TO PURCHASE ASSIGNMENT OF LOTTERY PRIZE. A person that purchases an assignment of a lottery prize shall withhold from

the amount of any payment made to purchase the assignment the amount that is determined by multiplying the amount of the payment by the highest rate applicable to individuals under s. 71.06 (1) (a) to (c), (1m), (1n) ~~or~~, (1p), or (1q). Subsection (5) (b), (c) and (d), as it applies to the amounts withheld under sub. (5) (a), applies to the amount withheld under this subsection.

***b0009/P3.1*SECTION 1440e.** 71.82 (1) (b) of the statutes is amended to read:

71.82 (1) (b) Except as otherwise specifically provided, in crediting overpayments of income and surtaxes against underpayments or against taxes to be subsequently collected and in certifying refunds of such taxes interest shall be added at the rate of ~~9%~~ 3 percent per year from the date on which such taxes when assessed would have become delinquent if unpaid to the date on which such overpayment was certified for refund except that if any overpayment of tax is certified for refund within 90 days after the last date prescribed for filing the return of such tax or 90 days after the date of actual filing of the return of such tax, whichever occurs later, no interest shall be allowed on such overpayment. For purposes of this section the return of such tax shall not be deemed actually filed by an employee unless and until the employee has included the written statement required to be filed under s. 71.65 (1). However when any part of a tax paid on an estimate of income, whether paid in connection with a tentative return or not, is refunded or credited to a taxpayer, such refund or credit shall not draw interest.

***b0015/P6.5*SECTION 1440t.** 71.78 (11) of the statutes is created to read:

71.78 (11) DISCLOSURE OF INFORMATION CONCERNING GRANT ELIGIBILITY. The department may disclose to the department of agriculture, trade and consumer protection whether any person in the household of a person who applies for a grant under s. 91.90 has claimed a credit under subch. VIII of this chapter.

***b0097/2.31*SECTION 1440c.** 71.78 (4) (i) of the statutes is repealed.

***b0097/2.31*SECTION 1440d.** 71.80 (13) of the statutes is repealed.

***-0302/P1.1*SECTION 1441.** 71.83 (1) (a) 11. of the statutes is created to read:

71.83 (1) (a) 11. 'Negligently filed claims.' A person who negligently files an incorrect claim for refund of tax, or credits, under this chapter is subject to a penalty of 25 percent of the difference between the amount claimed and the amount that should have been claimed.

***-0302/P1.2*SECTION 1442.** 71.83 (1) (b) 7. of the statutes is created to read:

71.83 (1) (b) 7. 'Fraudulently filed claims.' A person who fraudulently files an incorrect claim for refund of tax, or credits, under this chapter is subject to a penalty of 100 percent of the difference between the amount claimed and the amount that should have been claimed.

***-0302/P1.3*SECTION 1443.** 71.83 (2) (b) 1. of the statutes is amended to read:

71.83 (2) (b) 1. 'False income tax return; fraud.' Any person, other than a corporation or limited liability company, who renders a false or fraudulent income tax return with intent to defeat or evade any assessment required by this chapter, or to obtain a refund or credit with fraudulent intent, is guilty of a Class H felony and may be assessed the cost of prosecution. In this subdivision, "return" includes a separate return filed by a spouse with respect to a taxable year for which a joint return is filed under s. 71.03 (2) (g) to (L) after the filing of that separate return, and a joint return filed by the spouses with respect to a taxable year for which a separate return is filed under s. 71.03 (2) (m) after the filing of that joint return.

***-0305/P1.1*SECTION 1444.** 71.83 (5) of the statutes is created to read:

71.83 (5) INELIGIBILITY TO CLAIM CERTAIN CREDITS. (a) *Definitions.* In this subsection:

1. "Credit" means the earned income tax credit under s. 71.07 (9e), the homestead credit under subch. VIII, the farmland preservation credit under subch. IX, or any refundable credit under s. 71.07, 71.28, or 71.47.

2. "Fraudulent claim" means a claim for a credit, filed by a person, that is false or excessive and filed with fraudulent intent, as determined by the department.

3. "Reckless claim" means a claim for a credit, filed by a person, that is improper, due to reckless or intentional disregard of the provisions in this chapter or of rules and regulations of the department, as determined by the department.

(b) *Disallowance period.* 1. A person who files a fraudulent claim may not file a claim for a credit for 10 successive taxable years, beginning with the taxable year that begins immediately after the taxable year for which the department determined that the person filed a fraudulent claim.

2. A person who files a reckless claim may not file a claim for a credit for 2 successive taxable years, beginning with the taxable year that begins immediately after the taxable year for which the department determined that the person filed a reckless claim.

(c) *Reinstatement.* After the period described under par. (b) during which a person may not file a claim for a credit, the person may file a claim for a credit, subject to any requirements that the department may impose on the person to demonstrate that the person is eligible to claim the credit.

***b0009/P3.2*SECTION 1444d.** 71.90 (1) of the statutes is amended to read:

71.90 (1) DEPOSIT. The department shall notify any person who files a petition for redetermination that the person may deposit the amount of an additional assessment, including any interest or penalty, with the department, or with a person that the department prescribes, at any time before the department makes its

redetermination. The department shall notify spouses jointly except that, if the spouses have different addresses and if either spouse notifies the department in writing of those addresses, the department shall serve a duplicate of the original notice on the spouse who has the address other than the address to which the original notice was sent. Amounts deposited under this subsection shall be subject to the interest provided by s. 71.82 only to the extent of the interest accrued prior to the first day of the month succeeding the date of deposit. Any deposited amount which is refunded shall bear interest at the rate of ~~9%~~ 3 percent per year during the time the funds were on deposit. A person may also pay any portion of an assessment which is admitted to be correct and the payment shall be considered an admission of the validity of that portion of the assessment and may not be recovered in an appeal or in any other action or proceeding.

***-0473/P2.1*SECTION 1445.** 71.91 (6) (a) 1. of the statutes is renumbered 71.91 (6) (a) 1g.

***-0473/P2.2*SECTION 1446.** 71.91 (6) (a) 1d. of the statutes is created to read:
71.91 (6) (a) 1d. "Continuous levy" means a levy that is in effect from the date on which it is served on a 3rd party until the liability out of which the levy arose is satisfied or until the levy is released, whichever occurs first.

***-0473/P2.3*SECTION 1447.** 71.91 (6) (a) 2n. of the statutes is created to read:
71.91 (6) (a) 2n. "Noncontinuous levy" means a levy that is in effect on the date on which it is served on a 3rd party.

***-0473/P2.4*SECTION 1448.** 71.91 (6) (b) of the statutes is amended to read:
71.91 (6) (b) *Powers of levy and distraint.* If any person who is liable for any tax administered by the department neglects or refuses to pay that tax within 10 days after that tax becomes delinquent, the department may collect that tax and the

expenses of the levy by levy upon, and sale of, any property belonging to that person or any property on which there is a lien as provided by sub. (4) in respect to that delinquent tax. Whenever any property that has been levied upon under this section is not sufficient to satisfy the claim of the department, the department may levy upon any other property liable to levy of the person against whom that claim exists until the taxes and expenses of the levy are fully paid. A levy imposed under this paragraph may be continuous or noncontinuous, except that a levy on commissions, wages, or salaries is continuous until the liability out of which it arose is satisfied.

***-0281/P3.1*SECTION 1449.** 71.91 (6) (f) 1. of the statutes is amended to read:

71.91 (6) (f) 1. As soon as practicable after obtaining property, the department shall notify, in writing the manner prescribed by the department, the owner of any real or personal property, and, at the possessor's request, the possessor of any personal property, obtained by the department under this subsection. That notice may be left at the person's usual place of residence or business. If the owner cannot be located or has no dwelling or place of business in this state, or if the property is obtained as a result of a continuous levy on commissions, wages or salaries, the department may mail a notice to the owner's last-known address. That notice shall specify the sum demanded and shall contain, in the case of personal property, an account of the property obtained and, in the case of real property, a description with reasonable certainty of the property seized.

***-0281/P3.2*SECTION 1450.** 71.91 (6) (f) 2. of the statutes is amended to read:

71.91 (6) (f) 2. As soon as practicable after obtaining property, the department ~~shall notify the owner in the manner prescribed under subd. 1. and shall cause a~~ notice of the sale to be published in a newspaper published or generally circulated within the county where the property was obtained. If there is no newspaper

published or generally circulated in that county, the department shall post that notice at the city, town or village hall nearest the place where the property was obtained and in at least 2 other public places. That notice shall specify the property to be sold and the time, place, manner and conditions of the sale.

***-0276/P3.1*SECTION 1451.** 71.93 (3) (a) of the statutes is renumbered 71.93 (3) (a) (intro.) and amended to read:

71.93 (3) (a) (intro.) The department of revenue shall setoff any debt or other amount owed to the department, regardless of the origin of the debt or of the amount, its nature or its date. If after the setoff there remains a refund in excess of \$10, the department shall set off the remaining refund against certified debts of other state agencies. entities in the following order:

(am) If more than one certified debt exists for any debtor for the same type of debt specified under par. (a) 1. to 9., the refund shall be first set off against the earliest debt certified, except that no child support or spousal support obligation submitted by an agency of another state may be set off until all debts owed to and certified by state agencies of this state have been set off. When all debts have been satisfied, any remaining refund shall be refunded to the debtor by the department. Any legal action contesting a setoff under this paragraph shall be brought against the state agency entity that certified the debt under sub. (2).

***-0276/P3.2*SECTION 1452.** 71.93 (3) (a) 1. to 9. of the statutes are created to read:

71.93 (3) (a) 1. Debt under s. 49.855 (1), certified by the department of children and families under sub. (2).

2. State agency debt collected pursuant to an agreement under sub. (8) and debt owed to the courts, the legislature, or an authority, as defined in s. 16.41 (4), collected pursuant to an agreement under sub. (8).

3. Debt owed to local units of government collected pursuant to an agreement under sub. (8).

4. Debt certified under sub. (2), other than child support debt certified by the department of children and families.

5. Child support or spousal support obligations submitted by an agency of another state.

6. Debt certified under s. 71.935 (2).

7. Federal tax obligations collected pursuant to an agreement under s. 73.03 (52) (a).

8. Tribal obligations collected pursuant to an agreement under s. 73.03 (52n).

9. Tax and nontax obligations of other states, and of the local governmental units within those states, collected pursuant to an agreement under s. 73.03 (52m).

***-0276/P3.3*SECTION 1453.** 71.93 (8) (b) 6. of the statutes is amended to read:

71.93 (8) (b) 6. If the debtor owes debt to the department and to other entities, payments shall first apply to debts owed to the department, then to the state agencies, the courts, the legislature, and authorities, as defined in s. 16.41 (4), in the order in which the debts were referred to the department, and then to local units of government in the order in which the debts were referred to the department other entities in the order determined under sub. (3) (a).

***b0019/P5.7*SECTION 1453d.** 71.98 (3) of the statutes is created to read:

71.98 (3) DEPRECIATION, DEPLETION, AND AMORTIZATION. For taxable years beginning after December 31, 2013, and for purposes of computing depreciation,

depletion, and amortization, the Internal Revenue Code means the federal Internal Revenue Code in effect on January 1, 2014.

***b0019/P5.7*SECTION 1453e.** 71.98 (4) of the statutes is created to read:

71.98 (4) EXPENSING OF DEPRECIABLE BUSINESS ASSETS. For taxable years beginning after December 31, 2013, sections 179, 179A, 179B, 179C, 179D, and 179E of the Internal Revenue Code and related to expensing of depreciable business assets. For purposes of this subsection, the Internal Revenue Code means the federal Internal Revenue Code in effect for the year in which property is placed in service.

***b0364/P1.1*SECTION 1453d.** 72.36 of the statutes is created to read:

72.36 Sunset. The tax imposed under this chapter does not apply to deaths occurring after December 31, 2012, unless the federal estate tax law is modified to provide a federal estate tax credit for state death taxes.

***b0378/2.3*SECTION 1453e.** 71.98 (5) of the statutes is created to read:

71.98 (5) GAIN FROM SMALL BUSINESS STOCK. For stock acquired after December 31, 2013, section 1202 of the Internal Revenue Code, as amended to December 31, 2012, related to the exclusion for gain from certain small business stock.

***-0263/P2.1*SECTION 1454.** 73.03 (27) of the statutes is amended to read:

73.03 (27) ~~To~~ With regard to taxes and fees administered by the department, ~~to~~ write off from the records of the department income, franchise, sales, use, withholding, motor fuel, gift, beverage and cigarette tax, fee, and economic development surcharge liabilities, following a determination by the secretary of revenue that they are not collectible. Taxes written off under this subsection remain legal obligations.

***-0277/P1.1*SECTION 1455.** 73.03 (52) (a) of the statutes is amended to read:

73.03 (52) (a) To enter into agreements with the Internal Revenue Service that provide for offsetting state tax refunds against federal tax obligations; and to charge a fee up to \$25 per transaction for such offsets; and offsetting federal tax refunds against state tax obligations, and collecting the offset cost from the debtor, if the agreements provide that setoffs under ss. 71.93 and 71.935 occur before the setoffs under those agreements.

***-0272/P1.1*SECTION 1456.** 73.03 (52m) of the statutes is amended to read:

73.03 (52m) To enter into agreements with other states that provide for offsetting state tax refunds against tax and nontax obligations of other states, and of the local governmental units within those states, and offsetting tax refunds of other states against state tax and nontax obligations, if the agreements provide that setoffs under ss. 71.93 and 71.935 occur before the setoffs under those agreements.

***-0765/P1.2*SECTION 1457.** 73.03 (63) of the statutes is amended to read:

73.03 (63) Notwithstanding the amount limitations specified under ~~s. 71.07 (5d) (c) 1. and s. 238.15 (3) (d) or s. 560.205 (3) (d), 2009 stats., or s. 238.15 (3) (d)~~, in consultation with ~~the department of commerce or the Wisconsin Economic Development Corporation~~, to carry forward to subsequent taxable years unclaimed credit amounts of the early stage seed investment credits under ss. 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638 and the angel investment credit under s. 71.07 (5d). Annually, no later than July 1, ~~the department of commerce or the Wisconsin Economic Development Corporation~~ shall submit to the department of revenue its recommendations for the carry forward of credit amounts as provided under this subsection.

***-0956/P1.3*SECTION 1458.** 73.03 (66) of the statutes is repealed.

***-0790/1.16*SECTION 1459.** 73.03 (69) of the statutes is created to read:

73.03 (69) (a) To, effective on January 1, 2014, implement a program to register businesses for purposes of s. 71.05 (25) and (26). A business shall register electronically with the department each year for which the business desires registration.

(b) A business may register under this subsection if, in the business's taxable year ending immediately before the date of the businesses registration, all of the following apply:

1. The business has at least 2 full-time employees and the amount of payroll compensation paid by the business in this state is equal to at least 50 percent of the amount of all payroll compensation paid by the business.

2. The value of real and tangible personal property owned or rented and used by the business in this state is equal to at least 50 percent of the value of all real and tangible personal property owned or rented and used by the business.

(c) The department may adopt rules for the administration of this subsection.

(d) For each year beginning after December 31, 2013, the department shall compile a list of businesses registered under this subsection and shall make the list available to the public at the department's Internet site.

***b0368/P1.1*SECTION 1460d.** 73.03 (71) of the statutes is created to read:

73.03 (71) (a) To determine the amount of additional revenue that the department collected from the taxes imposed under subch. III of ch. 77 as a result of any federal law to expand the state's authority to require out-of-state retailers to collect and remit the taxes imposed under subch. III of ch. 77 on purchases by Wisconsin residents during the first 12 months following the date on which the department begins collecting the additional revenue as a result of a change in federal law.

(b) After the department makes the determination under par. (a), the department shall determine how much the individual income tax rates under s. 71.06 may be reduced in the following taxable year in order to eliminate the alternative minimum tax under s. 71.08 and decrease individual income tax revenue by the amount determined under par. (a). For purposes of this paragraph, the department shall calculate the tax rate reductions in proportion to the share of gross tax attributable to each of the tax brackets under s. 71.06 in effect during the most recently completed taxable year.

(c) The department shall certify the determinations made under pars. (a) and (b) to the secretary of the department of administration, to the governor, and to the legislature and specify with that certification that the elimination of the alternative minimum tax and the new tax rates take effect in the taxable year following the taxable year in which the department makes the certification under this paragraph.

***-0221/P3.6*SECTION 1461.** 73.0301 (1) (d) 6. of the statutes is amended to read:

73.0301 (1) (d) 6. A license or certificate of registration issued by the department of financial institutions, or a division of it, under ss. 138.09, 138.12, 138.14, 202.12 to 202.14, 202.22, 217.06, 218.0101 to 218.0163, 218.02, 218.04, 218.05, 224.72, 224.725, 224.93 or under subch. IV of ch. 551.

***-0387/7.12*SECTION 1462.** 73.0301 (1) (d) 6m. of the statutes is created to read:

73.0301 (1) (d) 6m. A certificate or registration issued under 168.23 (3).

***b0098/2.2*SECTION 1462n.** 73.0301 (1) (d) 12. of the statutes is amended to read:

73.0301 (1) (d) 12. A license issued under s. 628.04, 628.92 (1), 632.69 (2), or 633.14, a registration under s. 628.92 (2), or a temporary license issued under s. 628.09.

***-0387/7.13*SECTION 1463.** 73.0301 (1) (e) of the statutes is amended to read:

73.0301 (1) (e) “Licensing department” means the department of administration; the department of agriculture, trade and consumer protection; the board of commissioners of public lands; the department of children and families; the government accountability board; the department of financial institutions; the department of health services; the department of natural resources; the department of public instruction; the department of safety and professional services; the department of workforce development; the office of the commissioner of insurance; or the department of transportation.

***-0255/P2.1*SECTION 1464.** 73.16 (1) (a) of the statutes is repealed.

***-0255/P2.2*SECTION 1465.** 73.16 (1) (ab) of the statutes is created to read:

73.16 (1) (ab) “Combined group” has the meaning given in s. 71.255 (1) (a).

***-0255/P2.3*SECTION 1466.** 73.16 (3) of the statutes is created to read:

73.16 (3) RELYING ON PAST AUDITS. (a) A person who is subject to an audit determination by the department, including all other members of that person’s combined group for purposes of determining the tax due under s. 71.23 for taxable years beginning after December 31, 2008, shall not be liable for any amount that the department asserts that the person owes if all of the following conditions are satisfied:

1. The liability asserted by the department is the result of a tax issue during the period associated with a prior audit determination for which the person is subject

to and the tax issue is the same as the tax issue during the period associated with the current audit determination.

2. A department employee who was involved in the prior audit determination identified or reviewed the tax issue before completing the prior audit determination, as shown by any schedules, exhibits, audit reports, documents, or other written evidence pertaining to the audit determination, and the schedules, exhibits, reports, documents and other written evidence show that the department did not adjust the person's treatment of the tax issue.

3. The liability asserted by the department as described under subd. 1. was not asserted in the prior audit determination.

(b) This subsection does not apply to any period associated with an audit determination, if the period begins after the promulgation of a rule, dissemination of written guidance to the public or to the person who is subject to the audit determination, the effective date of a statute, or the date on which a tax appeals commission or court decision becomes final and conclusive and if the rule, guidance, statute, or decision imposes the liability as a result of the tax issue described in par.

(a) 1. This subsection does not apply to any period associated with an audit determination if the taxpayer did not give the department employee adequate and accurate information regarding the tax issue in the prior audit determination or if the tax issue was settled in the prior audit determination by a written agreement between the department and the taxpayer.

***-0356/P1.1*SECTION 1467.** 76.14 of the statutes is amended to read:

76.14 Remedies for nonpayment of taxes. All taxes levied under this subchapter upon the property of any company defined in s. 76.02, which are not paid at the time provided by law, shall thereupon become delinquent and bear interest at

the rate of 1.5% per month until actually paid. Upon a showing by the department under s. 73.16 (4), the failure of any such company to pay the taxes and interest so required of the company within 60 days after the entry of final judgment dismissing in whole or in part any action of the company to restrain or set aside a tax, or the failure of the company within 60 days after the entry of final judgment in favor of the state for the taxes and interest to pay the judgment shall be cause for forfeiture of all the rights, privileges and franchises granted by special charter or obtained under general laws, by or under which the company is organized and its business is operated. The attorney general upon the showing by the department under s. 73.16 (4) shall proceed by action to have forfeiture of such rights, privileges and franchises of the company duly declared. Any such company, at any time before the final judgment for forfeiture of such rights, privileges and franchises is rendered, may be permitted, absent a showing by the department under s. 73.16 (4), to pay the taxes, interest and the costs of the action upon special application to the court in which the action is pending upon such terms as the court directs. Section 71.91, as it applies to the collection of delinquent taxes under ch. 71, applies to the collection of delinquent taxes under this subchapter.

***b0374/P3.1*SECTION 1467g.** 76.24 (2) (am) of the statutes is renumbered 76.24 (2) (am) 1.

***b0374/P3.1*SECTION 1467h.** 76.24 (2) (am) 2. of the statutes is created to read:

76.24 (2) (am) 2. If a municipality received a distribution under subd. 1. in 2011, the amount that the municipality receives under subd. 1. in 2013, and in each year thereafter, shall be no less than the amount received in 2011, except that, if the annual amount of the tax paid under this subchapter by the pipeline company with

oil pipeline terminal facilities in the municipality is less than 200 percent of the amount of the payment the municipality received in 2011 attributable to the pipeline company, the amount shall be no less than an amount equal to 50 percent of the annual total tax paid under this subchapter by the pipeline company with oil pipeline terminal facilities in the municipality.

***-0367/1.4*SECTION 1468.** 76.636 (1) (d) of the statutes is amended to read:

76.636 (1) (d) ~~“Full-time job” means a regular, nonseasonal, full-time position in which an individual, as a condition of employment, is required to work at least 2,080 hours per year, including paid leave and holidays, and for which the individual receives pay that is equal to at least 150 percent of the federal minimum wage and receives benefits that are not required by federal or state law. “Full-time job” does not include initial training before an employment position begins~~ has the meaning given in s. 238.30 (2m).

***-0063/4.48*SECTION 1469.** 76.636 (1) (e) 3. of the statutes is amended to read:

76.636 (1) (e) 3. A person who is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or in a ~~real work, real pay project position under s. 49.147 (3m)~~ trial employment match program job, as defined in s. 49.141 (1) (n).

***-0063/4.49*SECTION 1470.** 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.

***-0063/4.50*SECTION 1471.** 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) (e)~~ for those jobs.

***-0063/4.51*SECTION 1472.** 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) (e)~~ for those jobs.

***-0063/4.52*SECTION 1473.** 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) (e)~~ for those jobs.

***b0097/2.32*SECTION 1473c.** 76.655 (1) of the statutes is amended to read:

76.655 (1) DEFINITIONS. In this section, "claimant" means an insurer, as defined in s. 149.10 (5), 2011 stats., who files a claim under this section.

***b0097/2.32*SECTION 1473d.** 76.655 (2) of the statutes is amended to read:

76.655 (2) FILING CLAIMS. Subject to the limitations provided under this section, for taxable years beginning after December 31, 2005, and before January 1, 2014, a claimant may claim as a credit against the fees imposed under ss. 76.60, 76.63, 76.65, 76.66 or 76.67 an amount that is equal to the amount of assessment under s. 149.13, 2011 stats., that the claimant paid in the claimant's taxable year, multiplied by the percentage determined under sub. (3).

***b0097/2.32*SECTION 1473e.** 76.655 (3) (a) of the statutes is amended to read:

76.655 (3) (a) The department of revenue, in consultation with the office of the commissioner of insurance, shall determine the percentage under sub. (2) for each claimant for each taxable year. The percentage shall be equal to \$5,000,000 divided by the aggregate assessment under s. 149.13, 2011 stats. The office of the commissioner of insurance shall provide to each claimant that participates in the cost of administering the plan the aggregate assessment at the time that it notifies the claimant of the claimant's assessment. The aggregate amount of the credit under this subsection and ss. 71.07 (5g), 71.28 (5g), and 71.47 (5g) for all claimants participating in the cost of administering the plan under ch. 149, 2011 stats., shall not exceed \$5,000,000 in each fiscal year.

***-0356/P1.2*SECTION 1474.** 76.84 (5) of the statutes is created to read:

76.84 (5) Section 71.91, as it applies to the collection of delinquent taxes under ch. 71, applies to the collection of delinquent taxes under this subchapter.

***-0264/P2.1*SECTION 1475.** 77.51 (2d) of the statutes is created to read:

77.51 (2d) "Custom farming services" include services performed by a veterinarian to animals that are farm livestock or work stock and used exclusively in the business of farming.

***-0266/P1.1*SECTION 1476.** 77.51 (10f) of the statutes is amended to read:

77.51 (10f) "Prepaid wireless calling service" means a telecommunications service that provides the right to utilize mobile wireless service as well as other nontelecommunications services, including the download of digital products delivered electronically, content, and ancillary services, and that is paid for prior to use and sold in predetermined dollar units ~~whereby the number of units declines or~~ dollars that decrease with use in a known amount.

***-0268/P2.1*SECTION 1477.** 77.51 (10m) (a) 3. (intro.) of the statutes is amended to read:

77.51 (10m) (a) 3. (intro.) Food and food ingredients sold with eating utensils that are provided by the retailer of the food and food ingredients, including plates, bowls, knives, forks, spoons, glasses, cups, napkins, or straws. In this subdivision, "plate" does not include a container or packaging used to transport food and food ingredients. For purposes of this subdivision, a retailer provides utensils if any of the following applies:

***-0268/P2.2*SECTION 1478.** 77.51 (10m) (a) 3. b. of the statutes is amended to read:

77.51 (10m) (a) 3. b. For retailers not described under subd. 3. a., the retailer's customary practice is to physically give or hand the utensils to the purchaser, except that plates, bowls, glasses, or cups that are necessary for the purchaser to receive the food and food ingredients need only be made available to the purchaser.

***-0516/P1.1*SECTION 1479.** 77.51 (11d) of the statutes is amended to read:

77.51 (11d) For purposes of subs. (1ag), (1f), (3pf), and (9p) and ss. 77.52 (20) and (21), 77.522, and 77.54 (51) ~~and~~, (52), and (60), "product" includes tangible

personal property, and items, property, and goods under s. 77.52 (1) (b), (c), and (d), and services.

***-0268/P2.3*SECTION 1480.** 77.51 (11m) of the statutes is amended to read:

77.51 (11m) "Prosthetic device" means a replacement, corrective, or supportive device, including the repair parts and replacement parts for the device, that is placed in or worn on the body to artificially replace a missing portion of the body; to prevent or correct a physical deformity or malfunction; or to support a weak or deformed portion of the body.

***-0269/P2.2*SECTION 1481.** 77.51 (12m) (a) 2. of the statutes is amended to read:

77.51 (12m) (a) 2. The cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller, except as provided in par. (b) 3m., and any other expense of the seller.

***-0269/P2.3*SECTION 1482.** 77.51 (12m) (b) 3m. of the statutes is created to read:

77.51 (12m) (b) 3m. Taxes imposed on the seller that are separately stated on the invoice, bill of sale, or similar document that the seller gives to the purchaser if the law imposing or authorizing the tax provides that the seller may, but is not required to, pass on to and collect the tax from the user or consumer.

***-0269/P2.4*SECTION 1483.** 77.51 (15b) (a) 2. of the statutes is amended to read:

77.51 (15b) (a) 2. The cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller, except as provided in par. (b) 3m., and any other expense of the seller.

***-0269/P2.5*SECTION 1484.** 77.51 (15b) (b) 3m. of the statutes is created to read:

77.51 (15b) (b) 3m. Taxes imposed on the seller that are separately stated on the invoice, bill of sale, or similar document that the seller gives to the purchaser if the law imposing or authorizing the tax provides that the seller may, but is not required to, pass on to and collect the tax from the user or consumer.

***b0258/1.1*SECTION 1484d.** 77.52 (2) (a) 6. of the statutes is amended to read:

77.52 (2) (a) 6. Laundry, dry cleaning, pressing, and dyeing services, except when performed on raw materials or goods in process destined for sale, except when performed on cloth diapers by a diaper service, and except when the service is performed by the customer through the use of coin-operated, self-service machines.

***-0520/P1.1*SECTION 1485.** 77.52 (2) (a) 11. of the statutes is amended to read:

77.52 (2) (a) 11. The producing, fabricating, processing, printing, or imprinting of tangible personal property or items, property, or goods under s. ~~77.52~~ sub. (1) (b), (c), or (d) for a consideration for consumers who furnish directly or indirectly the materials used in the producing, fabricating, processing, printing, or imprinting. This subdivision does not apply to the printing or imprinting of tangible personal property or items, property, or goods under s. ~~77.52~~ sub. (1) (b), (c), or (d) that results in printed material, catalogs, or envelopes that are exempt under s. 77.54 (25) or, (25m), or (59).

***-0361/P1.1*SECTION 1486.** 77.52 (21) (b) of the statutes is amended to read:

77.52 (21) (b) ~~A~~ Except as provided in sub. (2m) (a), a person who provides a product that is not distinct and identifiable because it is provided free of charge to a purchaser who must also purchase another product that is subject to the tax

imposed under this subchapter from that person in the same transaction may purchase the product provided free of charge without tax, for resale.

***-0268/P2.4*SECTION 1487.** 77.522 (4) (a) 9. of the statutes is amended to read:

77.522 (4) (a) 9. “Place of primary use” means ~~place of primary use, as determined under 4 USC 116 to 126, as amended by P.L. 106-252~~ the residential street address or the primary business street address of the customer. In the case of mobile telecommunications services, “place of primary use” means a street address within the licensed service area of the home service provider.

***-0268/P2.5*SECTION 1488.** 77.53 (16) of the statutes is amended to read:

77.53 (16) If the purchase, rental or lease of tangible personal property, or items, property, or goods under s. 77.52 (1) (b), (c), or (d), or service subject to the tax imposed by this section was subject to a sales tax by another state in which the purchase was made, the amount of sales tax paid the other state shall be applied as a credit against and deducted from the tax, to the extent thereof, imposed by this section, except no credit may be applied against and deducted from a sales tax paid on the purchase of advertising and promotional direct mail, if the advertising and promotional direct mail purchaser did not provide to the seller a direct pay permit, an exemption certificate claiming advertising and promotional direct mail, or other information that indicates the appropriate taxing jurisdiction to which the advertising and promotional direct mail is delivered to the ultimate recipients. In this subsection “sales tax” includes a use or excise tax imposed on the use of tangible personal property, or items, property, or goods under s. 77.52 (1) (b), (c), or (d), or taxable service by the state to which the sale was sourced and “state” includes the District of Columbia and the commonwealth of Puerto Rico but does not include the several territories organized by congress.

***b0097/2.33*SECTION 1488c.** 77.54 (9a) (a) of the statutes is amended to read:

77.54 (9a) (a) This state or any agency thereof, the University of Wisconsin Hospitals and Clinics Authority, the Wisconsin Aerospace Authority, ~~the Health Insurance Risk-Sharing Plan Authority,~~ the Wisconsin Economic Development Corporation, and the Fox River Navigational System Authority.

***-0518/P2.1*SECTION 1489.** 77.54 (57) (a) 1f. of the statutes is renumbered 77.51 (1c).

***-0518/P2.2*SECTION 1490.** 77.54 (57) (a) 1m. of the statutes is renumbered 77.51 (1d).

***-0518/P2.3*SECTION 1491.** 77.54 (57) (a) 4. of the statutes is renumbered 77.51 (10rn).

***b0260/P1.1*SECTION 1492d.** 77.54 (57) (a) 5. of the statutes is amended to read:

77.54 (57) (a) 5. “Qualified research” ~~means qualified research as defined under section 41 (d) (1) of the Internal Revenue Code~~ has the meaning given in sub. (57d) (a) 4.

***-0518/P2.5*SECTION 1493.** 77.54 (57) (b) 1. of the statutes is repealed.

***-0518/P2.6*SECTION 1494.** 77.54 (57) (b) 2. of the statutes is repealed.

***-0268/P2.6*SECTION 1495.** 77.54 (57) (b) 4. of the statutes is amended to read:

77.54 (57) (b) 4. The items listed in sub. (3m) (a) to (m), ~~medicines~~ drugs, semen for artificial insemination, fuel, and electricity that are used exclusively and directly in raising animals that are sold primarily to a biotechnology business, a public or private institution of higher education, or a governmental unit for exclusive and direct use by any such entity in qualified research or manufacturing.

***-0518/P2.7*SECTION 1496.** 77.54 (57d) of the statutes is created to read:

77.54 (57d) (a) In this subsection:

1. "Building" has the meaning given in s. 70.111 (10) (a) 1.
2. "Combined group" has the meaning given in s. 71.255 (1) (a).
3. "Machinery" has the meaning given in s. 70.11 (27) (a) 2.

4. "Qualified research" means qualified research as defined under section 41 (d) (1) of the Internal Revenue Code, except that it includes qualified research that is funded by a member of a combined group for another member of a combined group.

5. "Used exclusively" has the meaning given in sub. (3) (b) 3.

(b) The sales price from the sale of and the storage, use, or other consumption of machinery and equipment, including attachments, parts, and accessories, and other tangible personal property or items or property under s. 77.52 (1) (b) or (c) that are sold to any of the following and that are consumed or destroyed or lose their identities while being used exclusively and directly in qualified research:

1. A person engaged in manufacturing in this state at a building assessed under s. 70.995.
2. A person engaged primarily in biotechnology in this state.
3. A combined group member who is conducting qualified research for another combined group member and that other combined group member is a person described under subd. 1. or 2.

***-0516/P1.2*SECTION 1497.** 77.54 (60) of the statutes is created to read:

77.54 (60) (a) In this subsection, "lump sum contract" means a contract to perform real property construction activities and to provide tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable services and for which the contractor quotes the charge for labor, services of subcontractors, tangible personal property, items and property under s. 77.52 (1) (b) and (c), and taxable

services as one price, including a contract for which the contractor itemizes the charges for labor, services of subcontractors, tangible personal property, items and property under s. 77.52 (1) (b) and (c), and taxable services as part of a schedule of values or similar document.

(b) The sales price from the sale of and the storage, use, or other consumption of tangible personal property, items and property under s. 77.52 (1) (b) and (c), and taxable services that are sold by a contractor as part of a lump sum contract, if the total sales price of all such taxable products is less than 10 percent of the total amount of the lump sum contract. Except as provided in par. (c), the contractor is the consumer of such taxable products and shall pay the tax imposed under this subchapter on the taxable products.

(c) If the lump sum contract is entered into with an entity that is exempt from taxation under sub. (9a), the contractor is the consumer of all taxable products used by the contractor in real property construction activities, but the contractor may purchase without tax, for resale, tangible personal property, items and property under s. 77.52 (1) (b) and (c), and taxable services that are sold by the contractor as part of the lump sum contract with the entity and that are not consumed by the contractor in real property construction activities.

***b0354/P1.1*SECTION 1497d.** 77.54 (61) of the statutes is created to read:

77.54 (61) The sales price from the sale of and the storage, use, or other consumption of the following by a person primarily engaged in commercial printing, not including screen printing or book printing, without publishing, except for gray goods; printing, or printing and binding, books or pamphlets without publishing the books or pamphlets; or performing prepress and postpress services in support of printing activities:

(a) Computers and servers that are used to store copies of the product that are sent to a printing press.

(b) Tangible personal property purchased from out-of-state sellers that are temporarily stored, remain idle, and not used in this state for not more than 180 days and that are then delivered and used outside of this state.

***-0257/P1.1*SECTION 1498.** 77.58 (1) (a) of the statutes is amended to read:

77.58 (1) (a) If the amount of tax for any calendar quarter exceeds \$600 \$1,200, the department may require by written notice to the taxpayer that the taxes imposed on and after the date specified in the notice are due and payable on the last day of the month next succeeding the calendar month for which imposed.

***b0380/P1.1*SECTION 1499d.** 77.585 (10) of the statutes is created to read:

77.585 (10) A retailer who receives an exemption certificate that complies with s. 77.52 (14) after reporting a sale covered by the exemption certificate as taxable, having paid the tax to the department, and having returned to the buyer in cash or in credit all tax previously paid by the buyer, may claim a deduction on the return filed for the reporting period in which the exemption certificate is received, for the sales price or purchase price previously reported as taxable. This subsection does not apply if the reporting period in which the exemption certificate is received is in a taxable year of the retailer that is subsequent to the taxable year of the retailer in which the sale covered by the exemption certificate occurred. For purposes of this subsection, the taxable year of the retailer is the same as the retailer's taxable year under ch. 71.

***-0362/P2.1*SECTION 1500.** 77.59 (4) (a) of the statutes is amended to read:

77.59 (4) (a) Except as provided in sub. (3m), at any time within 4 years after the due date, ~~or in the case of buyers the unextended due date,~~ of a person's

corresponding Wisconsin income or franchise tax return or, if exempt, within 4 years of the 15th day of the 4th month of the year following the close of the calendar or fiscal year for which that person files a claim, that person may, unless a determination by the department by office or field audit of a seller has been made and unless a determination by office audit of a buyer other than an audit in which the tax that is the subject of the refund claim was not adjusted has been made and unless a determination by field audit of the buyer has been made, file with the department a claim for refund of taxes paid to the department by that person. If the amount of the claim is at least \$50 or if either the seller has ceased doing business, the buyer is being field audited or the seller may no longer file a claim, the buyer may, within the time period under this subsection, file a claim with the department for a refund of the taxes paid to the seller. A claim is timely if it fulfills the requirements under s. 77.61 (14). A buyer may claim a refund under this paragraph only on a form prescribed by the department, only by signing that form and only if the seller signs the form unless the department waives that requirement. If both a buyer and a seller file a valid claim for the same refund, the department may pay either claim. The claim for refund shall be regarded as a request for determination. The determination thus requested shall be made by the department within one year after the claim for refund is received by it unless the taxpayer has consented in writing to an extension of the one-year time period prior to its expiration.

***b0361/P2.2*SECTION 1500b.** 77.59 (6) (b) of the statutes is amended to read:

77.59 (6) (b) Appeals from the department's redeterminations shall be governed by the statutes applicable to income or franchise tax appeals but all appeals from decisions of the tax appeals commission with respect to the taxes imposed by this subchapter shall be appealed to the circuit court for Dane County or to the circuit

court for the county where the taxpayer's commercial domicile, as defined in s. 71.01 (1b), is located, where the taxpayer owns other property, or where the taxpayer transacts business in this state.

***-0474/P1.1*SECTION 1501.** 77.62 (intro.) of the statutes is amended to read:

77.62 Collection of delinquent sales and use taxes. (intro.) The department of revenue may exercise the powers vested in it by ss. 71.80 (12), 71.82 (2), 71.91 (1) (a) and (c), (2) to ~~(5m)~~ and (7), 71.92 and 73.0301 in connection with collection of delinquent sales and use taxes including, without limitation because of enumeration, the power incorporated by reference in s. 71.91 (5) (j), and the power to:

***b0006/P2.1*SECTION 1501d.** 77.92 (1) of the statutes is repealed.

***b0006/P2.1*SECTION 1501e.** 77.92 (4) of the statutes is repealed.

***b0006/P2.1*SECTION 1501f.** 77.92 (4m) of the statutes is repealed.

***b0006/P2.1*SECTION 1501g.** 77.92 (5) of the statutes is repealed.

***b0006/P2.1*SECTION 1501h.** 77.93 (2) of the statutes is repealed.

***b0006/P2.1*SECTION 1501i.** 77.93 (3) of the statutes is repealed.

***b0006/P2.1*SECTION 1501k.** 77.93 (5) of the statutes is repealed.

***b0006/P2.1*SECTION 1501L.** 77.94 (1) (intro.) and (a) of the statutes are consolidated, renumbered 77.94 (1) and amended to read:

77.94 (1) (intro.) Except as provided in sub. (2), ~~for taxable years beginning after December 31, 1999,~~ the surcharge imposed under s. 77.93 is calculated as follows:

~~(a) On a corporation under s. 77.93 (1) and (4),~~ an amount equal to the amount calculated by multiplying gross tax liability for the taxable year of the corporation by 3%, or in the case of a tax-option corporation an amount equal to the amount

calculated by multiplying net income under s. 71.34 by 0.2%, up to a maximum of \$9,800, or \$25, whichever is greater.

***b0006/P2.1*SECTION 1501m.** 77.94 (1) (b) of the statutes is repealed.

***b0006/P2.1*SECTION 1501n.** 77.94 (2) (a) 2. of the statutes is amended to read:

77.94 (2) (a) 2. "Ceases to do business" includes but is not limited to a change in corporate form, ~~the death of an individual~~ and the occurrence of any event that creates a short taxable year for purposes of the taxes under ch. 71.

***b0006/P2.1*SECTION 1501p.** 77.94 (2) (b) (intro.) of the statutes is amended to read:

77.94 (2) (b) (intro.) If an entity ~~under s. 77.93 (1) to (4)~~ begins to do business in this state after the beginning of its taxable year or ceases to do business in this state before the end of its taxable year, subject to the maximum and minimum surcharge, the surcharge imposed on it under s. 77.93 is calculated as follows:

***b0006/P2.1*SECTION 1501q.** 77.94 (2) (b) 1. of the statutes is amended to read:

77.94 (2) (b) 1. Multiply its gross tax liability ~~or net business income~~ for the taxable year by a fraction the numerator of which is 365 and, if the entity begins to do business in this state after the beginning of its taxable year, the denominator of which is the number of days from the day that it begins to do business in this state until the end of its taxable year and, if the entity ceases to do business in this state before the end of its taxable year, the denominator of which is the number of days from the beginning of its taxable year until the day that it ceases to do business in this state and, if the entity both begins to do business in this state after the beginning of its taxable year and ceases to do business in this state before the end of its taxable

year, the denominator of which is the number of days from the day that it begins to do business in this state to the day that it ceases to do business in this state.

***b0006/P2.1*SECTION 1501r.** 77.947 of the statutes is repealed.

***b0006/P2.1*SECTION 1501s.** 77.96 (5) of the statutes is amended to read:

77.96 (5) Each person subject to a surcharge under s. 77.93 shall, on or before the due date, including extensions, for filing under ch. 71, file an accurate statement of its gross tax liability ~~or net business income~~. Payments made after the due date under sub. (2) and on or before the due date under this subsection are not delinquent but are subject to interest at the rate of 12% per year.

***b0102/2.1*SECTION 1501g.** 77.88 (3g) of the statutes is created to read:

77.88 (3g) WITHDRAWAL FOR CONSTRUCTION OF A RESIDENCE. (a) In this subsection, "parcel" means the acreage of contiguous land that is under the same ownership and that is described in the application for designation of that land as managed forest land.

(am) Except as provided in par. (b), upon the request of an owner to withdraw at least one acre of the owner's land as managed forest land, the department shall order withdrawal of the land if all of the following apply:

1. The purpose for which the owner requests that the department withdraw the land is to construct a human residence.
2. The land was designated as managed forest land before October 11, 1997.
3. If the land is not subject to a city, village, town, or county zoning ordinance that establishes a minimum acreage for the construction of a human residence, the owner requests that the department withdraw not more than 3 acres of land.
4. If the land is subject to a city, village, town, or county zoning ordinance that establishes a minimum acreage for the construction of a human residence that is

more than one acre, the owner requests that the department withdraw not more than the acreage of land required by the applicable zoning ordinance for construction of a human residence.

(b) The department may not order withdrawal of land under par. (am) from a parcel of managed forest land if the department has previously ordered withdrawal of land under par. (am) from that parcel of managed forest land.

***b0102/2.1*SECTION 1501k.** 77.88 (8) (b) of the statutes is amended to read:

77.88 (8) (b) The department may not order withdrawal of land remaining after a transfer of ownership is made under par. (a) 1., 2., or 3. ~~or~~, after a lease is entered into under par. (a) 3., or after the department orders withdrawal of land under sub. (3g) (am) unless the remainder fails to meet the eligibility requirements under s. 77.82 (1).

***-0260/P1.2*SECTION 1502.** 77.982 (2) of the statutes is amended to read:

77.982 (2) Sections 77.51 (1f), (3pf), (9p), (12m), (14), (14g), (15a), and (15b), 77.52 (1b), (3), (5), (13), (14), and (18) to (23), 77.54 (51) and (52), 77.58 (1) to (5), (6m), and (7), 77.522, 77.585, 77.59, 77.60, 77.61 (2), (3m), (5), (6), (8), (9), ~~and~~ (12) to (15), and (19m), and 77.62, as they apply to the taxes under subch. III, apply to the tax under this subchapter. Section 77.73, as it applies to the taxes under subch. V, applies to the tax under this subchapter.

***-0260/P1.3*SECTION 1503.** 77.991 (2) of the statutes is amended to read:

77.991 (2) Sections 77.51 (12m), (14), (14g), (15a), and (15b), 77.52 (1b), (3), (5), (13), (14), (18), and (19), 77.58 (1) to (5), (6m), and (7), 77.522, 77.585, 77.59, 77.60, 77.61 (2), (3m), (5), (6), (8), (9), ~~and~~ (12) to (15), and (19m), and 77.62, as they apply to the taxes under subch. III, apply to the tax under this subchapter. Section 77.73, as it applies to the taxes under subch. V, applies to the tax under this subchapter.

The renter shall collect the tax under this subchapter from the person to whom the passenger car is rented.

***b0244/3.2*SECTION 1503g.** 77.994 (3) of the statutes is renumbered 77.994 (3) (a).

***b0244/3.2*SECTION 1503h.** 77.994 (3) (b) of the statutes is created to read:

77.994 (3) (b) 1. Subject to subd. 2., any municipality that enacted an ordinance imposing the tax under sub. (1) that became effective before January 1, 2000, may amend the ordinance to increase the tax rate under this section to a maximum of 1.25 percent. The amended ordinance is effective on the dates provided under s. 77.9941 (1).

2. Before an amendment to an ordinance that is described in subd. 1. may take effect, all of the following must occur:

a. The governing body of the municipality must adopt a resolution proclaiming its intent to increase the rate of premier resort area tax.

b. The resolution must be approved by a majority of the electors in the municipality voting on the resolution at a referendum, to be held at the first spring primary or election or partisan primary or general election following by at least 70 days the date of adoption of the resolution.

***-0260/P1.4*SECTION 1504.** 77.9951 (2) of the statutes is amended to read:

77.9951 (2) Sections 77.51 (3r), (12m), (14), (14g), (15a), and (15b), 77.52 (1b), (3), (5), (13), (14), (18), and (19), 77.58 (1) to (5), (6m), and (7), 77.522, 77.585, 77.59, 77.60, 77.61 (2), (3m), (5), (6), (8), (9), and (19m), and 77.62, as they apply to the taxes under subch. III, apply to the fee under this subchapter. The renter shall collect the fee under this subchapter from the person to whom the vehicle is rented.

***-0267/P2.1*SECTION 1505.** 77.996 (6) of the statutes is amended to read:

77.996 (6) “Gross receipts” means the sales price, as defined in s. 77.51 (15b), except as provided in s. 77.585 (7), of tangible personal property and taxable services sold by a dry cleaning facility. “Gross receipts” does not include the license fee imposed under s. 77.9961 (1m) that is passed on to customers.

***-0358/P1.1*SECTION 1506.** 78.07 (1) of the statutes is amended to read:

78.07 (1) ~~Motor~~ Except as provided in subs. (1a) and (3), motor vehicle fuel that is produced, refined, blended or manufactured, or imported for manufacturing, by any person at a refinery, marine terminal, pipeline terminal, pipeline tank farm or place of manufacture is received by a supplier when the motor vehicle fuel is removed from a refinery, marine terminal, pipeline terminal, pipeline tank farm or place of manufacture and placed in tank cars, tank trucks, tank wagons or other types of transportation equipment, containers or facilities at such refinery, marine terminal, pipeline terminal, pipeline tank farm or place of manufacture or when the motor vehicle fuel is placed in any tank or other container from which sales or deliveries not involving transportation of the motor vehicle fuel are made directly.

***-0358/P1.2*SECTION 1507.** 78.07 (1a) of the statutes is created to read:

78.07 (1a) Motor vehicle fuel shipped by pipeline spur to an airport hydrant system is received when the motor vehicle fuel is received from the main pipeline into the initial or primary storage facility or holding terminal by the owner of the storage facility or holding terminal.

***-0358/P1.3*SECTION 1508.** 78.07 (3) of the statutes is amended to read:

78.07 (3) ~~Except as provided in sub. subs. (1) and (1a)~~, motor vehicle fuel imported is received at the time and place of unloading by the person for whose account that shipment or delivery is made.

***-0359/P1.1*SECTION 1509.** 78.68 (10) of the statutes is amended to read:

78.68 (10) Except as provided in ss. 78.19, 78.20 (2) and 78.75 (1m) (b), s. 71.75 (2), and (4) to (7) and (10) as it applies to the taxes under ch. 71 applies to the taxes under this chapter. ~~Section~~ Sections 71.74 (13), 71.75 (9) and (10), 71.80 (3), 71.93, 71.935, and 73.03 (52), (52m), and (52n), as ~~it applies~~ they apply to refunds of the taxes under ch. 71 ~~applies~~ apply to the refund of the taxes under this chapter.

***b0067/P2.1*SECTION 1511d.** 79.05 (6) (c) of the statutes is created to read:

79.05 (6) (c) If a municipality receives payments from another governmental unit for providing a service to that other governmental unit, pursuant to a contract with the municipality, the municipality receiving the payments shall not include the amounts of the payments in its budget for the year in which it receives the payments, for the purpose of determining eligibility under sub. (2) (c).

***-0265/P1.1*SECTION 1512.** 79.095 (2) (a) of the statutes is amended to read:

79.095 (2) (a) On or before ~~May 1~~ the 2nd Monday in June, the value of the property that is exempt under s. 70.11 (39) and (39m) in each taxing jurisdiction for which the municipality assesses property.

***-0265/P1.2*SECTION 1513.** 79.095 (4) of the statutes is amended to read:

79.095 (4) PAYMENT. The department shall calculate the payments due each taxing jurisdiction under this section by multiplying the full value as of the January 1 of the preceding year of the property that is exempt under s. 70.11 (39) and (39m) and that is located in the jurisdiction by the full-value gross tax rate of the jurisdiction for the preceding year. The department shall certify the amount of the payment due each taxing jurisdiction to the department of administration, which shall make the payments on or before ~~the first Monday in May except that, beginning in 2007, the department of administration shall make the payments on or before the~~

4th Monday in July. For purposes of ch. 121, school districts shall treat the payments made in July under this subsection as if they had been received in the previous school year.

***b0093/P1.1*SECTION 1513d.** 79.10 (2) (a) of the statutes is amended to read:

79.10 (2) (a) On or before ~~December 1~~ November 20 of the year preceding the distribution under sub. (7m) (a) or (cm), the department of revenue shall notify the clerk of each town, village and city of the estimated fair market value, as determined under sub. (11) (c), to be used to calculate the lottery and gaming credit under sub. (5) and of the amount to be distributed to it under sub. (7m) (a) or (cm). The anticipated receipt of such distribution shall not be taken into consideration in determining the tax rate of the municipality but shall be applied as tax credits.

***b0093/P1.1*SECTION 1513e.** 79.10 (2) (b) of the statutes is amended to read:

79.10 (2) (b) On or before ~~December 1~~ November 20 of the year preceding the distribution under sub. (7m) (c) or (cm), the department of revenue shall notify the clerk of each town, village, and city of the estimated fair market value, as determined under sub. (11) (d), used to calculate the first dollar credit under sub. (5m) and of the amount to be distributed to it under sub. (7m) (c) or (cm). The anticipated receipt of such distribution shall not be taken into consideration in determining the tax rate of the municipality but shall be applied as tax credits.

***-0956/P1.4*SECTION 1514.** 79.10 (4) of the statutes is amended to read:

79.10 (4) SCHOOL LEVY TAX CREDIT. Except as provided in sub. (5m), the ~~amounts~~ amount appropriated under s. 20.835 (3) (b) and ~~(qb)~~ shall be distributed to municipalities in proportion to their share of the sum of average school tax levies for all municipalities.

***b0093/P1.2*SECTION 1514c.** 79.10 (9) (b) of the statutes is amended to read:

79.10 (9) (b) *Property tax relief credit.* Except as provided in ss. 79.175 and 79.18, every property taxpayer of the municipality having assessed property shall receive a tax credit in an amount determined by applying the percentage of the amount of the value of property assessed to the taxpayer to the amount of the distribution to be made to the municipality under sub. (7m) (a), as stated in the ~~December 1~~ November 20 notification from the department of revenue, except that no taxpayer may receive a credit larger than the total amount of property taxes to be paid on each parcel for which tax is levied for that year by that taxpayer.

***b0093/P1.2*SECTION 1514d.** 79.10 (11) (b) of the statutes is amended to read:

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

***b0093/P1.2*SECTION 1514e.** 79.10 (11) (c) of the statutes is amended to read:

79.10 (11) (c) Before ~~November 1~~ October 16, the department of administration shall inform the department of revenue of the total amount available for distribution

under the lottery and gaming credit in the following year. Before ~~December 1~~ November 20, the department of revenue shall calculate, to the nearest \$100, the estimated fair market value necessary to distribute the total amount available for distribution under the lottery and gaming credit in the following year.

***b0093/P1.2*SECTION 1514f.** 79.10 (11) (d) of the statutes is amended to read:

79.10 (11) (d) Before ~~December 1~~ November 20, the department of revenue shall calculate, to the nearest \$100, the estimated fair market value necessary to distribute the total amount available for distribution under s. 79.15.

***b0115/P1.1*SECTION 1514f.** 79.14 of the statutes is amended to read:

79.14 School levy tax credit. The appropriation under s. 20.835 (3) (b), for the payments under s. 79.10 (4), is \$319,305,000 in 1994, 1995, and 1996; \$469,305,000 beginning in 1997 and ending in 2006; \$593,050,000 in 2007; \$672,400,000 in 2008; \$747,400,000 in 2009; ~~and~~ \$732,550,000 in 2010, 2011, and 2012; ~~and~~ \$747,400,000 in 2013 and in each year thereafter.

***-1109/4.2*SECTION 1515.** 83.015 (2) (b) of the statutes is amended to read:

83.015 (2) (b) In any county with a highway commissioner appointed under s. 83.01 (1) (b) or (c), the county highway committee shall be only a policy-making body determining the broad outlines and principles governing administration and the county highway commissioner shall have the administrative powers and duties prescribed for the county highway committee under par. (a), sub. (3) (a) and ss. 27.065 (4) (b) and (13), 32.05 (1) (a), 82.08, 83.01 (6), 83.013, 83.018, 83.025 (1) and (3), 83.026, 83.035, 83.04, 83.05 (1), 83.07 to 83.09, 83.12, 83.14 (6), 83.17, 83.18, 83.42 (3) and (4), 84.01 (5), 84.06 (3), 84.07 (1) and (2), 84.09 (1), (3) (a) to (c) and (4), 84.10 (1), 86.04 (1) and (2), 86.07 (2), 86.19 (3), 86.34 (1) (1m), 114.33 (5), 349.07 (2), 349.11 (4) and (10) and 349.15 (2). No statutory power, duty or function specified

elsewhere for the county highway commissioner may be deemed impliedly repealed for the sole reason that reference to it has been omitted in this paragraph.

***b0201/P1.1*SECTION 1515m.** 84.01 (13) of the statutes is amended to read:

84.01 (13) ENGINEERING SERVICES. 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.

***-1130/9.55*SECTION 1516.** 84.01 (30) (g) 3. of the statutes is amended to read:

84.01 (30) (g) 3. Notwithstanding any other statute except ss. 13.48 (14) (am) and 16.848 (1), the department may sell, at the appraised value, the real estate upon which a park-and-ride facility is or may be located, if the department determines that the sale is in the best interests of the public and the department determines that the real estate will be used in a manner consistent with the state's transportation interests.

***-0154/1.1*SECTION 1517.** 84.01 (33) (intro.) of the statutes is amended to read:

84.01 (33) HIGHWAY PROJECT DESIGN INVENTORY. (intro.) By July 1, 2014, and continuously thereafter, the department shall maintain an inventory of completed designs for highway projects such that the estimated costs of the inventory of projects for each program is not less than 65 30 percent of the annual amount of funding provided to each program. The department shall maintain an inventory for each of the following:

***-0161/3.3*SECTION 1518.** 84.01 (36) of the statutes is created to read:

84.01 (36) SPONSORSHIP AGREEMENTS. (a) In this subsection, "sponsor" means any person, whether public or private, that enters into an agreement with the department under par. (b).

(b) Notwithstanding ss. 86.19 (1) and 86.191 (1), the department may enter into sponsorship agreements under which the department displays advertising, promotional, or sponsorship material, or other information, associated with the sponsor at locations owned or controlled by the department in exchange for the sponsor's payment of fees or provision of services to the department. Sponsorship agreements may include sponsor recognition placed on such property of the department as department documents, highway maps, the department's Internet site, department vehicles, and equipment owned or controlled by the department.

(d) All fees received under this subsection shall be deposited in the general fund and credited to the appropriation account under s. 20.395 (3) (eg).

(e) For each agreement under par. (b), the contract shall be awarded on the basis of competitive proposals in accordance with procedures established by the department. Requests for proposals shall be advertised in the manner determined by the department. Each contract shall be awarded to the person submitting the most advantageous competitive proposal as determined by the department. If the

proposal of the person submitting the most advantageous competitive proposal is determined by the department to be less than the estimated reasonable value to the department or not in the public interest, the department may reject all proposals. The secretary shall enter into each contract on behalf of the state. Every such contract is exempted from ss. 16.70 to 16.75, 16.755 to 16.82, 16.87, and 16.89, but ss. 16.528, 16.752, 16.753, and 16.754 apply to the contract.

***-0155/3.1*SECTION 1519.** 84.013 (3) (ak) of the statutes is repealed.

***-0155/3.2*SECTION 1520.** 84.013 (3) (dm) of the statutes is repealed.

***-0155/3.3*SECTION 1521.** 84.013 (3) (kb) of the statutes is repealed.

***-0155/3.4*SECTION 1522.** 84.013 (3) (pe) of the statutes is repealed.

***-0155/3.5*SECTION 1523.** 84.013 (3) (rg) of the statutes is repealed.

***-0155/3.6*SECTION 1524.** 84.013 (3) (rp) of the statutes is repealed.

***-0155/3.7*SECTION 1525.** 84.013 (3) (te) of the statutes is repealed.

***-0155/3.8*SECTION 1526.** 84.013 (3) (tg) of the statutes is repealed.

***-0155/3.9*SECTION 1527.** 84.013 (3) (tm) of the statutes is repealed.

***-0155/3.10*SECTION 1528.** 84.013 (3) (tp) of the statutes is repealed.

***-0155/3.11*SECTION 1529.** 84.013 (3) (tv) of the statutes is repealed.

***-0155/3.12*SECTION 1530.** 84.013 (3) (tx) of the statutes is repealed.

***-0155/3.13*SECTION 1531.** 84.013 (3) (wg) of the statutes is repealed.

***-0155/3.14*SECTION 1532.** 84.013 (3) (yd) of the statutes is repealed.

***-0155/3.15*SECTION 1533.** 84.013 (3m) (a) of the statutes is repealed.

***-0155/3.16*SECTION 1534.** 84.013 (3m) (b) of the statutes is repealed.

***b0205/P1.1*SECTION 1534m.** 84.013 (3m) (g) of the statutes is created to

read:

84.013 (3m) (g) The department shall begin construction of the following projects no later than December 31, 2015:

1. A grade-separated interchange at CTH "V" and USH 151 in Fond du Lac County.

2. A grade-separated crossing of CTH "T" over USH 151 in Fond du Lac County.

***b0250/1.1*SECTION 1534g.** 84.013 (3m) (j) of the statutes is created to read:

84.013 (3m) (j) Notwithstanding s. 13.489 (1m) (e), the department shall, in the 2013-15 fiscal biennium, commence the preparation of an environmental impact statement, as defined in s. 13.489 (1c) (b), for a major highway project involving a proposed east arterial highway that begins at the intersection of STH 54 and STH 73 in the village of Port Edwards and extends to the intersection of STH 54 and CTH "W" in the city of Wisconsin Rapids and that includes a new crossing of the Wisconsin River.

***b0251/1.1*SECTION 1534h.** 84.013 (3m) (k) of the statutes is created to read:

84.013 (3m) (k) Notwithstanding s. 13.489 (1m) (e), the department shall, in the 2013-15 fiscal biennium, commence the preparation of an environmental impact statement, as defined in s. 13.489 (1c) (b), for a proposed major highway project involving USH 12 from the city of Elkhorn to the city of Whitewater.

***-0610/1.1*SECTION 1535.** 84.014 (5r) of the statutes is repealed.

***-1169/2.3*SECTION 1536.** 84.0145 (2) of the statutes is amended to read:

84.0145 (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) and (uur).

***-0612/4.3*SECTION 1537.** 84.017 (2) of the statutes is amended to read: