



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRBb0807/1  
ALL:all

**ASSEMBLY AMENDMENT 6,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO ASSEMBLY BILL 64**

September 13, 2017 - Offered by Representatives SHANKLAND, HEBL, SUBECK, C. TAYLOR, HESSELBEIN, ANDERSON, BARCA, BERCEAU, BILLINGS, BOWEN, BROSTOFF, CONSIDINE, CROWLEY, DOYLE, FIELDS, GENRICH, GOYKE, HINTZ, KESSLER, KOLSTE, MASON, MEYERS, MILROY, OHNSTAD, POPE, RIEMER, SARGENT, SINICKI, SPREITZER, STUCK, VRUWINK, WACHS, YOUNG, ZAMARRIPA and ZEPNICK.

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

2           **1.** Page 11, line 1: before that line insert:

3           “**SECTION 8q.** 13.94 (1) (bv) of the statutes is created to read:

4           13.94 (1) (bv) 1. Maintain a toll-free telephone number with voice mail at the

5           bureau’s office to receive reports of any mismanagement, abuse, or neglect at state

6           veterans homes from employees, residents of the veterans homes, or residents’

7           families. Except as provided in subd. 2., the bureau shall relay these reports to the

8           appropriate bureau employee for investigation. If the bureau has a bureau employee

9           investigate the report, the employee may, subject to subd. 3., consult with any

10          department for any purpose related to the investigation. The bureau shall publicize

11          the toll-free telephone number on the bureau’s Internet site. The bureau shall

12          maintain records that permit the release of information provided by informants

1 while protecting the identity of the informant. Any records maintained by the  
2 bureau that relate to the identity of informants shall be only for the confidential use  
3 of the bureau in the administration of this section, unless the informant expressly  
4 agrees to release the records. Appearance in court as a witness shall not be  
5 considered consent by an informant to release confidential records maintained by the  
6 bureau.

7 2. In lieu of requiring a bureau employee to conduct an investigation of a report  
8 received under subd. 1., the bureau may refer a report to a department for  
9 investigation. The department shall conduct the investigation and deliver the  
10 results of the investigation to the bureau in a timely manner.

11 3. The bureau shall at all times before an investigation of a report received  
12 under subd. 1. is completed keep confidential the report and investigation and any  
13 information arising from the investigation, except as necessary to conduct the  
14 investigation.”.

15 **2.** Page 70, line 11: increase the dollar amount for fiscal year 2017-18 by  
16 \$125,000 and increase the dollar amount for fiscal year 2018-19 by \$125,000 for the  
17 purpose of providing farm to school grants under s. 93.49 (3).

18 **3.** Page 71, line 8: increase the dollar amount for fiscal year 2017-18 by  
19 \$1,242,900 and increase the dollar amount for fiscal year 2018-19 by \$1,242,900 for  
20 the purpose of making county conservation staffing grants.

21 **4.** Page 71, line 8: after that line insert:

1 “(cm) Soil and water management;  
2 aids; producer led watershed  
3 protection grants GPR A 500,000 500,000”.

4 **5.** Page 72, line 7: decrease the dollar amount for fiscal year 2017-18 by  
5 \$825,000 and decrease the dollar amount for fiscal year 2018-19 by \$825,000 for the  
6 purpose for which the appropriation is made.

7 **6.** Page 72, line 7: after that line insert:

8 “(qg) Soil and water management;  
9 aids; general fund GPR A 825,000 825,000”.

10 **7.** Page 110, line 4: increase the dollar amount for fiscal year 2017-18 by  
11 \$4,592,200 and increase the dollar amount for fiscal year 2018-19 by \$4,592,200 for  
12 the purpose for which the appropriation is made.

13 **8.** Page 117, line 15: after that line insert:

14 “(mt) General program operations,  
15 nonpoint source - environmental  
16 fund. SEG A 50,400 50,400”.

17 **9.** Page 117, line 17: increase the dollar amount for fiscal year 2017-18 by  
18 \$67,900 and increase the dollar amount for fiscal year 2018-19 by \$67,900 for the  
19 purpose of increasing the authorized FTE positions for the department of natural  
20 resources by 1.0 GPR position for public safety and business support general  
21 operations.

22 **10.** Page 117, line 17: increase the dollar amount for fiscal year 2017-18 by  
23 \$793,000 and increase the dollar amount for fiscal year 2018-19 by \$793,000 to

1 increase the authorized FTE positions for the department by 7.4 SEG science  
2 services positions.

3 **11.** Page 117, line 19: increase the dollar amount for fiscal year 2017-18 by  
4 \$914,000 and increase the dollar amount for fiscal year 2018-19 by \$914,000 to  
5 increase the authorized FTE positions for the department by 9.25 FED science  
6 services positions.

7 **12.** Page 119, line 8: after that line insert:

8 “(cf) Central sands evaluation and  
9 modeling GPR C 1,000,000 -0-”.

10 **13.** Page 119, line 10: increase the dollar amount for fiscal year 2017-18 by  
11 \$38,600 and increase the dollar amount for fiscal year 2018-19 by \$38,600 for the  
12 purpose of administering the program under s. 281.34.

13 **14.** Page 119, line 22: delete lines 22 and 23.

14 **15.** Page 121, line 19: increase the dollar amount for fiscal year 2017-18 by  
15 \$109,100 and increase the dollar amount for fiscal year 2018-19 by \$145,400 for the  
16 purpose of increasing the authorized FTE positions for the department of natural  
17 resources by 2.0 GPR positions to work on activities related to compliance with the  
18 federal clean water act.

19 **16.** Page 128, line 16: delete “B” and substitute “C”.

20 **17.** Page 128, line 16: increase the dollar amount for fiscal year 2017-18 by  
21 \$100,000 and increase the dollar amount for fiscal year 2018-19 by \$100,000 for the  
22 purpose for which the appropriation is made.

23 **18.** Page 129, line 12: after that line insert:

1       “(cb) Environmental aids — compen-  
2               sation for well contamination  
3               and abandonment                   GPR     C     1,000,000     1,000,000  
4       (cc) Environmental aids — testing of  
5               privately owned wells               GPR     C     100,000     100,000”.

6               **19.** Page 129, line 15: delete lines 15 to 17.

7               **20.** Page 130, line 17: delete that line and substitute:

8       “(gf) Village of Plover grant                   GPR     B     100,000     -0-”.

9               **21.** Page 136, line 18: delete lines 18 to 19.

10              **22.** Page 137, line 22: increase the dollar amount for fiscal year 2017-18 by  
11       \$103,800 and increase the dollar amount for fiscal year 2018-19 by \$103,800 to  
12       increase the authorized FTE positions for the department by 1.25 PR science services  
13       positions.

14              **23.** Page 138, line 9: increase the dollar amount for fiscal year 2017-18 by  
15       \$17,100 and increase the dollar amount for fiscal year 2018-19 by \$17,100 for the  
16       purpose of increasing the authorized FTE positions for the department by 1.0 SEG  
17       Natural Resources Magazine position.

18              **24.** Page 138, line 17: decrease the dollar amount for fiscal year 2017-18 by  
19       \$114,600 and decrease the dollar amount for fiscal year 2018-19 by \$114,600 for the  
20       purpose of decreasing the authorized FTE positions for the department of natural  
21       resources by 2.0 SEG positions in water quality operations.

22              **25.** Page 139, line 11: increase the dollar amount for fiscal year 2017-18 by  
23       \$436,200 and increase the dollar amount for fiscal year 2018-19 by \$581,600 for the

1 purpose of increasing the authorized FTE positions for the department of natural  
2 resources by 8.0 GPR positions for permitting, oversight, mitigation, prevention, and  
3 education activities relating to concentrated animal feeding operations.

4 **26.** Page 139, line 11: increase the dollar amount for fiscal year 2017-18 by  
5 \$46,700 and increase the dollar amount for fiscal year 2018-19 by \$46,700 for the  
6 purpose of increasing the authorized FTE positions for the department of natural  
7 resources by 1.0 GPR position for customer and external assistance general  
8 operations.

9 **27.** Page 140, line 3: after that line insert:

10 “(ta) Watershed — nonpoint source

11 contracts GPR B 997,600 997,600”.

12 **28.** Page 150, line 7: increase the dollar amount for fiscal year 2017-18 by  
13 \$50,000,000 and increase the dollar amount for fiscal year 2018-19 by \$50,000,000  
14 to increase funding for the purpose for which the appropriation is made.

15 **29.** Page 179, line 2: decrease the dollar amount for fiscal year 2017-18 by  
16 \$98,900,000 and decrease the dollar amount for fiscal year 2018-19 by \$187,400,000  
17 for the purpose of providing Medical Assistance to certain adults with family incomes  
18 up to 133 percent of the federal poverty line.

19 **30.** Page 214, line 17: increase the dollar amount for fiscal year 2017-18 by  
20 \$2,000,000 and increase the dollar amount for fiscal year 2018-19 by \$2,000,000 for  
21 the purpose of funding the pay increases under 2017 Wisconsin Act .... (this act),  
22 section 9101 (8p).

23 **31.** Page 240, line 8: after that line insert:

1           “(gc) Administration of transit  
2                            authority taxes                            PR           A                            -0-                            -0-”.

3           **32.** Page 254, line 2: after that line insert:

4           “(cf) State aid for public safety                            GPR           S                            -0-                            -0-”.

5           **33.** Page 260, line 4: increase the dollar amount for fiscal year 2017-18 by  
6           \$3,152,500 and increase the dollar amount for fiscal year 2018-19 by \$3,152,500 for  
7           the purpose for which the appropriation is made.

8           **34.** Page 276, line 6: after that line insert:

9           “**SECTION 187t.** 20.115 (7) (cm) of the statutes is created to read:

10           20.115 (7) (cm) *Soil and water management; aids; producer led watershed*  
11           *protection grants.* The amounts in the schedule for producer led watershed  
12           protection grants under s. 93.59. The department shall allocate funds, in an amount  
13           that does not exceed \$500,000 in each fiscal year, for the producer led watershed  
14           protection grants.”.

15           **35.** Page 276, line 10: after that line insert:

16           “**SECTION 188r.** 20.115 (7) (qf) of the statutes is amended to read:

17           20.115 (7) (qf) *Soil and water management; aids.* From the environmental  
18           fund, the amounts in the schedule for cost-sharing grants and contracts under the  
19           soil and water resource management program under s. 92.14, but not for the support  
20           of local land conservation personnel, ~~and for producer led watershed protection~~  
21           ~~grants under s. 93.59.~~ The department shall allocate funds, in an amount that does  
22           ~~not exceed \$250,000 in each fiscal year for the producer led watershed protection~~  
23           ~~grants.~~

24           **SECTION 188s.** 20.115 (7) (qg) of the statutes is created to read:

1           20.115 (7) (qg) *Soil and water management; aids; general fund*. The amounts  
2 in the schedule for cost-sharing grants and contracts under the soil and water  
3 resource management program under s. 92.14, but not for the support of local land  
4 conservation personnel.”.

5           **36.** Page 301, line 6: delete that line.

6           **37.** Page 301, line 16: delete that line and substitute:

7           “**SECTION 306m.** 20.370 (4) (at) of the statutes is renumbered 20.370 (9) (ta) and  
8 amended to read:

9           20.370 (9) (ta) *Watershed — nonpoint source contracts*. Biennially, from the  
10 environmental general fund, the amounts in the schedule for nonpoint source water  
11 pollution abatement program contracts under s. 281.65 (4g).”.

12           **38.** Page 302, line 9: delete lines 9 to 12 and substitute:

13           “**SECTION 314g.** 20.370 (4) (cf) of the statutes is created to read:

14           20.370 (4) (cf) *Central sands evaluation and modeling*. As a continuing  
15 appropriation, the amounts in the schedule to conduct the hydrologic evaluation and  
16 modeling of the central sands region under s. 281.34 (7m).”.

17           **39.** Page 304, line 4: delete lines 4 to 8.

18           **40.** Page 305, line 3: after that line insert:

19           “**SECTION 335m.** 20.370 (6) (aq) of the statutes is amended to read:

20           20.370 (6) (aq) *Environmental aids; nonpoint source*. Biennially As a  
21 continuing appropriation, from the environmental fund, the amounts in the schedule  
22 for grants and assistance under the nonpoint source water pollution abatement  
23 program under s. 281.65.”.

24           **41.** Page 305, line 6: after that line insert:



1           **“SECTION 338b.** 20.370 (6) (cc) of the statutes is created to read:

2           20.370 (6) (cc) *Environmental aids — testing of privately owned wells.* As a  
3 continuing appropriation, the amounts in the schedule to pay for the testing of  
4 privately owned wells under s. 281.74.

5           **SECTION 338c.** 20.370 (6) (cr) of the statutes is renumbered 20.370 (6) (cb) and  
6 amended to read:

7           20.370 (6) (cb) *Environmental aids — compensation for well contamination*  
8 *and abandonment.* As a continuing appropriation, ~~from the environmental fund,~~ the  
9 amounts in the schedule to pay compensation under s. 281.75.”.

10          **42.** Page 305, line 14: on lines 14, 15 and 18, delete “(gs)” and substitute “(gf)”.

11          **43.** Page 309, line 3: delete lines 3 to 6.

12          **44.** Page 345, line 6: after that line insert:

13          **“SECTION 467m.** 20.566 (1) (gc) of the statutes is created to read:

14          20.566 (1) (gc) *Administration of transit authority taxes.* From the moneys  
15 received from the appropriation account under s. 20.835 (4) (gc), the amounts in the  
16 schedule for the purpose of administering the transit authority taxes imposed under  
17 s. 77.708. Notwithstanding s. 20.001 (3) (a), at the end of the fiscal year the  
18 unencumbered balance in this appropriation account shall be transferred to the  
19 appropriation account under s. 20.835 (4) (gc).”.

20          **45.** Page 347, line 2: after that line insert:

21          **“SECTION 480cr.** 20.835 (1) (cf) of the statutes is created to read:

22          20.835 (1) (cf) *State aid for public safety.* A sum sufficient to make payments  
23 to counties or municipalities under s. 79.036.”.

24          **46.** Page 348, line 7: after that line insert:

1           **“SECTION 483s.** 20.835 (4) (gc) of the statutes is created to read:

2           20.835 (4) (gc) *Transit authority taxes.* All moneys received from the taxes  
3 imposed under s. 77.708, and from the appropriation account under s. 20.566 (1) (gc),  
4 for the purpose of distribution to the transit authorities that adopt a resolution  
5 imposing taxes under subch. V of ch. 77, except that 1.5 percent of those tax revenues  
6 collected under subch. V of ch. 77 shall be credited to the appropriation account under  
7 s. 20.566 (1) (gc).”.

8           **47.** Page 350, line 18: delete “\$44,050,000” and substitute “\$44,900,000”.

9           **48.** Page 351, line 1: delete “\$53,600,000” and substitute “\$54,900,000”.

10          **49.** Page 363, line 4: delete “produce 4 printed issues” and substitute “produce  
11 6 printed issues”.

12          **50.** Page 363, line 10: after that line insert:

13          **“SECTION 515m.** 23.165 (3m) of the statutes is created to read:

14          23.165 (3m) CLIMATE CHANGE INFORMATION. The department shall publish, in  
15 the Wisconsin Natural Resources Magazine and on the department’s website,  
16 information relating to the scientific consensus that climate change is caused by  
17 human activity and is a threat to economic and global security.”.

18          **51.** Page 374, line 2: delete “and, 281.62, and 283.31” and substitute “and  
19 281.62”.

20          **52.** Page 374, line 19: after that line insert:

21          **“SECTION 542d.** 25.50 (3) (b) of the statutes is amended to read:

22          25.50 (3) (b) On the dates specified and to the extent to which they are  
23 available, subject to s. 16.53 (10), funds payable to local governments under ss.  
24 79.035, 79.036, 79.04, 79.05, 79.08, and 79.10 shall be considered local funds and,

1 pursuant to the instructions of local officials, may be paid into the separate accounts  
2 of all local governments established in the local government pooled-investment fund  
3 and, pursuant to the instructions of local officials, to the extent to which they are  
4 available, be disbursed or invested.”.

5 **53.** Page 394, line 21: delete the material beginning with that line and ending  
6 with page 395, line 14.

7 **54.** Page 396, line 18: after that line insert:

8 “**SECTION 585j.** 32.02 (11) of the statutes is amended to read:

9 32.02 (11) Any housing authority created under ss. 66.1201 to 66.1211;  
10 redevelopment authority created under s. 66.1333; community development  
11 authority created under s. 66.1335; local cultural arts district created under subch.  
12 V of ch. 229, subject to s. 229.844 (4) (c); ~~or~~ local exposition district created under  
13 subch. II of ch. 229; or transit authority created under s. 66.1039.”.

14 **55.** Page 396, line 23: after that line insert:

15 “**SECTION 585Lg.** 32.05 (1) (a) of the statutes is amended to read:

16 32.05 (1) (a) Except as provided under par. (b), a county board of supervisors  
17 or a county highway committee when so authorized by the county board of  
18 supervisors, a city council, a village board, a town board, a sewerage commission  
19 governing a metropolitan sewerage district created by ss. 200.05 or 200.21 to 200.65,  
20 the secretary of transportation, a commission created by contract under s. 66.0301,  
21 a joint local water authority created by contract under s. 66.0823, a transit authority  
22 created under s. 66.1039, a housing authority under ss. 66.1201 to 66.1211, a local  
23 exposition district created under subch. II of ch. 229, a local cultural arts district  
24 created under subch. V of ch. 229, a redevelopment authority under s. 66.1333 or a

1 community development authority under s. 66.1335 shall make an order providing  
2 for the laying out, relocation and improvement of the public highway, street, alley,  
3 storm and sanitary sewers, watercourses, water transmission and distribution  
4 facilities, mass transit facilities, airport, or other transportation facilities, gas or  
5 leachate extraction systems to remedy environmental pollution from a solid waste  
6 disposal facility, housing project, redevelopment project, cultural arts facilities,  
7 exposition center or exposition center facilities which shall be known as the  
8 relocation order. This order shall include a map or plat showing the old and new  
9 locations and the lands and interests required. A copy of the order shall, within 20  
10 days after its issue, be filed with the county clerk of the county wherein the lands are  
11 located or, in lieu of filing a copy of the order, a plat may be filed or recorded in  
12 accordance with s. 84.095.

13 **SECTION 595Lp.** 32.07 (2) of the statutes is amended to read:

14 32.07 (2) The petitioner shall determine necessity if application is by the state  
15 or any commission, department, board or other branch of state government or by a  
16 city, village, town, county, school district, board, commission, public officer,  
17 commission created by contract under s. 66.0301, joint local water authority under  
18 s. 66.0823, transit authority created under s. 66.1039, redevelopment authority  
19 created under s. 66.1333, local exposition district created under subch. II of ch. 229,  
20 local cultural arts district created under subch. V of ch. 229, housing authority  
21 created under ss. 66.1201 to 66.1211 or for the right-of-way of a railroad up to 100  
22 feet in width, for a telegraph, telephone or other electric line, for the right-of-way  
23 for a gas pipeline, main or service or for easements for the construction of any  
24 elevated structure or subway for railroad purposes.”.

1           **56.** Page 422, line 12: after that line insert:

2           “**SECTION 706m.** 40.02 (28) of the statutes is amended to read:

3           40.02 (28) “Employer” means the state, including each state agency, any  
4           county, city, village, town, school district, other governmental unit or  
5           instrumentality of 2 or more units of government now existing or hereafter created  
6           within the state, any federated public library system established under s. 43.19  
7           whose territory lies within a single county with a population of 500,000 or more, a  
8           local exposition district created under subch. II of ch. 229, a transit authority created  
9           under s. 66.1039, and a long-term care district created under s. 46.2895, except as  
10          provided under ss. 40.51 (7) and 40.61 (3). “Employer” does not include a local  
11          cultural arts district created under subch. V of ch. 229. Each employer shall be a  
12          separate legal jurisdiction for OASDHI purposes.”.

13          **57.** Page 434, line 1: before that line insert:

14          “**SECTION 739px.** 45.50 (2m) (g) of the statutes is created to read:

15          45.50 (2m) (g) Each month, the department shall perform water quality testing  
16          at the veterans homes and publish the results of the water quality testing on its  
17          Internet site.”.

18          **58.** Page 521, line 19: after that line insert:

19          “**SECTION 926w.** 49.45 (23) (a) of the statutes is amended to read:

20          49.45 (23) (a) The department shall request a waiver from the secretary of the  
21          federal department of health and human services to permit the department to  
22          conduct a demonstration project to provide health care coverage to adults who are  
23          under the age of 65, who have family incomes not to exceed ~~100~~ 133 percent of the  
24          poverty line ~~before application of the 5 percent income disregard under 42 CFR~~

1 435.603 (d), except as provided in s. 49.471 (4g), and who are not otherwise eligible  
2 for medical assistance under this subchapter, the Badger Care health care program  
3 under s. 49.665, or Medicare under 42 USC 1395 et seq.”.

4 **59.** Page 531, line 15: after that line insert:

5 “**SECTION 933p.** 49.471 (1) (cr) of the statutes is created to read:

6 49.471 (1) (cr) “Enhanced federal medical assistance percentage” means a  
7 federal medical assistance percentage described under 42 USC 1396d (y) or (z).

8 **SECTION 933r.** 49.471 (4) (a) 4. b. of the statutes is amended to read:

9 49.471 (4) (a) 4. b. The Except as provided in sub. (4g), the individual’s family  
10 income does not exceed ~~100~~ 133 percent of the poverty line ~~before application of the~~  
11 ~~5 percent income disregard under 42 CFR 435.603 (d)~~.

12 **SECTION 933t.** 49.471 (4g) of the statutes is created to read:

13 49.471 (4g) MEDICAID EXPANSION; FEDERAL MEDICAL ASSISTANCE PERCENTAGE. (a)  
14 For services provided to individuals described under sub. (4) (a) 4. and s. 49.45 (23),  
15 the department shall comply with all federal requirements to qualify for the highest  
16 available enhanced federal medical assistance percentage. The department shall  
17 submit any amendment to the state medical assistance plan, request for a waiver of  
18 federal Medicaid law, or other approval request required by the federal government  
19 to provide services to the individuals described under sub. (4) (a) 4. and s. 49.45 (23)  
20 and qualify for the highest available enhanced federal medical assistance  
21 percentage.

22 (b) If the department does not qualify for an enhanced federal medical  
23 assistance percentage, or if the enhanced federal medical assistance percentage  
24 obtained by the department is lower than printed in federal law as of July 1, 2013,

1 for individuals eligible under sub. (4) (a) 4. or s. 49.45 (23), the department shall  
2 submit to the joint committee on finance a fiscal analysis comparing the cost to  
3 maintain coverage for adults who are not pregnant and not elderly with family  
4 incomes up to 133 percent of the poverty line to the cost of limiting eligibility to those  
5 adults with family incomes up to 100 percent of the poverty line. The department  
6 may reduce income eligibility for adults who are not pregnant and not elderly from  
7 family incomes of up to 133 percent of the poverty line to family incomes of up to 100  
8 percent of the poverty line only if this reduction in income eligibility levels is  
9 approved by the joint committee on finance.”.

10 **60.** Page 557, line 24: after that line insert:

11 “**SECTION 982jc.** 59.692 (1) (bn) of the statutes is amended to read:

12 59.692 (1) (bn) “Shoreland setback area” means an area in a shoreland that is  
13 within a certain distance of the ordinary high-water mark in which the construction  
14 or placement of buildings or structures has been limited or prohibited under an  
15 ordinance enacted under this section.

16 **SECTION 982jg.** 59.692 (1) (e) of the statutes is repealed.

17 **SECTION 982jn.** 59.692 (1c) of the statutes is renumbered 59.692 (1m).

18 **SECTION 982jr.** 59.692 (1d) of the statutes is repealed.

19 **SECTION 982jw.** 59.692 (1f) of the statutes is repealed.

20 **SECTION 982kb.** 59.692 (1h) of the statutes is repealed.

21 **SECTION 982kc.** 59.692 (1k) of the statutes is repealed.

22 **SECTION 982kd.** 59.692 (1n) of the statutes is repealed.

23 **SECTION 982ke.** 59.692 (1p) of the statutes is repealed.

24 **SECTION 982kg.** 59.692 (1u) of the statutes is created to read:

1           59.692 **(1u)** (a) Restrictions that are applicable to damaged or destroyed  
2 nonconforming structures and that are contained in an ordinance enacted under this  
3 section may not prohibit the restoration of a nonconforming structure if the structure  
4 will be restored to the size, subject to par. (b), location and use that it had  
5 immediately before the damage or destruction occurred or impose any limits on the  
6 costs of the repair, reconstruction or improvement if all of the following apply:

7           1. The nonconforming structure was damaged or destroyed after October 14,  
8 1997.

9           2. The damage or destruction was caused by violent wind, vandalism, fire,  
10 flood, ice, snow, mold, or infestation.

11           (b) An ordinance enacted under this section to which par. (a) applies shall allow  
12 for the size of a structure to be larger than the size it was immediately before the  
13 damage or destruction if necessary for the structure to comply with applicable state  
14 or federal requirements.

15           **SECTION 982kn.** 59.692 (2m) of the statutes is repealed and recreated to read:

16           59.692 **(2m)** (a) In this subsection:

17           1. “Development regulations” means the part of a shoreland zoning ordinance  
18 enacted under this section that applies to elements including setback, height, lot  
19 coverage, and side yard.

20           2. “Nonconforming structure” means a dwelling or other building that existed  
21 lawfully before the current zoning ordinance was enacted or amended, but that does  
22 not conform with one or more of the development regulations in the current  
23 shoreland zoning ordinance.

24           (b) A county may not enact, and a county, city, or village may not enforce, a  
25 provision in a county shoreland zoning ordinance that does any of the following:



1           1. Regulates the location, maintenance, expansion, replacement, repair, or  
2 relocation of a nonconforming structure if that provision is more restrictive than the  
3 shoreland zoning standards for nonconforming structures promulgated by the  
4 department under this section.

5           2. Regulates the construction of a structure or building on a substandard lot  
6 if that provision is more restrictive than the shoreland zoning standards for  
7 substandard lots promulgated by the department under this section.

8           **SECTION 982kr.** 59.692 (4) (b) of the statutes is amended to read:

9           59.692 (4) (b) Variances and appeals regarding shorelands within a county are  
10 for the board of adjustment for that county under s. 59.694, and the procedures of  
11 that section apply. ~~Notwithstanding s. 59.694 (4), the department may not appeal~~  
12 ~~a decision of the county to grant or deny a variance under this section but may, upon~~  
13 ~~the request of a county board of adjustment, issue an opinion on whether a variance~~  
14 ~~should be granted or denied.~~

15           **SECTION 982kw.** 59.692 (5m) of the statutes is repealed.

16           **SECTION 982kx.** 59.692 (7) of the statutes is repealed.”.

17           **61.** Page 560, line 4: after that line insert:

18           “**SECTION 982pme.** 61.353 (3) (intro.) of the statutes is amended to read:

19           61.353 (3) (intro.) A village ordinance enacted under this section shall accord  
20 and be consistent with the requirements and limitations under s. 59.692 (1d), (1f),  
21 and (1k) and shall include at least all of the following provisions:

22           **SECTION 982pmm.** 61.353 (3) (cm) of the statutes is created to read:

23           61.353 (3) (cm) 1. A provision requiring a person who owns shoreland property  
24 that contains vegetation to maintain that vegetation in a vegetative buffer zone

1 along the entire shoreline of the property and extending 35 feet inland from the  
2 ordinary high-water mark of the navigable water, except as provided in subd. 2.

3 2. If the vegetation in a vegetative buffer zone contains invasive species or dead  
4 or diseased vegetation, the owner of the shoreland property may remove the  
5 vegetation, except that if the owner removes all of the vegetation in the vegetative  
6 buffer zone, the owner shall establish a vegetative buffer zone with new vegetation.

7 **SECTION 982pms.** 61.353 (3) (dm) of the statutes is created to read:

8 61.353 (3) (dm) A provision allowing a person who is required to maintain or  
9 establish a vegetative buffer zone under par. (cm) to remove all of the vegetation in  
10 a part of that zone in order to establish a viewing or access corridor that is no greater  
11 than 30 feet wide for every 100 feet of shoreline frontage and that extends no more  
12 than 35 feet inland from the ordinary high-water mark.”.

13 **62.** Page 562, line 17: after that line insert:

14 “**SECTION 982se.** 62.233 (3) (intro.) of the statutes is amended to read:

15 62.233 (3) (intro.) A city ordinance enacted under this section shall ~~accord and~~  
16 ~~be consistent with the requirements and limitations under s. 59.692 (1d), (1f), and~~  
17 ~~(1k) and shall~~ include at least all of the following provisions:

18 **SECTION 982sm.** 62.233 (3) (cm) of the statutes is created to read:

19 62.233 (3) (cm) 1. A provision requiring a person who owns shoreland property  
20 that contains vegetation to maintain that vegetation in a vegetative buffer zone  
21 along the entire shoreline of the property and extending 35 feet inland from the  
22 ordinary high-water mark of the navigable water, except as provided in subd. 2.

23 2. If the vegetation in a vegetative buffer zone contains invasive species or dead  
24 or diseased vegetation, the owner of the shoreland property may remove the

1 vegetation, except that if the owner removes all of the vegetation in the vegetative  
2 buffer zone, the owner shall establish a vegetative buffer zone with new vegetation.

3 **SECTION 982ss.** 62.233 (3) (dm) of the statutes is created to read:

4 62.233 (3) (dm) A provision allowing a person who is required to maintain or  
5 establish a vegetative buffer zone under par. (cm) to remove all of the vegetation in  
6 a part of that zone in order to establish a viewing or access corridor that is no greater  
7 than 30 feet wide for every 100 feet of shoreline frontage and that extends no more  
8 than 35 feet inland from the ordinary high-water mark.”.

9 **63.** Page 562, line 18: delete the material beginning with that line and ending  
10 with page 563, line 2.

11 **64.** Page 563, line 14: after that line insert:

12 **“SECTION 983w.** 66.0301 (1) (a) of the statutes is amended to read:

13 66.0301 (1) (a) Except as provided in pars. (b) and (c), in this section  
14 “municipality” means the state or any department or agency thereof, or any city,  
15 village, town, county, or school district, the opportunity schools and partnership  
16 programs under subch. IX of ch. 115 and subch. II of ch. 119, the superintendent of  
17 schools opportunity schools and partnership program under s. 119.33, or any public  
18 library system, public inland lake protection and rehabilitation district, sanitary  
19 district, farm drainage district, metropolitan sewerage district, sewer utility district,  
20 solid waste management system created under s. 59.70 (2), local exposition district  
21 created under subch. II of ch. 229, local professional baseball park district created  
22 under subch. III of ch. 229, local professional football stadium district created under  
23 subch. IV of ch. 229, local cultural arts district created under subch. V of ch. 229,  
24 transit authority created under s. 66.1039, long-term care district under s. 46.2895,

1 water utility district, mosquito control district, municipal electric company, county  
2 or city transit commission, commission created by contract under this section,  
3 taxation district, regional planning commission, housing authority created under s.  
4 66.1201, redevelopment authority created under s. 66.1333, community  
5 development authority created under s. 66.1335, or city-county health  
6 department.”.

7 **65.** Page 591, line 16: after that line insert:

8 “**SECTION 985rg.** 66.0817 (intro.) of the statutes is amended to read:

9 **66.0817 Sale or lease of municipal public utility plant.** (intro.) ~~A~~ Except  
10 as provided in sub. (8), a town, village or city may sell or lease any complete public  
11 utility plant owned by it in the following manner:

12 **SECTION 985rr.** 66.0817 (8) of the statutes is created to read:

13 66.0817 (8) A town, village, or city may not sell or lease to an investor-owned  
14 public utility any plant or portion of a plant used to provide water or sewer service.”.

15 **66.** Page 593, line 12: after that line insert:

16 “**SECTION 996gm.** 66.1036 of the statutes is repealed.”.

17 **67.** Page 593, line 12: after that line insert:

18 “**SECTION 996gn.** 66.1039 of the statutes is created to read:

19 **66.1039 Transit authorities. (1) DEFINITIONS.** In this section:

20 (a) “Authority” means a transit authority created under this section.

21 (b) “Bonds” means any bonds, interim certificates, notes, debentures, or other  
22 obligations of an authority issued under this section.

23 (c) “Common carrier” means any of the following:

24 1. A common motor carrier, as defined in s. 194.01 (1).

1           2. A contract motor carrier, as defined in s. 194.01 (2).

2           3. A railroad subject to ch. 195, as described in s. 195.02 (1) and (3).

3           4. A water carrier, as defined in s. 195.02 (5).

4           (d) “Comprehensive unified local transportation system” means a  
5 transportation system that is comprised of motor bus lines and any other local public  
6 transportation facilities, the major portion of which is located within, or the major  
7 portion of the service of which is supplied to the inhabitants of, the jurisdictional area  
8 of the authority.

9           (e) “Municipality” means any city, village, or town.

10          (f) “Participating political subdivision” means a political subdivision that is a  
11 member of an authority, either from the time of creation of the authority or by later  
12 joining the authority.

13          (g) “Political subdivision” means a municipality or county.

14          (h) “Transportation system” means all land, shops, structures, equipment,  
15 property, franchises, and rights of whatever nature required for transportation of  
16 passengers within the jurisdictional area of the authority and, only to the extent  
17 specifically authorized under this section, outside the jurisdictional area of the  
18 authority. “Transportation system” includes elevated railroads, subways,  
19 underground railroads, motor vehicles, motor buses, and any combination thereof,  
20 and any other form of mass transportation, but does not include transportation  
21 excluded from the definition of “common motor carrier” under s. 194.01 (1) or charter  
22 or contract operations to, from, or between points that are outside the jurisdictional  
23 area of the authority.

24          **(2) CREATION OF TRANSIT AUTHORITIES.** (f) *Regional transit authorities in*  
25 *urbanized areas.* 1. Except as provided in subds. 5. and 6., any 2 or more political

1 subdivisions located in whole or in part within an urbanized area may join together  
2 to jointly create a public body corporate and politic and a separate governmental  
3 entity, known as a “regional transit authority,” if the governing body of each such  
4 political subdivision adopts a resolution authorizing the political subdivision to  
5 become a member of the authority, each resolution is ratified by the electors at a  
6 referendum held in the political subdivision, and all such resolutions are identical  
7 to each other. However, Milwaukee County may create an authority if the governing  
8 body of Milwaukee County adopts a resolution authorizing the creation of the  
9 authority and the resolution is ratified by the electors at a referendum held in  
10 Milwaukee County. Except as provided in subd. 2. and sub. (13), once created, the  
11 members of the authority shall consist of all political subdivisions that adopt  
12 resolutions ratified at referenda, as provided in this subdivision. Once created, the  
13 authority may transact business and exercise any powers granted to it under this  
14 section.

15 2. Except as provided in subds. 5. and 6., after an authority is created under  
16 subd. 1., any political subdivision located in whole or in part within an urbanized  
17 area may join the authority if the governing body of the political subdivision adopts  
18 a resolution identical to the existing resolutions of the authority’s participating  
19 political subdivisions or, if Milwaukee County is the only member of the authority,  
20 identical to the Milwaukee County board’s existing resolution, the resolution is  
21 ratified by the electors at a referendum held in the political subdivision, and the  
22 authority’s board of directors adopts a resolution allowing the political subdivision  
23 to join the authority.

24 3. a. Except as provided in subd. 3. b. and c., the jurisdictional area of an  
25 authority created under this paragraph is the geographic area formed by the

1 combined territorial boundaries of all participating political subdivisions of the  
2 authority.

3 b. If the authority includes a county other than Milwaukee County as a  
4 participating political subdivision, the jurisdictional area of the authority includes  
5 only that portion of the county that is within the territorial boundaries of  
6 municipalities in the county that are also participating political subdivisions.

7 c. If a municipality that is a participating political subdivision of the authority  
8 is located in more than one county, the resolutions creating or joining the authority  
9 and the authority's bylaws may declare that, for purposes of the authority's  
10 jurisdictional area, the municipality's territorial boundaries are limited to only one  
11 of those counties.

12 4. If a political subdivision joins an authority under subd. 2. after it is created,  
13 the authority shall provide the department of revenue with a certified copy of the  
14 resolution that approves the joining, the referendum results ratifying the resolution,  
15 and the resolution of the authority's board of directors allowing the political  
16 subdivision to join the authority. The political subdivision's joining of the authority  
17 shall take effect on the first day of the calendar quarter that begins at least 120 days  
18 after the department receives this information. The authority shall also provide the  
19 department with a description of the new boundaries of the authority's jurisdictional  
20 area, as provided under sub. (4) (s) 2.

21 5. A political subdivision may not create or join more than one authority under  
22 this paragraph.

23 6. A county other than Milwaukee County may not create or join an authority  
24 under this paragraph unless a municipality located in whole or in part within the  
25 county is a participating political subdivision in the authority.

1           **(3) TRANSIT AUTHORITY GOVERNANCE.** (a) The powers of an authority shall be  
2 vested in its board of directors. Directors shall be appointed for 4-year terms. A  
3 majority of the board of directors' full authorized membership constitutes a quorum  
4 for the purpose of conducting the authority's business and exercising its powers.  
5 Action may be taken by the board of directors upon a vote of a majority of the directors  
6 present and voting, unless the bylaws of the authority require a larger number.

7           (fg) If an authority is created under sub. (2) (f), the resolutions creating the  
8 authority under sub. (2) (f) 1. shall include identical provisions specifying the  
9 number and composition of the authority's board of directors. However, if Milwaukee  
10 County is the only member of the authority, the Milwaukee County board's resolution  
11 shall specify the number and composition of the authority's board of directors. All  
12 directors shall be elected officials of one or more of the authority's participating  
13 political subdivisions. If a political subdivision joins an authority after its creation,  
14 the resolution joining the authority under sub. (2) (f) 2. shall specify what the number  
15 and composition of the authority's board of directors will be after the political  
16 subdivision's joinder, and all political subdivisions that are participating political  
17 subdivisions of the authority at the time of the new political subdivision's joinder  
18 shall amend or modify their resolutions creating or joining the authority to make  
19 them identical to the resolution of the newly joining municipality.

20           (g) The bylaws of an authority shall govern its management, operations, and  
21 administration, consistent with the provisions of this section, and shall include  
22 provisions specifying all of the following:

- 23           1. The functions or services to be provided by the authority.
- 24           2. The powers, duties, and limitations of the authority.



1           3. The maximum rate of the taxes that may be imposed by the authority under  
2 sub. (4) (s), not to exceed the maximum rate specified in s. 77.708 (1).

3           4. The composition of the board of directors of the authority, as determined  
4 under par. (fg).

5           5. For an authority created under sub. (2) (f), the name of the authority.

6           **(4) POWERS.** Notwithstanding s. 59.84 (2) and any other provision of this  
7 chapter or ch. 59 or 85, an authority may do all of the following, to the extent  
8 authorized in the authority's bylaws:

9           (a) Establish, maintain, and operate a comprehensive unified local  
10 transportation system primarily for the transportation of persons.

11           (b) Acquire a comprehensive unified local transportation system and provide  
12 funds for the operation and maintenance of the system. Upon the acquisition of a  
13 comprehensive unified local transportation system, the authority may:

14           1. Operate and maintain it or lease it to an operator or contract for its use by  
15 an operator.

16           2. Contract for superintendence of the system with an organization that has  
17 personnel with the requisite experience and skill.

18           3. Delegate responsibility for the operation and maintenance of the system to  
19 an appropriate administrative officer, board, or commission of a participating  
20 political subdivision.

21           4. Maintain and improve railroad rights-of-way and improvements on these  
22 rights-of-way for future use.

23           (c) Contract with a public or private organization to provide transportation  
24 services in lieu of directly providing these services.

1           (d) Purchase and lease transportation facilities to public or private transit  
2 companies that operate within and outside the jurisdictional area.

3           (e) Apply for federal aids to purchase transportation facilities considered  
4 essential for the authority's operation.

5           (f) Coordinate specialized transportation services, as defined in s. 85.21 (2) (g),  
6 for residents who reside within the jurisdictional area and who are disabled or aged  
7 60 or older, including services funded under 42 USC 3001 to 3057n, 42 USC 5001, and  
8 42 USC 5011 (b); under ss. 49.43 to 49.499 and 85.21; and under other public funds  
9 administered by the county. An authority may contract with a county that is a  
10 participating political subdivision for the authority to provide specialized  
11 transportation services, but an authority is not an eligible applicant under s. 85.21  
12 (2) (e) and may not receive payments directly from the department of transportation  
13 under s. 85.21.

14           (g) Acquire, own, hold, use, lease as lessor or lessee, sell or otherwise dispose  
15 of, mortgage, pledge, or grant a security interest in any real or personal property or  
16 service.

17           (h) Acquire property by condemnation using the procedure under s. 32.05 for  
18 the purposes set forth in this section.

19           (i) Enter upon any state, county, or municipal street, road, or alley, or any public  
20 highway for the purpose of installing, maintaining, and operating the authority's  
21 facilities. Whenever the work is to be done in a state, county, or municipal highway,  
22 street, road, or alley, the public authority having control thereof shall be duly  
23 notified, and the highway, street, road, or alley shall be restored to as good a condition  
24 as existed before the commencement of the work with all costs incident to the work  
25 to be borne by the authority.

1 (j) Fix, maintain, and revise fees, rates, rents, and charges for functions,  
2 facilities, and services provided by the authority.

3 (k) Make, and from time to time amend and repeal, bylaws, rules, and  
4 regulations to carry into effect the powers and purposes of the authority.

5 (L) Sue and be sued in its own name.

6 (m) Have and use a corporate seal.

7 (n) Employ agents, consultants, and employees; engage professional services;  
8 and purchase such furniture, stationery, and other supplies and materials as are  
9 reasonably necessary to perform its duties and exercise its powers.

10 (o) Incur debts, liabilities, or obligations, including the borrowing of money and  
11 the issuance of bonds under subs. (7) and (10).

12 (p) Invest any funds held in reserve or sinking funds, or any funds not required  
13 for immediate disbursement, including the proceeds from the sale of any bonds, in  
14 such obligations, securities, and other investments as the authority deems proper in  
15 accordance with s. 66.0603 (1m).

16 (q) Do and perform any acts and things authorized by this section under,  
17 through, or by means of an agent or by contracts with any person.

18 (r) Exercise any other powers that the board of directors considers necessary  
19 and convenient to effectuate the purposes of the authority, including providing for  
20 passenger safety.

21 (s) 1. Impose, by the adoption of a resolution by the board of directors, the taxes  
22 under subch. V of ch. 77 in the authority's jurisdictional area. If an authority adopts  
23 a resolution to impose the taxes, or to change the rate after the taxes are imposed,  
24 it shall deliver a certified copy of the resolution to the department of revenue at least  
25 120 days before its effective date. The authority may, by adoption of a resolution by

1 the board of directors, repeal the imposition of taxes under subch. V of ch. 77 and  
2 shall deliver a certified copy of the repeal resolution to the department of revenue at  
3 least 120 days before its effective date.

4 2. If an authority adopts a resolution to impose the tax, as provided in subd.  
5 1., an authority shall specify to the department of revenue, as provided in this  
6 subdivision, the exact boundaries of the authority's jurisdictional area. If the  
7 boundaries are the same as the county lines on all sides of the authority's  
8 jurisdictional area, the resolution shall specify the county or counties that comprise  
9 the authority's entire jurisdictional area. If the boundaries are other than a county  
10 line on any side of the authority's jurisdictional area, the authority shall provide the  
11 department with a complete list of all the 9-digit zip codes that are entirely within  
12 the authority's jurisdictional area and a complete list of all the street addresses that  
13 are within the authority's jurisdictional area and not included in any 9-digit zip code  
14 that is entirely within the authority's jurisdictional area. The authority shall  
15 provide a certified copy of the information required under this subdivision to the  
16 department, in the manner, format, and layout prescribed by the department, at  
17 least 120 days prior to the first day of the calendar quarter before the effective date  
18 of the tax imposed under subd. 1. If the boundaries of the authority's jurisdictional  
19 area subsequently change, the authority shall submit a certified copy of the  
20 information required under this subdivision to the department at least 120 days  
21 prior to the first day of the calendar quarter before the effective date of such change,  
22 in the manner, format, and layout prescribed by the department.

23 3. Notwithstanding subd. 1., an authority created under sub. (2) (f) may not  
24 impose the taxes authorized under subd. 1. unless the authorizing resolution under  
25 sub. (2) (f) 1. and, if applicable, sub. (2) (f) 2., as well as the referendum question on

1 the referendum ballot specified in sub. (2) (f) 1. and, if applicable, sub. (2) (f) 2., each  
2 clearly identifies the maximum rate of the taxes that may be imposed by the  
3 authority under subd. 1. For purposes of this subdivision, the maximum tax rates  
4 identified in the authorizing resolution under sub. (2) (f) 2., and the corresponding  
5 referendum question, are the same as those identified for purposes of sub. (2) (f) 1.

6 4. If an authority created under sub. (2) (f) adopts a resolution to impose the  
7 taxes under subd. 1., no political subdivision that is a member of the authority may  
8 levy property taxes for transit purposes in excess of the amount of property taxes  
9 levied for transit purposes in the year before the year in which the taxes are imposed  
10 under subd. 1.

11 **(5) LIMITATIONS ON AUTHORITY POWERS.** (a) Notwithstanding sub. (4) (a), (b), (c),  
12 (d), (q), and (r), no authority, and no public or private organization with which an  
13 authority has contracted for service, may provide service outside the jurisdictional  
14 area of the authority unless the authority receives financial support for the service  
15 under a contract with a public or other private organization for the service or unless  
16 it is necessary in order to provide service to connect residents within the authority's  
17 jurisdictional area to transit systems in adjacent counties.

18 (b) Whenever the proposed operations of an authority would be competitive  
19 with the operations of a common carrier in existence prior to the time the authority  
20 commences operations, the authority shall coordinate proposed operations with the  
21 common carrier to eliminate adverse financial impact for the carrier. This  
22 coordination may include route overlapping, transfers, transfer points, schedule  
23 coordination, joint use of facilities, lease of route service, and acquisition of route and  
24 corollary equipment. If this coordination does not result in mutual agreement, the

1 proposals of the authority and the common carrier shall be submitted to the  
2 department of transportation for arbitration.

3 (c) In exercising its powers under sub. (4), an authority shall consider any plan  
4 of a metropolitan planning organization under 23 USC 134 that covers any portion  
5 of the authority's jurisdictional area.

6 **(6) AUTHORITY OBLIGATIONS TO EMPLOYEES OF MASS TRANSPORTATION SYSTEMS.** (a)  
7 An authority acquiring a comprehensive unified local transportation system for the  
8 purpose of the authority's operation of the system shall assume all of the employer's  
9 obligations under any contract between the employees and management of the  
10 system to the extent allowed by law.

11 (b) An authority acquiring, constructing, controlling, or operating a  
12 comprehensive unified local transportation system shall negotiate an agreement  
13 with the representative of the labor organization that covers the employees affected  
14 by the acquisition, construction, control, or operation to protect the interests of  
15 employees affected. This agreement shall include all of the provisions identified in  
16 s. 59.58 (4) (b) 1. to 8. and may include provisions identified in s. 59.58 (4) (c). An  
17 affected employee has all the rights and the same status under subch. IV of ch. 111  
18 that he or she enjoyed immediately before the acquisition, construction, control, or  
19 operation and may not be required to serve a probationary period if he or she attained  
20 permanent status before the acquisition, construction, control, or operation.

21 (c) In all negotiations under this subsection, a senior executive officer of the  
22 authority shall be a member of the authority's negotiating body.

23 **(7) BONDS; GENERALLY.** (a) An authority may issue bonds, the principal and  
24 interest on which are payable exclusively from all or a portion of any revenues  
25 received by the authority. The authority may secure its bonds by a pledge of any

1 income or revenues from any operations, rent, aids, grants, subsidies, contributions,  
2 or other source of moneys whatsoever.

3 (b) An authority may issue bonds in such principal amounts as the authority  
4 deems necessary.

5 (c) 1. Neither the members of the board of directors of an authority nor any  
6 person executing the bonds is personally liable on the bonds by reason of the issuance  
7 of the bonds.

8 2. The bonds of an authority are not a debt of the participating political  
9 subdivisions. Neither the participating political subdivisions nor the state are liable  
10 for the payment of the bonds. The bonds of any authority shall be payable only out  
11 of funds or properties of the authority. The bonds of the authority shall state the  
12 restrictions contained in this paragraph on the face of the bonds.

13 **(8) ISSUANCE OF BONDS.** (a) Bonds of an authority shall be authorized by  
14 resolution of the board of directors. The bonds may be issued under such a resolution  
15 or under a trust indenture or other security instrument. The bonds may be issued  
16 in one or more series and may be in the form of coupon bonds or registered bonds  
17 under s. 67.09. The bonds shall bear the dates, mature at the times, bear interest  
18 at the rates, be in the denominations, have the rank or priority, be executed in the  
19 manner, be payable in the medium of payment and at the places, and be subject to  
20 the terms of redemption, with or without premium, as the resolution, trust  
21 indenture, or other security instrument provides. Bonds of an authority are issued  
22 for an essential public and governmental purpose and are public instrumentalities  
23 and, together with interest and income, are exempt from taxes.

24 (b) The authority may sell the bonds at public or private sales at the price or  
25 prices determined by the authority.

1 (c) If an officer whose signatures appear on any bonds or coupons ceases to be  
2 an officer of the authority before the delivery of the bonds or coupons, the officer's  
3 signature shall, nevertheless, be valid for all purposes as if the officer had remained  
4 in office until delivery of the bonds or coupons.

5 **(9) COVENANTS.** An authority may do all of the following in connection with the  
6 issuance of bonds:

7 (a) Covenant as to the use of any or all of its property, real or personal.

8 (b) Redeem the bonds, or covenant for the redemption of the bonds, and provide  
9 the terms and conditions of the redemption.

10 (c) Covenant as to charge fees, rates, rents, and charges sufficient to meet  
11 operating and maintenance expenses, renewals, and replacements of any  
12 transportation system, principal and debt service on bond creation and maintenance  
13 of any reserves required by a bond resolution, trust indenture, or other security  
14 instrument and to provide for any margins or coverages over and above debt service  
15 on the bonds that the board of directors considers desirable for the marketability of  
16 the bonds.

17 (d) Covenant as to the events of default on the bonds and the terms and  
18 conditions upon which the bonds shall become or may be declared due before  
19 maturity, as to the terms and conditions upon which this declaration and its  
20 consequences may be waived, and as to the consequences of default and the remedies  
21 of bondholders.

22 (e) Covenant as to the mortgage or pledge of, or the grant of a security interest  
23 in, any real or personal property and all or any part of the revenues of the authority  
24 to secure the payment of bonds, subject to any agreements with the bondholders.



1 (f) Covenant as to the custody, collection, securing, investment, and payment  
2 of any revenues, assets, moneys, funds, or property with respect to which the  
3 authority may have any rights or interest.

4 (g) Covenant as to the purposes to which the proceeds from the sale of any bonds  
5 may be applied, and as to the pledge of such proceeds to secure the payment of the  
6 bonds.

7 (h) Covenant as to limitations on the issuance of any additional bonds, the  
8 terms upon which additional bonds may be issued and secured, and the refunding  
9 of outstanding bonds.

10 (i) Covenant as to the rank or priority of any bonds with respect to any lien or  
11 security.

12 (j) Covenant as to the procedure by which the terms of any contract with or for  
13 the benefit of the holders of bonds may be amended or abrogated, the amount of  
14 bonds, the holders of which must consent thereto, and the manner in which such  
15 consent may be given.

16 (k) Covenant as to the custody and safekeeping of any of its properties or  
17 investments, the insurance to be carried on the property or investments, and the use  
18 and disposition of insurance proceeds.

19 (L) Covenant as to the vesting in one or more trustees, within or outside the  
20 state, of those properties, rights, powers, and duties in trust as the authority  
21 determines.

22 (m) Covenant as to the appointing of, and providing for the duties and  
23 obligations of, one or more paying agent or other fiduciaries within or outside the  
24 state.

1           (n) Make all other covenants and do any act that may be necessary or  
2 convenient or desirable in order to secure its bonds or, in the absolute discretion of  
3 the authority, tend to make the bonds more marketable.

4           (o) Execute all instruments necessary or convenient in the exercise of the  
5 powers granted under this section or in the performance of covenants or duties,  
6 which may contain such covenants and provisions as a purchaser of the bonds of the  
7 authority may reasonably require.

8           **(10) REFUNDING BONDS.** An authority may issue refunding bonds for the  
9 purpose of paying any of its bonds at or prior to maturity or upon acceleration or  
10 redemption. An authority may issue refunding bonds at such time prior to the  
11 maturity or redemption of the refunded bonds as the authority deems to be in the  
12 public interest. The refunding bonds may be issued in sufficient amounts to pay or  
13 provide the principal of the bonds being refunded, together with any redemption  
14 premium on the bonds, any interest accrued or to accrue to the date of payment of  
15 the bonds, the expenses of issue of the refunding bonds, the expenses of redeeming  
16 the bonds being refunded, and such reserves for debt service or other capital or  
17 current expenses from the proceeds of such refunding bonds as may be required by  
18 the resolution, trust indenture, or other security instruments. To the extent  
19 applicable, refunding bonds are subject to subs. (8) and (9).

20           **(11) BONDS ELIGIBLE FOR INVESTMENT.** (a) Any of the following may invest funds,  
21 including capital in their control or belonging to them, in bonds of the authority:

- 22           1. Public officers and agencies of the state.
- 23           2. Local governmental units, as defined in s. 19.42 (7u).
- 24           3. Insurance companies.
- 25           4. Trust companies.

- 1           5. Banks.
- 2           6. Savings banks.
- 3           7. Savings and loan associations.
- 4           8. Investment companies.
- 5           9. Personal representatives.
- 6           10. Trustees.
- 7           11. Other fiduciaries not listed in this paragraph.

8           (b) The authority's bonds are securities that may be deposited with and  
9 received by any officer or agency of the state or any local governmental unit, as  
10 defined in s. 19.42 (7u), for any purpose for which the deposit of bonds or obligations  
11 of the state or any local governmental unit is authorized by law.

12           **(12) BUDGETS; RATES AND CHARGES; AUDIT.** The board of directors of an authority  
13 shall annually prepare a budget for the authority. Rates and other charges received  
14 by an authority shall be used only for the general expenses and capital expenditures  
15 of the authority, to pay interest, amortization, and retirement charges on bonds, and  
16 for specific purposes of the authority and may not be transferred to any political  
17 subdivision. The authority shall maintain an accounting system in accordance with  
18 generally accepted accounting principles and shall have its financial statements and  
19 debt covenants audited annually by an independent certified public accountant.

20           **(13) WITHDRAWAL FROM AUTHORITY.** (a) A participating political subdivision that  
21 becomes a member of an authority under sub. (2) (f) 2. may withdraw from the  
22 authority if all of the following conditions are met:

- 23           1. The governing body of the political subdivision adopts a resolution  
24 requesting withdrawal of the political subdivision from the authority.

1           2. The political subdivision has paid, or made provision for the payment of, all  
2 obligations of the political subdivision to the authority.

3           (b) If a participating political subdivision withdraws from an authority, the  
4 authority shall provide the department of revenue with a certified copy of the  
5 resolution that approves the withdrawal. The withdrawal is effective on the first day  
6 of the calendar quarter that begins at least 120 days after the department receives  
7 the certified copy of the resolution approving the withdrawal. If the authority from  
8 which the political subdivision withdraws continues to exist after the withdrawal,  
9 the authority shall provide information describing the exact boundaries of its  
10 jurisdictional area, as provided in sub. (4) (s) 2.

11           **(14) DUTY TO PROVIDE TRANSIT SERVICE.** An authority shall provide, or contract  
12 for the provision of, transit service within the authority's jurisdictional area.

13           **(17) OTHER STATUTES.** This section does not limit the powers of political  
14 subdivisions to enter into intergovernmental cooperation or contracts or to establish  
15 separate legal entities under s. 66.0301 or 66.1021 or any other applicable law, or  
16 otherwise to carry out their powers under applicable statutory provisions. Section  
17 66.0803 (2) does not apply to an authority.”.

18           **68.** Page 594, line 6: after that line insert:

19           “**SECTION 996pi.** 67.01 (5) of the statutes is amended to read:

20           67.01 (5) “Municipality” means any of the following which is authorized to levy  
21 a tax: a county, city, village, town, school district, board of park commissioners,  
22 technical college district, metropolitan sewerage district created under ss. 200.01 to  
23 200.15 or 200.21 to 200.65, town sanitary district under subch. IX of ch. 60, transit  
24 authority created under s. 66.1039, public inland lake protection and rehabilitation

1 district established under s. 33.23, 33.235, or 33.24, and any other public body  
2 empowered to borrow money and issue obligations to repay the money out of public  
3 funds or revenues. "Municipality" does not include the state."

4 **69.** Page 596, line 19: after that line insert:

5 "SECTION 997b. 70.11 (2) of the statutes is amended to read:

6 70.11 (2) MUNICIPAL PROPERTY AND PROPERTY OF CERTAIN DISTRICTS, EXCEPTION.

7 Property owned by any county, city, village, town, school district, technical college  
8 district, public inland lake protection and rehabilitation district, metropolitan  
9 sewerage district, municipal water district created under s. 198.22, joint local water  
10 authority created under s. 66.0823, transit authority created under s. 66.1039,  
11 long-term care district under s. 46.2895 or town sanitary district; lands belonging  
12 to cities of any other state used for public parks; land tax-deeded to any county or  
13 city before January 2; but any residence located upon property owned by the county  
14 for park purposes that is rented out by the county for a nonpark purpose shall not  
15 be exempt from taxation. Except as to land acquired under s. 59.84 (2) (d), this  
16 exemption shall not apply to land conveyed after August 17, 1961, to any such  
17 governmental unit or for its benefit while the grantor or others for his or her benefit  
18 are permitted to occupy the land or part thereof in consideration for the conveyance.  
19 Leasing the property exempt under this subsection, regardless of the lessee and the  
20 use of the leasehold income, does not render that property taxable."

21 **70.** Page 636, line 3: after that line insert:

22 "SECTION 1078L. 71.26 (1) (b) of the statutes is amended to read:

23 71.26 (1) (b) *Political units.* Income received by the United States, the state  
24 and all counties, cities, villages, towns, school districts, technical college districts,

1 joint local water authorities created under s. 66.0823, transit authorities created  
2 under s. 66.1039, long-term care districts under s. 46.2895 or other political units  
3 of this state.”.

4 **71.** Page 673, line 5: after that line insert:

5 “**SECTION 1167.** Chapter 77 (title) of the statutes is amended to read:

6 **CHAPTER 77**

7 **TAXATION OF FOREST CROPLANDS;**

8 **REAL ESTATE TRANSFER FEES;**

9 **SALES AND USE TAXES; COUNTY,**

10 **TRANSIT AUTHORITY, AND SPECIAL**

11 **DISTRICT SALES AND USE TAXES;**

12 **MANAGED FOREST LAND; ECONOMIC**

13 **DEVELOPMENT SURCHARGE; LOCAL FOOD**

14 **AND BEVERAGE TAX; LOCAL RENTAL**

15 **CAR TAX; PREMIER RESORT AREA**

16 **TAXES; STATE RENTAL VEHICLE FEE;**

17 **DRY CLEANING FEES”.**

18 **72.** Page 673, line 15: delete lines 15 and 16.

19 **73.** Page 679, line 23: after that line insert:

20 “**SECTION 1186b.** 77.54 (9a) (er) of the statutes is created to read:

21 77.54 (9a) (er) Any transit authority created under s. 66.1039.”.

22 **74.** Page 688, line 2: after that line insert:

23 “**SECTION 1195m.** Subchapter V (title) of chapter 77 [precedes 77.70] of the

24 statutes is amended to read:

1   **CHAPTER 77**  
2   SUBCHAPTER V  
3   COUNTRY, TRANSIT AUTHORITY, AND  
4   SPECIAL DISTRICT SALES AND USE  
5   TAXES

6                   **SECTION 1195n.** 77.708 of the statutes is created to read:

7                   **77.708 Adoption by resolution; transit authority. (1)** A transit authority  
8 created under s. 66.1039, by resolution under s. 66.1039 (4) (s), may impose a sales  
9 tax and a use tax under this subchapter at a rate of 0.1, 0.2, 0.3, 0.4, or 0.5 percent  
10 of the sales price or purchase price. Those taxes may be imposed only in their  
11 entirety. The resolution shall be effective on the first day of the first calendar quarter  
12 that begins at least 120 days after a certified copy of the resolution is delivered to the  
13 department of revenue.

14                   **(2)** Retailers and the department of revenue may not collect a tax under sub.  
15 (1) for any transit authority created under s. 66.1039 beginning on the first day of  
16 the calendar quarter that is at least 120 days after a certified copy of the repeal  
17 resolution under s. 66.1039 (4) (s) is delivered to the department of revenue, except  
18 that the department of revenue may collect from retailers taxes that accrued before  
19 such calendar quarter and fees, interest, and penalties that relate to those taxes.

20                   **SECTION 1195o.** 77.71 of the statutes is amended to read:

21                   **77.71 Imposition of county, transit authority, and special district sales**  
22 **and use taxes.** Whenever a county sales and use tax ordinance is adopted under  
23 s. 77.70, a transit authority resolution is adopted under s. 77.708, or a special district  
24 resolution is adopted under s. 77.705 or 77.706, the following taxes are imposed:

1           **(1)** For the privilege of selling, licensing, leasing, or renting tangible personal  
2 property and the items, property, and goods specified under s. 77.52 (1) (b), (c), and  
3 (d), and for the privilege of selling, licensing, performing, or furnishing services a  
4 sales tax is imposed upon retailers at the rates under s. 77.70 in the case of a county  
5 tax, at the rate under s. 77.708 in the case of a transit authority tax, or at the rate  
6 under s. 77.705 or 77.706 in the case of a special district tax of the sales price from  
7 the sale, license, lease, or rental of tangible personal property and the items,  
8 property, and goods specified under s. 77.52 (1) (b), (c), and (d), except property taxed  
9 under sub. (4), sold, licensed, leased, or rented at retail in the county ~~or~~, special  
10 district, or transit authority's jurisdictional area, or from selling, licensing,  
11 performing, or furnishing services described under s. 77.52 (2) in the county ~~or~~,  
12 special district, or transit authority's jurisdictional area.

13           **(2)** An excise tax is imposed at the rates under s. 77.70 in the case of a county  
14 tax, at the rate under s. 77.708 in the case of a transit authority tax, or at the rate  
15 under s. 77.705 or 77.706 in the case of a special district tax of the purchase price  
16 upon every person storing, using, or otherwise consuming in the county ~~or~~, special  
17 district, or transit authority's jurisdictional area tangible personal property, or  
18 items, property, or goods specified under s. 77.52 (1) (b), (c), or (d), or services if the  
19 tangible personal property, item, property, good, or service is subject to the state use  
20 tax under s. 77.53, except that a receipt indicating that the tax under sub. (1), (3),  
21 (4), or (5) has been paid relieves the buyer of liability for the tax under this subsection  
22 and except that if the buyer has paid a similar local tax in another state on a purchase  
23 of the same tangible personal property, item, property, good, or service that tax shall  
24 be credited against the tax under this subsection and except that for motor vehicles  
25 that are used for a purpose in addition to retention, demonstration, or display while



1 held for sale in the regular course of business by a dealer the tax under this  
2 subsection is imposed not on the purchase price but on the amount under s. 77.53  
3 (1m).

4 (3) An excise tax is imposed upon a contractor engaged in construction  
5 activities within the county ~~or~~, special district, or transit authority's jurisdictional  
6 area, at the rates under s. 77.70 in the case of a county tax, at the rate under s. 77.708  
7 in the case of a transit authority tax, or at the rate under s. 77.705 or 77.706 in the  
8 case of a special district tax of the purchase price of tangible personal property or  
9 items, property, or goods under s. 77.52 (1) (b), (c), or (d) that are used in constructing,  
10 altering, repairing, or improving real property and that became a component part of  
11 real property in that county or special district or in the transit authority's  
12 jurisdictional area, except that if the contractor has paid the sales tax of a county,  
13 transit authority, or special district in this state on that tangible personal property,  
14 item, property, or good, or has paid a similar local sales tax in another state on a  
15 purchase of the same tangible personal property, item, property, or good, that tax  
16 shall be credited against the tax under this subsection.

17 (4) An excise tax is imposed at the rates under s. 77.70 in the case of a county  
18 tax, at the rate under s. 77.708 in the case of a transit authority tax, or at the rate  
19 under s. 77.705 or 77.706 in the case of a special district tax of the purchase price  
20 upon every person storing, using, or otherwise consuming a motor vehicle, boat,  
21 recreational vehicle, as defined in s. 340.01 (48r), or aircraft if that property must be  
22 registered or titled with this state and if that property is to be customarily kept in  
23 a county that has in effect an ordinance under s. 77.70, the jurisdictional area of a  
24 transit authority that has in effect a resolution under s. 77.708, or in a special district  
25 that has in effect a resolution under s. 77.705 or 77.706, except that if the buyer has

1 paid a similar local sales tax in another state on a purchase of the same property, that  
2 tax shall be credited against the tax under this subsection. The lease or rental of a  
3 motor vehicle, boat, recreational vehicle, as defined in s. 340.01 (48r), or aircraft is  
4 not taxed under this subsection if the lease or rental does not require recurring  
5 periodic payments.

6 (5) An excise tax is imposed on the purchase price for the lease or rental of a  
7 motor vehicle, boat, recreational vehicle, as defined in s. 340.01 (48r), or aircraft at  
8 the rates under s. 77.70 in the case of a county tax, at the rate under s. 77.708 in the  
9 case of a transit authority tax, or at the rate under s. 77.705 or 77.706 in the case of  
10 a special district tax upon every person storing, using, or otherwise consuming in the  
11 county ~~or~~, special district, or transit authority's jurisdictional area the motor vehicle,  
12 boat, recreational vehicle, as defined in s. 340.01 (48r), or aircraft if that property  
13 must be registered or titled with this state and if the lease or rental does not require  
14 recurring periodic payments, except that a receipt indicating that the tax under sub.  
15 (1) had been paid relieves the purchaser of liability for the tax under this subsection  
16 and except that if the purchaser has paid a similar local tax in another state on the  
17 same lease or rental of such motor vehicle, boat, recreational vehicle, as defined in  
18 s. 340.01 (48r), or aircraft, that tax shall be credited against the tax under this  
19 subsection.

20 **SECTION 1195p.** 77.73 of the statutes is amended to read:

21 **77.73 Jurisdiction to tax.** (2) Counties ~~and~~, special districts, and transit  
22 authorities do not have jurisdiction to impose the tax under s. 77.71 (2) in regard to  
23 items, property, and goods under s. 77.52 (1) (b), (c), and (d), and tangible personal  
24 property, except snowmobiles, trailers, semitrailers, limited use off-highway  
25 motorcycles, as defined in s. 23.335 (1) (o), all-terrain vehicles, and utility terrain

1 vehicles, purchased in a sale that is consummated in another county ~~or~~, special  
2 district in this state, or in another transit authority's jurisdictional area, that does  
3 not have in effect an ordinance or resolution imposing the taxes under this  
4 subchapter and later brought by the buyer into the county ~~or~~, special district, or  
5 jurisdictional area of the transit authority that has imposed a tax under s. 77.71 (2).

6 **(2m)** Counties ~~and~~, special districts, and transit authorities do not have  
7 jurisdiction to impose the tax under s. 77.71 (5) with regard to the lease or rental of  
8 a motor vehicle, boat, recreational vehicle, as defined in s. 340.01 (48r), or aircraft  
9 if the lease or rental does not require recurring periodic payments and if the  
10 purchaser received the property in another county or special district in this state, or  
11 in another transit authority's jurisdictional area, and then brings the property into  
12 a county ~~or~~, special district, or transit authority that imposes the tax under s. 77.71  
13 (5).

14 **(3)** Counties ~~and~~, special districts, and transit authorities have jurisdiction to  
15 impose the taxes under this subchapter on retailers who file, or who are required to  
16 file, an application under s. 77.52 (7) or who register, or who are required to register,  
17 under s. 77.53 (9) or (9m), regardless of whether such retailers are engaged in  
18 business in the county ~~or~~, special district, or transit authority's jurisdictional area,  
19 as provided in s. 77.51 (13g). A retailer who files, or is required to file, an application  
20 under s. 77.52 (7) or who registers, or is required to register, under s. 77.53 (9) or (9m)  
21 shall collect, report, and remit to the department the taxes imposed under this  
22 subchapter for all counties ~~or~~, special districts, and transit authorities that have an  
23 ordinance or resolution imposing the taxes under this subchapter.

24 **SECTION 1195q.** 77.75 of the statutes is amended to read:

1           **77.75 Reports.** Every person subject to county, transit authority, or special  
2 district sales and use taxes shall, for each reporting period, record that person's sales  
3 made in the county ~~or~~, special district, or jurisdictional area of a transit authority  
4 that has imposed those taxes separately from sales made elsewhere in this state and  
5 file a report as prescribed by the department of revenue.

6           **SECTION 1195r.** 77.76 (1) of the statutes is amended to read:

7           **77.76 (1)** The department of revenue shall have full power to levy, enforce, and  
8 collect county, transit authority, and special district sales and use taxes and may take  
9 any action, conduct any proceeding, impose interest and penalties, and in all respects  
10 proceed as it is authorized to proceed for the taxes imposed by subch. III. The  
11 department of transportation and the department of natural resources may  
12 administer the county, transit authority, and special district sales and use taxes in  
13 regard to items under s. 77.61 (1).

14           **SECTION 1195s.** 77.76 (2) of the statutes is amended to read:

15           **77.76 (2)** Judicial and administrative review of departmental determinations  
16 shall be as provided in subch. III for state sales and use taxes, and no county, transit  
17 authority, or special district may intervene in any matter related to the levy,  
18 enforcement, and collection of the taxes under this subchapter.

19           **SECTION 1195t.** 77.76 (3r) of the statutes is created to read:

20           **77.76 (3r)** From the appropriation under s. 20.835 (4) (gc) the department of  
21 revenue shall distribute 98.5 percent of the taxes reported for each transit authority  
22 that has imposed taxes under this subchapter, minus the transit authority portion  
23 of the retailers' discount, to the transit authority no later than the end of the 3rd  
24 month following the end of the calendar quarter in which such amounts were  
25 reported. At the time of distribution the department of revenue shall indicate the

1 taxes reported by each taxpayer. In this subsection, the “transit authority portion  
2 of the retailers’ discount” is the amount determined by multiplying the total  
3 retailers’ discount by a fraction the numerator of which is the gross transit authority  
4 sales and use taxes payable and the denominator of which is the sum of the gross  
5 state and transit authority sales and use taxes payable. The transit authority taxes  
6 distributed shall be increased or decreased to reflect subsequent refunds, audit  
7 adjustments, and all other adjustments of the transit authority taxes previously  
8 distributed. Interest paid on refunds of transit authority sales and use taxes shall  
9 be paid from the appropriation under s. 20.835 (4) (gc) at the rate paid by this state  
10 under s. 77.60 (1) (a). Any transit authority receiving a report under this subsection  
11 is subject to the duties of confidentiality to which the department of revenue is  
12 subject under s. 77.61 (5).

13 **SECTION 1195v.** 77.76 (4) of the statutes is amended to read:

14 77.76 (4) There shall be retained by the state 1.5 percent of the taxes collected  
15 for taxes imposed by special districts under ss. 77.705 and 77.706 and transit  
16 authorities under s. 77.708 and 1.75 percent of the taxes collected for taxes imposed  
17 by counties under s. 77.70 to cover costs incurred by the state in administering,  
18 enforcing, and collecting the tax. All interest and penalties collected shall be  
19 deposited and retained by this state in the general fund.

20 **SECTION 1195w.** 77.77 (1) of the statutes is amended to read:

21 77.77 (1) (a) The sales price from services subject to the tax under s. 77.52 (2)  
22 or the lease, rental, or license of tangible personal property and property, items, and  
23 goods specified under s. 77.52 (1) (b), (c), and (d), is subject to the taxes under this  
24 subchapter, and the incremental amount of tax caused by a rate increase applicable  
25 to those services, leases, rentals, or licenses is due, beginning with the first billing

1 period starting on or after the effective date of the county ordinance, special district  
2 resolution, transit authority resolution, or rate increase, regardless of whether the  
3 service is furnished or the property, item, or good is leased, rented, or licensed to the  
4 customer before or after that date.

5 (b) The sales price from services subject to the tax under s. 77.52 (2) or the lease,  
6 rental, or license of tangible personal property and property, items, and goods  
7 specified under s. 77.52 (1) (b), (c), and (d), is not subject to the taxes under this  
8 subchapter, and a decrease in the tax rate imposed under this subchapter on those  
9 services first applies, beginning with bills rendered on or after the effective date of  
10 the repeal or sunset of a county ordinance or, special district resolution, or transit  
11 authority resolution imposing the tax or other rate decrease, regardless of whether  
12 the service is furnished or the property, item, or good is leased, rented, or licensed  
13 to the customer before or after that date.

14 **SECTION 1195x.** 77.77 (3) of the statutes is amended to read:

15 77.77 (3) The sale of building materials to contractors engaged in the business  
16 of constructing, altering, repairing or improving real estate for others is not subject  
17 to the taxes under this subchapter, and the incremental amount of tax caused by the  
18 rate increase applicable to those materials is not due, if the materials are affixed and  
19 made a structural part of real estate, and the amount payable to the contractor is  
20 fixed without regard to the costs incurred in performing a written contract that was  
21 irrevocably entered into prior to the effective date of the county ordinance, special  
22 district resolution, transit authority resolution, or rate increase or that resulted from  
23 the acceptance of a formal written bid accompanied by a bond or other performance  
24 guaranty that was irrevocably submitted before that date.”.

1           **75.** Page 688, line 8: after “county tax” insert “, transit authority tax.”

2           **76.** Page 692, line 2: after that line insert:

3           “**SECTION 1208n.** 79.015 of the statutes is amended to read:

4           **79.015 Statement of estimated payments.** The department of revenue, on  
5 or before September 15 of each year, shall provide to each municipality and county  
6 a statement of estimated payments to be made in the next calendar year to the  
7 municipality or county under ss. 79.035, 79.036, 79.04, and 79.05.

8           **SECTION 1208o.** 79.02 (2) (b) of the statutes is amended to read:

9           79.02 (2) (b) Subject to ss. 59.605 (4) and 70.995 (14) (b), payments in July shall  
10 equal 15 percent of the municipality’s or county’s estimated payments under ss.  
11 79.035, 79.036, and 79.04 and 100 percent of the municipality’s estimated payments  
12 under s. 79.05.

13           **SECTION 1208p.** 79.02 (3) (a) of the statutes is amended to read:

14           79.02 (3) (a) Subject to s. 59.605 (4), payments to each municipality and county  
15 in November shall equal that municipality’s or county’s entitlement under ss. 79.035,  
16 79.036, 79.04, and 79.05 for the current year, minus the amount distributed to the  
17 municipality or county in July.”.

18           **77.** Page 692, line 24: after that line insert:

19           “**SECTION 1210a.** 79.036 of the statutes is created to read:

20           **79.036 State aid for public safety.** (1) Beginning with the distribution in  
21 2018, if the amount of a county’s or municipality’s budget for law enforcement, fire  
22 fighting services, or emergency medical services in the year of the statement under  
23 s. 79.015 is an increase from the amount of the county’s or municipality’s budget for  
24 such purposes in the year before the year of the statement, the county or municipality

1 shall receive a payment from the appropriation account under s. 20.835 (1) (cf) equal  
2 to the amount of the increase, except as provided in sub. (2).

3 (2) (a) No payment under sub. (1) may exceed an amount equal to the amount  
4 of the county's or municipality's budget for law enforcement, fire fighting services,  
5 or emergency medical services in the year before the year of the statement under s.  
6 79.015, multiplied by 0.02.

7 (b) No county or municipality may receive a payment under sub. (1) if the  
8 amount of the county's or municipality's budget for law enforcement, fire fighting  
9 services, or emergency medical services in the year before the year of the statement  
10 under s. 79.015 is less than the amount of the county's or municipality's budget for  
11 such purposes in the year that is 2 years before the year of the statement.

12 (3) A county or municipality that receives a payment under sub. (1) may use  
13 that payment only for law enforcement, fire fighting services, or emergency medical  
14 services.”.

15 **78.** Page 702, line 5: after that line insert:

16 “**SECTION 1224n.** 85.064 (1) (b) of the statutes is amended to read:

17 85.064 (1) (b) “Political subdivision” means any city, village, town, county, or  
18 transit commission organized under s. 59.58 (2) or 66.1021 or recognized under s.  
19 66.0301, or transit authority created under s. 66.1039 within this state.”.

20 **79.** Page 724, line 9: delete the material beginning with that line and ending  
21 with page 725, line 17.

22 **80.** Page 740, line 24: after that line insert:

23 “**SECTION 1455a.** 111.70 (1) (j) of the statutes is repealed and recreated to read:



1           111.70 (1) (j) “Municipal employer” means any city, county, village, town,  
2 metropolitan sewerage district, school district, long-term care district, transit  
3 authority under s. 66.1039, local cultural arts district created under subch. V of ch.  
4 229, or any other political subdivision of the state, or instrumentality of one or more  
5 political subdivisions of the state, that engages the services of an employee and  
6 includes any person acting on behalf of a municipal employer within the scope of the  
7 person’s authority, express or implied.”.

8           **81.** Page 839, line 25: delete the material beginning with that line and ending  
9 on page 840, line 2.

10           **82.** Page 859, line 13: after that line insert:

11           “**SECTION 1693m.** 196.37 (6) of the statutes is created to read:

12           196.37 (6) (a) It is not unjust, unreasonable, insufficient, unfairly  
13 discriminatory, or preferential or otherwise unreasonable or unlawful for a water  
14 public utility to provide financial assistance as specified in par. (b) to a customer  
15 solely for private infrastructure improvements with the purpose of replacing service  
16 lines containing lead if the city, town, or village in which the water public utility  
17 operates has enacted an ordinance that permits the water public utility to provide  
18 the financial assistance. If a water public utility provides financial assistance under  
19 this paragraph, the commission shall include in the determination of water rates the  
20 cost of providing that financial assistance.

21           (b) A water public utility may provide financial assistance under par. (a) to  
22 replace a service line only if the portion of the service line for which the utility is  
23 responsible and the water main that are connected to the customer’s service line  
24 meet one of the following conditions:

1 1. Do not contain lead.

2 2. The lead-containing portion of the service line or water main is replaced at  
3 the same time as the private infrastructure improvements under par. (a) are made.”.

4 **83.** Page 883, line 9: after that line insert:

5 “SECTION 1802e. 281.31 (2m) of the statutes is repealed and recreated to read:

6 281.31 (2m) Notwithstanding any other provision of law or administrative  
7 rule, a shoreland zoning ordinance required under s. 59.692, a construction site  
8 erosion control and storm water management zoning ordinance authorized under s.  
9 59.693, 60.627, 61.354 or 62.234 or a wetland zoning ordinance required under s.  
10 61.351 or 62.231 does not apply to lands adjacent to farm drainage ditches if all of  
11 the following apply:

12 (a) The lands are not adjacent to a natural navigable stream or river.

13 (b) Those parts of the drainage ditches adjacent to these lands were  
14 nonnavigable streams before ditching.

15 (c) The lands are maintained in nonstructural agricultural use.

16 **SECTION 1803d.** 281.34 (7m) (a) 1. of the statutes, as created by 2017 Wisconsin  
17 Act 10, is amended to read:

18 281.34 (7m) (a) 1. “Designated study area” means the area ~~made up of the~~  
19 ~~Fourteenmile Creek Watershed, the Ten Mile Creek Watershed, and the Lone~~  
20 ~~Rock-Fourteenmile Creek Watershed, located in Adams, Portage, Waushara, and~~  
21 ~~Wood counties~~ known as the central sands region, as designated by the U.S.  
22 ~~Geological Survey~~ department.

23 **SECTION 1803m.** 281.34 (7m) (b) of the statutes, as created by 2017 Wisconsin  
24 Act 10, is amended to read:

1           281.34 **(7m)** (b) The department shall evaluate and model the hydrology of  
2     ~~Pleasant Lake in Waushara County, Plainfield Lake and Long Lake in the~~  
3     ~~designated study area, and any other navigable stream or navigable lake located in~~  
4     ~~the designated study area for which the department seeks to determine whether~~  
5     ~~existing and potential groundwater withdrawals are causing or are likely to cause~~  
6     ~~a significant reduction of the navigable stream's or navigable lake's rate of flow or~~  
7     ~~water level below its average seasonal levels. The department may request, under~~  
8     ~~s. 13.10, the joint committee on finance to provide funding and positions for the~~  
9     ~~evaluation and modeling under this paragraph. The evaluation under this~~  
10    ~~paragraph shall include all relevant factors that may affect groundwater and water~~  
11    ~~levels and rates of flow of navigable waters, including topography, ground cover,~~  
12    ~~annual and seasonal variations in precipitation, and plant life. The department~~  
13    ~~shall begin the evaluation and modeling under this paragraph no later than June 3,~~  
14    ~~2018."~~

15           **84.** Page 886, line 6: delete lines 6 to 12 and substitute:

16           "281.65 **(4g)** The department may contract with any person from the  
17    appropriation account under s. 20.370 ~~(4) (at)~~ (9) (ta) for services to administer or  
18    implement this section, including information and education and training services.  
19    The department shall allocate \$500,000 in each fiscal year from the appropriation  
20    account under s. 20.370 ~~(4) (at)~~ (9) (ta) for contracts for educational and technical  
21    assistance related to the program under this section provided by the University of  
22    Wisconsin-Extension."

23           **85.** Page 887, line 10: after that line insert:

24           "**SECTION 1819e.** 281.74 of the statutes is created to read:

1           **281.74 Testing of privately owned wells.** (1) The department shall  
2 administer a program to provide grants to cities, villages, towns, and counties for the  
3 testing of privately owned wells.

4           (2) A city, village, town, or county receiving a grant under sub. (1) shall notify  
5 residents of the availability of funds to pay for testing of privately owned wells.

6           (3) The department shall promulgate rules establishing application  
7 procedures, eligible costs, and maximum grant awards under this section.

8           **SECTION 1819f.** 281.75 (4m) (a) of the statutes is amended to read:

9           281.75 (4m) (a) In order to be eligible for an award under this section, the  
10 annual family income of the landowner or lessee of property on which is located a  
11 contaminated water supply or a well subject to abandonment may not exceed ~~\$65,000~~  
12 \$100,000.

13           **SECTION 1819g.** 281.75 (5) (f) of the statutes is amended to read:

14           281.75 (5) (f) The department shall allocate money for the payment of claims  
15 according to the order in which completed claims are received. The department may  
16 conditionally approve a completed claim even if the appropriation under s. 20.370 (6)  
17 ~~(er)~~ (cb) is insufficient to pay the claim. The department shall allocate money for the  
18 payment of a claim which is conditionally approved as soon as funds become  
19 available.

20           **SECTION 1819h.** 281.75 (7) (a) of the statutes is amended to read:

21           281.75 (7) (a) If the department finds that the claimant meets all the  
22 requirements of this section and rules promulgated under this section and that the  
23 private water supply is contaminated or that the well is a well subject to  
24 abandonment, the department shall issue an award. The award may not pay more

1 than 75 percent of the eligible costs. The award may not pay any portion of eligible  
2 costs in excess of ~~\$12,000~~ \$16,000.

3 **SECTION 1819i.** 281.75 (7) (b) of the statutes is amended to read:

4 281.75 (7) (b) If the annual family income of the claimant exceeds \$45,000  
5 \$65,000, the amount of the award is the amount determined under par. (a) less 30  
6 percent of the amount by which the claimant's income exceeds ~~\$45,000~~ \$65,000.

7 **SECTION 1819j.** 281.75 (9) (a) of the statutes is repealed.

8 **SECTION 1819k.** 281.75 (9) (b) of the statutes is renumbered 281.75 (9) and  
9 amended to read:

10 281.75 (9) CONTAMINATION STANDARD; NITRATES. Notwithstanding the  
11 requirement of contamination under sub. (7), if a private water supply ~~meets the~~  
12 ~~criteria under par. (a) and is used at least 3 months each year and~~ the claim is based  
13 upon contamination by nitrates and not by any other substance, the department may  
14 make an award only if the private water supply produces water containing nitrates  
15 in excess of 40 parts per million expressed as nitrate-nitrogen.”.

16 **86.** Page 887, line 11: delete lines 11 to 22.

17 **87.** Page 906, line 12: after that line insert:

18 “**SECTION 1898d.** 345.05 (1) (ag) of the statutes is created to read:

19 345.05 (1) (ag) “Authority” means a transit authority created under s. 66.1039.

20 **SECTION 1898f.** 345.05 (2) of the statutes is amended to read:

21 345.05 (2) A person suffering any damage proximately resulting from the  
22 negligent operation of a motor vehicle owned and operated by a municipality or  
23 authority, which damage was occasioned by the operation of the motor vehicle in the  
24 course of its business, may file a claim for damages against the municipality or

1 authority concerned and the governing body of the municipality, or the board of  
2 directors of the authority, may allow, compromise, settle and pay the claim. In this  
3 subsection, a motor vehicle is deemed owned and operated by a municipality or  
4 authority if the vehicle is either being rented or leased, or is being purchased under  
5 a contract whereby the municipality or authority will acquire title.”.

6 **88.** Page 925, line 14: after that line insert:

7 “**SECTION 2219m.** 611.11 (4) (a) of the statutes is amended to read:

8 611.11 (4) (a) In this subsection, “municipality” has the meaning given in s.  
9 345.05 (1) (c), but also includes any transit authority created under s. 66.1039.”.

10 **89.** Page 925, line 15: delete lines 15 to 21.

11 **90.** Page 926, line 14: delete lines 14 to 19.

12 **91.** Page 928, line 21: delete the material beginning with that line and ending  
13 with page 929, line 20.

14 **92.** Page 929, line 20: after that line insert:

15 “**SECTION 2240m.** 895.463 of the statutes is amended to read:

16 **895.463 Zoning ordinances.** In any matter relating to a zoning ordinance  
17 ~~or shoreland zoning ordinance~~ enacted or enforced by a city, village, town, or county,  
18 the court shall resolve an ambiguity in the meaning of a word or phrase in a zoning  
19 ordinance ~~or shoreland zoning ordinance~~ in favor of the free use of private property.”.

20 **93.** Page 965, line 10: after that line insert:

21 “(8p) VETERANS HOME PERSONNEL; COMPENSATION PLAN.

22 (a) In this subsection, “veterans home” has the meaning given in section 45.01  
23 (12m) of the statutes.

1 (b) The administrator of the division of personnel management in the  
2 department of administration shall include in the compensation plan under section  
3 230.12 of the statutes for the 2017-19 fiscal biennium a wage increase for individuals  
4 employed at a veterans home. The administrator shall include wage increases under  
5 this paragraph that are designed to improve recruitment and retention in position  
6 classifications that have a high vacancy rate. The wage increases under this  
7 paragraph shall include at least a \$1.00 per hour increase for certified nursing  
8 assistants employed at a veterans home.

9 (c) The administrator of the division of personnel management in the  
10 department of administration shall propose wage increases under paragraph (b), the  
11 estimated cost of which, including any associated increase costs in benefits, is  
12 approximately \$2,000,000 per fiscal year.”.

13 **94.** Page 1025, line 20: delete lines 20 to 23.

14 **95.** Page 1028, line 23: delete “(6) (gs)” and substitute “(6) (gf)”.

15 **96.** Page 1029, line 10: after that line insert:

16 “(9k) SCIENCE SERVICES POSITIONS.

17 (a) The authorized FTE positions for the department of natural resources are  
18 increased by 0.5 SEG science services positions to be funded from the appropriation  
19 under section 20.370 (3) (mt) of the statutes, as affected by this act.

20 (b) The authorized FTE positions for the department of natural resources are  
21 increased by 7.4 SEG science services positions to be funded from the appropriation  
22 under section 20.370 (3) (mu) of the statutes, as affected by this act.

1 (c) The authorized FTE positions for the department of natural resources are  
2 increased by 9.25 FED science services positions to be funded from the appropriation  
3 under section 20.370 (3) (my) of the statutes, as affected by this act.

4 (d) The authorized FTE positions for the department of natural resources are  
5 increased by 1.25 PR science services positions to be funded from the appropriation  
6 under section 20.370 (9) (fj) of the statutes, as affected by this act.”.

7 **97.** Page 1029, line 10: after that line insert:

8 “(9w) NATURAL RESOURCES MAGAZINE. The authorized FTE positions for the  
9 department of natural resources are increased by 1.0 SEG Natural Resources  
10 Magazine staff position to be funded from the appropriation under section 20.370 (9)  
11 (iq) of the statutes.”.

12 **98.** Page 1048, line 11: after that line insert:

13 “(3m) PAY PROGRESSION PLAN FOR VETERANS HOMES EMPLOYEES. The department  
14 of veterans affairs and the division of personnel management in the department of  
15 administration shall develop a pay progression plan for job classifications at the  
16 state veterans homes that experience high vacancy rates. The department of  
17 veterans affairs shall submit for approval the plan and a fiscal estimate of the cost  
18 of the plan to the joint committee on finance no later than January 1, 2018. If the  
19 committee approves the plan or modifies and approves the plan, the division of  
20 personnel management shall amend the 2017-2019 state employee compensation  
21 plan to incorporate the pay progression plan as approved by the joint committee on  
22 finance. The joint committee on finance may supplement the appropriation under  
23 section 20.485 (1) (gk) of the statutes to provide the funding needed for the plan as  
24 approved.”.



1           **99.** Page 1053, line 7: after that line insert:

2           “(2f) Each new manufacturing facility in an electronics and information  
3           technology manufacturing zone designated under section 238.396 (1m) of the  
4           statutes shall prepare an environmental management system for the facility. The  
5           environmental management system shall consist of a set of processes and practices  
6           that enable the facility operator to reduce its environmental impact and increase its  
7           operating efficiency. The manufacturing facility shall submit its environmental  
8           management system to the department of natural resources and the joint committee  
9           on finance for review and shall make the system available for review to the general  
10          public.”.

11          **100.** Page 1067, line 17: after that line insert:

12          “(8f) SALE OR LEASE OF MUNICIPAL WATER OR SEWER PLANT. The treatment of section  
13          66.0817 (intro.) and (8) of the statutes first applies to sales under contracts entered  
14          into on the effective date of this subsection and leases entered into, or extended,  
15          modified, or renewed, on the effective date of this subsection.”.

16          **101.** Page 1072, line 9: delete lines 9 to 24.

17          **102.** Page 1080, line 17: after that line insert:

18          “(7g) MEDICAID EXPANSION. The treatment of sections 49.45 (23) (a) and 49.471  
19          (1) (cr), (4) (a) 4. b., and (4g) of the statutes takes effect on January 1, 2018, or on the  
20          day after publication, whichever is later.”.

21          **103.** Page 1082, line 5: delete “(6) (gs)” and substitute “(6) (gf)”.

22          **104.** Page 1084, line 20: delete lines 20 to 24.

23

(END)