



**CONFERENCE AMENDMENT 1,  
TO 1995 ASSEMBLY BILL 557**

November 14, 1995 - Offered by COMMITTEE OF CONFERENCE.

1 At the locations indicated, amend the engrossed bill as follows:

2 **1.** Page 3, line 2: after the semicolon insert: “exempting certain equipment  
3 from the utility tax on railroads; prohibiting the use of photo radar speed detection  
4 in the enforcement of state and local traffic laws;”.

5 **2.** Page 3, line 3: delete “transportation facilities economic assistance and  
6 development aid;”.

7 **3.** Page 10, line 11: increase the dollar amount for fiscal year 1995-96 by  
8 \$1,200,000 and increase the dollar amount for fiscal year 1996-97 by \$2,400,000 to  
9 increase funding for the purpose for which the appropriation is made.

10 **4.** Page 11, line 13: delete lines 13 to 20 and substitute:

11	“(dq) Tier I transit operating aids, state				
12	funds	SEG	A	10,782,900	43,455,200
13	(dr) Tier II transit operating aids, state				
14	funds	SEG	A	2,722,900	10,973,400
15	(ds) Tier III transit operating aids, state				
16	funds	SEG	A	546,400	2,201,800

1	(dt) Tier IV transit operating aids, state				
2	funds	SEG	A	3,395,600	13,684,300
3	(du) Tier V transit operating aids, state				
4	funds	SEG	A	1,064,700	4,290,700”.

5           **5.** Page 12, line 2: decrease the dollar amount for fiscal year 1995–96 by  
6 \$90,200 and decrease the dollar amount for fiscal year 1996–97 by \$90,200 to  
7 decrease funding for the purpose for which the appropriation is made.

8           **6.** Page 12, line 15: decrease the dollar amount for fiscal year 1995–96 by  
9 \$9,000 and decrease the dollar amount for fiscal year 1996–97 by \$9,000 to decrease  
10 funding for the purposes for which the appropriation is made.

11           **7.** Page 13, line 3: increase the dollar amount for fiscal year 1995–96 by \$8,200  
12 and increase the dollar amount for fiscal year 1996–97 by \$8,200 to increase funding  
13 for the purposes for which the appropriation is made.

14           **8.** Page 13, line 4: decrease the dollar amount for fiscal year 1995–96 by  
15 \$23,300 and decrease the dollar amount for fiscal year 1996–97 by \$23,300 to  
16 decrease funding for the purposes for which the appropriation is made.

17           **9.** Page 13, line 10: decrease the dollar amount for fiscal year 1995–96 by  
18 \$54,800 and decrease the dollar amount for fiscal year 1996–97 by \$54,800 to  
19 decrease funding for the purposes for which the appropriation is made.

20           **10.** Page 14, line 4: decrease the dollar amount for fiscal year 1995–96 by  
21 \$250,000 and decrease the dollar amount for fiscal year 1996–97 by \$250,000 to  
22 decrease funding for the purpose for which the appropriation is made.

1           **11.** Page 14, line 10: decrease the dollar amount for fiscal year 1995-96 by  
2           \$250,000 and decrease the dollar amount for fiscal year 1996-97 by \$250,000 to  
3           decrease funding for the purposes for which the appropriation is made.

4           **12.** Page 15, line 10: increase the dollar amount for fiscal year 1995-96 by  
5           \$111,500 and increase the dollar amount for fiscal year 1996-97 by \$111,500 to  
6           increase funding for the purposes for which the appropriation is made.

7           **13.** Page 15, line 17: increase the dollar amount for fiscal year 1995-96 by  
8           \$2,034,000 and increase the dollar amount for fiscal year 1996-97 by \$6,129,300 to  
9           increase funding for the purposes for which the appropriation is made.

10          **14.** Page 16, line 4: decrease the dollar amount for fiscal year 1995-96 by  
11          \$11,681,700 and decrease the dollar amount for fiscal year 1996-97 by \$1,418,200  
12          to decrease funding for the purposes for which the appropriation is made.

13          **15.** Page 16, line 10: decrease the dollar amount for fiscal year 1995-96 by  
14          \$171,700 and decrease the dollar amount for fiscal year 1996-97 by \$171,700 to  
15          decrease funding for the purposes for which the appropriation is made.

16          **16.** Page 16, line 16: increase the dollar amount for fiscal year 1995-96 by  
17          \$840,700 and increase the dollar amount for fiscal year 1996-97 by \$840,700 to  
18          increase funding for the purpose for which the appropriation is made.

19          **17.** Page 17, line 3: decrease the dollar amount for fiscal year 1995-96 by  
20          \$2,294,700 and decrease the dollar amount for fiscal year 1996-97 by \$2,271,300 to  
21          decrease funding for the purposes for which the appropriation is made.

1           **18.** Page 17, line 5: decrease the dollar amount for fiscal year 1995–96 by  
2           \$1,900 and decrease the dollar amount for fiscal year 1996–97 by \$1,900 to decrease  
3           funding for the purpose for which the appropriation is made.

4           **19.** Page 18, line 8: decrease the dollar amount for fiscal year 1995–96 by  
5           \$105,200 and decrease the dollar amount for fiscal year 1996–97 by \$128,600 to  
6           decrease funding for the purposes for which the appropriation is made.

7           **20.** Page 18, line 15: increase the dollar amount for fiscal year 1995–96 by  
8           \$219,400 and increase the dollar amount for fiscal year 1996–97 by \$219,400 to  
9           increase funding for the purposes for which the appropriation is made.

10          **21.** Page 21, line 1: delete lines 1 to 16 and substitute:

11          “**SECTION 8dm.** 20.395 (1) (dq) of the statutes is created to read:

12          20.395 (1) (dq) *Tier I transit operating aids, state funds.* The amounts in the  
13          schedule for mass transit aids under s. 85.20 (4m) (a) 1.

14          **SECTION 8gm.** 20.395 (1) (dr) of the statutes is created to read:

15          20.395 (1) (dr) *Tier II transit operating aids, state funds.* The amounts in the  
16          schedule for mass transit aids under s. 85.20 (4m) (a) 2.

17          **SECTION 8jm.** 20.395 (1) (ds) of the statutes is created to read:

18          20.395 (1) (ds) *Tier III transit operating aids, state funds.* The amounts in the  
19          schedule for mass transit aids under s. 85.20 (4m) (a) 3.

20          **SECTION 8mm.** 20.395 (1) (dt) of the statutes is created to read:

21          20.395 (1) (dt) *Tier IV transit operating aids, state funds.* The amounts in the  
22          schedule for mass transit aids under s. 85.20 (4m) (a) 4.

23          **SECTION 8rm.** 20.395 (1) (du) of the statutes is created to read:

1           20.395 (1) (du) *Tier V transit operating aids, state funds*. The amounts in the  
2 schedule for mass transit aids under s. 85.20 (4m) (a) 5.”.

3           **22.** Page 27, line 1: delete “(2) (L)”.

4           **23.** Page 27, line 2: after that line insert:

5           “**SECTION 40t.** 76.02 (10) of the statutes is amended to read:

6           76.02 (10) The property taxable under s. 76.13 shall include all franchises, and  
7 all real and personal property of the company used or employed in the operation of  
8 its business, except such motor vehicles as are exempt under s. 70.112 (5) and  
9 treatment plant and pollution abatement equipment exempt under s. 70.11 (21) (a)  
10 and, in the case of railroad companies, rolling stock. The taxable property shall  
11 include all title and interest of the company referred to in such property as owner,  
12 lessee or otherwise, and in case any portion of the property is jointly used by 2 or more  
13 companies, the unit assessment shall include and cover a proportionate share of that  
14 portion of the property jointly used so that the assessments of the property of all  
15 companies having any rights, title or interest of any kind or nature whatsoever in any  
16 such property jointly used shall, in the aggregate, include only one total full value  
17 of such property.

18           **SECTION 40u.** 76.03 (1) of the statutes is amended to read:

19           76.03 (1) The property, both real and personal, including all rights, franchises  
20 and privileges used in and necessary to the prosecution of the business of any  
21 company enumerated in s. 76.02, but excluding property that is exempt under s.  
22 76.02 (10), shall be deemed personal property for the purposes of taxation, and shall  
23 be valued and assessed together as a unit.

24           **SECTION 40v.** 76.07 (1) of the statutes is amended to read:

1           76.07 (1) DUTY OF DEPARTMENT. The department on or before August 1 in each  
2 year in the case of railroad companies and sleeping car companies, and on or before  
3 September 15 in the case of air carrier companies, telephone companies,  
4 conservation and regulation companies and pipeline companies, shall, according to  
5 its best knowledge and judgment, ascertain and determine the full market value of  
6 the property, except the property of railroad companies that is exempt under s. 76.02  
7 (10), of each company within the state.

8           **SECTION 40w.** 76.07 (2) of the statutes is amended to read:

9           76.07 (2) RELATION TO STATE VALUATION; DESCRIPTION. The value of the property  
10 of each of said companies for assessment shall be made on the same basis and for the  
11 same period of time, as near as may be, as the value of the general property of the  
12 state is ascertained and determined. The department shall prepare an assessment  
13 roll and place thereon after the name of each of said companies assessed, the  
14 following general description of the property of such company, to wit: "Real estate,  
15 right-of-way, tracks, stations, terminals, appurtenances, ~~rolling stock~~, equipment,  
16 franchises and all other real estate and personal property, except property that is  
17 exempt under s. 76.02 (10), of said company," in the case of railroads, and "Real  
18 estate, right-of-way, poles, wires, conduits, cables, devices, appliances,  
19 instruments, franchises and all other real and personal property of said company,"  
20 in the case of conservation and regulation companies, and "Real estate,  
21 appurtenances, rolling stock, equipment, franchises, and all other real estate and  
22 personal property of said company," in the case of sleeping car and air carrier  
23 companies, and "Land and land rights, structures, improvements, mains, pumping  
24 and regulation equipment, services, appliances, instruments, franchises and all  
25 other real and personal property of said company," in the case of pipeline companies,

1 and “All property of the company used in the operation of the company’s telephone  
2 business” in the case of telephone companies, which description shall be deemed and  
3 held to include the entire property and franchises of the company specified and all  
4 title and interest therein.

5 **SECTION 40x.** 76.07 (4g) (a) 16. of the statutes is amended to read:

6 76.07 (4g) (a) 16. Multiply the fraction under subd. 15. by the full market value  
7 of the company’s property, except the property that is exempt under s. 76.02 (10),  
8 everywhere.”.

9 **24.** Page 29, line 5: delete the material beginning with “the” and ending with  
10 “1,” on line 6, and substitute: “any major highway project involving STH 29 from  
11 Green Bay to Chippewa Falls in Brown, Shawano, Marathon, Clark and Chippewa  
12 counties by December 31,”.

13 **25.** Page 30, line 3: after “feet” insert “, or a lift bridge”.

14 **26.** Page 30, line 5: delete the material beginning with “From” and ending  
15 with “following” on line 6 and substitute: “Except as provided in sub. (3), the  
16 department may not encumber less than any of the following from the appropriations  
17 under s. 20.395 (3) (cq) and (cx)”.

18 **27.** Page 30, line 11: after that line insert:

19 “(3) The department may encumber less in any fiscal year than the applicable  
20 amount specified in sub. (2) if the department first notifies the joint committee on  
21 finance in writing of the proposed encumbrance. If the cochairpersons of the  
22 committee do not notify the department within 14 working days after the date of the  
23 department’s notification that the committee has scheduled a meeting to review the  
24 proposed encumbrance, the department may make the proposed encumbrance. If,

1 within 14 working days after the date of the department's notification, the  
2 cochairpersons of the committee notify the department that the committee has  
3 scheduled a meeting to review the proposed encumbrance, the department may  
4 make the proposed encumbrance only upon approval of the committee.”.

5 **28.** Page 30, line 12: delete the material beginning with that line and ending  
6 with page 31, line 15.

7 **29.** Page 31, line 21: on lines 21 and 23, delete “\$1,083,638,100” and substitute  
8 “\$1,123,638,100”.

9 **30.** Page 31, line 23: delete “\$1,041,341,000” and substitute “\$1,081,341,000”.

10 **31.** Page 36, line 8: delete lines 8 to 22 and substitute:

11 “**SECTION 63m.** 85.20 (4m) (a) 1. to 5. of the statutes are created to read:

12 85.20 (**4m**) (a) 1. a. From the appropriation under s. 20.395 (1) (dq), the uniform  
13 percentage for each eligible applicant in an urban area served by an urban mass  
14 transit system with annual operating expenses in excess of \$80,000,000.

15 b. For the purpose of making allocations under subd. 1. a., the amounts for aids  
16 are \$43,131,700 in calendar year 1996 and \$44,425,700 in calendar year 1997 and  
17 thereafter. These amounts, to the extent practicable, shall be used to determine the  
18 uniform percentage in the particular calendar year.

19 2. a. From the appropriation under s. 20.395 (1) (dr), the uniform percentage  
20 for each eligible applicant in an urban area served by an urban mass transit system  
21 with annual operating expenses greater than \$20,000,000 but not more than  
22 \$80,000,000.

23 b. For the purpose of making allocations under subd. 2. a., the amounts for aids  
24 are \$10,891,700 in calendar year 1996 and \$11,218,500 in calendar year 1997 and



1 thereafter. These amounts, to the extent practicable, shall be used to determine the  
2 uniform percentage in the particular calendar year.

3 3. a. From the appropriation under s. 20.395 (1) (ds), the uniform percentage  
4 for each eligible applicant in an urbanized area having a population as shown in the  
5 1990 federal decennial census of more than 200,000 or receiving federal mass transit  
6 aid for such area, and not specified in subd. 1. or 2.

7 b. For the purpose of making allocations under subd. 3. a., the amounts for aids  
8 are \$2,185,400 in calendar year 1996 and \$2,251,000 in calendar year 1997 and  
9 thereafter. These amounts, to the extent practicable, shall be used to determine the  
10 uniform percentage in the particular calendar year.

11 4. a. From the appropriation under s. 20.395 (1) (dt), the uniform percentage  
12 for each eligible applicant served by an urban mass transit system operating within  
13 an urbanized area having a population as shown in the 1990 federal decennial census  
14 of at least 50,000 or receiving federal mass transit aid for such area, and not specified  
15 in subd. 1., 2. or 3.

16 b. For the purpose of making allocations under subd. 4. a., the amounts for aids  
17 are \$13,582,400 in calendar year 1996 and \$13,989,900 in calendar year 1997 and  
18 thereafter. These amounts, to the extent practicable, shall be used to determine the  
19 uniform percentage in the particular calendar year.

20 5. a. From the appropriation under s. 20.395 (1) (du), the uniform percentage  
21 for each eligible applicant served by an urban mass transit system operating within  
22 an urbanized area having a population as shown in the 1990 federal decennial census  
23 of less than 50,000 or receiving federal mass transit aid for such area.

24 b. For the purpose of making allocations under subd. 5. a., the amounts for aids  
25 are \$4,258,800 in calendar year 1996 and \$4,386,600 in calendar year 1997 and

1 thereafter. These amounts, to the extent practicable, shall be used to determine the  
2 uniform percentage in the particular calendar year.”.

3 **32.** Page 37, line 3: substitute “5” for “4”.

4 **33.** Page 37, line 9: substitute “, (dt) or (du)” for “or (dt)”.

5 **34.** Page 37, line 13: substitute “5.” for “4.”.

6 **35.** Page 38, line 4: delete lines 4 to 11.

7 **36.** Page 38, line 21: substitute “\$215,781,800” for “\$213,381,800”.

8 **37.** Page 38, line 22: substitute “\$222,255,300” for “\$219,855,300”.

9 **38.** Page 39, line 5: on lines 5 and 8, substitute “\$300” for “\$400”.

10 **39.** Page 39, line 10: after that line insert:

11 “**SECTION 83m.** 86.32 (2) (am) 7. of the statutes is amended to read:

12 86.32 (2) (am) 7. For 1995 and thereafter, \$10,468 per lane mile for  
13 municipalities having a population over 500,000; \$9,696 per lane mile for  
14 municipalities having a population of 150,001 to 500,000; \$8,641 per lane mile for  
15 municipalities having a population of 35,001 to 150,000; \$7,612 per lane mile for  
16 municipalities having a population of 10,000 to 35,000; and \$6,558 per lane mile for  
17 municipalities having a population under 10,000.”.

18 **40.** Page 43, line 12: after that line insert:

19 “**SECTION 107b.** 166.20 (7g) (b) (intro.) of the statutes is renumbered 166.20 (7g)  
20 (b) and amended to read:

21 166.20 (7g) (b) The ~~board shall base the~~ amount of the fees under this  
22 subsection ~~on one or more of the following factors:~~ shall be the amount of the fees  
23 established in s. ERB 4.03 (2), Wis. adm. code, as shown on June 30, 1995.

1           **SECTION 107g.** 166.20 (7g) (b) 1. to 8. of the statutes are repealed.”.

2           **41.** Page 49, line 22: delete “**dealers.** The” and substitute “**contractors.**  
3           **(1m)** In this section, “contractor” means a person who has contracted with the  
4           department to provide services under this section.

5           **(2)** The”.

6           **42.** Page 49, line 23: delete “a motor vehicle dealer” and substitute “any  
7           person”.

8           **43.** Page 49, line 25: delete “motor vehicle dealer” and substitute “contractor”.

9           **44.** Page 50, line 1: delete “with a motor vehicle dealer” and substitute “under  
10           this section”.

11           **45.** Page 50, line 3: delete “**(1)**” and substitute “(a)”; and delete “motor vehicle  
12           dealer” and substitute “contractor”.

13           **46.** Page 50, line 6: delete “**(2)**” and substitute “(b)”; and delete “motor”.

14           **47.** Page 50, line 7: delete “vehicle dealer” and substitute “contractor”.

15           **48.** Page 50, line 9: delete “**(3)**” and substitute “(c)”; and delete “motor vehicle  
16           dealer” and substitute “contractor”.

17           **49.** Page 50, line 11: delete “**(4)**” and substitute “(d)”.

18           **50.** Page 50, line 12: delete “motor vehicle dealer” and substitute “contractor”.

19           **51.** Page 62, line 13: after that line insert:

20           “**SECTION 172b.** 343.24 (2m) of the statutes is amended to read:

21           343.24 **(2m)** If the department, in maintaining a computerized operating  
22           record system, makes copies of its operating record file data base, or a portion thereof,  
23           on computer tape or other electronic media, copies of the tape or media may be

1 furnished to any person on request. The department may also furnish to any person  
2 upon request records on computer tape or other electronic media that contain  
3 information from files of uniform traffic citations or motor vehicle accidents and  
4 which were produced for or developed by the department for purposes related to  
5 maintenance of the operating record file data base. The department shall charge a  
6 fee of \$3 for each file of vehicle operators' records contained in the tape or media. The  
7 department shall charge a fee of not more than \$3 for each file of uniform traffic  
8 citations or motor vehicle accidents contained in the tape or media. Nothing in this  
9 subsection requires the department to produce records of particular files or data in  
10 a particular format except as those records or data are made by the department for  
11 its purposes.”.

12 **52.** Page 76, line 9: after that line insert:

13 “**SECTION 205m.** 349.02 (3) of the statutes is created to read:

14 349.02 (3) (a) In this subsection, “photo radar speed detection” means the  
15 detection of a vehicle’s speed by use of a radar device combined with photographic  
16 identification of the vehicle.

17 (b) Notwithstanding sub. (1), the state and local authorities may not use photo  
18 radar speed detection to determine compliance with any speed restriction imposed  
19 by s. 346.57, 346.58, 346.59, 346.595 or 349.11 or a local ordinance in conformity  
20 therewith.”.

21 **53.** Page 77, line 4: delete lines 4 to 16 and substitute:

22 “(1gx) STUDIES OF THE DEPARTMENT OF TRANSPORTATION. The joint legislative  
23 audit committee is requested to direct the legislative audit bureau to perform a  
24 performance evaluation audit of the department of transportation. If the committee

1 directs the legislative audit bureau to perform an audit, the committee shall  
2 determine the scope of the audit and the bureau shall file its report as described  
3 under section 13.94 (1) (b) of the statutes by September 1, 1996.”.

4 **54.** Page 78, line 21: delete lines 21 and 22.

5 **55.** Page 79, line 1: substitute “January 1, 1996” for “December 1, 1995”.

6 **56.** Page 79, line 10: delete lines 10 to 13 and substitute:

7 “(3g) FISCAL YEAR SEGREGATED REVENUES CERTIFICATION.

8 (a) The department of transportation shall, by January 1, 1996, certify to the  
9 joint committee on finance the total amount of estimated segregated transportation  
10 fund revenues for fiscal year 1995–96 and for fiscal year 1996–97.

11 (b) 1. If the amount certified by the department under paragraph (a) for fiscal  
12 year 1995–96 exceeds \$974,283,800, the difference between that certified amount  
13 and \$974,283,800 shall be credited to the appropriation account under section 20.395  
14 (3) (cq) of the statutes, as affected by this act, for fiscal year 1995–96 if the committee  
15 approves such action, or does not schedule a meeting for the purpose of reviewing the  
16 proposed action within 14 working days after such certification.

17 2. If the amount certified by the department under paragraph (a) for fiscal year  
18 1996–97 exceeds \$981,099,800, the difference between that certified amount and  
19 \$981,099,800 shall be credited to the appropriation account under section 20.395 (3)  
20 (cq) of the statutes, as affected by this act, for fiscal year 1996–97 if the committee  
21 approves such action, or does not schedule a meeting for the purpose of reviewing the  
22 proposed action within 14 working days after such certification.”.

1           **57.** Page 80, line 13: after the period insert: “The committee shall also study  
2 state and local revenue sources for financing mass transit and possible alternatives  
3 to the current formulas used to distribute mass transit aid in this state.”.

4           **58.** Page 80, line 22: after that line insert:

5           “(4m) DEPARTMENT RECORDS.

6           (a) Notwithstanding section 343.24 (2m) of the statutes, as affected by this act,  
7 the department of transportation may contract with a person to periodically furnish  
8 that person with any records on computer tape or other electronic media that contain  
9 information from files of motor vehicle accidents or uniform traffic citations and  
10 which were produced for or developed by the department for purposes related to  
11 maintenance of the operating record file data base. The department and the person  
12 desiring to contract with the department shall make a good faith effort to negotiate  
13 the purchase price for the records to be provided under this paragraph. No record  
14 may be furnished under this subsection after June 30, 1997.

15           (b) The department of transportation shall, no later than March 1, 1996,  
16 submit a report to each member of the joint committee on finance summarizing the  
17 terms and conditions of any contract entered into under paragraph (a). If the  
18 department enters into a contract under paragraph (a) after March 1, 1996, the  
19 department shall, prior to the next regular quarterly meeting of the joint committee  
20 on finance, submit to each member of that committee a report summarizing the  
21 terms and conditions of that contract.

22           (c) If, during the period of any contract entered into under paragraph (a), the  
23 department determines that the cost of providing operators’ records, uniform traffic  
24 citations and motor vehicle accident reports under this subsection and section 343.24

1 (2m) of the statutes, as affected by this act, exceeds the total revenues received from  
2 the sale of those records, the department shall submit a report to each member of the  
3 joint committee on finance summarizing the expenditures and revenues related to  
4 the sale of those records.

5 (d) This subsection does not apply after June 30, 1997.”.

6 **59.** Page 81, line 8: delete “the”.

7 **60.** Page 81, line 9: delete that line and substitute: “October 1, 1996, for the”.

8 **61.** Page 82, line 2: after that line insert:

9 “(9xg) POSITIONS DEAUTHORIZATION. The authorized FTE positions for the  
10 department of transportation for the division of highways and transportation  
11 services are decreased by 18.0 SEG positions and by 22.0 FED positions. In  
12 deauthorizing positions under this subsection, the department shall deauthorize  
13 positions vacant on the effective date of this subsection that are directly related to  
14 highway design and production functions within the division of highways and  
15 transportation services.”.

16 **62.** Page 83, line 7: after that line insert:

17 “(3xg) RAILROAD ROLLING STOCK. The treatment of sections 76.02 (10), 76.03 (1),  
18 and 76.07 (1), (2) and (4g) (a) 16. of the statutes first applies to taxes due on May 10,  
19 1997.”.

20 **63.** Page 83, line 25: substitute “, (dt) and (du)” for “and (dt)”.

21 **64.** Page 84, line 1: substitute “5.” for “4.”.

22 **65.** Page 84, line 4: after that line insert:

23 “SECTION 9448. Effective dates; revenue.

