



State of Wisconsin
1999-2000 LEGISLATURE

Done

(H)

DAK
PJK

CORRECTIONS IN:

ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

Prepared by the Legislative Reference Bureau
(July 2, 1999)

1. Page 27, line 22: delete "representative" and substitute "representative of".

2. Page 788, line 19: delete "section 9139" and substitute "section 9158".

✓ 3. Page 999, line 5: delete "totalling" and substitute "totaling".

4. Page 1122, line 22: delete "under under" and substitute "under".

5. Page 1126, line 6: delete "exceed" and substitute "exceeds".

6. Page 1599, line 22: delete "(11)" and substitute "(1r)".

In proofing this part, please ensure that this change has also been incorporated.

LRBs0095/lccc-1
KMG:ch

Minor clerical corrections in legislation are authorized under s. 35.17, stats.; Senate Rule 31, Assembly Rule 37 and Joint Rule 56.

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14 ✓ *b1868/3.4* 740. Page 956, line 3: after that line insert:

15 *b1868/3.4* "SECTION 1817bb. Subchapter VII (title) of chapter 77 [precedes
16 77.92] of the statutes is amended to read:

17 CHAPTER 77

18 TEMPORARY RECYCLING SURCHARGE

19 *b1868/3.4* SECTION 1817bc. 77.92 (4) of the statutes is amended to read:

20 77.92 (4) "Net business income", with respect to a partnership, means taxable
21 income as calculated under section 703 of the ~~internal revenue code~~ Internal
22 Revenue Code; plus the items of income and gain under section 702 of the ~~internal~~
23 ~~revenue code~~ Internal Revenue Code, including taxable state and municipal bond
24 interest and excluding nontaxable interest income or dividend income from federal

1 government obligations; minus the items of loss and deduction under section 702 of
2 the ~~internal revenue code~~ Internal Revenue Code, except items that are not
3 deductible under s. 71.21; plus guaranteed payments ~~treated as not made to partners~~
4 under section 707 ~~(a) (c)~~ of the ~~internal revenue code~~ Internal Revenue Code; plus
5 the credits claimed under s. 71.07 (2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds), (2dx)
6 and (3s); and plus or minus, as appropriate, transitional adjustments, depreciation
7 differences and basis differences under s. 71.05 (13), (15), (16), (17) and (19); but
8 excluding income, gain, loss and deductions from farming. “Net business income”,
9 with respect to a natural person, estate or trust, means profit from a trade or
10 business for federal income tax purposes and includes net income derived as an
11 employe as defined in section 3121 (d) (3) of the ~~internal revenue code~~ Internal
12 Revenue Code.

13 *b1868/3.4* SECTION 1817bcm. 77.92 (4r) of the statutes is repealed.

14 *b1868/3.4* SECTION 1817bd. 77.93 (intro.) of the statutes is amended to read:

15 **77.93 Applicability.** (intro.) For the privilege of doing business in this state,
16 there is imposed a ~~temporary~~ recycling surcharge on the following entities:

17 *b1868/3.4* SECTION 1817be. 77.93 (1) of the statutes is amended to read:

18 77.93 (1) All corporations required to file a return under subch. IV or V of ch.
19 71 that have ~~at least \$4,000~~ more than \$1,000,000 in total gross receipts from all
20 activities for the taxable year except corporations that are exempt from taxation
21 under s. 71.26 (1) and that have no unrelated business income reportable under s.
22 71.24 (1m). The surcharge is imposed on the tax-option corporation, not on its
23 shareholders, except that if a tax-option corporation’s surcharge is delinquent, its
24 shareholders are jointly and severally liable for it.

25 *b1868/3.4* SECTION 1817bf. 77.93 (4) of the statutes is amended to read:

1 77.93 (4) All insurers that are required to file a return under subch. VII of ch.
2 71 and that have at least ~~\$4,000~~ more than \$1,000,000 in total gross receipts from
3 all activities for the taxable year.

4 ***b1868/3.4* SECTION 1817bg.** 77.94 (1) (intro.) of the statutes is amended to
5 read:

6 77.94 (1) (intro.) Except as provided in ~~sub. sub. (2) and (3)~~, for taxable years
7 ending ~~beginning~~ after ~~April 1, 1991~~ December 31, 1999, the surcharge imposed
8 under s. 77.93 is calculated as follows:

9 ***b1868/3.4* SECTION 1817bh.** 77.94 (1) (a) of the statutes is amended to read:

10 77.94 (1) (a) On a corporation under s. 77.93 (1) and (4), an amount equal to
11 the amount calculated by multiplying gross tax liability for the taxable year of the
12 corporation by ~~5.5%~~ 3.3%, or in the case of a tax-option corporation an amount equal
13 to the amount calculated by multiplying net income under s. 71.34 by ~~0.4345%~~
14 0.2607%, up to a maximum of ~~\$9,800~~ \$20,000, or \$25, whichever is greater.

15 ***b1868/3.4* SECTION 1817bi.** 77.94 (1) (b) of the statutes is amended to read:

16 77.94 (1) (b) On an entity under s. 77.93 (2) or (3), except an entity that has less
17 than ~~\$4,000~~ no more than \$1,000,000 of gross receipts, an amount equal to the
18 amount calculated by multiplying net business income as allocated or apportioned
19 to this state by means of the methods under s. 71.04, for the taxable year of the entity
20 by ~~0.4345%~~ 0.2607%, up to a maximum of ~~\$9,800~~ \$20,000, or \$25, whichever is
21 greater.

22 ***b1868/3.4* SECTION 1817bj.** 77.94 (1) (c) of the statutes is amended to read:

23 77.94 (1) (c) On an entity under s. 77.93 (5), except an entity that has ~~a net farm~~
24 profit gross receipts from farming of less ~~no more than \$1,000~~ \$1,000,000, a

1 surcharge of \$25, regardless of whether the entity is subject to a surcharge
2 determined under par. (b).

3 *b1868/3.4* SECTION 1817bk. 77.94 (3) of the statutes is repealed.

4 *b1868/3.4* SECTION 1817bL. 77.94 (4) of the statutes is repealed.

5 *b1868/3.4* SECTION 1817bm. 77.945 of the statutes is repealed.

6 *b1868/3.4* SECTION 1817bn. 77.96 (6) of the statutes is amended to read:

7 77.96 (6) The department of revenue shall refer to the surcharge under this
8 subchapter as the temporary recycling surcharge.”.

9 ✓ ✓ *b1171/1.4* 741. Page 956, line 6: on lines 6 and 18, delete “98.25%” and
10 substitute “97.45%”.

11 ✓ ✓ *b1888/4.19* 742. Page 958, line 14: after that line insert:

12 *b1888/4.19* “SECTION 1818Lb. 79.10 (11) (b) of the statutes, as affected by
13 1999 Wisconsin Act 5, is amended to read:

14 79.10 (11) (b) Before October 16, the department of administration shall
15 determine the total funds available for distribution under the lottery and gaming
16 credit in the following year and shall inform the joint committee on finance of that
17 total. Total funds available for distribution shall be all moneys projected to be
18 transferred to the lottery fund under ss. 20.455 (2) (g) and 20.505 (8) (am), (g) and
19 (jm) and all existing and projected lottery proceeds and interest for the fiscal year of
20 the distribution, less the amount estimated to be expended under ~~ss. 20.455 (2) (r),~~
21 ~~20.566 (2) (r) and s. 20.835 (2) (e) and (3) (r)~~ and less the required reserve under s.
22 20.003 (5). The joint committee on finance may revise the total amount to be
23 distributed if it does so at a meeting that takes place before November 1. If the joint
24 committee on finance does not schedule a meeting to take place before November 1,

1 the total determined by the department of administration shall be the total amount
2 estimated to be distributed under the lottery and gaming credit in the following year.

3 ***b1888/4.19* SECTION 1818Lc.** 79.10 (11) (b) of the statutes, as affected by
4 1999 Wisconsin Act (this act), is repealed and recreated to read:

5 79.10 (11) (b) Before October 16, the department of administration shall
6 determine the total funds available for distribution under the lottery and gaming
7 credit in the following year and shall inform the joint committee on finance of that
8 total. Total funds available for distribution shall be all moneys projected to be
9 transferred to the lottery fund under ss. 20.455 (2) (g) and 20.505 (8) (am), (g) and
10 (jm) and all existing and projected lottery proceeds and interest for the fiscal year of
11 the distribution, less the amount estimated to be expended under ss. 20.455 (2) (r),
12 20.566 (2) (r) and 20.835 (2) (q) and (3) (r) and less the required reserve under s.
13 20.003 (5). The joint committee on finance may revise the total amount to be
14 distributed if it does so at a meeting that takes place before November 1. If the joint
15 committee on finance does not schedule a meeting to take place before November 1,
16 the total determined by the department of administration shall be the total amount
17 estimated to be distributed under the lottery and gaming credit in the following year.

18 ***b1888/4.19* SECTION 1818Ld.** 79.13 (1) of the statutes, as created by 1999
19 Wisconsin Act 5, is amended to read:

20 79.13 (1) In the 1999–2000 fiscal year, the amount that is estimated to be
21 expended from the appropriation under s. 20.835 (2) (q) (~~dn~~) is \$15,000,000.

22 ***b1888/4.19* SECTION 1818Lf.** 79.13 (2) of the statutes, as created by 1999
23 Wisconsin Act 5, is renumbered 79.13 (2) (a) and amended to read:

24 79.13 (2) (a) In the 2000–01 fiscal year, ~~and in each fiscal year thereafter~~, the
25 amount that is estimated to be expended from the appropriation under s. 20.835 (2)

1 ~~(q)~~ (dn) is \$15,000,000, plus the amount that is estimated to be expended from the
2 appropriation under s. 20.835 (2) ~~(q)~~ (dn) in the previous fiscal year and less the
3 actual amount that is expended from the appropriation under s. 20.835 (2) ~~(q)~~ (dn)
4 in the previous fiscal year.

5 ***b1888/4.19* SECTION 1818Lg.** 79.13 (2) (b) of the statutes is created to read:

6 79.13 (2) (b) In the 2001–02 fiscal year, the amount that is estimated to be
7 expended from the appropriation under s. 20.835 (2) (q) is \$15,000,000, plus the
8 amount that is estimated to be expended from the appropriation under s. 20.835 (2)
9 (dn) in the previous fiscal year and less the actual amount that is expended from the
10 appropriation under s. 20.835 (2) (dn) in the previous fiscal year.

11 ***b1888/4.19* SECTION 1818Lh.** 79.13 (2) (c) of the statutes is created to read:

12 79.13 (2) (c) In the 2002–03 fiscal year, and in each fiscal year thereafter, the
13 amount that is estimated to be expended from the appropriation under s. 20.835 (2)
14 (q) is \$15,000,000, plus the amount that is estimated to be expended from the
15 appropriation under s. 20.835 (2) (q) in the previous fiscal year and less the actual
16 amount that is expended from the appropriation under s. 20.835 (2) (q) in the
17 previous fiscal year.”.

18 ✓ ✓ ***b1907/2.2* 743.** Page 958, line 14: after that line insert:

19 ***b1907/2.2* “SECTION 1818Lq.** 79.05 (2) (c) of the statutes is amended to read:

20 79.05 (2) (c) Its municipal budget, exclusive of principal and interest on
21 long–term debt and exclusive of payments of the recycling fee under s. 289.645, for
22 the year of the statement under s. 79.015 increased over its municipal budget as
23 adjusted under sub. (6), exclusive of principal and interest on long–term debt and
24 exclusive of payments of the recycling fee under s. 289.645, for the year before that

1 year by less than the sum of the inflation factor and the valuation factor, rounded to
2 the nearest 0.10%.”

3 ✓ ***b1919/1.5* 744.** Page 958, line 14: after that line insert:

4 ***b1919/1.5* “SECTION 1818Lk.** 79.01 (1) of the statutes is amended to read:

5 79.01 (1) There is established an account in the general fund entitled the
6 “Expenditure Restraint Program Account”. There shall be appropriated to that
7 account \$25,000,000 in 1991, in 1992 and in 1993, \$42,000,000 in 1994 and,
8 \$48,000,000 in each year beginning in 1995 and ending in 1999 and \$57,000,000 in
9 the year 2000 and in each year thereafter.

10 ***b1919/1.5* SECTION 1818Ln.** 79.03 (3c) (f) of the statutes is amended to read:

11 79.03 (3c) (f) *Distribution amount.* If the total amounts calculated under pars.
12 (c) to (e) exceed the total amount to be distributed under this subsection, the amount
13 paid to each eligible municipality shall be paid on a prorated basis. The total amount
14 to be distributed under this subsection from s. 20.835 (1) (b) is \$10,000,000 beginning
15 in 1996 and ending in 1999 and \$11,875,000 in the year 2000 and in each year
16 thereafter.

17 ***b1919/1.5* SECTION 1818Lp.** 79.03 (4) of the statutes is amended to read:

18 79.03 (4) ~~In 1991, the total amount to be distributed under ss. 79.03, 79.04 and~~
19 ~~79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be~~
20 ~~distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) is \$885,961,300.~~
21 ~~In 1993, the total amount to be distributed under ss. 79.03, 79.04 and 79.06 from s.~~
22 ~~20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this~~
23 ~~section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to~~
24 ~~municipalities and \$168,981,800 to counties. In Beginning in 1995 and subsequent~~

1 years ending in 1999, the total amounts to be distributed under ss. 79.03, 79.04 and
2 79.06 from s. 20.835 (1) (d) are \$761,478,000 to municipalities and \$168,981,800 to
3 counties. In the year 2000 and subsequent years, the total amounts to be distributed
4 under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) are \$776,707,600 to
5 municipalities and \$172,361,400 to counties.

6 *b1919/1.5* SECTION 1818Ls. 79.058 (3) (b) of the statutes is amended to read:
7 79.058 (3) (b) ~~In~~ Beginning in 1995 and subsequent years ending in 1999,
8 \$20,159,000.

9 *b1919/1.5* SECTION 1818Lt. 79.058 (3) (c) of the statutes is created to read:
10 79.058 (3) (c) In the year 2000 and subsequent years, \$20,763,800.”

11 ✓ *b1920/2.1* 745. Page 958, line 14: after that line insert:

12 *b1920/2.1* “SECTION 1818Lm. 79.10 (10) (bn) of the statutes is created to
13 read:

14 79.10 (10) (bn) If a person who owns and uses property as specified under sub.
15 (1) (dm) as of the certification date under par. (a), transfers the property after the
16 certification date, the transferee may apply for the credit under sub. (9) (bm) on a
17 form prescribed by the department of revenue. The transferee shall attest that, to
18 the transferee’s knowledge, the transferor used the property in the manner specified
19 under sub. (1) (dm) as of the certification date under par. (a). A claim that is made
20 under this paragraph is valid for the year in which the property is transferred.”

21 ✓✓ *b1805/2.1* 746. Page 958, line 15: delete lines 15 to 19 and substitute:

22 *b1805/2.1* “SECTION 1818mn. 84.01 (30) (g) of the statutes is created to read:

1 84.01 (30) (g) 1. In this paragraph, “park-and-ride facility” means a facility
2 with a parking lot and, within a reasonable walking distance, a station or transfer
3 point where commuters access a mass transit system.

4 2. If the department determines that such a provision advances the public
5 interest, a provision exempting the private entity from the restrictions under ss.
6 84.25 (11) and 86.19 (1), and specifying any requirements that the department
7 determines will practicably advance the purposes of ss. 84.25 (11) and 86.19 (1). This
8 subdivision applies only to park-and-ride facilities.”.

9 ✓✓ *b0908/1.1* **747**. Page 958, line 19: after that line insert:

10 *b0908/1.1* “SECTION 1818w. 84.013 (3) (ra) of the statutes is created to read:

11 84.013 (3) (ra) STH 23 between STH 67 and USH 41 in Sheboygan and Fond
12 du Lac counties.”.

13 ✓✓ *b0910/1.1* **748**. Page 958, line 19: after that line insert:

14 *b0910/1.1* “SECTION 1818p. 84.01 (31) of the statutes is created to read:

15 84.01 (31) STATE HIGHWAY REHABILITATION FUNDS. The department may not use
16 funds from the appropriations under s. 20.395 (3) (cq) to (cx) for the maintenance or
17 replacement of curb and pavement or other markings, or for the operation,
18 maintenance or replacement of highway signs, traffic signals or highway lighting,
19 unless the maintenance, replacement or operation is in conjunction with activities
20 related to a state trunk highway reconditioning, reconstruction or resurfacing
21 project.”.

22 ✓✓ *b1069/3.2* **749**. Page 958, line 19: after that line insert:

23 *b1069/3.2* “SECTION 1818r. 84.013 (2) (a) of the statutes is amended to read:

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

4 ***b1069/3.2* SECTION 1818t.** 84.013 (2) (b) of the statutes is amended to read:

5 84.013 (2) (b) ~~Reconditioning~~ Subject to s. 86.255, reconditioning,
6 reconstruction and resurfacing of highways shall be funded from the appropriations
7 under s. 20.395 (3) (cq) to (cx).”

8 ✓✓ ***b1069/3.3* 750.** Page 959, line 17: after that line insert:

9 ***b1069/3.3* “SECTION 1819gg.** 84.03 (9) (a) of the statutes is amended to read:

10 84.03 (9) (a) ~~That~~ Subject to s. 86.255, that part of the appropriation made by
11 s. 20.395 (3), not required for the other purposes therein provided, may be used by
12 the department for the improvement and traffic service of the state trunk highway
13 system and connecting highways, for the purchase and operation of equipment,
14 making surveys for locating local road materials, testing of materials, and for other
15 purposes provided in this section, and to match or supplement federal aid for the
16 construction, reconstruction or improvement of the federal aid highway system,
17 secondary or feeder roads, the elimination of hazards at railroad grade crossings and
18 for any other highway purpose for which the state may match or supplement federal
19 aid funds pursuant to any act of congress. Where such funds are used for the
20 improvement of the state trunk highway system or connecting highways or to match
21 or supplement federal aid they shall be expended in accordance with s. 84.06 and any
22 applicable act of congress. Any funds expended pursuant to this paragraph shall be
23 expended by the department on such projects within the provisions of this
24 paragraph, and executed in such manner as the department shall from time to time

1 determine will best meet the needs of travel and best promote the general welfare.
2 Such funds may be used for improvements, within the provisions of this paragraph,
3 independent of or in conjunction with other funds available for such improvements.
4 The Subject to s. 86.255, the requirements of any federal highway act, or regulations
5 issued thereunder, may be met from such appropriation.

6 *b1069/3.3* SECTION 1819gm. 84.065 (4) of the statutes is amended to read:

7 84.065 (4) FUNDS. The Subject to s. 86.255, the department may make loans
8 under this section from the appropriations under s. 20.395 (3) (bv) and (cv). The total
9 outstanding balance of loans under this section may not exceed \$500,000.”.

10 ✓ ✓ *b1804/1.1* 751. Page 959, line 17: after that line insert:

11 *b1804/1.1* “SECTION 1819g. 84.02 (14) of the statutes is created to read:

12 84.02 (14) I 39 INTERCHANGE. If a waiver from the federal department of
13 transportation is required for the construction of an interchange at the intersection
14 of I 39 and Kowalski Road in Marathon County, and if the state department of
15 transportation determines that construction of the interchange will have no adverse
16 impact on safety in the vicinity of the intersection, the state department of
17 transportation shall request a waiver to permit construction of the interchange. If
18 a waiver is granted, or if the state department of transportation determines both that
19 a waiver is not required and that such construction will have no adverse impact on
20 safety in the vicinity of the intersection, the department of transportation shall
21 design the interchange specified in this subsection and allocate funds from the
22 appropriations under s. 20.395 (3) (cq) to (cx) sufficient to construct the
23 interchange.”.

24 ✓ ✓ *b1830/3.3* 752. Page 959, line 17: after that line insert:

1 ***b1830/3.3* “SECTION 1819j.** 84.014 of the statutes is created to read:

2 **84.014 Intelligent transportation systems.** (1) In this section, “intelligent
3 transportation system” means a specialized computer or other technical system,
4 including roadway detector loops, closed circuit television, variable message signs,
5 ramp meters or an integrated traffic signal system, that is used for the purpose of
6 traffic flow measurement and management, congestion avoidance, incident
7 management, travel time information or other similar purposes.

8 (2) The department may fund the installation, maintenance and replacement
9 of intelligent transportation systems. After June 30, 2000, the department may
10 encumber funds for intelligent transportation systems only from the appropriation
11 accounts under s. 20.395 (3) (gq) to (gx) unless the intelligent transportation system
12 is physically integrated with and installed as part of a highway project that includes
13 construction or improvement in addition to the intelligent transportation system.”.

14 ✓ ***b1069/3.4* 753.** Page 961, line 19: after that line insert:

15 ***b1069/3.4* “SECTION 1820mg.** 84.20 of the statutes is amended to read:

16 **84.20 State repair and maintenance of highways and streets.** Damage
17 to any county trunk or town highway or city or village street caused by reason of its
18 use as a detour designated by the department or for hauling materials incident to the
19 maintenance, repair or construction by the department of any state trunk highway
20 or street over which a state trunk highway is routed, shall be repaired by the
21 department. Such highway or street shall also be maintained by the department
22 during such use. The Subject to s. 86.255, the cost of such repairs and maintenance
23 shall be paid from funds appropriated and available to the department for the

1 maintenance and improvement of state trunk highways and connecting highways
2 under s. 20.395 (3).”.

3 ✓ ✓ *b1069/3.5* **754.** Page 963, line 13: after that line insert:

4 *b1069/3.5* “SECTION 1824fm. 84.31 (8) (b) of the statutes is amended to read:

5 84.31 (8) (b) The department and another state agency may enter into
6 agreements for the purpose of assigning to the other state agency the responsibility
7 for the administration of this section and rules adopted under this section. To the
8 extent responsibility for administration is assigned to the other agency under such
9 agreements, the other state agency shall have the same powers and duties conferred
10 on the department under this section. The department shall reimburse the other
11 state agency from the appropriation under s. 20.395 (3) (cq) and (cx) for all expenses,
12 including administrative expenses, incurred by the other state agency in connection
13 with the screening, relocation, removal or disposal of junkyards under the authority
14 assigned to the other state agency, except that no moneys may be reimbursed for the
15 acquisition of land or interests in land contrary to s. 86.255.”.

16 ✓ ✓ *b1821/1.2* **755.** Page 964, line 5: delete “\$1,440,665,900” and substitute
17 “\$1,447,085,500”.

18 ✓ ✓ *b1016/1.1* **756.** Page 964, line 11: delete the material beginning with that
19 line and ending with page 965, line 3.

20 ✓ ✓ *b1829/6.4* **757.** Page 965, line 8: delete “(nx)” and substitute “(~~nx~~) (ox)”.

21 ✓ ✓ *b1829/6.5* **758.** Page 965, line 13: delete “~~year.~~” and substitute “~~year~~ The
22 total amount of the grants awarded under this subsection and ss. 85.026 (2) (b) and
23 85.243 (2) (am) and projects approved under s. 85.245 (1m) for the planning, design
24 or construction of bicycle and pedestrian facilities may not exceed \$9,755,000 in the

1 fiscal year in which the grants are awarded or the projects are approved. If the
2 department determines that a grant was awarded under this subsection for a project
3 on which construction will not be completed within a reasonable time after the grant
4 is awarded, the department may withdraw that grant and the amount of the grant
5 withdrawn may not be counted under this subsection.”.

6 ✓ ***b1829/6.6* 759.** Page 965, line 14: delete lines 14 to 19 and substitute:

7 ***b1829/6.6* “SECTION 1830gb.** 85.026 (2) of the statutes is renumbered 85.026
8 (2) (a) and amended to read:

9 85.026 (2) (a) The Subject to s. 85.61, the department may administer a
10 program to award grants of assistance to any political subdivision or state agency,
11 as defined in s. 20.001 (1), for transportation enhancement activities consistent with
12 federal regulations promulgated under 23 USC 133 (b) (8). The Except as provided
13 in par. (b), the grants shall be awarded from the appropriations under s. 20.395 (2)
14 (nv) and (nx).

15 ***b1829/6.6* SECTION 1830gc.** 85.026 (2) (b) of the statutes is created to read:

16 85.026 (2) (b) Grants awarded under this section for the planning, design and
17 construction of bicycle and pedestrian facilities shall be only awarded from the
18 appropriation under s. 20.395 (2) (ox). The total amount of the grants awarded under
19 this paragraph and ss. 85.024 and 85.243 (2) (am) and projects approved under s.
20 85.245 (1m) for the planning, design or construction of bicycle and pedestrian
21 facilities may not exceed \$9,755,000 in the fiscal year in which the grants are
22 awarded or the projects are approved. If the department determines that a grant was
23 awarded under this paragraph for a project on which construction will not be
24 completed within a reasonable time after the grant is awarded, the department may

1 withdraw that grant and the amount of the grant withdrawn may not be counted
2 under this paragraph.”.

3 ✓✓ *b1831/4.9* **760.** Page 965, line 19: after that line insert:

4 *b1831/4.9* “SECTION 1830gm. 85.037 of the statutes is amended to read:

5 **85.037 Certification of fees collected.** Annually, no later than October 1,
6 the secretary of transportation shall certify to the secretary of administration the
7 amount of fees collected under s. ss. 101.9208 (1) (dm) and 342.14 (3m) during the
8 previous fiscal year, for the purpose of determining the amounts to be transferred
9 under s. 20.855 (4) (f) during the current fiscal year.”.

10 ✓✓ *b1874/1.1* **761.** Page 965, line 19: after that line insert:

11 *b1874/1.1* “SECTION 1830gb. 85.026 (3) of the statutes is created to read:

12 85.026 (3) PROCEDURE. The department may not approve a grant under sub.
13 (2) until after enactment of the biennial budget act for the biennium during which
14 the grant will be awarded. The total amount of grants awarded under sub. (2) and
15 paid from the appropriations under s. 20.395 (2) (nv) and (nx) may not exceed the
16 amounts appropriated under s. 20.395 (2) (nv) and (nx) for the purposes of
17 transportation enhancement activities for the biennium during which the grants are
18 awarded. If the department determines that a grant was awarded under sub. (2) for
19 a project on which construction will not be completed within a reasonable time after
20 the grant is awarded, the department may withdraw that grant and the amount of
21 the grant so withdrawn may not be counted under this subsection.”.

22 ✓ *b0941/3.1* **762.** Page 967, line 12: after that line insert “Operating
23 expenses” do not include costs accruing to an urban mass transit system from
24 services provided by a publicly owned urban mass transit system under a contract

1 awarded on the basis of competitive bids unless the urban mass transit system's bid
2 used the fully allocated cost methodology described in sub. (8)."

3 ✓ ✓ *b0941/3.2* **763.** Page 967, line 24: after that line insert:

4 *b0941/3.2* "SECTION 1834m. 85.20 (1) (h) of the statutes is amended to read:

5 85.20 (1) (h) "Operating revenues" mean income accruing to an urban mass
6 transit system by virtue of its operations, but do not include income accruing from
7 operations under a contract awarded on the basis of competitive bids to a publicly
8 owned urban mass transit system that did not use the fully allocated cost
9 methodology described in sub. (8)."

10 ✓ ✓ *b1851/1.1* **764.** Page 971, line 10: after that line insert:

11 *b1851/1.1* "SECTION 1849d. 85.20 (6m) of the statutes is created to read:

12 85.20 (6m) LOCAL SEGREGATED ACCOUNT REQUIRED. (a) Notwithstanding sub.
13 (4m), the department may not pay state aid under this section to an eligible applicant
14 unless the eligible applicant does all of the following:

15 1. Establishes and administers a separate segregated account from which
16 moneys may be used only for purposes related to a mass transit system.

17 2. Deposits in the account established under subd. 1. all of the following:

18 a. All moneys received from this state and from the federal government for a
19 mass transit system.

20 b. All local moneys required by this state, or by the federal government, to
21 match moneys described under subd. 2. a. as a condition of receiving or expending
22 those state or federal moneys.

23 c. All local moneys allocated for a mass transit system by the eligible applicant.

1 d. All moneys received from a local revenue source that is dedicated to a mass
2 transit system.

3 (b) If an eligible applicant does not meet the requirements under par. (a) at the
4 time that aid should be paid under this section, the department shall withhold the
5 aid payment until the eligible applicant meets the requirements under par. (a).
6 When the eligible applicant meets the requirements under par. (a), the department
7 shall pay the aid withheld under this paragraph, without interest, except that, if the
8 eligible applicant fails to meet the requirements under par. (a) within 180 days after
9 the time that the aid should be paid, that aid is forfeited and may not be paid to that
10 eligible applicant. Aid that is forfeited under this paragraph shall be counted under
11 this section as if the aid had been paid.

12 (c) The department, in consultation with the representatives appointed under
13 s. 86.303 (5) (am), shall promulgate rules implementing this subsection. The
14 department may not require any eligible applicant to do any of the following:

15 1. Pay expenses related to law enforcement using moneys from an account
16 established under this subsection.

17 2. Maintain separate checking accounts to implement this subsection, if the
18 eligible applicant implements this subsection by segregating revenues and
19 expenditures described in this subsection in the eligible applicant's bookkeeping
20 system."

21 ✓ ✓ *b0941/3.3* **765.** Page 971, line 16: after that line insert:

22 *b0941/3.3* "SECTION 1849gm. 85.20 (8) of the statutes is created to read:

23 85.20 (8) FULLY ALLOCATED COST BIDDING. If a local public body solicits bids to
24 contract for services, the bids of a publicly owned urban mass transit system shall

1 use a fully allocated cost methodology established by the department by rule. The
2 fully allocated cost methodology shall do all of the following:

3 (a) Be based on generally accepted accounting principles.

4 (b) Consider all shared costs and direct costs of the mass transit system that
5 are related to and support the service being considered. A publicly owned urban
6 mass transit system's costs include all subsidies provided to the system, including
7 operating subsidies, capital grants and the use of public facilities.

8 (c) Assign each cost of a publicly owned urban mass transit system to one of the
9 following categories:

10 1. Costs that depend on the number of vehicle hours operated, including
11 operators' salaries and fringe benefits.

12 2. Costs that depend on the number of vehicle miles traveled, including fuel
13 costs, maintenance costs and maintenance personnel salaries and fringe benefits.

14 3. Costs that depend on the maximum number of vehicles that are in service
15 during the day, including administrative and capital costs.”.

16 ✓✓ *b1844/3.2* **766**. Page 971, line 16: after that line insert:

17 *b1844/3.2* “SECTION 1849gm. 85.205 of the statutes is created to read:

18 **85.205 Prohibited expenditures for light rail.** Notwithstanding ss.
19 85.022, 85.062 and 85.063, the department may not encumber or expend any federal
20 funds received under P.L. 102-240, section 1045, or P.L. 105-277, section 373, or
21 state funds for any purpose related to a light rail mass transit system. This section
22 does not apply to any light rail mass transit system that is being constructed on the
23 effective date of this section ... [revisor inserts date]. This section does not apply to
24 any funds expended or activity related to a mass transit system that is done under

1 the memorandum of agreement concerning USH 12 between Middleton and Lake
2 Delton, Wisconsin, that was executed by the governor, the secretary of
3 transportation, the secretary of natural resources, the county executive of Dane
4 County, the administrative coordinator of Sauk County, and others, and that became
5 effective on April 22, 1999. This section does not apply after June 30, 2001.”.

6 ✓ ✓ *b1829/6.7* **767**. Page 972, line 10: after that line insert:

7 *b1829/6.7* “SECTION 1852g. 85.243 (2) (am) of the statutes is created to read:

8 85.243 (2) (am) Grants awarded under this section for the planning, design or
9 construction of bicycle and pedestrian facilities shall be only awarded from the
10 appropriation under s. 20.395 (2) (ox). The total amount of the grants awarded under
11 this paragraph and ss. 85.024 and 85.026 (2) (b) and projects approved under s.
12 85.245 (1m) for the planning, design or construction of bicycle and pedestrian
13 facilities may not exceed \$9,755,000 in the fiscal year in which the grants are
14 awarded or the projects are approved. If the department determines that a grant was
15 awarded under this paragraph for a project on which construction will not be
16 completed within a reasonable time after the grant is awarded, the department may
17 withdraw that grant and the amount of the grant withdrawn may not be counted
18 under this paragraph.

19 *b1829/6.7* SECTION 1852j. 85.245 (1) of the statutes is amended to read:

20 85.245 (1) The department may administer a program for the distribution of
21 federal funds for congestion mitigation and air quality improvement projects made
22 available to the state under 23 USC 149. The Except as provided in sub. (1m), the
23 cost of any project shall be funded from the appropriations under s. 20.395 (2) (kv)
24 and (kx).

1 ***b1829/6.7* SECTION 1852k.** 85.245 (1m) of the statutes is created to read:

2 85.245 (1m) The cost of any project funded under this section for the planning,
3 design or construction of a bicycle and pedestrian facility shall be only funded from
4 the appropriation under s. 20.395 (2) (ox). The total amount of any project approved
5 under this subsection and the amount of grants awarded under ss. 85.024, 85.026 (2)
6 (b) and 85.243 (2) (am) for the planning, design or construction of bicycle and
7 pedestrian facilities may not exceed \$9,755,000 in the fiscal year in which the
8 projects are approved or the grants are awarded. If the department determines that
9 a project was approved under this subsection on which construction will not be
10 completed within a reasonable time after the project is approved, the department
11 may withdraw its approval of that project and the cost of the project for which
12 approval was withdrawn may not be counted under this subsection.”.

13 ✓ ✓ ***b1874/1.2* 768.** Page 972, line 10: after that line insert:

14 ***b1874/1.2* “SECTION 1852f.** 85.243 (2) (a) of the statutes is amended to read:
15 85.243 (2) (a) The Subject to par. (ar), the department shall administer a
16 surface transportation discretionary grants program to promote the development
17 and implementation of surface transportation projects that foster the diverse
18 transportation needs of the people of this state. Annually, the department may make
19 grants to eligible applicants for surface transportation projects that promote
20 nonhighway use or that otherwise supplement existing transportation activities. A
21 grant may not exceed 80% of the total cost of a project. The department shall give
22 priority to funding projects that foster alternatives to single-occupancy automobile
23 trips. In deciding whether to award a grant under this section, the department may
24 consider whether other funding sources are available for the proposed project.

1 ***b1874/1.2* SECTION 1852gd.** 85.243 (2) (ar) of the statutes is created to read:

2 85.243 (2) (ar) The department may not approve a grant under par. (a) until
3 after enactment of the biennial budget act for the biennium during which the grant
4 will be awarded. The total amount of grants awarded under par. (a) and paid from
5 the appropriations under s. 20.395 (2) (jq), (jv) and (jx) may not exceed the amounts
6 appropriated under s. 20.395 (2) (jq), (jv) and (jx) for the biennium during which the
7 grants are awarded. If the department determines that a grant was awarded under
8 par. (a) for a project on which construction will not be completed within a reasonable
9 time after the grant is awarded, the department may withdraw that grant and the
10 amount of the grant so withdrawn may not be counted under this paragraph.”

11 ✓ ***b1132/1.1* 769.** Page 974, line 21: delete that line and substitute: “86.19
12 (1r) The department shall maintain”.

13 ✓ ***b1132/1.2* 770.** Page 974, line 22: delete “directional signs along I 43” and
14 substitute “the directional sign existing on the effective date of this subsection
15 (revisor inserts date), that is located along I 43”.

16 ✓ ***b1132/1.3* 771.** Page 974, line 23: delete “any sign erected and” and
17 substitute “the sign”.

18 ✓ ***b1069/3.6* 772.** Page 974, line 24: after that line insert:

19 ***b1069/3.6* “SECTION 1855rm.** 86.255 of the statutes is created to read:
20 **86.255 Limitation on moneys used to purchase land remote from**
21 **highway project.** (1) Notwithstanding ss. 84.09 and 86.25, beginning with
22 purchase contracts executed on the effective date of this subsection [revisor
23 inserts date], and with relocation orders initially filed under ch. 32 on the effective
24 date of this subsection [revisor inserts date], the department may not encumber

1 or expend any moneys from the appropriations under s. 20.395 (3) for purposes
2 related to the purchase of land, easements, or development rights in land, unless the
3 land or interest in land is purchased in association with a highway improvement
4 project and the land or interest in land is located within one-quarter mile of the
5 centerline or proposed centerline of the highway.

6 (2) Subsection (1) does not apply to any of the following:

7 (a) The purchase of any land that is acquired as compensatory mitigation for
8 another wetland, as defined in s. 23.32 (1), that will suffer an adverse impact by
9 degradation or destruction as part of a highway project.

10 (b) The purchase of any land, easements, or development rights in land, under
11 an agreement executed in the name of the department before the effective date of this
12 paragraph [revisor inserts date], or under a relocation order filed under ch. 32
13 before the effective date of this paragraph [revisor inserts date].”.

14 ✓ ✓ *b1894/1.1* **773**. Page 974, line 24: after that line insert:

15 *b1894/1.1* “SECTION 1855rm. 86.195 (2) (ag) 16m. of the statutes is created
16 to read:

17 86.195 (2) (ag) 16m. STH 172 from I 43 southeast of Green Bay to USH 41 at
18 Ashwaubenon.”.

19 ✓ ✓ *b1785/1.3* **774**. Page 975, line 11: delete “, \$1,692” and substitute “and
20 thereafter, \$1,704”.

21 ✓ ✓ *b1785/1.4* **775**. Page 975, line 12: delete lines 12 and 13.

22 ✓ ✓ *b1785/1.5* **776**. Page 975, line 17: delete “\$83,469,000” and substitute “and
23 \$84,059,500”.

1 ✓✓ *b1785/1.6* 777. Page 975, line 18: delete "\$84,303,700 in calendar year
2 2001 and".

3 ✓✓ *b1785/1.7* 778. Page 975, line 24: delete "\$262,603,400" and substitute
4 "and \$264,461,500".

5 ✓✓ *b1785/1.8* 779. Page 975, line 25: delete "\$265,229,400 in calendar year
6 2001 and".

7 ✓✓ *b1785/1.9* 780. Page 976, line 4: delete lines 4 to 23, and substitute:
8 "86.30 (10) AID PAYMENTS FOR CALENDAR YEAR 2001. (a) 1. For calendar year 2001,
9 the department shall determine the percentage change between the amount of
10 moneys appropriated for distribution under this section to counties for calendar year
11 2001 and the amount of moneys appropriated for distribution under this section to
12 counties for calendar year 2000.

13 2. Notwithstanding sub. (2) (a), (b) and (d) and s. 86.303 (5) (e), (f), (h) and (i),
14 the amount of aid payable to each county in calendar year 2001 shall be the amount
15 paid to that county for calendar year 2000, plus an amount equal to the percentage
16 determined under subd. 1. of the amount paid to the county for calendar year 2000.

17 (b) 1. For calendar year 2001, the department shall determine the percentage
18 change between the amount of moneys appropriated for distribution under this
19 section to municipalities for calendar year 2001 and the amount of moneys
20 appropriated for distribution under this section to municipalities for calendar year
21 2000.

22 2. Notwithstanding sub. (2) (a), (b) and (d) and s. 86.303 (5) (e), (f), (h) and (i),
23 the amount of aid payable to each municipality in calendar year 2001 shall be the
24 amount paid to that municipality for calendar year 2000, plus an amount equal to

1 the percentage determined under subd. 1. of the amount paid to the municipality for
2 calendar year 2000.”.

3 ✓ ✓ *b1851/1.2* **781**. Page 976, line 23: after that line insert:

4 *b1851/1.2* **SECTION 1863md.** 86.30 (11) of the statutes is created to read:

5 86.30 (11) LOCAL SEGREGATED ACCOUNT REQUIRED. (a) Notwithstanding sub. (2),
6 the department may not pay state aid under this section to a municipality or county
7 unless the municipality or county does all of the following:

8 1. Establishes and administers a separate segregated account from which
9 moneys may be used only for purposes related to local highways.

10 2. Deposits in the account established under subd. 1. all of the following:

11 a. All moneys received from this state and from the federal government for local
12 highway purposes.

13 b. All local moneys required by this state, or by the federal government, to
14 match moneys described under subd. 2. a. as a condition of receiving or expending
15 those state or federal moneys.

16 c. All local moneys allocated for local highway purposes by the local governing
17 body.

18 d. All moneys received from a local revenue source that is dedicated to local
19 highways.

20 (b) If a municipality or county does not meet the requirements under par. (a)
21 at the time that aid should be paid under this section, the department shall withhold

22 the aid payment until the municipality or county meets the requirements under par.

23 (a). When the municipality or county meets the requirements under par. (a), the
24 department shall pay the aid withheld under this paragraph, without interest,

1 except that, if the municipality or county fails to meet the requirements under par.
2 (a) within 180 days after the time that the aid should be paid, that aid is forfeited and
3 may not be paid to that municipality or county. Aid that is forfeited under this
4 paragraph shall be counted under sub. (2) as if the aid had been paid.

5 (c) The department, in consultation with the representatives appointed under
6 s. 86.303 (5) (am), shall promulgate rules implementing this subsection. The
7 department may not require any eligible applicant to do any of the following:

8 1. Pay expenses related to law enforcement using moneys from an account
9 established under this subsection.

10 2. Maintain separate checking accounts to implement this subsection, if the
11 eligible applicant implements this subsection by segregating revenues and
12 expenditures described in this subsection in the eligible applicant's bookkeeping
13 system."

14 ✓✓ *b1067/4.3* **782.** Page 978, line 13: before "The department" insert "Not later
15 than December 15, 2001, and biennially thereafter, each municipality and county
16 shall assess the physical condition of highways under its jurisdiction, using a
17 pavement rating system approved by the department and report the results of that
18 assessment to the department.".

19 ✓✓ *b1067/4.4* **783.** Page 978, line 13: after "mileage" insert "or other data
20 concerning highways".

21 ✓✓ *b1067/4.5* **784.** Page 978, line 15: delete "mileage" and substitute "data".

22 ✓✓ *b1067/4.6* **785.** Page 978, line 17: delete "jurisdictional mileage" and
23 substitute "jurisdictional mileage".

1 ✓ ✓ *b1067/4.7* **786.** Page 978, line 18: delete “determination efforts” and
2 substitute “determination efforts under this subsection”.

3 ✓ ✓ *b1067/4.8* **787.** Page 978, line 19: delete “years.” and substitute “years
4 Information collected under this subsection is inadmissible as evidence, except to
5 show compliance with this subsection.”.

6 ✓ ✓ *b0895/2.1* **788.** Page 979, line 25: after that line insert:

7 *b0895/2.1* “SECTION 1875cb. 86.31 (1) (am) of the statutes is amended to
8 read:

9 86.31 (1) (am) “County highway improvement program district committee”
10 means a committee established by the department by rule under sub. (6) (f)
11 consisting of ~~not more than 5 county executives or county board chairpersons in~~
12 ~~counties that do not have county executives, or their designees,~~ all of the county
13 highway commissioners from counties within a county highway improvement
14 program district.

15 *b0895/2.1* SECTION 1875cg. 86.31 (2) (b) of the statutes is amended to read:

16 86.31 (2) (b) Except as provided in par. (d), improvements for highway
17 construction projects funded under the program shall be under contracts. Such
18 contracts shall be awarded on the basis of competitive bids and shall be awarded to
19 the lowest responsible bidder. If a city, ~~village or town~~ or village does not receive a
20 responsible bid for an improvement, the city, ~~village or town~~ or village may contract
21 with a county for the improvement. A town may contract with a county for the
22 improvement subject to the criteria and procedures promulgated as rules under sub.
23 (6) (h).

24 *b0895/2.1* SECTION 1875dc. 86.31 (2) (d) 1. of the statutes is repealed.

1 ***b0895/2.1* SECTION 1875dd.** 86.31 (2) (d) 1m. of the statutes is created to
2 read:

3 86.31 (2) (d) 1m. The county highway department demonstrates that it is
4 cost-effective for it to perform the work and that competitive bidding is to be used
5 for improvements with an estimated total cost at least equal to the total funds
6 allocated for its county trunk highway improvements under the program during the
7 current biennium.

8 ***b0895/2.1* SECTION 1875de.** 86.31 (2) (d) 2. of the statutes is repealed.

9 ***b0895/2.1* SECTION 1875df.** 86.31 (2) (d) 3. of the statutes is repealed.

10 ***b0895/2.1* SECTION 1875dg.** 86.31 (2) (d) 5. of the statutes is renumbered
11 86.31 (2) (d) 5. (intro.) and amended to read:

12 86.31 (2) (d) 5. (intro.) Each county highway improvement program district
13 committee shall be responsible for ensuring compliance with this paragraph. do all
14 of the following with respect to any work to be performed by any county highway
15 department within the county highway improvement program district:

16 ***b0895/2.1* SECTION 1875dh.** 86.31 (2) (d) 5. a. and b. of the statutes are
17 created to read:

18 86.31 (2) (d) 5. a. Review the proposed work and determine that it is
19 cost-effective for the county highway department to perform the work.

20 b. Approve the proposed work prior to its being performed by the county
21 highway department.”.

22 ✓ ✓ ***b1800/1.2* 789.** Page 980, line 1: before that line insert:

23 ***b1800/1.2* “SECTION 1875cd.** 86.31 (1) (f) of the statutes is created to read:

24 86.31 (1) (f) “Street” has the meaning given in s. 340.01 (64).

1 ***b1800/1.2* SECTION 1875ce.** 86.31 (2) (a) of the statutes is amended to read:

2 86.31 (2) (a) The department shall administer a local roads improvement
3 program to accelerate the improvement of seriously deteriorating local roads by
4 reimbursing political subdivisions for improvements. The selection of improvements
5 that may be funded under the program shall be performed by officials of each political
6 subdivision, consistent with the requirements of subs. (3), (3g) ~~and~~, (3m) and (3r).
7 The department shall notify each county highway commissioner of any deadline that
8 affects eligibility for reimbursement under the program no later than 15 days before
9 such deadline.

10 ***b1800/1.2* SECTION 1875di.** 86.31 (3) (b) (intro.) of the statutes is amended
11 to read:

12 86.31 (3) (b) (intro.) From the appropriation under s. 20.395 (2) (fr), after first
13 deducting the funds allocated under subs. (3g) ~~and~~, (3m) and (3r), the department
14 shall allocate funds for entitlement as follows:"

15 ✓ ✓ ***b1801/1.2* 790.** Page 980, line 3: delete "\$1,500,000" and substitute
16 "\$2,000,000".

17 ✓ ✓ ***b0895/2.2* 791.** Page 980, line 6: after that line insert:

18 ***b0895/2.2* "SECTION 1875gd.** 86.31 (6) (g) of the statutes is created to read:

19 86.31 (6) (g) Specific criteria for making determinations of cost-effectiveness
20 under sub. (2) (d) 5. a. and procedures for review by the department of disputes
21 relating to whether proposed work to be performed by a county highway department
22 is cost-effective for purposes of sub. (2) (d) 5. a.

23 ***b0895/2.2* SECTION 1875ge.** 86.31 (6) (h) of the statutes is created to read:

1 86.31 (6) (h) Criteria and procedures for contracting with a county for a town
2 road improvement that includes at least all of the following:

3 1. A requirement that a written and sealed estimate of the cost of the
4 improvement that includes the source of the estimate be prepared prior to the time
5 set for the opening of bids for the improvement and not be opened until after the
6 opening of all bids.

7 2. A requirement that all bids may be rejected and the contract awarded to a
8 county for the improvement if the lowest bid exceeds the cost estimate under subd.
9 1. by at least 10% and the town board notifies the 2 lowest bidders or, if only one bid
10 was received, the bidder to provide information on the accuracy of the cost estimate
11 under subd. 1.

12 3. A requirement that the amount of the contract with a county for the
13 improvement be at least 10% below the lowest bid received for the improvement.

14 4. A provision that permits rebidding if the amount of the proposed contract
15 with a county for the improvement is less than 10% below the lowest bid received for
16 the improvement.”.

17 *J* *b1800/1.3* **792**. Page 980, line 6: after that line insert:

18 ***b1800/1.3*** “SECTION 1875fd. 86.31 (3r) of the statutes is created to read:

19 86.31 (3r) MUNICIPAL STREET IMPROVEMENTS. From the appropriation under s.
20 20.395 (2) (fr), the department shall allocate \$1,250,000 in fiscal year 1999–2000,
21 and \$750,000 in each fiscal year thereafter, to fund municipal street improvement
22 projects having total estimated costs of \$250,000 or more. The funding of
23 improvements under this subsection is in addition to the allocation of funds for
24 entitlements under sub. (3).

1 ***b1800/1.3* SECTION 1875gc.** 86.31 (6) (d) of the statutes is amended to read:
2 86.31 (6) (d) Procedures for reimbursements for county trunk highway
3 improvements under sub. (3g) and, for town road improvements under sub. (3m) and
4 for municipal street improvements under sub. (3r).”

5 ✓ ***b1875/1.3* 793.** Page 980, line 6: after that line insert:

6 ***b1875/1.3* “SECTION 1876e.** 87.30 (1) (d) of the statutes is created to read:
7 87.30 (1) (d) For an amendment to a floodplain zoning ordinance that affects
8 an activity that meets all of the requirements under s. 281.165 (2) or (3) (a), the
9 department may not proceed under this subsection, or otherwise review the
10 amendment, to determine whether the ordinance, as amended, is insufficient.”

11 ✓ ***b1895/2.5* 794.** Page 980, line 6: after that line insert:

12 ***b1895/2.5* “SECTION 1876m.** 88.01 (8m) of the statutes is created to read:
13 88.01 (8m) “Duck Creek Drainage District” has the meaning given in s. 30.01
14 (1nm).”

15 ✓ ***b0866/1.1* 795.** Page 980, line 11: substitute “60%” for “40%”.

16 ✓ ***b0866/1.2* 796.** Page 980, line 17: substitute “2006” for “2004”.

17 ✓ ***b0914/1.1* 797.** Page 980, line 17: after that line insert:

18 ***b0914/1.1* “SECTION 1903.** 91.75 (1) of the statutes is repealed and recreated
19 to read:

20 91.75 (1) A minimum lot size is specified.”

21 ✓ ***b1684/1.1* 798.** Page 980, line 17: after that line insert:

22 ***b1684/1.1* “SECTION 1909m.** 92.05 (3) (L) of the statutes is created to read:
23 92.05 (3) (L) *Technical assistance; performance standards.* The department
24 shall provide technical assistance to county land conservation committees and local

1 units of government for the development of ordinances that implement standards
2 adopted under s. 92.07 (2), 92.105 (1), 92.15 (2) or (3) or 281.16 (3). The department's
3 technical assistance shall include preparing model ordinances, providing data
4 concerning the standards and reviewing draft ordinances to determine whether the
5 draft ordinances comply with applicable statutes and rules.”.

6 ✓✓ ***b1895/2.6* 799.** Page 980, line 17: after that line insert:

7 ***b1895/2.6* “SECTION 1877d.** 88.31 (7m) of the statutes is created to read:

8 88.31 (7m) The Duck Creek Drainage District is exempt from the permit
9 requirements and procedures under subs. (1) to (7).

10 ***b1895/2.6* SECTION 1877e.** 88.31 (8) (intro.) of the statutes is amended to
11 read:

12 88.31 (8) (intro.) Subject to other restrictions imposed by this chapter, a
13 drainage board which has obtained a permit under this chapter all of the permits as
14 required under this chapter and ch. 30 may:

15 ***b1895/2.6* SECTION 1877f.** 88.35 (5m) of the statutes is amended to read:

16 88.35 (5m) If navigable waters are affected by the proposed drainage, the
17 drainage board shall obtain a permit under s. 88.31. This subsection does not apply
18 to the Duck Creek Drainage District.

19 ***b1895/2.6* SECTION 1877j.** 88.62 (3) of the statutes is renumbered 88.62 (3)
20 (a) and amended to read:

21 88.62 (3) (a) If drainage work is undertaken in navigable waters, the drainage
22 board shall obtain a permit under s. 30.20 or 88.31 or ch. 31, as directed by the
23 department of natural resources, except as provided in par. (b).

24 ***b1895/2.6* SECTION 1877k.** 88.62 (3) (b) of the statutes is created to read:

1 88.62 (3) (b) If drainage work is undertaken in navigable waters located in the
2 Duck Creek Drainage District, the board for that district shall obtain a permit under
3 s. 30.20 or ch. 31, as directed by the department of natural resources.

4 ***b1895/2.6* SECTION 1877m.** 88.72 (3) of the statutes is amended to read:

5 88.72 (3) At the hearing on the petition, any interested person may appear and
6 contest its sufficiency and the necessity for the work. If the drainage board finds that
7 the petition has the proper number of signers and that to afford an adequate outlet
8 it is necessary to remove dams or other obstructions from waters and streams which
9 may be navigable, or to straighten, clean out, deepen or widen any waters or streams
10 either within or beyond the limits of the district, the board shall ~~file an application~~
11 ~~with the department of natural resources as provided in s. 30.20 or 88.31, as directed~~
12 ~~by the department of natural resources. Thereafter, proceedings shall be had as~~
13 ~~provided in s. 30.20 or 88.31 insofar as the same is applicable~~ obtain any permit that
14 is required under this chapter or ch. 30 or 31.

15 ***b1895/2.6* SECTION 1877p.** 88.72 (4) of the statutes is amended to read:

16 88.72 (4) Within 30 days after the department of natural resources has issued
17 ~~a permit under s. 30.20 or 88.31~~ all of the permits as required under this chapter and
18 chs. 30 and 31, the board shall proceed to estimate the cost of the work, including the
19 expenses of the proceeding together with the damages that will result from the work,
20 and shall, within a reasonable time, award damages to all lands damaged by the
21 work and assess the cost of the work against the lands in the district in proportion
22 to the assessment of benefits then in force.”.

23 ✓ ***b1233/1.1* 800.** Page 991, line 9: after that line insert:

24 ***b1233/1.1* “SECTION 1930r.** 93.07 (7) (e) of the statutes is created to read:

1 93.07 (7) (e) On September 1 of each year, to submit a consumer
2 telecommunication services report to the chief clerk of each house of the legislature
3 for distribution to the appropriate standing committees under s. 13.172 (3). The
4 report shall contain all of the following information for the preceding 12 months:

5 1. The types of consumer complaints received by the department regarding
6 telecommunication services, by category.

7 2. The number of consumer complaints in each category reported under subd.
8 1. and the aggregate number of consumer complaints for all categories reported
9 under subd. 1.

10 3. The number of consumer complaints reported under subd. 1. that the
11 department referred to the department of justice for prosecution and the result of
12 those prosecutions.

13 4. A description of the department's efforts to coordinate with the department
14 of justice and the public service commission to respond to and address consumer
15 complaints regarding telecommunication services and the results of those efforts.

16 5. A description of how the services offered by the department to respond to and
17 address consumer complaints regarding telecommunication services differ from
18 those offered by the department of justice and the public service commission.”.

19 ✓✓ *b1839/3.11* **801**. Page 991, line 9: after that line insert:

20 *b1839/3.11* **SECTION 1931v.** 93.135 (1) (intro.) of the statutes is amended to
21 read:

22 93.135 (1) (intro.) The Except as provided in sub. (1m), the department shall
23 require each applicant who is an individual to provide the department with the

1 applicant's social security number as a condition of issuing or renewing any of the
2 following:".

3 ✓ ***b1839/3.12* 802.** Page 991, line 11: after that line insert:

4 ***b1839/3.12* "SECTION 1932c.** 93.135 (1m) of the statutes is created to read:

5 93.135 (1m) (a) If an individual who applies for the issuance or renewal of a
6 license, registration, registration certificate or certification specified in sub. (1) does
7 not have a social security number, the department shall require the applicant, as a
8 condition of issuing or renewing the license, registration, registration certificate or
9 certification, to submit a statement made or subscribed under oath or affirmation
10 that the applicant does not have a social security number. The statement shall be
11 in the form prescribed by the department of workforce development.

12 (b) A license, registration, registration certificate or certification specified in
13 sub. (1) that is issued in reliance on a statement submitted under par. (a) is invalid
14 if the statement is false."

15 ✓ ✓ ***b1088/1.3* 803.** Page 991, line 12: delete lines 12 to 19.

16 ✓ ✓ ***b1086/3.5* 804.** Page 991, line 21: delete the material beginning with that
17 line and ending with page 992, line 2, and substitute:

18 ***b1086/3.5* "SECTION 1933gm.** 93.70 of the statutes is created to read:

19 **93.70 Conservation reserve enhancement program. (1) DEFINITIONS.** In
20 this section:

21 (a) "Conservation easement" has the meaning given in s. 700.40 (1) (a).

22 (b) "Nonprofit conservation organization" has the meaning given in s. 23.0955

23 (1).

1 (2) STATE PARTICIPATION. Subject to subs. (3) to (6), the department may expend
2 funds from the appropriation account under s. 20.866 (2) (wf) to improve water
3 quality, erosion control and wildlife habitat through participation by this state in the
4 conservation reserve enhancement program as approved by the secretary of the
5 federal department of agriculture under 16 USC 3834 (f) (4). The department shall
6 administer the program in cooperation with the department of natural resources.

7 (3) FORMS OF PARTICIPATION. (a) Land enrolled in the conservation reserve
8 enhancement program may either be subject to a permanent conservation easement
9 or to a contract under which the owner of the land agrees to remove the land from
10 agricultural production. The department shall provide greater financial incentives
11 for landowners to grant permanent easements than to enter into contracts. The
12 department shall provide a financial bonus to landowners who allow public access
13 to enrolled land.

14 (b) The department shall administer the conservation reserve enhancement
15 program so that at least 50% of the acreage of land enrolled in the program is covered
16 by permanent conservation easements under par. (a). If, after 50,000 acres of land
17 have been enrolled in the program, less than 50% of the acreage of land enrolled in
18 the program is covered by permanent conservation easements, the department and
19 the department of natural resources shall review the effectiveness of the program to
20 determine whether the program is meeting its water quality and wildlife habitat
21 objectives and shall report the results of the review to the legislature under s. 13.172
22 (2).

23 (c) On behalf of this state, the department and the department of natural
24 resources shall jointly hold conservation easements entered into for land enrolled in
25 the conservation reserve enhancement program.

1 (d) The department may provide funding from the appropriation under s.
2 20.866 (2) (wf) for a contract under par. (a) only if the contract has a term of 20 years
3 or longer.

4 (4) GRASSLAND COMPONENT. (a) If the plan approved by the secretary of the
5 federal department of agriculture authorizes this state to enroll 100,000 or more
6 acres in the conservation resource enhancement program, the department shall
7 administer the program so that at least 30,000 acres are designated for grassland
8 wildlife habitat. If the secretary of the federal department of agriculture authorizes
9 this state to enroll fewer than 100,000 acres, the department shall administer the
10 program so that at least 30% of the acreage of land enrolled in the program is
11 designated for grassland wildlife habitat. The department shall designate for
12 grassland wildlife habitat areas that include the Blue Mounds area in Iowa, Dane
13 and Green counties, the prairie chicken range in Portage, Clark, Taylor and
14 Marathon counties and the western prairie area in Polk and St. Croix counties.

15 (b) The department may not require that land designated for grassland wildlife
16 habitat be riparian land.

17 (c) The department shall provide a financial bonus to landowners who enroll
18 land that is designated for grassland habitat if the land is adjacent to land that is
19 owned by another person and that is enrolled and designated for grassland habitat.
20 The department shall also provide a financial bonus to a landowner who enrolls land
21 that is designated for grassland habitat if the landowner agrees to implement a
22 conservation practice that requires restoration of native prairie vegetation.

23 (5) PARTICIPATION REQUIREMENTS. The department may not impose more
24 restrictive requirements for participation in the conservation reserve enhancement

1 program with respect to production and land ownership than are required by the
2 secretary of the federal department of agriculture under 16 USC 3834 (f) (4).

3 (6) STATE, LOCAL AND NONPROFIT ORGANIZATION INVOLVEMENT. A nonprofit
4 conservation organization may negotiate contracts or easements under sub. (3) (a)
5 with landowners with the assistance of the department and the department of
6 natural resources. A county may negotiate contracts or easements under sub. (3) (a)
7 with landowners with the assistance of the department and the department of
8 natural resources. In counties that do not choose to participate, the department and
9 the department of natural resources shall negotiate the contracts or easements.

10 (7) PROHIBITION. No person may use land enrolled in the conservation reserve
11 enhancement program as a pheasant and quail farm licensed under s. 29.865, a game
12 bird and animal farm licensed under s. 29.867, a fur animal farm licensed under s.
13 29.869 or a deer farm licensed under s. 29.871.”.

14 ✓✓ *b0870/2.2* **805.** Page 992, line 9: delete “amount”.

15 ✓✓ *b0870/2.3* **806.** Page 992, line 10: delete lines 10 and 11 and substitute
16 “person is licensed under sub. (3).”.

17 ✓✓ *b0870/2.4* **807.** Page 992, line 16: delete that line and substitute “grows
18 nursery stock for sale.”.

19 ✓✓ *b0870/2.5* **808.** Page 992, line 17: delete lines 17 to 19.

20 ✓✓ *b0870/2.6* **809.** Page 992, line 20: delete that line and substitute ““Nursery”
21 does not”.

22 ✓✓ *b0870/2.7* **810.** Page 992, line 23: delete “or Christmas”.

23 ✓✓ *b0870/2.8* **811.** Page 992, line 24: delete “tree grower”.

1 ✓ ***b0870/2.9* 812.** Page 993, line 10: delete that line.

2 ✓ ***b0870/2.10* 813.** Page 996, line 1: after “(c)” insert “and under par. (cm), if
3 applicable”.

4 ✓ ***b0870/2.11* 814.** Page 996, line 6: after “(e)” insert “, plus the additional
5 license fee under par. (cm), if applicable”.

6 ✓ ~~✓~~ ***b0870/2.12* 815.** Page 996, line 8: delete that line and substitute “stock,
7 \$40.”.

8 ✓ ~~✓~~ ***b0870/2.13* 816.** Page 996, line 10: delete “and Christmas trees, \$100” and
9 substitute “, \$75”.

10 ✓ ✓ ***b0870/2.14* 817.** Page 996, line 12: delete “and Christmas trees, \$200” and
11 substitute “, \$125”.

12 ✓ ***b0870/2.15* 818.** Page 996, line 14: delete “and Christmas trees, \$400” and
13 substitute “, \$200”.

14 ✓ ✓ ***b0870/2.16* 819.** Page 996, line 16: delete “and Christmas trees, \$600” and
15 substitute “, \$350”.

16 ✓ ✓ ***b0870/2.17* 820.** Page 996, line 18: delete “and Christmas trees, \$1,200”
17 and substitute “, \$600”.

18 ✓ ✓ ***b0870/2.18* 821.** Page 996, line 20: delete “and Christmas trees, \$2,400”
19 and substitute “, \$1,200”.

20 ✓ ***b0870/2.19* 822.** Page 996, line 21: before that line insert:

21 “(cm) *Additional license fee for Christmas tree sales.* A nursery grower that
22 sells Christmas trees shall pay the following additional license fee, based on annual
23 sales calculated according to par. (e):

1 1. If the nursery grower annually sells no more than \$5,000 worth of Christmas
2 trees, \$20.

3 2. If the nursery grower annually sells more than \$5,000 but not more than
4 \$20,000 worth of Christmas trees, \$55.

5 3. If the nursery grower annually sells more than \$20,000 but not more than
6 \$100,000 worth of Christmas trees, \$90.

7 4. If the nursery grower annually sells more than \$100,000 but not more than
8 \$200,000 worth of Christmas trees, \$150.

9 5. If the nursery grower annually sells more than \$200,000 but not more than
10 \$500,000 worth of Christmas trees, \$250.

11 6. If the nursery grower annually sells more than \$500,000 but not more than
12 \$2,000,000 worth of Christmas trees, \$450.

13 7. If the nursery grower annually sells more than \$2,000,000 worth of
14 Christmas trees, \$900.”.

15 ✓ ✓ *b0870/2.20* **823.** Page 996, line 22: after “(c)” insert “and under par. (cm),
16 if applicable”.

17 ✓ *b0870/2.21* **824.** Page 997, line 4: delete “and”.

18 ✓ ✓ *b0870/2.22* **825.** Page 997, line 5: delete “Christmas trees”.

19 ✓ ✓ *b0870/2.23* **826.** Page 997, line 6: after “sales” insert “of nursery stock”.

20 ✓ ✓ *b0870/2.24* **827.** Page 997, line 8: after the period insert “If par. (cm)
21 applies to an applicant, the amount of the applicant’s additional license fee under
22 par. (cm) for a license year shall be based on the applicant’s sales of Christmas trees
23 during the applicant’s preceding fiscal year, except that if the applicant made no
24 sales of Christmas trees during the preceding fiscal year the fee shall be based on the

1 applicants good faith prediction of sales during the license year for which the
2 applicant is applying.”.

3 ✓✓ *b0870/2.25* **828**. Page 998, line 2: delete “or nursery stock”.

4 ✓✓ *b0870/2.26* **829**. Page 998, line 3: delete “or nursery stock”.

5 ✓✓ *b0870/2.27* **830**. Page 998, line 10: on lines 10, 12, 14, 16, 18, 20 and 22,
6 delete “and nursery stock”.

7 ✓✓ *b0870/2.28* **831**. Page 998, line 25: delete “and nursery stock”.

8 ✓✓ *b0870/2.29* **832**. Page 999, line 5: delete “and nursery stock”.

9 ✓✓ *b0870/2.30* **833**. Page 999, line 11: delete “or Christmas tree grower”.

10 ✓✓ *b0870/2.31* **834**. Page 999, line 15: after that line insert:

11 “(c) The holder of a Christmas tree grower license shall notify the department
12 in writing before adding, during the license year, any new location at which the
13 license holder will grow evergreen trees for eventual sale as Christmas trees or hold
14 Christmas trees for sale.”.

15 ✓✓ *b0870/2.32* **835**. Page 1000, line 15: delete that line and substitute
16 “nursery stock,”.

17 ✓✓ *b0870/2.33* **836**. Page 1002, line 9: delete that line and substitute “inspect
18 premises at”.

19 ✓ *b1778/3.3* **837**. Page 1006, line 16: delete lines 16 to 24 and substitute:

20 *b1778/3.3* “SECTION 1942mc. 94.695 of the statutes is created to read:

21 **94.695 Pesticide sales and use reporting system.** (1) PROPOSAL. The

22 department shall develop a proposal for a pesticide sales and use reporting system

1 and shall, no later than July 1, 2000, submit the proposal to the joint committee on
2 finance for review.

3 (2) FUNDING. If the joint committee on finance approves the proposal under sub.
4 (1), it may, from the appropriation under s. 20.865 (4) (u), supplement the
5 appropriation under s. 20.115 (7) (uc) in an amount not to exceed \$250,000 and the
6 appropriation under s. 20.115 (7) (ue) in an amount not to exceed \$150,000.
7 Notwithstanding s. 13.101 (3) (a), the committee is not required to find that an
8 emergency exists.

9 (3) PILOT PROJECT. If the joint committee on finance approves the proposal
10 under sub. (1), the department shall administer a pilot program to test the pesticide
11 sales and use reporting system."

12 ✓✓ *b1778/3.4* 838. Page 1007, line 1: delete lines 1 to 25.

13 ✓✓ *b1778/3.5* 839. Page 1008, line 1: delete lines 1 to 25.

14 ✓✓ *b1778/3.6* 840. Page 1009, line 1: delete lines 1 to 25.

15 ✓✓ *b1778/3.7* 841. Page 1010, line 1: delete lines 1 to 24.

16 ✓✓ *b1778/3.8* 842. Page 1011, line 1: delete lines 1 and 2.