

1 ***b0903/1.2* 549.** Page 767, line 17: after that line insert:

2 ***b0903/1.2* SECTION 1583s.** 60.726 (2) of the statutes is amended to read:

3 60.726 (2) If a property owner installed on his or her property a private sewage
4 system, as defined in s. 145.01 (12), that conforms with the state plumbing code,
5 before a town sanitary district that encompasses that property came into existence,
6 that property shall may be included in the town sanitary district. If the private
7 sewage system was installed on or after 10 years before May 14, 1992, and if the
8 property owner provides the town sanitary district with any information about the
9 cost of the private sewage system required by the district, the town sanitary district,
10 when the district issues any assessment or charges or imposes property taxes to
11 construct a sewage service system, shall pay or credit the property owner an amount
12 equal to 10% of the cost of the private sewage system, less any grants or aids received
13 by the property owner for construction of the private sewage system, multiplied by
14 the number of years of remaining life of the private sewage system. The number of
15 years of remaining life of the private sewage system is equal to 10 minus the number
16 of years that the private sewage system has been in operation.

17 ***b0903/1.2* SECTION 1583v.** 60.77 (5) (L) of the statutes is created to read:

18 60.77 (5) (L) Approve or disapprove any connection with or use of the sewerage
19 system by any property owner whose property is connected to a working private
20 sewage system, as defined in s. 145.01 (12).

21 ***b0903/1.2* SECTION 1588m.** 62.175 (1) of the statutes is amended to read:

22 62.175 (1) First class cities may construct and extend the sewer and water
23 system into the adjoining towns, subject to s. 66.916. The extensions shall be made
24 without expense to the cities. The rates to be charged for water to consumers beyond

1 the corporate limits of the city shall be fixed by the common council of the city upon
2 the recommendation of the city's board of public works. First class cities may approve
3 or disapprove any connection with or use of the sewer and water system by any
4 property owner whose property is connected to a working private sewage system, as
5 defined in s. 145.01 (12).

6 *b0903/1.2* SECTION 1588p. 62.18 (1) of the statutes is amended to read:

7 62.18 (1) CITIES MAY CONSTRUCT. Cities shall have power to construct systems
8 of sewerage, including a sewage disposal plant and all other appurtenances thereto,
9 to make additions, alterations and repairs to such systems and plants, and when
10 necessary abandon any existing system and build a new system, and to provide for
11 the payment of the same by the city, by sewerage districts or by abutting property
12 owners or by any combination of these methods. Cities may approve or disapprove
13 any connection with or use of the sewerage system by any property owner whose
14 property is connected to a working private sewage system, as defined in s. 145.01
15 (12). Whenever the council shall determine to lay sewers or provide sewerage in any
16 portion of the city it shall so order by resolution which shall describe with reasonable
17 particularity the district to be seweraged. Whenever the territory of any city of this
18 state shall be adjacent to or border on the territory of any other state, such city shall
19 have power to build or construct a sewage disposal plant in such adjacent state,
20 either alone for its sole use or jointly with some city or municipality in such adjacent
21 state for their joint use on terms to be agreed upon by such municipalities. And if
22 either city or municipality shall build or construct a sewage disposal plant, the city
23 in this state may contract with the other city or municipality for its joint use on terms
24 to be agreed upon.”.

1 ***b0759/1.2* 550.** Page 768, line 15: after that line insert:

2 ***b0759/1.2* "SECTION 1591k.** 62.231 (6m) of the statutes is created to read:

3 62.231 (6m) CERTAIN AMENDMENTS TO ORDINANCES. For an amendment to an
4 ordinance enacted under this section that affects an activity that meets all of the
5 requirements under s. 281.165 (1) to (5), the department of natural resources may
6 not proceed under sub. (6), or otherwise review the amendment, to determine
7 whether the ordinance, as amended, fails to meet reasonable minimum standards.”.

8 ***b0793/2.8* 551.** Page 768, line 24: after that line insert:

9 ***b0793/2.8* "SECTION 1592m.** 64.03 (1) of the statutes is amended to read:

10 64.03 (1) Every ordinance or resolution for the adoption of ss. 64.01 to 64.15,
11 and every petition for a ~~special election~~ referendum on the same, shall state the
12 number of members of which the council herein provided for shall be composed, the
13 term of office of its members, which term shall not exceed 2 years, whether they shall
14 be nominated and elected from aldermanic districts or from the city at large, and the
15 compensation, if any, which they shall receive.

16 ***b0793/2.8* SECTION 1592n.** 64.39 (3) of the statutes is amended to read:

17 64.39 (3) Upon filing such petition, the mayor shall, by proclamation, submit
18 the questions prescribed in sub. (1) at ~~a special~~ the next election specified in s. 8.065
19 (2) or an election authorized under s. 8.065 (3) to be held ~~at a time specified therein~~
20 ~~and within 2 months~~ not sooner than 45 days after such petition is filed. The election
21 upon such question shall be conducted, the vote canvassed, and the result declared
22 in the same manner as provided by law for other city elections.

23 ***b0793/2.8* SECTION 1592r.** 66.01 (8) of the statutes is amended to read:

1 66.01 (8) Every charter, charter amendment or charter ordinance enacted or
2 approved by a vote of the electors shall control and prevail over any prior or
3 subsequent act of the legislative body of the city or village. Whenever the electors
4 of any city or village by a majority vote have adopted or determined to continue to
5 operate under either ch. 62 or 64, or have determined the method of selection of
6 members of the governing board, the question shall not again be submitted to the
7 electors, nor action taken thereon within a period of 2 years. Any election to change
8 or amend the charter of any city or village, other than a ~~special~~ an election as
9 ~~provided in~~ called under s. 9.20 (4), shall be held at the time provided by statute for
10 holding the spring election.”.

11 ***b0980/1.18* 552.** Page 768, line 25: delete the material beginning with that
12 line and ending with page 777, line 19.

13 ***b0793/2.9* 553.** Page 778, line 5: after that line insert:

14 ***b0793/2.9* SECTION 1608c.** 66.059 (2m) (b) of the statutes is amended to
15 read:

16 66.059 (2m) (b) If a referendum is to be held on a resolution, the municipal
17 governing body shall direct the municipal clerk to ~~call a special election for the~~
18 ~~purpose of submitting~~ submit the resolution to the electors for approval of the
19 electors at a referendum ~~on approval or rejection. In lieu of a special election, the~~
20 ~~municipal governing body may specify that the election be held at the next~~
21 ~~succeeding spring primary or election or September primary or general election~~
22 called in accordance with s. 8.065.

23 ***b0793/2.9* SECTION 1608d.** 66.061 (1) (c) of the statutes is amended to read:

1 66.061 (1) (c) No such ordinance shall be operative until 60 days after passage
2 and publication unless sooner approved by a referendum. Within that time electors
3 equal in number to 20 per cent of those voting at the last regular municipal election,
4 may demand a referendum. The demand shall be in writing and filed with the clerk.
5 Each signer shall state his or her occupation and residence and signatures shall be
6 verified by the affidavit of an elector. The referendum shall be held at the next
7 ~~regular municipal election, or at a special election within 90 days of the~~ authorized
8 under s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held not sooner
9 than 45 days after filing of the demand, and the ordinance shall not be effective
10 unless approved by a majority of the votes cast thereon. This paragraph shall not
11 apply to extensions by a utility previously franchised by the village or city.

12 ***b0793/2.9* SECTION 1608e.** 66.075 (5) of the statutes is amended to read:

13 66.075 (5) The provisions of this section shall apply only to such counties, cities,
14 villages and towns as shall have adopted the same at any general or municipal
15 election at which the question of the establishment of such county or municipal
16 slaughterhouse shall have been submitted to the voters of such county, city, village
17 or town. Such question shall, upon the filing of a petition conforming to the
18 requirements of s. 8.40 by electors of such county, city, village or town equal in
19 number to at least 10% of all the votes cast in such county, city, village or town for
20 governor at the last preceding general election, be submitted to the electors of such
21 county, city, village or town at the next ensuing election authorized under s. 8.065 (2)
22 or an election authorized under s. 8.065 (3) to be held not sooner than 45 days after
23 filing of the petition, and if a majority of votes cast shall be in favor of the
24 establishment of such slaughterhouse, the provisions of this section shall apply to
25 such county, city, village or town.”.

1 ***b0766/1.1* 554.** Page 779, line 6: after that line insert:

2 ***b0766/1.1* "SECTION 1608p.** 66.085 (2) of the statutes is amended to read:

3 66.085 (2) INTERFERENCE PROHIBITED. The owner or manager of a multiunit
4 dwelling under common ownership, control or management or of a mobile home park
5 or the association or board of directors of a condominium may not prevent a cable
6 operator from providing cable service to a subscriber who is a resident of the
7 multiunit dwelling, mobile home park or of the condominium or interfere with a cable
8 operator providing cable service to a subscriber who is a resident of the multiunit
9 dwelling, mobile home park or of the condominium.”.

10 ***b0699/2.4* 555.** Page 785, line 13: after that line insert:

11 ***b0699/2.4* "SECTION 1617p.** 66.24 (5) (d) of the statutes is amended to read:

12 66.24 (5) (d) *Bids*. Whenever plans and specifications for any facilities have
13 been completed and approved by the commission and by any other agency which
14 must approve the plans and specifications, and the commission has determined to
15 proceed with the work of the construction thereof, it shall advertise by a class 2 notice
16 under ch. 985, for bids for the construction of the facilities. Contracts for the work
17 shall be let to the lowest responsible bidder, except for contracts awarded under par.
18 (e), or the agency may reject any and all bids and if in its discretion the prices quoted
19 are unreasonable, the bidders irresponsible or the bids informal, it may readvertise
20 the work or any part of it. All contracts shall be protected by such bonds, penalties
21 and conditions as the district shall require. The commission may itself do any part
22 of any of the works.

23 ***b0699/2.4* SECTION 1617q.** 66.24 (5) (e) of the statutes is created to read:

1 66.24 (5) (e) *Design-build contracts*. Any contract for public construction
2 under this subsection, the estimated cost of which exceeds \$500,000, may be let using
3 the design-build construction process, as defined in s. 59.52 (29) (c) 1. Section 59.52
4 (29) (d) and (e), as it applies to counties, applies to districts.”.

5 ***b0796/1.6* 556.** Page 785, line 13: after that line insert:

6 ***b0796/1.6* “SECTION 1617m.** 66.20 (3s) of the statutes is created to read:

7 66.20 (3s) “Labor organization” has the meaning given in s. 5.02 (8m).

8 ***b0796/1.6* SECTION 1617p.** 66.24 (5m) of the statutes is created to read:

9 66.24 (5m) CONTRACTS WITH LABOR ORGANIZATIONS. (a) The commission shall
10 ensure that the specifications for bids and contracts for construction projects entered
11 into under sub. (5) do not do any of the following:

12 1. Require any bidder, contractor or subcontractor to enter into or to adhere to
13 an agreement with any labor organization concerning services to be performed in
14 relation to the project or a related project.

15 2. Discriminate against any bidder, contractor or subcontractor for refusing to
16 enter into or continue to adhere to an agreement with any labor organization
17 concerning services to be performed in relation to the project or a related project.

18 3. Require any bidder, contractor or subcontractor to enter into, continue to
19 adhere to or enforce any agreement that requires its employees, as a condition of
20 employment, to do any of the following:

21 a. Become members of or become affiliated with a labor organization.

22 b. Make payments to a labor organization, without the authorization of the
23 employes, exceeding the employes’ proportionate share of the cost of collective
24 bargaining, contract administration and grievance adjustment.

1 (b) Any taxpayer of this state or any other person who enters into contracts or
2 subcontracts for building construction services may bring an action to require
3 compliance with par. (a). If that person prevails in his or her action, the court shall
4 award to that person reasonable actual attorney fees in addition to other costs
5 allowed to prevailing parties under ch. 814.”.

6 *b0903/1.3* **557.** Page 785, line 13: after that line insert:

7 *b0903/1.3* “**SECTION 1617s.** 66.24 (3) of the statutes is amended to read:

8 66.24 (3) CONNECTIONS WITH SYSTEM. The commission may require any person
9 or municipality in the district to provide for the discharge of its sewage into the
10 district’s collection and disposal system, or to connect any sanitary sewerage system
11 with the district’s disposal system wherever reasonable opportunity therefor is
12 provided; may regulate the manner in which such connections are made; may require
13 any person or municipality discharging sewage into the system to provide
14 preliminary treatment therefor; may approve or disapprove any connection with or
15 use of the sewerage system by any property owner whose property is connected to a
16 working private sewerage system, as defined in s. 145.01(12); may prohibit and impose
17 a penalty for the discharge into the system of any substance which it determines will
18 or may be harmful to the system or any persons operating it; and may, with the prior
19 approval of the department, after hearing upon 30 days’ notice to the municipality
20 involved, require any municipality to discontinue the acquisition, improvement or
21 operation of any facility for disposal of any wastes or material handled by the
22 commission wherever and so far as adequate service is or will be provided by the
23 commission. The commission shall have access to all sewerage records of any
24 municipality in the district and shall require all such municipalities to submit plans

1 of existing systems and proposed extensions of local services or systems. The
2 commission or its employes may enter upon the land in any municipality within the
3 district for the purpose of making surveys or examinations.”.

4 *b0800/1.1* **558.** Page 785, line 14: delete lines 14 to 24.

5 *b1141/2.10* **559.** Page 786, line 18: after that line insert:

6 *b1141/2.10* **SECTION 1621m.** 66.35 (1) (a) of the statutes is amended to read:

7 66.35 (1) (a) “Medical waste incinerator” has the meaning given in s. 287.07 (~~7~~)

8 ~~(e) 1. cr. (8) (a) 5.~~”.

9 *b1109/1.1* **560.** Page 788, line 16: delete lines 16 to 24 and substitute:

10 “66.431 (5) (a) 4. d. Subject to sub. (5m), the authority of a 1st class city may
11 issue up to \$170,000,000 in bonds to finance capital improvements to implement the
12 report approved under 1999 Wisconsin Act (this act), section 9139 (7tw) (b) if the
13 board of school directors of the school district operating under ch. 119 adopts a
14 resolution requesting the authority to do so. Bonds issued under this subd. 4. d. may
15 not have a maturity in excess of 20 years, and may not be issued later than the first
16 day of the 60th month beginning after the effective date of this subd. 4. d. [revisor
17 inserts date]. Principal and interest payments on bonds issued under this subd. 4.
18 d. may be paid by the board of school directors of the school district operating under
19 ch. 119. If within 30 days after the adoption of a resolution under this subd. 4. d. a
20 petition conforming to the requirements of s. 8.40, that is signed by a number of
21 electors of the city equal to at least 10% of the votes cast in the city for governor at
22 the last general election, is filed in the office of the city clerk demanding that the
23 resolution be submitted to a vote of the electors the resolution may not take effect

1 until it is submitted to a referendum and approved by a majority of the electors. The
2 referendum shall be held at the next regular spring or general election.”.

3 ***b1109/1.2* 561.** Page 793, line 22: after that line insert:

4 ***b1109/1.2* “SECTION 1630dg.** 66.431 (14) of the statutes is amended to read:

5 66.431 (14) OBLIGATIONS. For the purpose of financially aiding an authority to
6 carry out blight elimination, slum clearance and urban renewal programs and
7 projects, the city in which the authority functions is authorized, without limiting its
8 authority under any other law, to issue and sell general obligation bonds in the
9 manner and in accordance with the provisions of ch. 67, except that, subject to sub.
10 (5)(a) 4. d., no referendum shall be required, and to levy taxes without limitation for
11 the payment thereof, as provided in s. 67.035. The bonds authorized under this
12 subsection shall be fully negotiable and except as provided in this subsection shall
13 not be subject to any other law or charter pertaining to the issuance or sale of bonds.”.

14 ***b0793/2.10* 562.** Page 800, line 2: after that line insert:

15 ***b0793/2.10* “SECTION 1637a.** 66.504 (2) of the statutes is amended to read:

16 66.504 (2) FACILITIES AUTHORIZED. A municipality may enter into a joint
17 contract with a nonprofit corporation organized for civic purposes and located in the
18 municipality to construct or otherwise acquire, equip, furnish, operate and maintain
19 a facility to be used for municipal and civic activities if a majority of the voters voting
20 in a referendum at a ~~special election or at a spring primary or election or September~~
21 ~~primary or general~~ an election authorized under s. 8.065 approve the question of
22 entering into the joint contract.”.

23 ***b0793/2.11* 563.** Page 800, line 12: after that line insert:

1 ***b0793/2.11*** “SECTION 1637w. 66.521 (10) (d) of the statutes is amended to
2 read:

3 66.521 (10) (d) The governing body may issue bonds under this section without
4 submitting the proposition to the electors of the municipality for approval unless
5 within 30 days from the date of publication of notice of adoption of the initial
6 resolution for such bonds, a petition conforming to the requirements of s. 8.40, and
7 signed by a number of electors of the municipality equal to not less than 5% of the
8 registered electors of the municipality, or, if there is no registration of electors in the
9 municipality, by 10% of the number of electors of the municipality voting for the office
10 of governor at the last general election as determined under s. 115.01 (13), is filed
11 with the clerk of the municipality requesting a referendum upon the question of the
12 issuance of the bonds. If such a petition is filed, the bonds shall not be issued until
13 approved by a majority of the electors of the municipality voting thereon at a general
14 or special election referendum called in accordance with s. 8.065.”

15 ***b1206/2.1* 564.** Page 805, line 3: after “subdivision” insert “except that the
16 first \$3,000 of an impact fee is payable before the building permit may be issued”.”

17 ***b1141/2.11* 565.** Page 806, line 9: after that line insert:

18 ***b1141/2.11*** “SECTION 1638i. 66.606 of the statutes is repealed.”

19 ***b1171/1.3* 566.** Page 806, line 12: delete “98.25%” and substitute “97.45%”.

20 ***b0699/2.5* 567.** Page 806, line 20: after that line insert:

21 ***b0699/2.5*** “SECTION 1643p. 66.904 (2) (a) of the statutes is amended to read:

22 66.904 (2) (a) Except for a contract awarded under par. (am) and except as
23 provided in par. (b), all work done and all purchases of supplies and materials by the
24 commission shall be by contract awarded to the lowest responsible bidder complying

1 with the invitation to bid, if the work or purchase involves an expenditure of \$7,500
2 \$30,000 or more. If the commission decides to proceed with construction of any sewer
3 after plans and specifications for the sewer are completed and approved by the
4 commission and by the department of natural resources under ch. 281, the
5 commission shall advertise by a class 2 notice under ch. 985 for construction bids.
6 All contracts and the awarding of contracts are subject to s. 66.29, except for a
7 contract awarded under par. (am).

8 ***b0699/2.5* SECTION 1643q.** 66.904 (2) (am) of the statutes is created to read:
9 66.904 (2) (am) Any contract for public construction under sub. (1), the
10 estimated cost of which exceeds \$500,000, may be let using the design-build
11 construction process, as defined in s. 59.52 (29) (c) 1. Section 59.52 (29) (d) and (e),
12 as it applies to counties, applies to the district.

13 ***b0699/2.5* SECTION 1643r.** 66.904 (2) (e) of the statutes is amended to read:
14 66.904 (2) (e) Paragraphs (a) ~~to~~ and (b) to (d) do not apply to contracts awarded
15 under s. 66.905. Paragraph (am) applies to contracts awarded under s. 66.905.

16 ***b0793/2.12* 568.** Page 806, line 20: after that line insert:

17 ***b0793/2.12* "SECTION 1638n.** 66.77 (3) (a) 1. of the statutes is amended to
18 read:

19 66.77 (3) (a) 1. If the governing body of a county wishes to exceed the operating
20 levy rate limit otherwise applicable to the county under this section, it shall adopt
21 a resolution to that effect. The resolution shall specify either the operating levy rate
22 or the operating levy that the governing body wishes to impose for either a specified
23 number of years or an indefinite period. The governing body shall ~~call a special~~
24 ~~referendum for the purpose of submitting the resolution to the electors of the county~~

1 for approval or rejection. ~~In lieu of a special referendum, the governing body may~~
2 ~~specify that provide for the referendum to be held at the next succeeding spring~~
3 ~~primary or election or September primary or general election to be held~~ authorized
4 under s. 8.065 (2) or an election authorized under s. 8.065 (3) that occurs not earlier
5 than 30 days after the adoption of the resolution of the governing body.

6 *b0793/2.12* SECTION 1640m. 66.94 (4) of the statutes is amended to read:

7 66.94 (4) MANNER OF ADOPTION. This section may be adopted by any city, village
8 or town within the metropolitan district in the following manner: The governing body
9 of any municipality, by ordinance passed at least 30 days prior to submission of the
10 question, may direct that the question of the adoption of this section be submitted
11 to the electors therein at any ~~general, special, judicial or local~~ election authorized
12 under s. 8.065. The clerk of such municipality or the election commission of any city
13 of the first class shall thereupon submit the question to popular vote. Public notice
14 of the election shall be given in the same manner as in case of a regular municipal
15 election except that such notice shall be published or posted at least 20 days prior to
16 the election. If a majority of those voting on the question vote in the affirmative
17 thereon, this section shall be adopted in such municipality. The proposition on the
18 ballot to be used at such election shall be in substantially the following form:

19 Shall section 66.94 of the Wisconsin statutes which creates a metropolitan
20 transit authority for ownership and operation of a public mass transportation system
21 in the metropolitan district be adopted?

22 YES NO .

23 *b0796/1.7* 569. Page 806, line 20: after that line insert:

24 *b0796/1.7* "SECTION 1638p. 66.88 (5s) of the statutes is created to read:

1 66.88 (5s) “Labor organization” has the meaning given in s. 5.02 (8m).

2 ***b0796/1.7* SECTION 1640m.** 66.904 (6) of the statutes is created to read:

3 66.904 (6) CONTRACTS WITH LABOR ORGANIZATIONS. (a) The commission shall
4 ensure that the specifications for bids and contracts for construction projects entered
5 into under this section do not do any of the following:

6 1. Require any bidder, contractor or subcontractor to enter into or to adhere to
7 an agreement with any labor organization concerning services to be performed in
8 relation to the project or a related project.

9 2. Discriminate against any bidder, contractor or subcontractor for refusing to
10 enter into or continue to adhere to an agreement with any labor organization
11 concerning services to be performed in relation to the project or a related project.

12 3. Require any bidder, contractor or subcontractor to enter into, continue to
13 adhere to or enforce any agreement that requires its employees, as a condition of
14 employment, to do any of the following:

15 a. Become members of or become affiliated with a labor organization.

16 b. Make payments to a labor organization, without the authorization of the
17 employes, exceeding the employes’ proportionate share of the cost of collective
18 bargaining, contract administration and grievance adjustment.

19 (b) Any taxpayer of this state or any other person who enters into contracts or
20 subcontracts for building construction services may bring an action to require
21 compliance with par. (a). If that person prevails in his or her action, the court shall
22 award to that person reasonable actual attorney fees in addition to other costs
23 allowed to prevailing parties under ch. 814.”.

1 ***b0980/1.19* 570.** Page 806, line 21: delete the material beginning with that
2 line and ending with page 808, line 24.

3 ***b0796/1.8* 571.** Page 808, line 24: after that line insert:

4 ***b0796/1.8* "SECTION 1646m.** 66.949 (3) of the statutes is amended to read:
5 66.949 (3) NOTICE. Notwithstanding ss. 27.065 (5) (a), 30.32, 38.18, 43.17 (9)
6 (a), 59.52 (29) (a) (am), 59.70 (11), 60.47 (2) to (4), 60.77 (6) (a), 61.55, 61.56, 61.57,
7 62.15 (1), 62.155, 66.24 (5) (d), 66.299 (2), 66.431 (5) (a) 2., 66.47 (11), 66.505 (10),
8 66.508 (10) and 66.904 (2), before entering into a performance contract under this
9 section, a local governmental unit shall solicit bids or competitive sealed proposals
10 from qualified providers. A local governmental unit may only enter into a
11 performance contract if the contract is awarded by the governing body of the local
12 governmental unit. The governing body shall give at least 10 days' notice of the
13 meeting at which the body intends to award a performance contract. The notice shall
14 include a statement of the intent of the governing body to award the performance
15 contract, the names of all potential parties to the proposed performance contract, and
16 a description of the energy conservation and facility improvement measures
17 included in the performance contract. At the meeting, the governing body shall
18 review and evaluate the bids or proposals submitted by all qualified providers and
19 may thereafter award the performance contract to the qualified provider that best
20 meets the needs of the local governmental unit, which need not be the lowest cost
21 provider.".

22 ***b0981/2.1* 572.** Page 808, line 24: after that line insert:

23 ***b0981/2.1* "SECTION 1646e.** 66.945 (15) of the statutes is amended to read:

1 66.945 (15) DISSOLUTION OF REGIONAL PLANNING COMMISSIONS. Upon receipt of
2 certified copies of resolutions recommending the dissolution of a regional planning
3 commission adopted by the governing bodies of a majority of the local units in the
4 region, ~~including the county board of any county, part or all of which is within the~~
5 ~~region,~~ and upon a finding that all outstanding indebtedness of the commission has
6 been paid and all unexpended funds returned to the local units which supplied them,
7 or that adequate provision has been made therefor, the governor shall issue a
8 certificate of dissolution of the commission which shall thereupon cease to exist.
9 Every local unit located within the boundaries of a region, including the county board
10 of any county, part or all of which is within the region, may adopt a resolution
11 recommending the dissolution of the regional planning commission under this
12 subsection, even if the local unit has withdrawn from the commission's jurisdiction
13 under sub. (16).”.

14 ***b0793/2.13* 573.** Page 808, line 25: after that line insert:

15 ***b0793/2.13* “SECTION 1647m.** 67.05 (4) and (5) of the statutes are amended
16 to read:

17 67.05 (4) PERMISSIVE REFERENDUM IN COUNTIES. If a county board adopts an
18 initial resolution for an issue of county bonds to provide for the original construction
19 or for the improvement and maintenance of highways, to provide railroad aid, or to
20 construct, acquire or maintain, or to aid in constructing, acquiring or maintaining
21 a bridge over or across any stream or other body of water bordering upon or
22 intersecting any part of the county, the county clerk is not required to submit the
23 resolution for approval to the electors of the county at a ~~special election~~ referendum
24 unless within 30 days after the adoption thereof there is filed with the clerk a petition

1 conforming to the requirements of s. 8.40 and requesting such submission, signed by
2 electors numbering at least 10% of the votes cast in the county for governor at the
3 last general election. If a petition is filed, the question submitted shall be whether
4 the resolution shall be or shall not be approved. No such resolution of a county board
5 other than those specified in this subsection need be submitted to county electors,
6 except as provided otherwise in sub. (7).

7 (5) REFERENDUM IN TOWNS, VILLAGES AND CITIES. (a) Whenever an initial
8 resolution has been so adopted by the governing body of a town, the clerk of the
9 municipality shall immediately record the resolution and call a ~~special election~~
10 referendum in accordance with s. 8.065 for the purpose of submitting the resolution
11 to the electors of the municipality for approval. This paragraph does not apply to
12 bonds issued to finance low-interest mortgage loans under s. 66.38, unless a number
13 of electors equal to at least 15% of the votes cast for governor at the last general
14 election in their town sign and file a petition conforming to the requirements of s. 8.40
15 with the town clerk requesting submission of the resolution. Whenever a number of
16 electors cannot be determined on the basis of reported statistics, the number shall
17 be determined in accordance with s. 60.74 (6). If a petition is filed, the question
18 submitted shall be whether the resolution shall or shall not be approved. This
19 paragraph is limited in its scope by sub. (7).

20 (b) No city or village may issue any bonds for any purposes other than for water
21 systems, lighting works, gas works, bridges, street lighting, street improvements,
22 street improvement funding, hospitals, airports, harbor improvements, river
23 improvements, breakwaters and protection piers, sewerage, garbage disposal,
24 rubbish or refuse disposal, any combination of sewage, garbage or refuse or rubbish
25 disposal, parks and public grounds, swimming pools and band shells thereon,

1 veterans housing projects, paying the municipality's portion of the cost of abolishing
2 grade crossings, for the construction of police facilities and combined fire and police
3 safety buildings, for the purchase of sites for engine houses, for fire engines and other
4 equipment of the fire department, for construction of engine houses, and for pumps,
5 water mains, reservoirs and all other reasonable facilities for fire protection
6 apparatus or equipment for fire protection, for parking lots or other parking
7 facilities, for school purposes, for libraries, for buildings for the housing of machinery
8 and equipment, for acquiring and developing sites for industry and commerce as will
9 expand the municipal tax base, for financing the cost of low-interest mortgage loans
10 under s. 66.38, for providing financial assistance to blight elimination, slum
11 clearance, community development, redevelopment and urban renewal programs
12 and projects under ss. 66.405 to 66.425, 66.43, 66.431, 66.4325, 66.435 and 66.46 or
13 for university of Wisconsin system college campuses, as defined in s. 36.05 (6m), until
14 the proposition for their issue for the special purpose thereof has been submitted to
15 the electors of the city or village and adopted by a majority vote. Except as provided
16 under sub. (15), if the common council of any city or the village board of any village
17 declares its purpose to raise money by issuing bonds for any purpose other than those
18 above specified, it shall direct by resolution, which shall be recorded at length in the
19 record of its proceedings, the clerk to call a special election referendum in accordance
20 with s. 8.065 for the purpose of submitting the question of bonding to the city or
21 village electors. If a number of electors of a city or village equal to at least 15% of the
22 votes cast for governor at the last general election in their city or village sign and file
23 a petition conforming to the requirements of s. 8.40 with the city or village clerk
24 requesting submission of the resolution, the city or village may not issue bonds for
25 financing the cost of low-interest mortgage loans under s. 66.38 ~~without calling a~~

1 special election to submit the question of bonding to unless the issuance is approved
2 by the city or village electors for their approval at a referendum called in accordance
3 with s. 8.065.

4 *b0793/2.13* SECTION 1648a. 67.05 (6a) (a) 2. a. of the statutes is amended to
5 read:

6 67.05 (6a) (a) 2. a. Direct the school district clerk to call a ~~special election~~
7 referendum in accordance with s. 8.065 (2) or a referendum authorized under s. 8.065
8 (3) for the purpose of submitting the resolution to the electors for approval or
9 rejection, ~~or direct that the resolution be submitted at the next regularly scheduled~~
10 primary or election permitted under s. 8.065 (2) or a referendum authorized under
11 s. 8.065 (3) to be held not earlier than 45 days after the adoption of the resolution.
12 The resolution shall not be effective unless adopted by a majority of the school district
13 electors voting at the referendum.”.

14 *b0904/1.1* 574. Page 808, line 25: after that line insert:

15 *b0904/1.1* “SECTION 1647c. 67.04 (5) (b) 4. of the statutes is created to read:

16 67.04 (5) (b) 4. To pay unfunded prior service liability contributions under the
17 Wisconsin retirement system if all of the proceeds of the note will be used to pay for
18 such contributions.”.

19 *b0793/2.14* 575. Page 809, line 9: after that line insert:

20 *b0793/2.14* “SECTION 1648i. 67.05 (6m) (b) of the statutes is amended to

21 read:

22 67.05 (6m) (b) If a referendum is to be held on an initial resolution, the district
23 board shall direct the technical college district secretary to call a ~~special election~~
24 referendum in accordance with s. 8.065 for the purpose of submitting the initial

1 resolution to the electors for ~~a referendum on approval or rejection. In lieu of a~~
2 ~~special election, the district board may specify that the election be held at the next~~
3 ~~succeeding spring primary or election or September primary or general election.”.~~

4 *b0793/2.15* **576.** Page 809, line 13: after that line insert:

5 *b0793/2.15* “SECTION 1648s. 67.10 (5) (b) of the statutes is amended to read:

6 67.10 (5) (b) Any city having ~~voted~~ approved the issuance of bonds at a special
7 referendum election held in accordance with s. 8.065 and having sold a portion
8 thereof may negotiate, sell or otherwise dispose of the same in the manner provided
9 by statute within 9 years of the date of the election voting the same.”.

10 *b0793/2.16* **577.** Page 809, line 23: after that line insert:

11 *b0793/2.16* “SECTION 1649e. 67.12 (12) (e) 5. of the statutes is amended to
12 read:

13 67.12 (12) (e) 5. Within 10 days of the adoption by a technical college district
14 board of a resolution under subd. 1. to issue a promissory note for a purpose under
15 s. 38.16 (2), the secretary of the district board shall publish a notice of such adoption
16 as a class 1 notice, under ch. 985. The notice need not set forth the full contents of
17 the resolution, but shall state the amount proposed to be borrowed, the method of
18 borrowing, the purpose thereof, that the resolution was adopted under this
19 subsection and the place where and the hours during which the resolution is
20 available for public inspection. If the amount proposed to be borrowed is for building
21 remodeling or improvement and does not exceed \$500,000 or is for movable
22 equipment, the district board need not submit the resolution to the electors for
23 approval unless, within 30 days after the publication or posting, a petition
24 conforming to the requirements of s. 8.40 is filed with the secretary of the district

1 board requesting a referendum ~~at a special election~~ to be called for that purpose.
2 Such petition shall be signed by electors from each county lying wholly or partially
3 within the district. The number of electors from each county shall equal at least 1.5%
4 of the population of the county as determined under s. 16.96 (2) (c). If a county lies
5 in more than one district, the technical college system board shall apportion the
6 county's population as determined under s. 16.96 (2) (c) to the districts involved and
7 the petition shall be signed by electors equal to the appropriate percentage of the
8 apportioned population. ~~In lieu of a special election, the district board may specify~~
9 ~~that the referendum shall be held at the next succeeding spring primary or election~~
10 ~~or September primary or general election.~~ Any resolution to borrow amounts of
11 money in excess of \$500,000 for building remodeling or improvement shall be
12 submitted to the electors of the district for approval. Any referendum under this
13 subdivision shall be called at the next election authorized under s. 8.065 (2) or an
14 election authorized under s. 8.065 (3) occurring not sooner than 45 days after filing
15 of a petition or adoption of a resolution requiring the referendum. If a referendum
16 is held or required under this subdivision, no promissory note may be issued until
17 the issuance is approved by a majority of the district electors voting at such
18 referendum. The referendum shall be noticed, called and conducted under s. 67.05
19 (6a) insofar as applicable, except that the notice of ~~special election~~ referendum and
20 ballot need not embody a copy of the resolution and the question which shall appear
21 on the ballot shall be "Shall (name of district) be authorized to borrow the sum of
22 \$.... for (state purpose) by issuing its general obligation promissory note (or notes)
23 under section 67.12 (12) of the Wisconsin Statutes?"."

1 ***b1160/1.2* 578.** Page 810, line 5: delete "Thirteen dollars and 40 cents" and
2 substitute "Fourteen dollars".

3 ***b1061/1.1* 579.** Page 811, line 18: after that line insert:

4 ***b1061/1.1* "SECTION 1653d.** 70.111 (3) of the statutes is amended to read:

5 70.111 (3) BOATS. Watercraft employed regularly in interstate traffic.
6 ~~Watercraft, watercraft~~ laid up for repairs.—All, all pleasure watercraft used for
7 recreational purposes.—~~Commercial, commercial~~ fishing boats.—~~Charter and~~
8 equipment that is used by commercial fishing boats, charter sailboats and charter
9 boats, other than sailboats, that are used for tours."

10 ***b1167/2.1* 580.** Page 811, line 18: after that line insert:

11 ***b1167/2.1* "SECTION 1653f.** 70.11 (40) of the statutes is created to read:

12 70.11 (40) HUB TERMINAL FACILITY. (a) In this subsection:

13 1. "Air carrier company" means any person engaged in the business of
14 transportation in aircraft of persons or property for hire on regularly scheduled
15 flights.

16 2. "Hub terminal facility" means a facility at which an air carrier company
17 operated at least 45 common carrier departing flights each weekday in the prior year
18 and transported passengers to at least 15 nonstop destinations or transported cargo
19 to nonstop destinations, as defined by rule by the department of revenue.

20 (b) Property owned by an air carrier company that operates a hub terminal
21 facility in this state."

22 ***b1168/1.1* 581.** Page 811, line 18: after that line insert:

23 ***b1168/1.1* "SECTION 1653d.** 70.111 (24) of the statutes is created to read:

1 70.111 (24) MOTION PICTURE THEATER EQUIPMENT. Projection equipment, sound
2 systems and projection screens that are owned and used by a motion picture
3 theater.”.

4 ***b1170/1.1* 582.** Page 811, line 18: after that line insert:

5 ***b1170/1.1* “SECTION 1653f.** 70.111 (25) of the statutes is created to read:

6 70.111 (25) DIGITAL BROADCASTING EQUIPMENT. Digital broadcasting equipment
7 owned and used by a radio station or a television station, except that this subsection
8 does not apply to digital broadcasting equipment that is owned and used by a cable
9 television system, as defined in s. 66.082 (2) (d).”.

10 **583.** Page 812, line 2: after that line insert:

11 ***b0822/3.7* “SECTION 1660m.** 70.58 of the statutes is amended to read:

12 **70.58 Forestation state tax.** There is levied an annual tax of two-tenths of
13 one mill for each dollar of the assessed valuation of the property of the state as
14 determined by the department of revenue under s. 70.57, for the purpose of
15 acquiring, preserving and developing the forests of the state and for the purpose of
16 forest crop law and county forest law administration and aid payments, for grants
17 to forestry cooperatives under s. 36.56, and for the acquisition, purchase and
18 development of forests described under s. 25.29 (7) (a) and (b), the proceeds of the tax
19 to be paid into the conservation fund. The tax shall not be levied in any year in which
20 general funds are appropriated for the purposes specified in this section, equal to or
21 in excess of the amount which the tax would produce.”.

22 ***b0694/1.1* 584.** Page 812, line 2: after that line insert:

23 ***b0694/1.1* “SECTION 1655p.** 70.337 (5) of the statutes is amended to read:

1 70.337 (5) Each person that is required to file a report under sub. (1) shall pay
2 a reasonable fee that is sufficient to defray the costs to the taxation district of
3 distributing and reviewing the forms under sub. (1) and of preparing the form for the
4 department of revenue under sub. (2). The amount of the fee shall be established by
5 the governing body of the taxation district. This subsection does not apply to a church
6 or religious association that is required to file a report under sub. (1).”

7 ***b1181/3.1* 585.** Page 825, line 14: after that line insert:

8 ***b1181/3.1* “SECTION 1674v.** 71.04 (1) (a) of the statutes is amended to read:

9 71.04 (1) (a) All income or loss of resident individuals and resident estates and
10 trusts shall follow the residence of the individual, estate or trust. Income or loss of
11 nonresident individuals and nonresident estates and trusts from business, not
12 requiring apportionment under sub. (4), (10) or (11), shall follow the situs of the
13 business from which derived, except that all income that is realized from the sale of
14 or purchase and subsequent sale or redemption of lottery prizes if the winning tickets
15 were originally bought in this state shall be allocated to this state. All items of
16 income, loss and deductions of nonresident individuals and nonresident estates and
17 trusts derived from a tax-option corporation not requiring apportionment under
18 sub. (9) shall follow the situs of the business of the corporation from which derived,
19 except that all income that is realized from the sale of or purchase and subsequent
20 sale or redemption of lottery prizes if the winning tickets were originally bought in
21 this state shall be allocated to this state. Income or loss of nonresident individuals
22 and nonresident estates and trusts derived from rentals and royalties from real
23 estate or tangible personal property, or from the operation of any farm, mine or
24 quarry, or from the sale of real property or tangible personal property shall follow the

1 situs of the property from which derived. Income from personal services of
2 nonresident individuals, including income from professions, shall follow the situs of
3 the services. A nonresident limited partner's distributive share of partnership
4 income shall follow the situs of the business, except that all income that is realized
5 from the sale of or purchase and subsequent sale or redemption of lottery prizes if
6 the winning tickets were originally bought in this state shall be allocated to this
7 state. A nonresident limited liability company member's distributive share of
8 limited liability company income shall follow the situs of the business, except that
9 all income that is realized from the sale of or purchase and subsequent sale or
10 redemption of lottery prizes if the winning tickets were originally bought in this state
11 shall be allocated to this state. Income of nonresident individuals, estates and trusts
12 from the state lottery under ch. 565 is taxable by this state. Income of nonresident
13 individuals, estates and trusts from any multijurisdictional lottery under ch. 565 is
14 taxable by this state, but only if the winning lottery ticket or lottery share was
15 purchased from a retailer, as defined in s. 565.01 (6), located in this state or from the
16 department. Income of nonresident individuals, nonresident trusts and nonresident
17 estates from pari-mutuel winnings or purses under ch. 562 is taxable by this state.
18 Income of nonresident individuals, estates and trusts from winnings from a casino
19 or bingo hall that is located in this state and that is operated by a Native American
20 tribe or band shall follow the situs of the casino or bingo hall. All other income or loss
21 of nonresident individuals and nonresident estates and trusts, including income or
22 loss derived from land contracts, mortgages, stocks, bonds and securities or from the
23 sale of similar intangible personal property, shall follow the residence of such
24 persons, except as provided in par. (b) and sub. (9), except that all income that is
25 realized from the sale of or purchase and subsequent sale or redemption of lottery

1 prizes if the winning tickets were originally bought in this state shall be allocated
2 to this state.”.

3 *b1154/3.1* **586.** Page 826, line 13: delete lines 13 to 16 and substitute:

4 “71.04 (4) (a) For taxable years beginning before January 1, 2001, an
5 apportionment fraction composed of a sales factor under sub. (7) representing 50%
6 of the fraction, a property factor under sub. (5) representing 25% of the fraction and
7 a payroll factor under sub. (6) representing 25% of the fraction.

8 *b1154/3.1* **SECTION 1675bb.** 71.04 (4) (am) of the statutes is created to read:

9 71.04 (4) (am) For taxable years beginning after December 31, 2000, and before
10 January 1, 2002, an apportionment fraction composed of a sales factor under sub. (7)
11 representing 63% of the fraction, a property factor under sub. (5) representing 18.5%
12 of the fraction and a payroll factor under sub. (6) representing 18.5% of the fraction.”.

13 *b1165/1.1* **587.** Page 829, line 19: after “of the service” insert “, except as
14 provided in subd. 4”.

15 *b1165/1.2* **588.** Page 830, line 14: after that line insert:

16 “4. If the benefit of a service is received in this state, as provided under this
17 subsection, and the service is performed in a state that does not attribute the receipts
18 from a service to the state in which the purchaser of the service receives the service,
19 the taxpayer may elect, by a method prescribed by the department, to attribute the
20 receipts from the service to this state in proportion to the direct cost of performing
21 such service.”.

22 *b1154/3.2* **589.** Page 832, line 13: after that line insert:

23 *b1154/3.2* **SECTION 1682nb.** 71.04 (8) (b) of the statutes is amended to read:

1 71.04 (8) (b) “Public utility”, as used in this section, means any business entity
2 which owns or operates any plant, equipment, property, franchise, or license for the
3 transmission of communications or the production, transmission, sale, delivery, or
4 furnishing of electricity, water or steam, the rates of charges for goods or services of
5 which have been established or approved by a federal, state or local government or
6 governmental agency. “Public utility” also means any business entity providing
7 service to the public and engaged in the transportation of goods and persons for hire,
8 as defined in s. 194.01 (4), regardless of whether or not the entity’s rates or charges
9 for services have been established or approved by a federal, state or local government
10 or governmental agency. This paragraph does not apply to gas and electric
11 companies for taxable years beginning after December 31, 1999.”.

12 ***b1154/3.3* 590.** Page 832, line 21: after “(9d)” insert “and the net business
13 income of gas and electric companies shall be apportioned under sub. (4)”.

14 ***b1181/3.2* 591.** Page 832, line 21: after that line insert:

15 ***b1181/3.2*** “SECTION 1682pd. 71.04 (9) of the statutes is amended to read:

16 71.04 (9) NONRESIDENT INCOME FROM MULTISTATE TAX-OPTION CORPORATION.
17 Nonresident individuals and nonresident estates and trusts deriving income from a
18 tax-option corporation which is engaged in business within and without this state
19 shall be taxed only on the income of the corporation derived from business transacted
20 and property located in this state and losses and other items of the corporation
21 deductible by such shareholders shall be limited to their proportionate share of the
22 Wisconsin loss or other item, except that all income that is realized from the sale of
23 or purchase and subsequent sale or redemption of lottery prizes if the winning tickets
24 were originally bought in this state shall be allocated to this state. For purposes of

1 this subsection, all intangible income of tax-option corporations passed through to
2 shareholders is business income that follows the situs of the business, except that all
3 income that is realized from the sale of or purchase and subsequent sale or
4 redemption of lottery prizes if the winning tickets were originally bought in this state
5 shall be allocated to this state.”.

6 *b0792/2.1* **592.** Page 834, line 19: delete “, (2dy) and (3s)” and substitute
7 “and, (2dy), (3s) and (5r)”.

8 *b1181/3.3* **593.** Page 834, line 22: after that line insert:

9 *b1181/3.3* “SECTION 1685c. 71.05 (6) (b) 9. of the statutes is amended to read:
10 71.05 (6) (b) 9. On assets held more than one year and on all assets acquired
11 from a decedent, 60% of the capital gain as computed under the internal revenue
12 code, not including capital gains for which the federal tax treatment is determined
13 under section 406 of P.L. 99-514 and; not including amounts treated as ordinary
14 income for federal income tax purposes because of the recapture of depreciation or
15 any other reason; and not including amounts treated as capital gain for federal
16 income tax purposes from the sale or exchange of a lottery prize. For purposes of this
17 subdivision, the capital gains and capital losses for all assets shall be netted before
18 application of the percentage.”.

19 *b1244/1.1* **594.** Page 836, line 7: after that line insert:

20 *b1244/1.1* “SECTION 1688j. 71.05 (6) (b) 31. of the statutes is created to read:
21 71.05 (6) (b) 31. For taxable years beginning after December 31, 1998, an
22 amount up to \$500 that an individual contributes to an individual who is a candidate
23 for elective public office in this state.”.

24 *b1145/3.17* **595.** Page 849, line 7: after that line insert:

1 ***b1145/3.17*** **SECTION 1710db.** 71.07 (3m) (b) 1. a. of the statutes is amended
2 to read:

3 71.07 (3m) (b) 1. a. Subject to the limitations provided in this subsection and
4 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income
5 taxes otherwise due, the amount derived under par. (c). If the allowable amount of
6 claim exceeds the income taxes otherwise due on the claimant's income or if there are
7 no Wisconsin income taxes due on the claimant's income, the amount of the claim not
8 used as an offset against income taxes shall be certified to the department of
9 administration for payment to the claimant by check, share draft or other draft paid
10 from the appropriation under s. 20.835 (2) (q) (dn).

11 ***b1145/3.17*** **SECTION 1710dc.** 71.07 (3m) (b) 1. a. of the statutes, as affected
12 by 1999 Wisconsin Act (this act), is repealed and recreated to read:

13 71.07 (3m) (b) 1. a. Subject to the limitations provided in this subsection and
14 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income
15 taxes otherwise due, the amount derived under par. (c). If the allowable amount of
16 claim exceeds the income taxes otherwise due on the claimant's income or if there are
17 no Wisconsin income taxes due on the claimant's income, the amount of the claim not
18 used as an offset against income taxes shall be certified to the department of
19 administration for payment to the claimant by check, share draft or other draft paid
20 from the appropriation under s. 20.835 (2) (q).”.

21 ***b1166/1.1* 596.** Page 849, line 7: after that line insert:

22 ***b1166/1.1*** **SECTION 1710df.** 71.07 (3m) (c) 1. of the statutes is amended to
23 read:

1 71.07 (3m) (c) 1. Any claimant may claim against taxes otherwise due under
2 this chapter ~~10% a percentage, as determined by the department under subd. 3.,~~ of
3 the property taxes accrued in the taxable year to which the claim relates, up to a
4 maximum claim of ~~\$1,000~~ \$2,000 for taxable years ending before January 1, 2001,
5 and up to a maximum claim of \$1,500 for taxable years beginning after December 31,
6 2000, except that the credit under this subsection plus the credit under subch. IX
7 may not exceed 95% of the property taxes accrued on the farm.

8 ***b1166/1.1* SECTION 1710dg.** 71.07 (3m) (c) 3. of the statutes is created to
9 read:

10 71.07 (3m) (c) 3. The department shall annually adjust the percentage that is
11 used to determine the amount of the claim under subd. 1. based on the estimated
12 number of claims and the amount estimated to be expended from the appropriation
13 under s. 20.835 (2) (q), as determined under s. 79.13. The department shall
14 incorporate the annually adjusted percentage into the income tax forms and
15 instructions.”.

16 ***b1193/1.1* 597.** Page 849, line 13: after “labor union” insert “, to travel
17 expenses or to home office expenses”.

18 ***b0792/2.2* 598.** Page 849, line 20: after that line insert:

19 ***b0792/2.2* “SECTION 2713g.** 71.07 (5r) of the statutes is created to read:

20 71.07 (5r) EDUCATION CREDIT. (a) In this subsection:

21 1. “Claimant” means a sole proprietor, a partner, a member of a limited liability
22 company or a shareholder of a tax-option corporation who files a claim under this
23 subsection.

1 2. “Degree-granting program” means an educational program for which an
2 associate, a bachelor’s or a graduate degree is awarded upon successful completion.

3 3. “Qualified postsecondary institution” means a University of Wisconsin
4 System institution, a technical college system institution or a regionally accredited
5 4-year nonprofit college or university having its regional headquarters and principal
6 place of business in this state, notwithstanding s. 16.973 (1) (b).

7 (b) A claimant may claim as a credit against the tax imposed under this
8 subchapter an amount equal to 50% of the tuition that the claimant paid or incurred
9 during the taxable year for an individual to participate in an education program of
10 a qualified postsecondary institution, if the individual is enrolled in a
11 degree-granting program.

12 (c) A claimant may not claim the credit under par. (b) for any tuition amounts
13 that the claimant excluded under s. 71.05 (6) (b) 28. or under section 127 of the
14 Internal Revenue Code.

15 (d) The carry-over provisions of s. 71.28 (4) (e) and (f), as they apply to the credit
16 under s. 71.28 (4), apply to the credit under this subsection.

17 (e) Partnerships, limited liability companies and tax-option corporations may
18 not claim the credit under this subsection, but the eligibility for, and the amount of,
19 the credit are based on their payment of tuition under par. (b). A partnership, limited
20 liability company or tax-option corporation shall compute the amount of credit that
21 each of its partners, members or shareholders may claim and shall provide that
22 information to each of them. Partners, members of limited liability companies and
23 shareholders of tax-option corporations may claim the credit in proportion to their
24 ownership interest.

1 (f) Section 71.28 (4) (g) and (h), as it applies to the credit under s. 71.28 (4),
2 applies to the credit under this subsection.”

3 *b1205/2.1* **599.** Page 850, line 3: after that line insert:

4 *b1205/2.1* “SECTION 1715m. 71.07 (6m) of the statutes is created to read:

5 71.07 (6m) ARMED FORCES MEMBER TAX CREDIT. (a) *Definitions.* In this
6 subsection:

7 1. “Claimant” means an active duty member of the U.S. armed forces, as
8 defined in 26 USC 7701 (a) (15).

9 2. “Military income” means an amount of basic, special or incentive pay income,
10 as those terms are used in 37 USC chapters 3 and 5, received by a claimant from the
11 federal government.

12 (b) *Filing claims.* Subject to the limitations and conditions provided in this
13 subsection, a claimant may claim as a credit against the tax imposed under s. 71.02,
14 up to the amount of those taxes, an amount up to \$200 of military income for services
15 performed by the claimant while he or she is stationed outside of the United States.

16 (c) *Limitations and conditions.* 1. No credit may be allowed under this
17 subsection unless it is claimed within the time period under s. 71.75 (2).

18 2. Part-year residents and nonresidents of this state are not eligible for the
19 credit under this subsection.

20 3. If both spouses of a married couple meet the definition of claimant under par.
21 (a) 1., each spouse may claim the credit under this subsection.

22 (d) *Administration.* Subsection (9e) (d), to the extent that it applies to the credit
23 under that subsection, applies to the credit under this subsection.”

24 *b0792/2.3* **600.** Page 851, line 1: after “(3s),” insert “(5r).”

1 ***b1205/2.2* 601.** Page 851, line 2: after “(6)” insert “(6m)”.

2 ***b0792/2.4* 602.** Page 851, line 2: delete the material beginning with “(2m)”
3 and ending with “(2m) and (3)” on line 3 and substitute “(2m) ~~and~~, (3) and (5r) and
4 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1dy), (1fd), (2m) ~~and~~, (3) and (5r)”.

5 ***b1205/2.3* 603.** Page 851, line 7: after that line insert:

6 ***b1205/2.3*** “SECTION 1719j. 71.10 (4) (cm) of the statutes is created to read:
7 71.10 (4) (cm) The armed forces member tax credit under s. 71.07 (6m).”.

8 ***b1243/2.1* 604.** Page 851, line 7: after that line insert:

9 ***b1243/2.1*** “SECTION 1719i. 71.10 (3) (a) (title) of the statutes is created to
10 read:

11 71.10 (3) (a) (title) *Voluntary payments.*

12 ***b1243/2.1* SECTION 1719j.** 71.10 (3) (a) of the statutes is renumbered 71.10
13 (3) (a) 1. and amended to read:

14 71.10 (3) (a) 1. ‘Designation on return.’ Every Any individual filing an income
15 tax return ~~who has a tax liability or is entitled to a tax refund~~ may designate on the
16 return an additional payment in the amount of \$1 or a deduction from any refund due
17 that individual in the amount of \$1 for the Wisconsin election campaign fund for the
18 use of eligible candidates under s. 11.50. ~~If the individuals filing a married couple~~
19 ~~files a joint return have a tax liability or are entitled to a tax refund~~, each individual
20 spouse may make a designation of \$1 under this subsection.

21 ***b1243/2.1* SECTION 1719jk.** 71.10 (3) (a) 2. and 3. of the statutes are created
22 to read:

1 71.10 (3) (a) 2. 'Designation added to tax owed.' If the individual owes any tax,
2 the individual shall remit in full the tax due and an additional \$1 for the Wisconsin
3 election campaign fund when the individual files a tax return.

4 3. 'Designation deducted from refund.' Except as provided under par. (c) if the
5 individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80
6 (3), the department of revenue shall deduct \$1 for the Wisconsin election campaign
7 fund from the amount of the refund.

8 ***b1243/2.1* SECTION 1719jm.** 71.10 (3) (b) of the statutes is renumbered
9 71.10 (3) (f) and amended to read:

10 71.10 (3) (f) Administration, certification of amounts confidentiality. The
11 secretary of revenue shall provide a place for those designations on the face of the
12 individual income tax return and shall provide next to that place a statement that
13 a designation will ~~not~~ increase tax liability or reduce a refund. Annually on August
14 15, the secretary of revenue shall certify to the elections board, the department of
15 administration and the state treasurer under s. 11.50 the total amount of received
16 from all designations made during the preceding fiscal year. ~~If any individual~~
17 ~~attempts to place any condition or restriction upon a designation, that individual is~~
18 ~~deemed not to have made a designation on his or her tax return~~ Amounts designated
19 for the Wisconsin election campaign fund under this subsection are not subject to
20 refund to the taxpayer unless the taxpayer submits information to the satisfaction
21 of the department of revenue within 18 months after the date taxes are due or the
22 date the return is filed, whichever is later, that the amount designated is clearly in
23 error. Any refund granted by the department of revenue under this subdivision shall
24 be deducted from the moneys received under this subsection in the fiscal year that

1 the refund is certified. The names of persons making designations under this
2 subsection shall be strictly confidential.

3 *b1243/2.1* SECTION 1719jn. 71.10 (3) (bm) of the statutes is created to read:

4 71.10 (3) (bm) *Errors; failure to remit correct amount.* If an individual who
5 owes a tax fails to remit an amount equal to or in excess of the total of the actual tax
6 due, after error corrections, and the amount designated on the return for the
7 Wisconsin election campaign fund, the designation for the Wisconsin election
8 campaign fund is void.

9 *b1243/2.1* SECTION 1719jp. 71.10 (3) (c) of the statutes is repealed and
10 recreated to read:

11 71.10 (3) (c) *Errors; insufficient refund.* If an individual is owed a refund that
12 does not equal or exceed \$1, after crediting under ss. 71.75 (9) and 71.80 (3) and after
13 error corrections, the designation for the Wisconsin election campaign fund is void.

14 *b1243/2.1* SECTION 1719jr. 71.10 (3) (d) of the statutes is created to read:

15 71.10 (3) (d) *Conditions.* If an individual places any conditions on a designation
16 for the Wisconsin election campaign fund, the designation is void.

17 *b1243/2.1* SECTION 1719jt. 71.10 (3) (e) of the statutes is created to read:

18 71.10 (3) (e) *Void designation.* If a designation for the Wisconsin election
19 campaign fund is void, the department of revenue shall disregard the designation
20 and determine amounts due, owed, refunded and received without regard to the void
21 designation.”.

22 *b0792/2.5* 605. Page 851, line 9: after that line insert:

23 *b0792/2.5* “SECTION 1719p. 71.10 (4) (i) of the statutes is amended to read:

1 71.10 (4) (i) The total of claim of right credit under s. 71.07 (1), farmland
2 preservation credit under subch. IX, homestead credit under subch. VIII, farmland
3 tax relief credit under s. 71.07 (3m), farmers' drought property tax credit under s.
4 71.07 (2fd), earned income tax credit under s. 71.07 (9e), education credit under s.
5 71.07 (5r), estimated tax payments under s. 71.09, and taxes withheld under subch.
6 X.”.

7 ***b0792/2.6* 606.** Page 853, line 21: delete “, (2dy) and (3s)” and substitute
8 “and, (2dy), (3s) and (5r)”.

9 ***b1181/3.4* 607.** Page 873, line 19: after “both” insert “, or that buy or sell
10 lottery prizes if the winning tickets were originally bought in this state”.

11 ***b1154/3.4* 608.** Page 873, line 21: after that line insert:

12 ***b1154/3.4* “SECTION 1722yd.** 71.23 (2) of the statutes is amended to read:

13 71.23 (2) FRANCHISE TAX. For the privilege of exercising its franchise, buying
14 or selling lottery prizes is the winning tickets were originally bought in this state or
15 doing business in this state in a corporate capacity, except as provided under sub. (3),
16 every domestic or foreign corporation, except corporations specified in s. 71.26 (1),
17 and every nuclear decommissioning trust or reserve fund shall annually pay a
18 franchise tax according to or measured by its entire Wisconsin net income of the
19 preceding taxable year at the rate set forth in s. 71.27 (2). In addition, except as
20 provided in sub. (3) and s. 71.26 (1), a corporation that ceases doing business in this
21 state and a nuclear decommissioning trust or reserve fund that is terminated shall
22 pay a special franchise tax according to or measured by its entire Wisconsin net
23 income for the taxable year during which the corporation ceases doing business in
24 this state or the nuclear decommissioning trust or reserve fund is terminated at the

1 rates under s. 71.27 (2). Every corporation organized under the laws of this state or
2 that derives income from sources within this state or from activities that are
3 attributable to this state shall be deemed to be residing within this state for the
4 purposes of this franchise tax. All provisions of this chapter and ch. 73 relating to
5 income taxation of corporations shall apply to franchise taxes imposed under this
6 subsection, unless the context requires otherwise. The tax imposed by this
7 subsection on national banking associations shall be in lieu of all taxes imposed by
8 this state on national banking associations to the extent it is not permissible to tax
9 such associations under federal law.

10 *b1154/3.4* SECTION 1722yf. 71.25 (5) (a) (intro.) of the statutes is amended
11 to read:

12 71.25 (5) (a) *Apportionable income.* (intro.) Except as provided in sub. (6),
13 corporations engaged in business both within and without this state are subject to
14 apportionment. Income, gain or loss from the sources listed in this paragraph is
15 presumed apportionable. Apportionable income includes all income or loss of
16 corporations, other than nonapportionable income as specified in par. (b), including,
17 but not limited to, income, gain or loss from the following sources:

18 *b1154/3.4* SECTION 1722ym. 71.25 (5) (a) 9. of the statutes is amended to
19 read:

20 71.25 (5) (a) 9. Interest and dividends if ~~the operations of the payer are unitary~~
21 ~~with those of the payee, or if those operations are not unitary but the investment~~
22 ~~activity from which that income is derived is an integral part of a unitary business~~
23 ~~and the payer and payee are neither affiliates nor related as parent company and~~
24 ~~subsidiary. In this subdivision, "investment activity" includes decision making~~
25 ~~relating to the purchase and sale of stocks and other securities, investing surplus~~

1 ~~funds and the management and record keeping associated with corporate~~
2 ~~investments, not including activities of a broker or other agent in maintaining an~~
3 ~~investment portfolio.~~

4 *b1154/3.4* SECTION 1722yn. 71.25 (5) (a) 10. of the statutes is amended to
5 read:

6 71.25 (5) (a) 10. Sale of intangible assets ~~if the operations of the company in~~
7 ~~which the investment was made were unitary with those of the investing company,~~
8 ~~or if those operations were not unitary but the investment activity from which that~~
9 ~~gain or loss was derived is an integral part of a unitary business and the companies~~
10 ~~were neither affiliates nor related as parent company and subsidiary. In this~~
11 ~~subdivision, “investment activity” has the meaning given under subd. 9.”.~~

12 *b1181/3.5* SECTION 1722ym. 71.25 (5) (b) of the statutes is amended to read:

13 71.25 (5) (b) *Nonapportionable income.* 1. Income, gain or loss from the sale
14 of nonbusiness real property or nonbusiness tangible personal property, rental of
15 nonbusiness real property or nonbusiness tangible personal property and royalties
16 from nonbusiness real property or nonbusiness tangible personal property are
17 nonapportionable and shall be allocated to the situs of the property, except that all
18 income that is realized from the sale of or purchase and subsequent sale or
19 redemption of lottery prizes if the winning tickets were originally bought in this state
20 shall be allocated to this state.

21 2. All income, gain or loss from intangible property that is earned by a personal
22 holding company, as defined in section 542 of the internal revenue code, as amended
23 to December 31, 1974, shall be allocated to the residence of the taxpayer, except that
24 all income that is realized from the sale of or purchase and subsequent sale or

1 redemption of lottery prizes if the winning tickets were originally bought in this state
2 shall be allocated to this state.”.

3 *b1154/3.5* **609.** Page 874, line 9: delete that line and substitute “businesses
4 except ~~financial organizations~~, public utilities, telecommunications companies,
5 railroads, sleeping car”.

6 *b1154/3.6* **610.** Page 874, line 20: delete lines 20 to 23 and substitute:

7 “71.25 (6) (a) For taxable years beginning before January 1, 2001, an
8 apportionment fraction composed of a sales factor under sub. (9) representing 50%
9 of the fraction, a property factor under sub. (7) representing 25% of the fraction and
10 a payroll factor under sub. (8) representing 25% of the fraction.

11 *b1154/3.6* **SECTION 1729bb.** 71.25 (6) (am) of the statutes is created to read:

12 71.25 (6) (am) For taxable years beginning after December 31, 2000, and before
13 January 1, 2002, an apportionment fraction composed of a sales factor under sub. (9)
14 representing 63% of the fraction, a property factor under sub. (7) representing 18.5%
15 of the fraction and a payroll factor under sub. (8) representing 18.5% of the fraction.”.

16 *b1165/1.3* **611.** Page 878, line 1: after “of the service” insert “, except as
17 provided in subd. 4”.

18 *b1165/1.4* **612.** Page 878, line 21: after that line insert:

19 “4. If the benefit of a service is received in this state, as provided under this
20 subsection, and the service is performed in a state that does not attribute the receipts
21 from a service to the state in which the purchaser of the service receives the service,
22 the taxpayer may elect, by a method prescribed by the department, to attribute the
23 receipts from the service to this state in proportion to the direct cost of performing
24 such service.”.

1 ***b1154/3.7* 613.** Page 887, line 20: after that line insert:

2 ***b1154/3.7* "SECTION 1738nb.** 71.25 (10) (b) of the statutes is amended to
3 read:

4 71.25 (10) (b) In this section, "public utility" means any business entity which
5 owns or operates any plant, equipment, property, franchise, or license for the
6 transmission of communications or the production, transmission, sale, delivery, or
7 furnishing of electricity, water or steam the rates of charges for goods or services of
8 which have been established or approved by a federal, state or local government or
9 governmental agency. "Public utility" also means any business entity providing
10 service to the public and engaged in the transportation of goods and persons for hire,
11 as defined in s. 194.01 (4), regardless of whether or not the entity's rates or charges
12 for services have been established or approved by a federal, state or local government
13 or governmental agency. This paragraph does not apply to gas and electric
14 companies for taxable years beginning after December 31, 1999."

15 ***b1154/3.8* 614.** Page 888, line 3: after "(9d)" insert "and the net business
16 income of gas and electric companies shall be apportioned under sub. (6)".

17 ***b1181/3.6* 615.** Page 888, line 25: after that line insert:

18 ***b1181/3.6* "SECTION 1738t.** 71.26 (1) (a) of the statutes is amended to read:

19 71.26 (1) (a) *Certain corporations.* Income of corporations organized under ch.
20 185, except income of a cooperative sickness care association organized under s.
21 185.981, or of a service insurance corporation organized under ch. 613, that is derived
22 from a health maintenance organization as defined in s. 609.01 (2) or a limited
23 service health organization as defined in s. 609.01 (3), or operating under subch. I
24 of ch. 616 which are bona fide cooperatives operated without pecuniary profit to any

1 shareholder or member, or operated on a cooperative plan pursuant to which they
2 determine and distribute their proceeds in substantial compliance with s. 185.45,
3 and the income, except the unrelated business taxable income as defined in section
4 512 of the internal revenue code and except income that is derived from a health
5 maintenance organization as defined in s. 609.01 (2) or a limited service health
6 organization as defined in s. 609.01 (3), of all religious, scientific, educational,
7 benevolent or other corporations or associations of individuals not organized or
8 conducted for pecuniary profit. This paragraph does not apply to the income of
9 savings banks, mutual loan corporations or savings and loan associations. This
10 paragraph does not apply to income that is realized from the sale of or purchase and
11 subsequent sale or redemption of lottery prizes if the winning tickets were originally
12 bought in this state. This paragraph applies to the income of credit unions except to
13 the income of any credit union that is derived from public deposits for any taxable
14 year in which the credit union is approved as a public depository under ch. 34 and
15 acts as a depository of state or local funds under s. 186.113 (20). For purposes of this
16 paragraph, the income of a credit union that is derived from public deposits is the
17 product of the credit union's gross annual income for the taxable year multiplied by
18 a fraction, the numerator of which is the average monthly balance of public deposits
19 in the credit union during the taxable year, and the denominator of which is the
20 average monthly balance of all deposits in the credit union during the taxable year.”.

21 *b0792/2.7* **616.** Page 889, line 11: delete “and (1dy)” and substitute “.(1dy)
22 and (5r)”.

23 *b1145/3.18* **617.** Page 913, line 7: after that line insert:

1 ***b1145/3.18*** “SECTION 1744bd. 71.28 (2m) (b) 1. a. of the statutes is amended
2 to read:

3 71.28 (2m) (b) 1. a. Subject to the limitations provided in this subsection and
4 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income or
5 franchise taxes otherwise due, the amount derived under par. (c). If the allowable
6 amount of claim exceeds the income or franchise taxes otherwise due on or measured
7 by the claimant’s income or if there are no Wisconsin income or franchise taxes due
8 on or measured by the claimant’s income, the amount of the claim not used as an
9 offset against income or franchise taxes shall be certified to the department of
10 administration for payment to the claimant by check, share draft or other draft paid
11 from the appropriation under s. 20.835 (2) (q) (dn).

12 ***b1145/3.18*** SECTION 1744be. 71.28 (2m) (b) 1. a. of the statutes, as affected
13 by 1999 Wisconsin Act (this act), is repealed and recreated to read:

14 71.28 (2m) (b) 1. a. Subject to the limitations provided in this subsection and
15 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income
16 taxes otherwise due, the amount derived under par. (c). If the allowable amount of
17 claim exceeds the income taxes otherwise due on the claimant’s income or if there are
18 no Wisconsin income taxes due on the claimant’s income, the amount of the claim not
19 used as an offset against income taxes shall be certified to the department of
20 administration for payment to the claimant by check, share draft or other draft paid
21 from the appropriation under s. 20.835 (2) (q).”.

22 ***b1166/1.2* 618.** Page 913, line 7: after that line insert:

23 ***b1166/1.2*** “SECTION 1744bd. 71.28 (2m) (c) 1. of the statutes is amended to
24 read:

1 71.28 (2m) (c) 1. Any claimant may claim against taxes otherwise due under
2 this chapter ~~10%~~ a percentage, as determined by the department under subd. 3., of
3 the property taxes accrued in the taxable year to which the claim relates, up to a
4 maximum claim of ~~\$1,000~~ \$2,000 for taxable years ending before January 1, 2001,
5 and up to a maximum claim of \$1,500 for taxable years beginning after December 31,
6 2000, except that the credit under this subsection plus the credit under subch. IX
7 may not exceed 95% of the property taxes accrued on the farm.

8 ***b1166/1.2* SECTION 1744bg.** 71.28 (2m) (c) 3. of the statutes is created to read:

9 71.28 (2m) (c) 3. The department shall annually adjust the percentage that is
10 used to determine the amount of the claim under subd. 1. based on the estimated
11 number of claims and the amount estimated to be expended from the appropriation
12 under s. 20.835 (2) (q), as determined under s. 79.13. The department shall
13 incorporate the annually adjusted percentage into the income tax forms and
14 instructions.”.

15 ***b0792/2.8* 619.** Page 914, line 4: after that line insert:

16 ***b0792/2.8* “SECTION 1746g.** 71.28 (5r) of the statutes is created to read:

17 71.28 (5r) EDUCATION CREDIT. (a) In this subsection:

18 1. “Claimant” means a corporation that files a claim under this subsection.

19 2. “Degree-granting program” means an education program for which an
20 associate, a bachelor’s or a graduate degree is awarded upon successful completion.

21 3. “Qualified postsecondary institution” means a University of Wisconsin
22 System institution, a technical college system institution or a regionally accredited
23 4-year nonprofit college or university having its regional headquarters and principal
24 place of business in this state, notwithstanding s. 16.973 (1) (b).

1 (b) A claimant may claim as a credit against the tax imposed under this
2 subchapter an amount equal to 50% of the tuition that the claimant paid or incurred
3 during the taxable year for an individual to participate in an education program of
4 a qualified postsecondary institution, if the individual is enrolled in a
5 degree-granting program.

6 (c) A claimant may not claim the credit under par. (b) for any tuition amounts
7 that the claimant has excluded under s. 71.05 (6) (b) 28. or under section 127 of the
8 Internal Revenue Code.

9 (d) The carry-over provisions of sub. (4) (e) and (f), as they apply to the credit
10 under sub. (4), apply to the credit under this subsection.

11 (e) Partnerships, limited liability companies and tax-option corporations may
12 not claim the credit under this subsection, but the eligibility for, and the amount of,
13 the credit are based on their payment of tuition under par. (b). A partnership, limited
14 liability company or tax-option corporation shall compute the amount of credit that
15 each of its partners, members or shareholders may claim and shall provide that
16 information to each of them. Partners, members of limited liability companies and
17 shareholders of tax-option corporations may claim the credit in proportion to their
18 ownership interest.

19 (f) Subsection (4) (g) and (h), as it applies to the credit under sub. (4), applies
20 to the credit under this subsection.”.

21 *b0792/2.9* **620.** Page 914, line 6: after that line insert:

22 *b0792/2.9* **SECTION 1747n.** 71.30 (3) (f) of the statutes is amended to read:

23 71.30 (3) (f) The total of farmers' drought property tax credit under s. 71.28
24 (1fd), farmland preservation credit under subch. IX, farmland tax relief credit under

1 s. 71.28 (2m), education credit under s. 71.28 (5r) and estimated tax payments under
2 s. 71.29.”.

3 *b0792/2.10* **621.** Page 917, line 5: delete “, (1dy) and (3)” and substitute
4 “and, (1dy), (3) and (5r)”.

5 *b1181/3.7* **622.** Page 927, line 8: after that line insert:

6 *b1181/3.7* “**SECTION 1748Lm.** 71.362 (1) of the statutes is amended to read:

7 71.362 (1) All tax-option items of nonresident individuals, nonresident estates
8 and nonresident trusts derived from a tax-option corporation not requiring
9 apportionment under sub. (2) shall follow the situs of the business of the corporation
10 from which they are derived, except that all income that is realized from the sale of
11 or purchase and subsequent sale or redemption of lottery prizes if the winning tickets
12 were originally bought in this state shall be allocated to this state.

13 *b1181/3.7* **SECTION 1748Ln.** 71.362 (2) of the statutes is amended to read:

14 71.362 (2) Nonresident individuals, nonresident estates and nonresident
15 trusts deriving income from a tax-option corporation which is engaged in business
16 within and without this state shall be taxed only on the income of the corporation
17 derived from business transacted and property located in this state and losses and
18 other items of the corporation deductible by such shareholders shall be limited to
19 their proportionate share of the Wisconsin loss or other item, except that all income
20 that is realized from the sale of or purchase and subsequent sale or redemption of
21 lottery prizes if the winning tickets were originally bought in this state shall be
22 allocated to this state. For purposes of this subsection, all intangible income of
23 tax-option corporations passed through to shareholders is business income that
24 follows the situs of the business, except that all income that is realized from the sale

1 of or purchase and subsequent sale or redemption of lottery prizes if the winning
2 tickets were originally bought in this state shall be allocated to this state.”.

3 *b1181/3.8* **623.** Page 937, line 24: after “both” insert “, or that buy or sell
4 lottery prizes if the winning tickets were originally bought in this state”.

5 *b1181/3.9* **624.** Page 938, line 2: after that line insert:

6 *b1181/3.9* “SECTION 1748yb. 71.43 (2) of the statutes is amended to read:

7 71.43 (2) FRANCHISE TAX ON CORPORATIONS. For the privilege of exercising its
8 franchise, buying or selling lottery prizes if the winning tickets were originally
9 bought in this state or doing business in this state in a corporate capacity, except as
10 provided under s. 71.23 (3), every domestic or foreign corporation, except
11 corporations specified in ss. 71.26 (1) and 71.45 (1), shall annually pay a franchise
12 tax according to or measured by its entire Wisconsin net income of the preceding
13 taxable year at the rates set forth in s. 71.46 (2). In addition, except as provided in
14 ss. 71.23 (3), 71.26 (1) and 71.45 (1), a corporation that ceases doing business in this
15 state shall pay a special franchise tax according to or measured by its entire
16 Wisconsin net income for the taxable year during which the corporation ceases doing
17 business in this state at the rate under s. 71.46 (2). Every corporation organized
18 under the laws of this state shall be deemed to be residing within this state for the
19 purposes of this franchise tax. All provisions of this chapter and ch. 73 relating to
20 income taxation of corporations shall apply to franchise taxes imposed under this
21 subsection, unless the context requires otherwise. The tax imposed by this
22 subsection on insurance companies subject to taxation under this chapter shall be
23 based on Wisconsin net income computed under s. 71.45, and no other provision of
24 this chapter relating to computation of taxable income for other corporations shall

1 apply to such insurance companies. All other provisions of this chapter shall apply
2 to insurance companies subject to taxation under this chapter unless the context
3 clearly requires otherwise.

4 ***b1181/3.9* SECTION 1748ym.** 71.45 (1) of the statutes is amended to read:

5 71.45 (1) EXEMPT AND EXCLUDABLE INCOME. There shall be exempt from taxation
6 under this subchapter income of insurers exempt from federal income taxation
7 pursuant to section 501 (c) (15) of the internal revenue code, town mutuals organized
8 under or subject to ch. 612, foreign insurers, and domestic insurers engaged
9 exclusively in life insurance business, domestic insurers insuring against financial
10 loss by reason of nonpayment of principal, interest and other sums agreed to be paid
11 under the terms of any note or bond or other evidence of indebtedness secured by a
12 mortgage, deed of trust or other instrument constituting a lien or charge on real
13 estate and corporations organized under ch. 185, but not including income of
14 cooperative sickness care associations organized under s. 185.981, or of a service
15 insurance corporation organized under ch. 613, that is derived from a health
16 maintenance organization as defined in s. 609.01 (2) or a limited service health
17 organization as defined in s. 609.01 (3), or operating under subch. I of ch. 616 which
18 are bona fide cooperatives operated without pecuniary profit to any shareholder or
19 member, or operated on a cooperative plan pursuant to which they determine and
20 distribute their proceeds in substantial compliance with s. 185.45. This subsection
21 does not apply to income that is realized from the sale of or purchase and subsequent
22 sale or redemption of lottery prizes if the winning tickets were originally bought in
23 this state.”.

24 ***b0792/2.11* 625.** Page 938, line 5: after “(1dy)” insert “and (5r)”.

1 ***b1181/3.10* 626.** Page 938, line 23: after that line insert:

2 ***b1181/3.10* "SECTION 1749p.** 71.45 (2) (a) 15. of the statutes is created to
3 read:

4 71.45 (2) (a) 15. By subtracting from federal taxable income all income that is
5 realized from the purchase and subsequent sale or redemption of lottery prizes that
6 is treated as nonapportionable income under sub. (3r).”.

7 ***b1181/3.11* 627.** Page 941, line 10: after that line insert:

8 ***b1181/3.11* "SECTION 1753d.** 71.45 (3r) of the statutes is created to read:

9 71.45 (3r) ALLOCATION OF CERTAIN PROCEEDS. All income that is realized from
10 the purchase and subsequent sale or redemption of lottery prizes if the winning
11 tickets were originally bought in this state shall be allocated to this state.”.

12 ***b1181/3.12* 628.** Page 941, line 21: after that line insert:

13 ***b1181/3.12* "SECTION 1753m.** 71.46 (3) of the statutes is amended to read:

14 71.46 (3) The tax imposed under this subchapter on each domestic insurer on
15 or measured by its entire net income attributable to lines of insurance in this state
16 may not exceed 2% of the gross premiums, as defined in s. 76.62, received during the
17 taxable year by the insurer on all policies on those lines of insurance if the subject
18 of that insurance was resident, located or to be performed in this state plus 7.9% of
19 the income that is realized from the sale of or purchase and subsequent sale or
20 redemption of lottery prizes if the winning tickets were originally bought in this
21 state.”.

22 ***b1145/3.19* 629.** Page 943, line 22: after that line insert:

23 ***b1145/3.19* "SECTION 1757bd.** 71.47 (2m) (b) 1. a. of the statutes is amended
24 to read:

1 71.47 (2m) (b) 1. a. Subject to the limitations provided in this subsection and
2 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income or
3 franchise taxes otherwise due, the amount derived under par. (c). If the allowable
4 amount of claim exceeds the income or franchise taxes otherwise due on or measured
5 by the claimant's income or if there are no Wisconsin income or franchise taxes due
6 on or measured by the claimant's income, the amount of the claim not used as an
7 offset against income or franchise taxes shall be certified to the department of
8 administration for payment to the claimant by check, share draft or other draft paid
9 from the appropriation under s. 20.835 (2) (q) (dn).

10 ***b1145/3.19* SECTION 1757be.** 71.47 (2m) (b) 1. a. of the statutes, as affected
11 by 1999 Wisconsin Act (this act), is repealed and recreated to read:

12 71.47 (2m) (b) 1. a. Subject to the limitations provided in this subsection and
13 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income
14 taxes otherwise due, the amount derived under par. (c). If the allowable amount of
15 claim exceeds the income taxes otherwise due on the claimant's income or if there are
16 no Wisconsin income taxes due on the claimant's income, the amount of the claim not
17 used as an offset against income taxes shall be certified to the department of
18 administration for payment to the claimant by check, share draft or other draft paid
19 from the appropriation under s. 20.835 (2) (q).”.

20 ***b1166/1.3* 630.** Page 943, line 22: after that line insert:

21 ***b1166/1.3* “SECTION 1757bd.** 71.47 (2m) (c) 1. of the statutes is amended to
22 read:

23 71.47 (2m) (c) 1. Any claimant may claim against taxes otherwise due under
24 this chapter ~~10%~~ a percentage, as determined by the department under subd. 3., of

1 the property taxes accrued in the taxable year to which the claim relates, up to a
2 maximum claim of ~~\$1,000~~ \$2,000 for taxable years ending before January 1, 2001,
3 and up to a maximum claim of \$1,500 for taxable years beginning after December 31,
4 2000, except that the credit under this subsection plus the credit under subch. IX
5 may not exceed 95% of the property taxes accrued on the farm.

6 *b1166/1.3* SECTION 1757bg. 71.47 (2m) (c) 3. of the statutes is created to read:

7 71.47 (2m) (c) 3. The department shall annually adjust the percentage that is
8 used to determine the amount of the claim under subd. 1. based on the estimated
9 number of claims and the amount estimated to be expended from the appropriation
10 under s. 20.835 (2) (q), as determined under s. 79.13. The department shall
11 incorporate the annually adjusted percentage into the income tax forms and
12 instructions.”.

13 *b0792/2.12* **631.** Page 944, line 19: after that line insert:

14 *b0792/2.12* “SECTION 1759g. 71.47 (5r) of the statutes is created to read:

15 71.47 (5r) EDUCATION CREDIT. (a) In this subsection:

16 1. “Claimant” means a corporation that files a claim under this subsection.

17 2. “Degree-granting program” means an educational program for which an
18 associate, a bachelor’s or a graduate degree is awarded upon successful completion.

19 3. “Qualified postsecondary institution” means a University of Wisconsin
20 System institution, a technical college system institution or a regionally accredited
21 4-year nonprofit college or university having its regional headquarters and principal
22 place of business in this state, notwithstanding s. 16.973 (1) (b).

23 (b) A claimant may claim as a credit against the tax imposed under this
24 subchapter an amount equal to 50% of the tuition that the claimant paid or incurred

1 during the taxable year for an individual to participate in an education program of
2 a qualified postsecondary institution, if the individual is enrolled in a
3 degree-granting program.

4 (c) A claimant may not claim the credit under par. (b) for any tuition amounts
5 that the claimant excluded under s. 71.05 (6) (b) 28. or under section 127 of the
6 Internal Revenue Code.

7 (d) The carry-over provisions of s. 71.28 (4) (e) and (f), as they apply to the credit
8 under s. 71.28 (4), apply to the credit under this subsection.

9 (e) Partnerships, limited liability companies and tax-option corporations may
10 not claim the credit under this subsection, but the eligibility for, and the amount of,
11 the credit are based on their payment of tuition under par. (b). A partnership, limited
12 liability company or tax-option corporation shall compute the amount of credit that
13 each of its partners, members or shareholders may claim and shall provide that
14 information to each of them. Partners, members of limited liability companies and
15 shareholders of tax-option corporations may claim the credit in proportion to their
16 ownership interest.

17 (f) Section 71.28 (4) (g) and (h), as it applies to the credit under s. 71.28 (4),
18 applies to the credit under this subsection.”.

19 *b0792/2.13* **632.** Page 944, line 21: after that line insert:

20 *b0792/2.13* “SECTION 1760s. 71.49 (1) (f) of the statutes is amended to read:

21 71.49 (1) (f) The total of farmers’ drought property tax credit under s. 71.47
22 (1fd), farmland preservation credit under subch. IX, farmland tax relief credit under
23 s. 71.47 (2m), education credit under s. 71.47 (5r) and estimated tax payments under
24 s. 71.48.”.

1 ***b1181/3.13* 633.** Page 947, line 11: delete lines 11 and 12 and substitute “by
2 multiplying the amount of the prize by the highest rate applicable to individuals
3 ~~unders. 71.06 (1) or (1m) to the person who claims the prize.~~ The administrator shall
4 deposit the amounts”.

5 ***b0777/2.14* 634.** Page 948, line 6: after that line insert:

6 ***b0777/2.14* SECTION 1788s.** 73.01 (4) (a) of the statutes is amended to read:
7 73.01 (4) (a) Subject to the provisions for judicial review contained in s. 73.015,
8 the commission shall be the final authority for the hearing and determination of all
9 questions of law and fact arising under sub. (5) and s. 72.86 (4), 1985 stats., and ss.
10 70.11 (21), 70.38 (4) (a), 70.397, 70.64 and 70.995 (8), s. 76.38 (12) (a), 1993 stats., ss.
11 76.39 (4) (c), 76.48 (6), 76.91, 77.26 (3), 77.59 (6) (b), 78.01, 78.22, 78.40, 78.555,
12 139.02, 139.03, 139.06, 139.31, 139.315, 139.33, 139.76 ~~and~~, 139.78 and 139.97,
13 subch. XIV of ch. 71 and subch. VII of ch. 77. Whenever with respect to a pending
14 appeal there is filed with the commission a stipulation signed by the department of
15 revenue and the adverse party, under s. 73.03 (25), agreeing to an affirmance,
16 modification or reversal of the department’s position with respect to some or all of the
17 issues raised in the appeal, the commission shall enter an order affirming or
18 modifying in whole or in part, or canceling the assessment appealed from, or allowing
19 in whole or in part or denying the petitioner’s refund claim, as the case may be,
20 pursuant to and in accordance with the stipulation filed. No responsibility shall
21 devolve upon the commission, respecting the signing of an order of dismissal as to
22 any pending appeal settled by the department without the approval of the
23 commission.”.

24 ***b0803/3.12* 635.** Page 950, line 21: after that line insert:

1 ***b0803/3.12* SECTION 1800d.** 73.0301 (1) (d) 2. of the statutes is amended to
2 read:

3 73.0301 (1) (d) 2. A license issued by the department of health and family
4 services under s. 48.66 (1) (a) to a child welfare agency, group home, shelter care
5 facility or day care center, as required by s. 48.60, 48.625, 48.65 or 938.22 (7).”.

6 ***b1141/2.12* 636.** Page 951, line 5: after that line insert:

7 ***b1141/2.12* SECTION 1803q.** 74.01 (5) of the statutes is amended to read:

8 74.01 (5) “Special tax” means any amount entered in the tax roll which is not
9 a general property tax, special assessment or special charge. “Special tax” includes
10 any interest and penalties assessed for nonpayment of the tax before it is placed in
11 the tax roll and any charge under s. 66.606 (1) (a) 2. that is placed on the tax roll under
12 s. 66.606 (2).”.

13 ***b1167/2.2* 637.** Page 952, line 9: after that line insert:

14 ***b1167/2.2* SECTION 1806m.** 76.02 (1) of the statutes is amended to read:

15 76.02 (1) “Air carrier company” means any person engaged in the business of
16 transportation in aircraft of persons or property for hire on regularly scheduled
17 flights, except an air carrier company that operates a hub terminal facility, as defined
18 in s. 70.11 (40). In this subsection, “aircraft” means a completely equipped operating
19 unit, including spare flight equipment, used as a means of conveyance in air
20 commerce.”.

21 ***b1157/2.1* 638.** Page 953, line 14: after that line insert:

22 ***b1157/2.1* SECTION 1810dm.** 77.21 (1) of the statutes is amended to read:

23 77.21 (1) “Conveyance” includes deeds and other instruments for the passage
24 of ownership interests in real estate, including contracts and assignments of a

1 vendee's interest therein, including instruments that are evidence of a sale of
2 time-share property, as defined in s. 707.02 (32), and including leases for at least 99
3 years but excluding leases for less than 99 years, easements and wills.”.

4 *b0853/1.1* **639.** Page 953, line 21: after that line insert:

5 *b0853/1.1* “SECTION 1812p. 77.54 (30) (a) 3. of the statutes is amended to
6 read:

7 77.54 (30) (a) 3. Electricity sold ~~during the months of November, December,~~
8 ~~January, February, March and April~~ for use in farming, including but not limited to
9 agriculture, dairy farming, floriculture and horticulture.”.

10 *b1062/2.1* **640.** Page 953, line 21: after that line insert:

11 *b1062/2.1* “SECTION 1812s. 77.51 (9) (e) of the statutes is amended to read:

12 77.51 (9) (e) An auction which is the sale of personal farm property or household
13 goods and not held at regular intervals more than 5 times at the same location during
14 a year.”.

15 *b1156/2.1* **641.** Page 953, line 21: after that line insert:

16 *b1156/2.1* “SECTION 1812Lb. 77.54 (20) (c) 4m. of the statutes is created to
17 read:

18 77.54 (20) (c) 4m. Taxable sales do not include food and beverage items under
19 pars. (b) 4. and (c) 2., and disposable products that are transferred with such items,
20 that are provided by a restaurant to the restaurant's employe during the employe's
21 work hours.”.

22 *b1157/2.2* **642.** Page 953, line 21: after that line insert:

23 *b1157/2.2* “SECTION 1812Lm. 77.51 (4) (c) 6. of the statutes is repealed.

1 ***b1157/2.2* SECTION 1812Ln.** 77.52 (2) (a) 1. of the statutes is amended to
2 read:

3 77.52 (2) (a) 1. The furnishing of rooms or lodging to transients by hotelkeepers,
4 motel operators and other persons furnishing accommodations that are available to
5 the public, irrespective of whether membership is required for use of the
6 accommodations, ~~including the furnishing of rooms or lodging through the sale of a~~
7 ~~time share property, as defined in s. 707.02 (32),~~ if the use of the rooms or lodging
8 is not fixed at the time of sale as to the starting day or the lodging unit. In this
9 subdivision, “transient” means any person residing for a continuous period of less
10 than one month in a hotel, motel or other furnished accommodations available to the
11 public. In this subdivision, “hotel” or “motel” means a building or group of buildings
12 in which the public may obtain accommodations for a consideration, including,
13 without limitation, such establishments as inns, motels, tourist homes, tourist
14 houses or courts, lodging houses, rooming houses, summer camps, apartment hotels,
15 resort lodges and cabins and any other building or group of buildings in which
16 accommodations are available to the public, except accommodations, including
17 mobile homes as defined in s. 66.058 (1) (d), rented for a continuous period of more
18 than one month and accommodations furnished by any hospitals, sanatoriums, or
19 nursing homes, or by corporations or associations organized and operated
20 exclusively for religious, charitable or educational purposes provided that no part of
21 the net earnings of such corporations and associations inures to the benefit of any
22 private shareholder or individual. In this subdivision, “one month” means a calendar
23 month or 30 days, whichever is less, counting the first day of the rental and not
24 counting the last day of the rental.

1 ***b1157/2.2* SECTION 1812Lp.** 77.52 (2) (a) 2. of the statutes is amended to
2 read:

3 77.52 (2) (a) 2. The sale of admissions to amusement, athletic, entertainment
4 or recreational events or places except county fairs, the sale, rental or use of regular
5 bingo cards, extra regular cards, special bingo cards and the sale of bingo supplies
6 to players and the furnishing, for dues, fees or other considerations, the privilege of
7 access to clubs or the privilege of having access to or the use of amusement,
8 entertainment, athletic or recreational devices or facilities, including, ~~in connection~~
9 ~~with the sale or use of time-share property, as defined in s. 707.02 (32),~~ the sale or
10 furnishing of use of recreational facilities on a periodic basis or other recreational
11 rights, including but not limited to membership rights, vacation services and club
12 memberships.”.

13 ***b1158/3.1* 643.** Page 953, line 21: after that line insert:

14 ***b1158/3.1* “SECTION 1812np.** 77.54 (20) (c) 6. of the statutes is amended to
15 read:

16 77.54 (20) (c) 6. For purposes of subd. 1., “premises” shall be construed broadly,
17 and, by way of illustration but not limitation, shall include the lobby, aisles and
18 auditorium of a theater or the seating, aisles and parking area of an arena, rink or
19 stadium or the parking area of a drive-in or outdoor theater. The premises of a
20 caterer with respect to catered meals or beverages shall be the place where served.
21 ~~Vending machine premises shall include the room or area in which located~~ Sales from
22 a vending machine shall be considered sales for off-premises consumption.”.

23 ***b1191/1.1* 644.** Page 953, line 21: after that line insert:

24 ***b1191/1.1* “SECTION 1814i.** 77.51 (21m) of the statutes is amended to read:

1 77.51 (21m) “Telecommunications services” means sending messages and
2 information transmitted through the use of local, toll and wide-area telephone
3 service; channel services; telegraph services; teletypewriter; computer exchange
4 services; cellular mobile telecommunications service; specialized mobile radio;
5 stationary two-way radio; paging service; or any other form of mobile and portable
6 one-way or two-way communications; or any other transmission of messages or
7 information by electronic or similar means between or among points by wire, cable,
8 fiber optics, laser, microwave, radio, satellite or similar facilities.
9 “Telecommunications services” does not include sending collect telecommunications
10 that are received outside of the state. In this subsection, “computer exchange
11 services” does not include providing access to or use of the internet. In this
12 subsection, “internet” means interconnecting networks that are connected to
13 network access points by telecommunications services.”.

14 ***b0792/2.14* 645.** Page 956, line 3: after that line insert:

15 ***b0792/2.14* SECTION 1817b.** 77.92 (4) of the statutes is amended to read:
16 77.92 (4) “Net business income”, with respect to a partnership, means taxable
17 income as calculated under section 703 of the internal revenue code; plus the items
18 of income and gain under section 702 of the internal revenue code; minus the items
19 of loss and deduction under section 702 of the internal revenue code; plus payments
20 treated as not made to partners under section 707 (a) of the internal revenue code;
21 plus the credits claimed under s. 71.07 (2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds),
22 (2dx) and (2dy), (3s) and (5r); but excluding income, gain, loss and deductions from
23 farming. “Net business income”, with respect to a natural person, estate or trust,
24 means profit from a trade or business for federal income tax purposes and includes

1 net income derived as an employe as defined in section 3121 (d) (3) of the internal
2 revenue code.”.

3 *b1171/1.4* **646.** Page 956, line 6: on lines 6 and 18, delete “98.25%” and
4 substitute “97.45%”.

5 *b0793/2.17* **647.** Page 958, line 14: after that line insert:

6 *b0793/2.17* “**SECTION 1818Lm.** 81.01 (3) (b) of the statutes is amended to
7 read:

8 81.01 (3) (b) The town board by resolution submits to the electors of the town
9 as a referendum at ~~a general or special town~~ an election authorized under s. 8.065
10 the question of exceeding the \$10,000 limit set under this subsection. The board shall
11 abide by the majority vote of the electors of the town on the question. The question
12 shall read as follows:

13 Shall the town of ... spend \$... over the annual limit of \$10,000 for the
14 construction and repair of its highways and bridges?

15 FOR SPENDING AGAINST SPENDING .

16 *b1145/3.20* **648.** Page 958, line 14: after that line insert:

17 *b1145/3.20* “**SECTION 1818Lb.** 79.10 (11) (b) of the statutes is amended to
18 read:

19 79.10 (11) (b) Before October 16, the department of administration shall
20 determine the total funds available for distribution under the lottery credit in the
21 following year and shall inform the joint committee on finance of that total. Total
22 funds available for distribution shall be all existing and projected lottery proceeds
23 and interest for the fiscal year of the distribution, ~~less the amount estimated to be~~
24 ~~expended under ss. 20.455 (2) (r), 20.566 (2) (r) and 20.835 (2) (q) and less the~~

1 required reserve under s. 20.003 (5). The joint committee on finance may revise the
2 total amount to be distributed if it does so at a meeting that takes place before
3 November 1. If the joint committee on finance does not schedule a meeting to take
4 place before November 1, the total determined by the department of administration
5 shall be the total amount estimated to be distributed under the lottery credit in the
6 following year.

7 *b1145/3.20* SECTION 1818Lb. 79.10 (11) (b) of the statutes, as affected by
8 1999 Wisconsin Act (this act), is repealed and recreated to read:

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

21 *b1166/1.4* 649. Page 958, line 14: after that line insert:

22 *b1166/1.4* “SECTION 1818Ld. 79.13 of the statutes is created to read:

1 **79.13 Farmland tax relief credit.** (1) In the 1999–2000 fiscal year, the
2 amount estimated to be expended from the appropriation under s. 20.835 (2) (q) is
3 \$20,000,000.

4 (2) In the 2000–01 fiscal year, the amount estimated to be expended from the
5 appropriation under s. 20.835 (2) (q) is \$20,000,000, plus the amount that was
6 estimated to be expended from the appropriation under s. 20.835 (2) (q) in the
7 previous fiscal year and less the actual amount that was expended from the
8 appropriation under s. 20.835 (2) (q) in the previous fiscal year.

9 (3) In the 2001–02 fiscal year, and in each fiscal year thereafter, the amount
10 estimated to be expended from the appropriation under s. 20.835 (2) (q) is
11 \$15,000,000, plus the amount that was estimated to be expended from the
12 appropriation under s. 20.835 (2) (q) in the previous fiscal year and less the actual
13 amount that was expended from the appropriation under s. 20.835 (2) (q) in the
14 previous fiscal year.”.

15 ***b1167/2.3* 650.** Page 958, line 14: after that line insert:

16 ***b1167/2.3* “SECTION 1818Le.** 78.55 (1) of the statutes is amended to read:
17 78.55 (1) “Air carrier company” has the meaning given in s. ~~76.02(1)~~ 70.11
18 (40).”.

19 ***b0908/1.1* 651.** Page 958, line 19: after that line insert:

20 ***b0908/1.1* “SECTION 1818w.** 84.013 (3) (ra) of the statutes is created to read:
21 84.013 (3) (ra) STH 23 between STH 67 and USH 41 in Sheboygan and Fond
22 du Lac counties.”.

23 ***b0910/1.1* 652.** Page 958, line 19: after that line insert:

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

1 84.01 (31) STATE HIGHWAY REHABILITATION FUNDS. The department may not use
2 funds from the appropriations under s. 20.395 (3) (cq) to (cx) for the maintenance or
3 replacement of curb and pavement or other markings, or for the operation,
4 maintenance or replacement of highway signs, traffic signals or highway lighting,
5 unless the maintenance, replacement or operation is in conjunction with activities
6 related to a state trunk highway reconditioning, reconstruction or resurfacing
7 project.”.

8 ***b1069/2.2* 653.** Page 958, line 19: after that line insert:

9 ***b1069/2.2*** “SECTION 1818r. 84.013 (2) (a) of the statutes is amended to read:
10 84.013 (2) (a) ~~Major~~ Subject to s. 86.255, major highway projects shall be
11 funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and 20.866
12 (2) (ur) to (uu).

13 ***b1069/2.2* SECTION 1818t.** 84.013 (2) (b) of the statutes is amended to read:
14 84.013 (2) (b) ~~Reconditioning~~ Subject to s. 86.255, reconditioning,
15 reconstruction and resurfacing of highways shall be funded from the appropriations
16 under s. 20.395 (3) (cq) to (cx).”.

17 ***b0911/2.1* 654.** Page 959, line 17: after that line insert:

18 ***b0911/2.1*** “SECTION 1819gd. 84.06 (2) (a) of the statutes is renumbered 84.06
19 (2) and amended to read:

20 84.06 (2) BIDS, CONTRACTS. All such highway improvements shall be executed
21 by contract based on bids unless the department finds that another method as
22 provided in sub. (3) or (4) would be more feasible and advantageous. Bids shall be
23 advertised for in the manner determined by the department. Except as provided in
24 s. 84.075, the contract shall be awarded to the lowest competent and responsible

1 bidder as determined by the department. If the bid of the lowest competent bidder
2 is determined by the department to be in excess of the estimated reasonable value
3 of the work or not in the public interest, all bids may be rejected. The department
4 shall, so far as reasonable, follow uniform methods of advertising for bids and may
5 prescribe and require uniform forms of bids and contracts. ~~Except as provided in par-~~
6 ~~(b), the~~ The secretary shall enter into the contract on behalf of the state. Every such
7 contract is exempted from ss. 16.70 to 16.75, 16.755 to 16.82, 16.87 and 16.89, but
8 ss. 16.528, 16.752 and 16.754 apply to the contract. Contracts under this section are
9 subject to s. 85.017. Any such contract involving an expenditure of \$1,000 or more
10 shall not be valid until approved by the governor. The secretary may require the
11 attorney general to examine any contract and any bond submitted in connection with
12 the contract and report on its sufficiency of form and execution. The bond required
13 by s. 779.14 (1m) is exempt from approval by the governor and shall be subject to
14 approval by the secretary. This subsection also applies to contracts with private
15 contractors based on bids for maintenance under s. 84.07.

16 *b0911/2.1* **SECTION 1819ge.** 84.06 (2) (b) of the statutes is repealed.”.

17 *b0912/1.1* **655.** Page 959, line 17: after that line insert:

18 *b0912/1.1* **SECTION 1819g.** 84.02 (14) of the statutes is created to read:

19 84.02 (14) I 39 INTERCHANGE. If a waiver from the federal department of
20 transportation is required for the construction of an interchange at the intersection
21 of I 39 and Kowalski Road in Marathon County, the state department of
22 transportation shall request a waiver to permit construction of the interchange. If
23 a waiver is granted or if the state department of transportation determines that a
24 waiver is not required, the department of transportation shall design the

1 interchange specified in this subsection and allocate funds from the appropriations
2 under s. 20.395 (3) (cq) to (cx) sufficient to construct the interchange.”.

3 *b1069/2.3* **656.** Page 959, line 17: after that line insert:

4 *b1069/2.3* “SECTION 1819gg. 84.03 (9) (a) of the statutes is amended to read:

5 84.03 (9) (a) That Subject to s. 86.255, that part of the appropriation made by
6 s. 20.395 (3), not required for the other purposes therein provided, may be used by
7 the department for the improvement and traffic service of the state trunk highway
8 system and connecting highways, for the purchase and operation of equipment,
9 making surveys for locating local road materials, testing of materials, and for other
10 purposes provided in this section, and to match or supplement federal aid for the
11 construction, reconstruction or improvement of the federal aid highway system,
12 secondary or feeder roads, the elimination of hazards at railroad grade crossings and
13 for any other highway purpose for which the state may match or supplement federal
14 aid funds pursuant to any act of congress. Where such funds are used for the
15 improvement of the state trunk highway system or connecting highways or to match
16 or supplement federal aid they shall be expended in accordance with s. 84.06 and any
17 applicable act of congress. Any funds expended pursuant to this paragraph shall be
18 expended by the department on such projects within the provisions of this
19 paragraph, and executed in such manner as the department shall from time to time
20 determine will best meet the needs of travel and best promote the general welfare.
21 Such funds may be used for improvements, within the provisions of this paragraph,
22 independent of or in conjunction with other funds available for such improvements.
23 The Subject to s. 86.255, the requirements of any federal highway act, or regulations
24 issued thereunder, may be met from such appropriation.

1 ***b1069/2.3* SECTION 1819gm.** 84.065 (4) of the statutes is amended to read:
2 84.065 (4) FUNDS. ~~The Subject to s. 86.255, the~~ department may make loans
3 under this section from the appropriations under s. 20.395 (3) (bv) and (cv). The total
4 outstanding balance of loans under this section may not exceed \$500,000.”.

5 ***b1069/2.4* 657.** Page 961, line 19: after that line insert:

6 ***b1069/2.4* “SECTION 1820mg.** 84.20 of the statutes is amended to read:
7 **84.20 State repair and maintenance of highways and streets.** Damage
8 to any county trunk or town highway or city or village street caused by reason of its
9 use as a detour designated by the department or for hauling materials incident to the
10 maintenance, repair or construction by the department of any state trunk highway
11 or street over which a state trunk highway is routed, shall be repaired by the
12 department. Such highway or street shall also be maintained by the department
13 during such use. ~~The Subject to s. 86.255, the~~ cost of such repairs and maintenance
14 shall be paid from funds appropriated and available to the department for the
15 maintenance and improvement of state trunk highways and connecting highways
16 under s. 20.395 (3).”.

17 ***b1069/2.5* 658.** Page 963, line 13: after that line insert:

18 ***b1069/2.5* “SECTION 1824fm.** 84.31 (8) (b) of the statutes is amended to read:
19 84.31 (8) (b) The department and another state agency may enter into
20 agreements for the purpose of assigning to the other state agency the responsibility
21 for the administration of this section and rules adopted under this section. To the
22 extent responsibility for administration is assigned to the other agency under such
23 agreements, the other state agency shall have the same powers and duties conferred
24 on the department under this section. The department shall reimburse the other

1 state agency from the appropriation under s. 20.395 (3) (cq) and (cx) for all expenses,
2 including administrative expenses, incurred by the other state agency in connection
3 with the screening, relocation, removal or disposal of junkyards under the authority
4 assigned to the other state agency, except that no moneys may be reimbursed for the
5 acquisition of land or interests in land contrary to s. 86.255.”

6 *b0925/2.2* **659.** Page 964, line 5: delete “\$1,440,665,900” and substitute
7 “\$1,437,365,900”.

8 *b0796/1.10* **660.** Page 964, line 10: after that line insert:

9 *b0796/1.10* “SECTION 1826m. 85.017 of the statutes is created to read:

10 **85.017 Contracts conditioned on use of labor organizations**
11 **prohibited.** (1) In this section, “labor organization” has the meaning given in s.
12 5.02 (8m).

13 (2) The secretary shall ensure that the specifications for bids, contracts for
14 construction or maintenance projects entered into by the secretary or the
15 department do not do any of the following:

16 (a) Require any bidder, contractor or subcontractor to enter into or to adhere
17 to an agreement with any labor organization concerning services to be performed in
18 relation to the project or a related project.

19 (b) Discriminate against any bidder, contractor or subcontractor for refusing
20 to enter into or continue to adhere to an agreement with any labor organization
21 concerning services to be performed in relation to the project or a related project.

22 (c) Require any bidder, contractor or subcontractor to enter into, continue to
23 adhere to or enforce any agreement that requires its employees, as a condition of
24 employment, to do any of the following:

1 1. Become members of or become affiliated with a labor organization.

2 2. Make payments to a labor organization, without the authorization of the
3 employees, exceeding the employees' proportionate share of the cost of collective
4 bargaining, contract administration and grievance adjustment.

5 **(3)** Any taxpayer of this state or any other person who enters into contracts or
6 subcontracts for construction services subject to sub. (2) may bring an action against
7 the secretary to require compliance with this section. If that person prevails in his
8 or her action, the court shall award to that person reasonable actual attorney fees
9 in addition to other costs allowed to prevailing parties under ch. 814.”.

10 ***b1016/1.1* 661.** Page 964, line 11: delete the material beginning with that
11 line and ending with page 965, line 3.

12 ***b0921/3.1* 662.** Page 965, line 19: after that line insert:

13 ***b0921/3.1* “SECTION 1830gb.** 85.026 (3) of the statutes is created to read:
14 85.026 **(3) PROCEDURE.** The department may not approve a grant under sub.
15 (2) until after enactment of the biennial budget act for the biennium during which
16 the grant will be awarded. The total amount of grants awarded under sub. (2) may
17 not exceed the amounts appropriated under s. 20.395 (2) (nv) and (nx) for the
18 purposes of transportation enhancement activities for the biennium during which
19 the grants are awarded. If the department determines that a grant was awarded
20 under sub. (2) for a project on which construction will not be completed within a
21 reasonable time after the grant is awarded, the department may withdraw that
22 grant and the amount of the grant so withdrawn may not be counted under this
23 subsection.”.

24 ***b0982/3.8* 663.** Page 965, line 19: after that line insert:

1 ***b0982/3.8*** “SECTION 1830gm. 85.037 of the statutes is amended to read:

2 **85.037 Certification of fees collected.** Annually, no later than October 1,
3 the secretary of transportation shall certify to the secretary of administration the
4 amount of fees collected under ~~s. ss. 101.9208 (1) (dm) and~~ 342.14 (3m) during the
5 previous fiscal year, for the purpose of determining the amounts to be transferred
6 under s. 20.855 (4) (f) during the current fiscal year.”.

7 ***b1252/3.4* 664.** Page 967, line 7: after that line insert:

8 ***b1252/3.4*** “SECTION 1832m. 85.197 of the statutes is created to read:

9 **85.197 Baraboo land acquisition. (1) DEFINITIONS.** In this section:

10 (a) “Ice Age Trail” means the state scenic trail as designated under s. 23.17 (2)
11 and includes corridors for the trail that have been approved by the department.

12 (b) “Land” means land in fee simple, easements in land and development rights
13 in land.

14 (c) “Northwestern Dane county” means the area that is located in the towns of
15 Berry, Black Earth, Dane, Mazomanie, Roxbury, Springfield and Westport.

16 **(2) LAND ACQUISITIONS AUTHORIZED.** From the appropriations under s. 20.395 (3)
17 (bq), (br) and (bx), the department may expend moneys as provided in subs. (3) to (6).

18 **(3) FOREST LAND ACQUISITIONS.** The department may annually encumber or
19 expend not more than \$1,000,000, beginning with fiscal year 1999–2000 and ending
20 with fiscal year 2003–04, to acquire land that will protect the forest resources that
21 are located within the boundaries of the Baraboo Range National Natural
22 Landmark.

23 **(4) SCENIC, CONSERVATION AND AGRICULTURAL ACQUISITION; DANE COUNTY.** (a) The
24 department may annually encumber or expend not more than \$1,000,000, beginning

1 with fiscal year 1999–2000 and ending with fiscal year 2003–04, to purchase land
2 that is located in northwestern Dane County for scenic, conservation or agricultural
3 purposes.

4 (5) SCENIC, CONSERVATION AND AGRICULTURAL ACQUISITION; SAUK COUNTY. The
5 department may encumber or expend not more than \$250,000 during the period
6 beginning with fiscal year 1999–2000 and ending with fiscal year 2003–04, to
7 purchase land that is located in Sauk County and that is located outside the
8 boundaries of the Baraboo Range National Natural Landmark for scenic,
9 conservation or agricultural purposes.

10 (6) ICE AGE TRAIL. (a) During the period beginning with fiscal year 1999–2000
11 and ending with fiscal year 2003–04, the department may encumber or expend
12 moneys for the development or improvement of the portion of the Ice Age Trail that
13 is located in Sauk County or Dane County and that is in the vicinity of USH 12. The
14 amount expended may not exceed \$2,000,000 or an amount equal to the amount
15 allocated by the federal government for that portion of the Ice Age Trail during that
16 period of time, whichever is less.

17 (b) For purposes of par. (a), the department of transportation shall by rule
18 specify what constitutes the vicinity of USH 12.

19 (7) CERTIFICATION OF EXPENDITURES. No later than August 1, 2000, and no later
20 than August 1 of each of the subsequent 4 years, the secretary of transportation shall
21 certify to the secretary of natural resources and to the secretary of administration
22 the amount encumbered or expended under s. 85.197 during the preceding fiscal
23 year.

24 (8) SUNSET. (a) Except as provided in par. (b), this section does not apply after
25 June 30, 2004.

1 (b) Subsection (7) does not apply after August 1, 2004.”

2 *b1066/3.1* **665.** Page 967, line 12: delete “(a) 7.” and substitute “(a) 6. d., 7.”.

3 *b0941/3.1* **666.** Page 967, line 12: after that line insert ““Operating
4 expenses” do not include costs accruing to an urban mass transit system from
5 services provided by a publicly owned urban mass transit system under a contract
6 awarded on the basis of competitive bids unless the urban mass transit system’s bid
7 used the fully allocated cost methodology described in sub. (8).”.

8 *b0941/3.2* **667.** Page 967, line 24: after that line insert:

9 *b0941/3.2* “**SECTION 1834m.** 85.20 (1) (h) of the statutes is amended to read:
10 85.20 (1) (h) “Operating revenues” mean income accruing to an urban mass
11 transit system by virtue of its operations, but do not include income accruing from
12 operations under a contract awarded on the basis of competitive bids to a publicly
13 owned urban mass transit system that did not use the fully allocated cost
14 methodology described in sub. (8).”.

15 *b1066/3.2* **668.** Page 967, line 24: after that line insert:

16 *b1066/3.2* “**SECTION 1835b.** 85.20 (3) (cr) of the statutes is amended to read:
17 85.20 (3) (cr) To conduct a management performance audit of all urban mass
18 transit systems participating in the program at least once every 5 years. If a
19 management performance audit is required of all urban mass transit systems
20 participating in the program, an eligible applicant served exclusively by a
21 shared-ride taxicab system may be exempted from an audit if the eligible applicant
22 voluntarily complies with sub. (4m) (b).”.

23 *b1066/3.3* **669.** Page 967, line 25: delete the material beginning with that
24 line and ending with page 968, line 15, and substitute:

1 ***b1066/3.3*** "SECTION 1836mr. 85.20 (4m) (a) (intro.) of the statutes is
2 repealed and recreated to read:

3 85.20 (4m) (a) (intro.) The department shall pay annually to the eligible
4 applicant described in subd. 6. cm. the amount of aid specified in subd. 6. cm. The
5 department shall pay annually to the eligible applicant described in subd. 6. d. the
6 amount of aid determined under subd. 6. d. The department shall allocate to each
7 eligible applicant described in subd. 7. or 8. an amount equal to a uniform
8 percentage, established by the department, of the operating expenses of each eligible
9 applicant's mass transit system for the calendar year. For calendar year 1999, the
10 operating expenses used to establish the uniform percentage shall be the projected
11 operating expenses of an urban mass transit system. Subject to sub. (4r), for
12 calendar year 2000 and thereafter the operating expenses used to establish the
13 uniform percentage shall be the operating expenses incurred during the 2nd
14 calendar year preceding the calendar year for which aid is paid under this section.
15 The department shall make allocations as follows:".

16 ***b0933/1.5* 670.** Page 969, line 6: delete "\$53,555,600" and substitute
17 "\$51,313,800".

18 ***b1066/3.4* 671.** Page 969, line 14: delete "Beginning" and substitute
19 "Subject to the limitation in this subd. 6. d. on the sum of state and federal aids,
20 beginning".

21 ***b0933/1.6* 672.** Page 969, line 15: delete "\$14,297,600" and substitute
22 "\$13,699,100".

23 ***b1066/3.5* 673.** Page 969, line 18: after "\$80,000,000." insert
24 "Notwithstanding par. (a) (intro.), the sum of state aids paid under this section and

1 federal mass transit aids provided for the operating expenses of an urban mass
2 transit system that has annual operating expenses in excess of \$20,000,000 but less
3 than \$80,000,000 may not exceed 50% of the sum of the operating expenses of the
4 urban mass transit system. Only federal mass transit aid that the federal
5 government provides directly to the eligible applicant or to the urbanized area served
6 by the mass transit system or that the department pays under this section may be
7 counted under this subd. 6. d.”.

8 *b0933/1.7* **674.** Page 969, line 25: delete “\$19,804,200” and substitute
9 “\$18,975,200”.

10 *b1066/3.6* **675.** Page 970, line 2: after “year.” insert “For calendar years
11 2000 and 2001, the sum of state aid and federal aid allocated under this subdivision
12 for each of those years may not exceed 60% of the eligible applicant’s operating
13 expenses, except that for an eligible applicant described in subd. 7. a. served by a
14 mass transit system that operates partly in areas other than urbanized areas, and
15 that is eligible for federal mass transit aid for providing service to those other areas,
16 the sum of state aid and federal aid allocated under this subdivision for those other
17 areas for each of calendar years 2000 and 2001 may not exceed 65% of the operating
18 expenses of that service. Beginning with calendar year 2002, the sum of state aid and
19 federal aid allocated under this subdivision to an eligible applicant may not exceed
20 65% of the eligible applicant’s operating expenses.”.

21 *b0933/1.8* **676.** Page 970, line 6: delete “\$5,349,100” and substitute
22 “\$5,125,200”.

23 *b1066/3.7* **677.** Page 970, line 8: after “year.” insert Beginning with
24 calendar year 2000, the sum of state aid and federal aid allocated under this

1 subdivision to an eligible applicant may not exceed 65% of the eligible applicant's
2 operating expenses."

3 *b1066/3.8* **678.** Page 970, line 8: after that line insert:

4 *b1066/3.8* "SECTION 1845b. 85.20 (4m) (b) 1. of the statutes is amended to
5 read:

6 85.20 (4m) (b) 1. Except as provided in subd. 2., each eligible applicant shall
7 provide a local contribution, exclusive of user fees, toward operating expenses in an
8 amount equal to at least ~~20% of state aid allocations to that eligible applicant under~~
9 this section 10% of the eligible applicant's operating expenses.

10 *b1066/3.8* SECTION 1846b. 85.20 (4m) (b) 2. of the statutes is amended to
11 read:

12 85.20 (4m) (b) 2. ~~Subdivision 1. does not apply to an~~ Except as provided in this
13 subdivision, an eligible applicant that is served exclusively by a shared-ride taxicab
14 system is not required to meet the requirements of subd. 1. For calendar year 2000,
15 the department may not increase the amount of state aid allocated under this
16 subsection to an eligible applicant that is served exclusively by a shared-ride taxicab
17 system beyond the amount allocated to that eligible applicant for calendar year 1999,
18 unless the eligible applicant provides a local contribution, exclusive of user fees,
19 toward operating expenses in an amount equal to at least 5% of the eligible
20 applicant's operating expenses. Beginning with calendar year 2001, the department
21 may not increase the amount of state aid allocated under this subsection to an
22 eligible applicant that is served exclusively by a shared-ride taxicab system beyond
23 the amount allocated to that eligible applicant during the preceding calendar year.
24 unless the eligible applicant complies with the requirements of subd. 1. This

1 subdivision does not prohibit the department from allocating aid under this
2 subsection to an eligible applicant served exclusively by a shared-ride taxicab
3 system in its first year of service.

4 *b1066/3.8* SECTION 1847b. 85.20 (4m) (em) 3. of the statutes is amended to
5 read:

6 85.20 (4m) (em) 3. Five times the amount of an eligible applicant's required
7 local contribution under par. (b) 1. This subdivision does not apply after December
8 31, 1999.

9 *b1246/3.2* 679. Page 970, line 8: after that line insert:

10 *b1246/3.2* "SECTION 3845m. 85.20 (4m) (g) of the statutes is created to read:

11 85.20 (4m) (g) An eligible applicant may not use aids paid under this section
12 to support transportation services by rail unless the services are eligible for aid
13 under s. 85.205. This paragraph does not apply to Amtrak, as defined in s. 85.06 (1)
14 (a)."

15 *b1066/3.9* 680. Page 971, line 9: delete the material beginning with "This"
16 and ending with "or 8." on line 10.

17 *b1065/2.1* 681. Page 971, line 10: after that line insert:

18 *b1065/2.1* "SECTION 1849d. 85.20 (6m) of the statutes is created to read:

19 85.20 (6m) LOCAL SEGREGATED FUND REQUIRED. (a) Notwithstanding sub. (4m),
20 the department may not pay state aid under this section to an eligible applicant
21 unless the eligible applicant does all of the following:

22 1. Establishes and administers a separate segregated fund from which moneys
23 may be used only for purposes related to a mass transit system.

24 2. Deposits in the fund established under subd. 1. all of the following:

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

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

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

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

9 3. Achieves in the fund established under subd. 1., during the year for which
10 aid is payable under this section, a balance of moneys that is at least equal to the
11 quotient determined under subd. 3. c. as follows:

12 a. Determine, for each of the preceding 5 years, the annual sum of deposits,
13 made by the eligible applicant, of moneys described in subd. 2. c.

14 b. Add the 3 lowest annual totals determined under subd. 3. a.

15 c. Divide the sum determined under subd. 3. b. by 3.

16 (b) If an eligible applicant does not meet the requirements under par. (a) at the
17 time that aid should be paid under this section, the department shall withhold the
18 aid payment until the eligible applicant meets the requirements under par. (a).
19 When the eligible applicant meets the requirements under par. (a), the department
20 shall pay the aid withheld under this paragraph, without interest, except that, if the
21 eligible applicant fails to meet the requirements under par. (a) within 180 days after
22 the time that the aid should be paid, that aid is forfeited and may not be paid to that
23 eligible applicant. Aid that is forfeited under this paragraph shall be counted under
24 this section as if the aid had been paid.

25 (c) The department shall promulgate rules implementing this subsection.”.