

**2001-02**  
**Wisconsin State Budget**

Drafting File For:  
**Enrolled SB-55**

**Part**     **G**    

.....

1 (4) A person that provides a certified automated system is responsible for the  
 2 system's proper functioning and is liable to this state for tax underpayments that are  
 3 attributable to errors in the system's functioning. A seller that uses a certified  
 4 automated system is responsible and liable to this state for reporting and remitting  
 5 sales and use tax.

6 (5) A seller that has a proprietary system for determining the amount of tax  
 7 that is due on transactions and that has signed an agreement with the states that  
 8 are signatories to the agreement, as defined in 77.65 (2) (a), establishing a  
 9 performance standard for the system is liable for the system's failure to meet the  
 10 performance standard.

11 SECTION 2246. 77.54 (9a) (a) of the statutes is amended to read:

12 77.54 (9a) (a) This state or any agency thereof and, the University of Wisconsin  
 13 Hospitals and Clinics Authority, and the Fox River Navigational System Authority,

14 SECTION 2246m. 77.54 (45) of the statutes is amended to read:

15 77.54 (45) The gross receipts from the sale of and the use or other consumption  
 16 of a onetime license or similar right to purchase admission to professional football  
 17 games at a football stadium, as defined in s. 229.821 (6), that is granted by a  
 18 municipality; a local professional football stadium district; or a professional football  
 19 team or related party, as defined in s. 229.821 (12); if the person who buys the license  
 20 or right is entitled, at the time the license or right is transferred to the person, to  
 21 purchase admission to at least 3 professional football games in this state during one  
 22 football season. ~~The exemption under this subsection does not apply to a license or~~  
 23 ~~right that is sold after December 31, 2003.~~

24 SECTION 2246p. 77.65 of the statutes is created to read:

WLT  
 DJK  
 (F)  
 (G)

1           **77.65 Uniform sales and use tax administration.** (1) SHORT TITLE. This  
2 section shall be known as the “Uniform Sales and Use Tax Administration Act.”

3           (2) DEFINITIONS. In this section:

4           (a) “Agreement” means the streamlined sales and use tax agreement.

5           (b) “Department” means the department of revenue.

6           (c) “Person” means an individual, trust, estate, fiduciary, partnership, limited  
7 liability company, limited liability partnership, corporation, or any other legal entity.

8           (d) “Sales tax” means the tax imposed under ss. 77.52, 77.57, and 77.71 (1).

9           (e) “Seller” means any person who sells, leases, or rents personal property or  
10 services.

11           (f) “State” means any state of the United States and the District of Columbia.

12           (g) “Use tax” means the tax imposed under ss. 77.53 and 77.71 (2), (3), and (4).

13           (3) DEPARTMENT AUTHORITY. The department may enter into the agreement to  
14 simplify and modernize sales tax and use tax administration in order to  
15 substantially reduce the tax compliance burden for all sellers and for all types of  
16 commerce. The department may act jointly with other states that are signatories to  
17 the agreement to establish standards for the certification of a certified service  
18 provider and certified automated system and to establish performance standards for  
19 multistate sellers. The department may promulgate rules to administer this section,  
20 may procure jointly with other states that are signatories to the agreement goods and  
21 services in furtherance of the agreement, and may take other actions reasonably  
22 required to implement this section. The secretary of revenue or the secretary’s  
23 designee may represent this state before the states that are signatories to the  
24 agreement.

1           (4) AGREEMENT REQUIREMENTS. The department may not enter into the  
2 agreement unless the agreement requires that a state that is a signatory to the  
3 agreement do all of the following:

4           (a) Limit the number of state sales and use tax rates.

5           (b) Limit the application of any maximums on the amount of state sales and  
6 use tax that is due on a transaction.

7           (c) Limit thresholds on the application of sales and use tax.

8           (d) Establish uniform standards for the sourcing of transactions to the  
9 appropriate taxing jurisdictions, for administering exempt sales, and for sales and  
10 use tax returns and remittances.

11          (e) Develop and adopt uniform definitions related to sales and use tax.

12          (f) Provide, with all states that are signatories to the agreement, a central  
13 electronic registration system that allows a seller to register to collect and remit sales  
14 and use taxes for all states that are signatories to the agreement.

15          (g) Provide that the state shall not use a seller's registration with the central  
16 electronic registration system under par. (f), and the subsequent collection and  
17 remittance of sales and use taxes in the states that are signatories to the agreement,  
18 to determine whether the seller has sufficient connection with the state for the  
19 purpose of imposing any tax.

20          (h) Restrict variances between the state tax bases and local tax bases.

21          (i) Administer all sales and use taxes imposed by local jurisdictions within the  
22 state so that sellers who collect and remit such taxes are not required to register with,  
23 or submit returns or taxes to, local jurisdictions and are not subject to audits by local  
24 jurisdictions.

1           (j) Restrict the frequency of changes in any local sales and use tax rates and  
2 provide notice of any such changes.

3           (k) Establish effective dates for the application of local jurisdictional boundary  
4 changes to local sales and use tax rates and provide notice of any such changes.

5           (L) Provide monetary allowances to sellers and certified service providers as  
6 outlined in the agreement.

7           (m) Certify compliance with the agreement before entering into the agreement  
8 and maintain compliance with the agreement.

9           (n) Adopt a uniform policy, with the states that are signatories to the  
10 agreement, for certified service providers that protects a consumer's privacy and  
11 maintains tax information confidentiality.

12           (o) Appoint, with the states that are signatories to the agreement, an advisory  
13 council to consult with in administering the agreement. The advisory council shall  
14 consist of private sector representatives and representatives from states that are not  
15 signatories to the agreement.

16           **(5) COOPERATING STATES.** The agreement entered into under this section is an  
17 accord among cooperating states to further their governmental functions and  
18 provides a mechanism among the cooperating states to establish and maintain a  
19 cooperative, simplified system for the application and administration of sales and  
20 use taxes that are imposed by each state that is a signatory to the agreement.

21           **(6) LIMITED BINDING AND BENEFICIAL EFFECT.** (a) The agreement entered into  
22 under this section binds, and inures to the benefit of, only the states that are  
23 signatories to the agreement. Any benefit that a person may receive from the  
24 agreement is established by this state's law and not by the terms of the agreement.

1 (b) No person shall have any cause of action or defense under the agreement  
2 or because of the department entering into the agreement. No person may challenge  
3 any action or inaction by any department, agency, other instrumentality of this state,  
4 or any political subdivision of this state on the ground that the action or inaction is  
5 inconsistent with the agreement.

6 (c) No law of this state, or the application of such law, may be declared invalid  
7 on the ground that the law, or the application of such law, is inconsistent with the  
8 agreement.

9 (7) RELATIONSHIP TO STATE LAW. No provision of the agreement in whole or in part  
10 invalidates or amends any law of this state and the state becoming a signatory to the  
11 agreement shall not amend or modify any law of this state.

12 **SECTION 2246n.** 77.54 (46) of the statutes is created to read:

13 77.54 (46) The gross receipts from the sale of and the storage, use, or other  
14 consumption of the U.S. flag or the state flag. This subsection does not apply to a  
15 representation of the U.S. flag or the state flag.

16 **SECTION 2246md.** 77.54 (47) of the statutes is created to read:

17 77.54 (47) The gross receipts from the sale of and the storage, use, or other  
18 consumption of water park water slides, including support structures, attachments,  
19 and parts for water park water slides, but excluding underground piping,  
20 foundations, and wholly or partially underground pools that are additions or  
21 improvements to real property and excluding water slides; and support structures,  
22 attachments, and parts for water slides; located at residential facilities, including  
23 personal residences, apartments, long-time care facilities, and state institutions.

24 **SECTION 2247b.** 77.76 (3) of the statutes is amended to read:

1           77.76 (3) From the appropriation under s. 20.835 (4) (g) the department shall  
2 distribute 98.25% of the county taxes reported for each enacting county, minus the  
3 county portion of the retailers' discounts, to the county and shall indicate the taxes  
4 reported by each taxpayer, no later than ~~the end of the 3rd month~~ 75 days following  
5 the ~~end~~ last day of the calendar quarter in which such amounts were reported. In  
6 this subsection, the "county portion of the retailers' discount" is the amount  
7 determined by multiplying the total retailers' discount by a fraction the numerator  
8 of which is the gross county sales and use taxes payable and the denominator of  
9 which is the sum of the gross state and county sales and use taxes payable. The  
10 county taxes distributed shall be increased or decreased to reflect subsequent  
11 refunds, audit adjustments and all other adjustments of the county taxes previously  
12 distributed. Interest paid on refunds of county sales and use taxes shall be paid from  
13 the appropriation under s. 20.835 (4) (g) at the rate paid by this state under s. 77.60  
14 (1) (a). The county may retain the amount it receives or it may distribute all or a  
15 portion of the amount it receives to the towns, villages, cities and school districts in  
16 the county. Any county receiving a report under this subsection is subject to the  
17 duties of confidentiality to which the department of revenue is subject under s. 77.61  
18 (5).

19           **SECTION 2247c.** <sup>↓</sup> 77.81 (1) of the statutes is amended to read:

20           77.81 (1) "Department" means the department of ~~natural resources~~ forestry.

21           **SECTION 2247d.** 77.82 (1) (a) 2. of the statutes is amended to read:

22           77.82 (1) (a) 2. At least ~~80%~~ 65% of the parcel must be producing or capable of  
23 producing a minimum of 20 cubic feet of merchantable timber per acre per year.

24           **SECTION 2247h.** 77.82 (1) (b) 1. of the statutes is amended to read:

1           77.82 (1) (b) 1. A parcel of which more than ~~20%~~ 35% consists of land that is  
2           unsuitable for producing merchantable timber, including water, marsh, muskeg,  
3           bog, rock outcrops, or sand dunes, ~~farmland, roadway or railroad and utility~~  
4           ~~rights-of-way.~~

5           **SECTION 2247p.** 77.82 (1) (b) 1g. of the statutes is created to read:

6           77.82 (1) (b) 1g. A parcel of which more than 20% consists of land that is  
7           farmland, roadway, or a railroad or utility right-of-way or that is not capable of  
8           producing merchantable timber because the production would affect the land's  
9           natural resources including land that contains sensitive soil, as determined by the  
10          department, endangered species as defined in s. 29.604 (2) (a), threatened species,  
11          as defined in s. 29.604 (2) (b), or an archeological site, or land that lacks sound  
12          forestry regeneration options, as determined by the department.

13          **SECTION 2247pg.** 77.82 (2) (intro.) of the statutes is amended to read:

14          77.82 (2) PETITION. (intro.) Any owner of land may petition the department to  
15          designate any eligible parcel of land as managed forest land. A petition may include  
16          any number of eligible parcels under the same ownership in a single municipality.  
17          Each petition shall be submitted on a form provided by the department and shall be  
18          accompanied by a nonrefundable \$10 application fee unless a different amount of the  
19          fee is established by the department by rule at an amount equal to the average  
20          expense to the department of recording an order issued under this subchapter. The  
21          fee shall be deposited in the ~~conservation~~ forestry fund and credited to the  
22          appropriation under s. ~~20.370 (1) (er)~~ 20.375 (2) (qr). Each petition shall include all  
23          of the following:

24          **SECTION 2247q.** 77.82 (4) of the statutes is amended to read:



1           77.82 (4) ADDITIONS TO MANAGED FOREST LAND. An owner may petition the  
2 department to designate as managed forest land an additional parcel of land in the  
3 same municipality if the additional parcel is at least 3 acres in size and is contiguous  
4 to any of the owner's designated land. The petition shall be accompanied by a  
5 nonrefundable \$10 application fee unless a different amount of the fee is established  
6 in the same manner as the fee under sub. (2). The fee shall be deposited in the  
7 ~~conservation~~ forestry fund and credited to the appropriation under s. ~~20.370 (1) (er)~~  
8 20.375 (2) (qr). The petition shall be submitted on a department form and shall  
9 contain any additional information required by the department.

10           **SECTION 2247r.** 77.82 (4m) (bn) of the statutes is amended to read:

11           77.82 (4m) (bn) A petition under this subsection shall be accompanied by a  
12 nonrefundable \$100 application fee which shall be deposited in the ~~conservation~~  
13 forestry fund and credited to the appropriation under s. ~~20.370 (1) (er)~~ 20.375 (2) (qr).

14           **SECTION 2247t.** 77.82 (7) (a) 3. of the statutes is amended to read:

15           77.82 (7) (a) 3. That a stand of merchantable timber will be developed on at  
16 least ~~80%~~ 65% of the land within a reasonable period of time.

17           **SECTION 2247tg.** 77.84 (3) (b) of the statutes is amended to read:

18           77.84 (3) (b) Immediately after receiving the certification of the county clerk  
19 that a tax deed has been taken, the department shall issue an order withdrawing the  
20 land as managed forest land. The notice requirement under s. 77.88 (1) does not  
21 apply to the department's action under this paragraph. The department shall notify  
22 the county treasurer of the amount of the withdrawal tax, as determined under s.  
23 77.88 (5), and the amount of the tax shall be payable to the department under s. 75.36  
24 (3) if the property is sold by the county. The amount shall be credited to the  
25 ~~conservation~~ forestry fund.

1           **SECTION 2247tj.** 77.85 of the statutes is amended to read:

2           **77.85 State contribution.** The department shall pay before June 30 annually  
3 the municipal treasurer, from the appropriation under s. ~~20.370 (5) (bv)~~ 20.375 (2)  
4 (vm), 20 cents for each acre of land in the municipality that is designated as managed  
5 forest land under this subchapter.

6           **SECTION 2247tk.** 77.87 (3) of the statutes is amended to read:

7           **77.87 (3) PAYMENT.** A tax assessed under sub. (1) or (2) is due and payable to  
8 the department on the last day of the month following the date the certificate is  
9 mailed to the owner. The department shall collect interest at the rate of 12% per year  
10 on any tax that is paid later than the due date. Amounts received shall be credited  
11 to the ~~conservation forestry~~ fund.

12           **SECTION 2247tm.** 77.88 (2) (d) of the statutes is amended to read:

13           **77.88 (2) (d)** Within 10 days after a transfer of ownership, the former owner  
14 shall, on a form provided by the department, file with the department a report of the  
15 transfer signed by the former owner and the transferee. The report shall be  
16 accompanied by a \$20 fee which shall be deposited in the ~~conservation forestry~~ fund  
17 and credited to the appropriation under s. ~~20.370 (1) (er)~~ 20.375 (2) (qr). The  
18 department shall immediately notify each person entitled to notice under s. 77.82 (8).

19           **SECTION 2247tn.** 77.88 (7) of the statutes is amended to read:

20           **77.88 (7) PAYMENT; DELINQUENCY.** A tax under sub. (5) is due and payable to the  
21 department on the last day of the month following the effective date of the  
22 withdrawal order. Amounts received shall be credited to the ~~conservation forestry~~  
23 fund. If the owner of the land fails to pay the tax, the department shall certify to the  
24 taxation district clerk the amount due. The taxation district clerk shall enter the  
25 delinquent amount on the property tax roll as a special charge.

1 SECTION 2247tp. 77.89 (1) of the statutes is amended to read:

2 77.89 (1) PAYMENT TO MUNICIPALITIES. By June 30 of each year, the department,  
3 from the appropriation under s. ~~20.370 (5) (bv)~~ 20.375 (2) (vm), shall pay 50% of each  
4 payment received under s. 77.84 (3) (b), 77.87 (3) or 77.88 (7) to the treasurer of the  
5 municipality in which is located the land to which the payment applies.

6 SECTION 2247tr. 77.89 (3) of the statutes is amended to read:

7 77.89 (3) ~~CONSERVATION FORESTRY FUND CREDIT~~. The municipal treasurer shall  
8 pay all amounts received under s. 77.84 (2) (b) to the county treasurer, as provided  
9 under ss. 74.25 and 74.30. The county treasurer shall, by June 30 of each year, pay  
10 all amounts received under this subsection to the department. All amounts received  
11 by the department shall be credited to the ~~conservation forestry~~ fund and shall be  
12 reserved for land acquisition and resource management activities relating to the  
13 state forests.

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15 SECTION 2247tt. 77.91 (4) of the statutes is amended to read:

16 77.91 (4) EXPENSES. Except as provided in sub. (5), the department's expenses  
17 for the administration of this subchapter shall be paid from the appropriation under  
18 s. ~~20.370 (1) (mu)~~ 20.375 (2) (q).

19 SECTION 2247tu. 77.91 (5) of the statutes is amended to read:

20 77.91 (5) RECORDING. Each register of deeds who receives notice of an order  
21 under this subchapter shall record the action as provided under s. 59.43 (1). The  
22 department shall pay the register of deeds the fee specified under s. 59.43 (2) (ag) 1.  
23 from the appropriation under s. ~~20.370 (1) (er)~~ 20.375 (2) (qr). If the amount in the  
24 appropriation under s. ~~20.370 (1) (er)~~ 20.375 (2) (qr) in any fiscal year is insufficient  
25 to pay the full amount required under this subsection in that fiscal year, the

1 department shall pay the balance from the appropriation under s. ~~20.370 (1) (mu)~~  
2 20.375 (2) (q).

3 **SECTION 2248.** 77.92 (4) of the statutes is amended to read:

4 77.92 (4) “Net business income”, with respect to a partnership, means taxable  
5 income as calculated under section 703 of the Internal Revenue Code; plus the items  
6 of income and gain under section 702 of the Internal Revenue Code, including taxable  
7 state and municipal bond interest and excluding nontaxable interest income or  
8 dividend income from federal government obligations; minus the items of loss and  
9 deduction under section 702 of the Internal Revenue Code, except items that are not  
10 deductible under s. 71.21; plus guaranteed payments to partners under section 707  
11 (c) of the Internal Revenue Code; plus the credits claimed under s. 71.07 (2dd), (2de),  
12 (2di), (2dj), (2dL), (2dm), (2dr), (2ds), (2dx), and (3g), and (3s); and plus or minus, as  
13 appropriate, transitional adjustments, depreciation differences, and basis  
14 differences under s. 71.05 (13), (15), (16), (17), and (19); but excluding income, gain,  
15 loss, and deductions from farming. “Net business income”, with respect to a natural  
16 person, estate, or trust, means profit from a trade or business for federal income tax  
17 purposes and includes net income derived as an employee as defined in section 3121  
18 (d) (3) of the Internal Revenue Code.

19 **SECTION 2249.** 77.94 (1) (b) of the statutes is amended to read:

20 77.94 (1) (b) On an entity under s. 77.93 (2) ~~or (3)~~, or (5), except an entity that  
21 has less than \$4,000,000 of gross receipts, an amount equal to the amount calculated  
22 by multiplying net business income as allocated or apportioned to this state by means  
23 of the methods under s. 71.04, for the taxable year of the entity by 0.2 %, up to a  
24 maximum of \$9,800, or \$25, whichever is greater.

25 **SECTION 2250.** 77.94 (1) (c) of the statutes is repealed.

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2 SECTION 2251. 77.996 (2) (intro.) of the statutes is amended to read:

3 77.996 (2) (intro.) "Dry cleaning facility" means a facility that dry cleans  
4 apparel or household fabrics for the general public using a dry cleaning product,  
5 other than the following facilities:

6 SECTION 2252. 77.996 (3) of the statutes is amended to read:

7 77.996 (3) "Dry cleaning solvent product" means a chlorine-based or  
8 hydrocarbon-based formulation or product that is used as a primary cleaning agent  
9 in dry cleaning facilities hazardous substance used to clean apparel or household  
10 fabrics, except a hazardous substance used to launder apparel or household  
11 products.

12 SECTION 2253. 77.9962 of the statutes is amended to read:

13 77.9962 **Dry cleaning solvents products fee.** There is imposed on each  
14 person who sells a dry cleaning solvent product to a dry cleaning facility a fee equal  
15 to \$5 per gallon of perchloroethylene sold and 75 cents per gallon of ~~a~~  
16 ~~hydrocarbon-based solvent~~ any dry cleaning product sold, other than  
17 perchloroethylene. The fees for the previous 3 months are due on January 25, April  
18 25, July 25, and October 25.

19 SECTION 2254. 77.9963 of the statutes is repealed.

20 SECTION 2255. 78.55 (1) of the statutes is amended to read:

21 78.55 (1) "Air carrier company" has the meaning given in s. ~~76.02 (1)~~ 70.11 (42)  
22 (a) 1.

23 SECTION 2258d. 79.01 (1) of the statutes is amended to read:

24 79.01 (1) There is established an account in the general fund entitled the  
25 "Expenditure Restraint Program ~~Account~~ Account." There shall be appropriated

1 to that account \$25,000,000 in 1991, in 1992, and in 1993; \$42,000,000 in 1994;  
2 \$48,000,000 in each year beginning in 1995 and ending in 1999 and; \$57,000,000 in  
3 the year 2000 and in the year 2001; \$57,570,000 in 2002; and \$58,145,700 in 2003  
4 and in each year thereafter.

5 **SECTION 2280m.** 79.03 (3c) (f) of the statutes is amended to read:

6 79.03 (3c) (f) *Distribution amount.* If the total amounts calculated under pars.  
7 (c) to (e) exceed the total amount to be distributed under this subsection, the amount  
8 paid to each eligible municipality shall be paid on a prorated basis. The total amount  
9 to be distributed under this subsection from s. 20.835 (1) (b) is \$10,000,000 beginning  
10 in 1996 and ending in 1999 and; \$11,000,000 in the year 2000 and in the year 2001;  
11 \$11,110,000 in 2002; and \$11,221,100 in 2003 and in each year thereafter.

12 **SECTION 2281d.** 79.03 (4) of the statutes is amended to read:

13 79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04, and  
14 79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be  
15 distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) is \$885,961,300.  
16 In 1993, the total amount to be distributed under ss. 79.03, 79.04, and 79.06 from s.  
17 20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this  
18 section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to  
19 municipalities and \$168,981,800 to counties. In Beginning in 1995 and subsequent  
20 years ending in 2001, the total amounts to be distributed under ss. 79.03, 79.04 and  
21 79.06 from s. 20.835 (1) (d) are \$761,478,000 to municipalities and \$168,981,800 to  
22 counties. In 2002, the total amounts to be distributed under ss. 79.03, 79.04, and  
23 79.06 from s. 20.835 (1) (d) are \$769,092,800 to municipalities and \$170,671,600 to  
24 counties. In 2003 and subsequent years, the total amounts to be distributed under

1 ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) are \$776,783,700 to municipalities  
2 and \$172,378,300 to counties.

3 **SECTION 2281e.** 79.03 (5) of the statutes is created to read:

4 79.03 (5) (a) In 2002 and 2003, each municipality shall receive a shared  
5 revenue payment under this section that is equal to the amount of the payment it  
6 received in the previous year, multiplied by 101%. In 2004 and in subsequent years,  
7 each municipality shall receive a shared revenue payment under this section that is  
8 equal to the amount of the payment it received in 2003.

9 (b) The department of revenue shall use the population amounts it used to  
10 determine the November 2000, shared revenue payments to municipalities to  
11 calculate corrections to such payments in 2001, as provided under s. 79.08. The  
12 department of revenue shall use the population amounts it used to estimate  
13 payments under s. 79.015 in September 2000, to calculate actual and corrected 2001  
14 shared revenue payments to municipalities.

15 **SECTION 2255m.** 79.03 (3) (b) 3. of the statutes is amended to read:

16 79.03 (3) (b) 3. "Full valuation" means the full value of property that is exempt  
17 under s. 70.11 (39) and (39m) as determined under s. 79.095 (3) plus the full value  
18 of all taxable property for the preceding year as equalized for state tax purposes,  
19 except that for municipalities the value of real estate assessed under s. 70.995 is  
20 excluded. Value increments under s. 66.1105 plus the full value of property that is  
21 exempt under s. 70.11 (39) and (39m) that would otherwise be part of a value  
22 increment are included for municipalities but excluded for counties. Environmental  
23 remediation value increments under s. 66.1106 are included for municipalities and  
24 counties that create the environmental remediation tax incremental district and are  
25 excluded for units of government that do not create the district. If property that had

1 been assessed under s. 70.995 and that has a value exceeding 10% of a municipality's  
2 value is assessed under s. 70.10, 30% of that property's full value is included in "full  
3 valuation" for purposes of the shared revenue payments in the year after the  
4 assessment under s. 70.10, 65% of that property's full value is included in "full  
5 valuation" for purposes of the shared revenue payments in the year 2 years after the  
6 assessment under s. 70.10 and 100% of that property's full value is included in "full  
7 valuation" for purposes of subsequent shared revenue payments.

8 **SECTION 2282.** 79.04 (1) (intro.) of the statutes is amended to read:

9 79.04 (1) (intro.) Annually, the department of administration, upon  
10 certification by the department of revenue, shall distribute to a municipality having  
11 within its boundaries a production plant or a general structure, including production  
12 plants and general structures under construction, used by a light, heat, or power  
13 company assessed under s. 76.28 (2) or 76.29 (2), except property described in s.  
14 66.0813 unless the production plant is owned or operated by a local governmental  
15 unit located outside of the municipality, or by an electric cooperative assessed under  
16 ss. 76.07 and 76.48, respectively, or by a municipal electric company under s. 66.0825  
17 the amount determined as follows:

18 **SECTION 2285.** 79.04 (2) (a) of the statutes is amended to read:

19 79.04 (2) (a) Annually, the department of administration, upon certification by  
20 the department of revenue, shall distribute from the shared revenue account to any  
21 county having within its boundaries a production plant or a general structure,  
22 including production plants and general structures under construction, used by a  
23 light, heat or power company assessed under s. 76.28 (2) or 76.29 (2), except property  
24 described in s. 66.0813 unless the production plant is owned or operated by a local  
25 governmental unit that is located outside of the municipality in which the production



1 plant is located, or by an electric cooperative assessed under ss. 76.07 and 76.48,  
2 respectively, or by a municipal electric company under s. 66.0825 an amount  
3 determined by multiplying by 6 mills in the case of property in a town and by 3 mills  
4 in the case of property in a city or village the first \$125,000,000 of the amount shown  
5 in the account, plus leased property, of each public utility except qualified wholesale  
6 electric companies, as defined in s. 76.28 (1) (gm), on December 31 of the preceding  
7 year for either “production plant, exclusive of land” and “general structures”, or  
8 “work in progress” for production plants and general structures under construction,  
9 in the case of light, heat and power companies, electric cooperatives or municipal  
10 electric companies, for all property within the municipality in accordance with the  
11 system of accounts established by the public service commission or rural  
12 electrification administration, less depreciation thereon as determined by the  
13 department of revenue and less the value of treatment plant and pollution  
14 abatement equipment, as defined under s. 70.11 (21) (a), as determined by the  
15 department of revenue plus an amount from the shared revenue account determined  
16 by multiplying by 6 mills in the case of property in a town, and 3 mills in the case of  
17 property in a city or village, of the total original cost of production plant, general  
18 structures and work-in-progress less depreciation, land and approved waste  
19 treatment facilities of each qualified wholesale electric company, as defined in s.  
20 76.28 (1) (gm), as reported to the department of revenue of all property within the  
21 municipality. The total of amounts, as depreciated, from the accounts of all public  
22 utilities for the same production plant is also limited to not more than \$125,000,000.  
23 The amount distributable to a county in any year shall not exceed \$100 times the  
24 population of the county.

25 **SECTION 2285d.** 79.058 (3) (c) of the statutes is amended to read:

1 79.058 (3) (c) In the year 2000 and subsequent years in 2001, \$20,763,800.

2 SECTION 2285e. 79.058 (3) (d) of the statutes is created to read:

3 79.058 (3) (d) In 2002, \$20,971,400.

4 *Delete blank line*

ccc  
done

5 SECTION 2285f. 79.083 (3) (e) of the statutes is created to read:

6 79.083 (3) (e) In 2003 and subsequent years, \$21,181,100.

7 SECTION 2285m. 79.05 (2) (c) of the statutes is amended to read:

8 79.05 (2) (c) Its municipal budget,; exclusive of principal and interest on  
9 long-term debt and exclusive of payments of the revenue sharing payments under  
10 s. 66.0305 and recycling fee payments under s. 289.645;; for the year of the statement  
11 under s. 79.015 increased over its municipal budget as adjusted under sub. (6);;  
12 exclusive of principal and interest on long-term debt and exclusive of payments of  
13 the revenue sharing payments under s. 66.0305 and recycling fee payments under  
14 s. 289.645; for the year before that year by less than the sum of the inflation factor  
15 and the valuation factor, rounded to the nearest 0.10%.

16 SECTION 2291m. 79.095 (2) (a) of the statutes is amended to read:

17 79.095 (2) (a) On or before May 1, the value of the computers property that are  
18 is exempt under s. 70.11 (39) and (39m) in each taxing jurisdiction for which the  
19 municipality assesses property.

20 SECTION 2291n. 79.095 (3) of the statutes is amended to read:

21 79.095 (3) REVIEW BY DEPARTMENT. The department shall adjust each rate  
22 reported under sub. (2) (b) to a full-value rate. The department shall review and  
23 correct the information submitted under sub. (2) (a), shall determine the full value  
24 of all of the computers property reported under sub. (2) (a) and of all the computers  
25 property under s. 70.995 (12r) and, on or before October 1, shall notify each taxing

1 jurisdiction of the full value of the ~~computers~~ property that ~~are~~ is exempt under s.  
2 70.11 (39) and (39m) and that ~~are~~ is located in the jurisdiction. The department shall  
3 adjust the full value that is reported to taxing jurisdictions under this subsection in  
4 the year after an error occurs or a value has been changed due to an appeal. All  
5 disputes between the department and municipalities about the value of the property  
6 reported under sub. (2) (a) or of the property under s. 70.995 (12r) shall be resolved  
7 by using the procedures under s. 70.995 (8).

8 **SECTION 2291p.** ↓ 79.095 (4) of the statutes is amended to read:

9 79.095 (4) PAYMENT. The department shall calculate the payments due each  
10 taxing jurisdiction under this section by multiplying the full value as of the January  
11 1 of the preceding year of the ~~computers~~ property that ~~are~~ is exempt under s. 70.11  
12 (39) and (39m) and that ~~are~~ is located in the jurisdiction by the full-value gross tax  
13 rate of the jurisdiction for the preceding year. The department shall certify the  
14 amount of the payment due each taxing jurisdiction to the department of  
15 administration, which shall make the payments on or before the first Monday in May.

16 **SECTION 2287.** ↓ 79.06 (2) (b) of the statutes is amended to read:

17 79.06 (2) (b) If the payments to a municipality or county, except any county in  
18 which there are no cities or villages, or any county created in the year 1846 or 1847,  
19 with a population in the year 1990 greater than 16,000 but less than 17,000, as  
20 determined by the 1990 federal decennial census, in any year exceed its combined  
21 payments under this section and s. 79.03, excluding payments under s. 79.03 (3c),  
22 in the previous year by more than the maximum allowable increase, the excess shall  
23 be withheld to fund minimum payments in that year under sub. (1) (c).

24 **SECTION 2292.** 79.10 (6m) of the statutes is renumbered 79.10 (6m) (a) and  
25 amended to read:

1           79.10 (6m) (a) If Except as provided in pars. (b) and (c), if the department of  
2 administration or the department of revenue determines by October 1 of the year of  
3 any distribution under subs. (4) and (5) that there was an overpayment or  
4 underpayment made in that year's distribution by the department of administration  
5 to municipalities, as determined under subs. (4) and (5), because of an error by the  
6 department of administration, the department of revenue or any municipality, the  
7 overpayment or underpayment shall be corrected as provided in this subsection  
8 paragraph. Any overpayment shall be corrected by reducing the subsequent year's  
9 distribution, as determined under subs. (4) and (5), by an amount equal to the  
10 amount of the overpayment. Any underpayment shall be corrected by increasing the  
11 subsequent year's distribution, as determined under subs. (4) and (5), by an amount  
12 equal to the amount of the underpayment. Corrections shall be made in the  
13 distributions to all municipalities affected by the error. Corrections shall be without  
14 interest.

15           **SECTION 2293.** 79.10 (6m) (b) of the statutes is created to read:

16           79.10 (6m) (b) If, after March 1 of the year of any distribution under sub. (5),  
17 a municipality discovers an error in the notice that the municipality furnished under  
18 sub. (1m) that resulted in an overpayment of that year's distribution to the  
19 municipality, as determined under sub. (5), the municipality shall correct the error  
20 and notify the department of revenue of the correction on a form that the department  
21 prescribes. If, after March 1 of the year of any distribution under sub. (5), the  
22 department of administration or the department of revenue discovers an error in the  
23 notice that the municipality furnished under sub. (1m) that resulted in an  
24 overpayment of that year's distribution to the municipality, as determined under  
25 sub. (5), the department of administration or the department of revenue shall notify

1 the municipality and the municipality shall correct the error. The municipality may  
2 pay the amount of the overpayment to the department of revenue and, if the  
3 municipality chooses to make such a payment, shall submit the payment with the  
4 form prescribed under this paragraph. If the municipality does not pay the amount  
5 of the overpayment, the department of administration may collect the amount of the  
6 overpayment as a special charge to the municipality or may correct the overpayment  
7 as provided under par. (a). Payments under this paragraph shall be without interest  
8 and shall be deposited in the lottery fund.

9 **SECTION 2294.** 79.10 (6m) (c) of the statutes is created to read:

10 79.10 (6m) (c) If, after March 1 of the year of any distribution under sub. (5),  
11 a municipality discovers an error in the notice that the municipality furnished under  
12 sub. (1m) that resulted in an underpayment of that year's distribution to the  
13 municipality, as determined under sub. (5), the municipality shall correct the error  
14 and notify the department of revenue on a form that the department prescribes. If,  
15 after March 1 of the year of any distribution under sub. (5), the department of  
16 administration or the department of revenue discovers an error in the notice that the  
17 municipality furnished under sub. (1m) that resulted in an underpayment of that  
18 year's distribution to the municipality, as determined under sub. (5), the department  
19 of administration or the department of revenue shall notify the municipality and the  
20 municipality shall correct the error. The department of revenue may either pay the  
21 amount of the underpayment to the municipality, from the appropriation under s.  
22 20.835 (3) (q), or correct the underpayment as provided under par. (a). Payments  
23 under this paragraph shall be without interest.

24 **SECTION 2294p.** 81.01 (3) (intro.) of the statutes is amended to read:

1           81.01 (3) (intro.) Provide machinery, implements, material, and equipment  
2 needed to construct, maintain, and repair said highways and bridges, and for that  
3 purpose may acquire by purchase or by condemnation in the manner provided by ch.  
4 32 gravel pits and stone quarries, but the total sum spent under this subsection shall  
5 not exceed \$10,000 in any year for construction, maintenance, and repair of  
6 highways and bridges may not exceed the product of \$5,000 multiplied by the miles  
7 of highway under the jurisdiction of the town measured by the most recent highway  
8 mileage for the town, as determined under s. 86.302, unless one of the following  
9 occurs:

10           **SECTION 2294pc.** ↓ 81.01 (3) (b) of the statutes is amended to read:

11           81.01 (3) (b) The town board, by resolution, submits to the electors of the town  
12 as a referendum at a general or special town election the question of exceeding the  
13 \$10,000 limit set under this subsection. A copy of the resolution shall be filed as  
14 provided in s. 8.37. The board shall abide by the majority vote of the electors of the  
15 town on the question. The question shall read as follows:

16           Shall the town of ... .. spend \$... \$.... over the annual limit of \$10,000 the  
17 product of \$5,000 multiplied by the miles of highway under the jurisdiction of the  
18 town measured by the most recent highway mileage for the town, as determined  
19 under section 86.302 of the Wisconsin Statutes, for the construction, maintenance,  
20 and repair of its highways and bridges?

21   FOR SPENDING  AGAINST SPENDING

22           **SECTION 2294m.** ↓ 84.001 (1r) of the statutes is created to read:

23           84.001 (1r) "Intelligent transportation system" means a specialized computer  
24 system or other electronic, information processing, communication, or technical  
25 system, including roadway detector loops, closed circuit television, permanent

1 variable message signs, or ramp meters, that is used to improve the efficiency or  
2 safety of a surface transportation system.

3 **SECTION 2294ec.** 79.10 (10) (bm) of the statutes is renumbered 79.10 (10) (bm)  
4 1. and amended to read:

5 79.10 (10) (bm) 1. A person who is eligible for a credit under sub. (9) (bm) but  
6 whose property tax bill does not reflect the credit may claim the credit by applying  
7 to the treasurer of the taxation district in which the property is located for the credit  
8 under par. (a) by January 31 following the issuance of the person's property tax bill.  
9 The treasurer of the ~~taxation district in which the property is located~~ shall compute  
10 the amount of the credit; subtract the amount of the credit from the person's property  
11 tax bill; notify the person of the reduced amount of the property taxes due; issue a  
12 refund to the person if the person has paid the property taxes in full; and enter the  
13 person's property on the next tax roll as property that qualifies for a lottery and  
14 gaming credit. Claims made under this ~~paragraph~~ subdivision become invalid when  
15 claims made under par. (a) become invalid.

16 **SECTION 2294ee.** 79.10 (10) (bm) 2. of the statutes is created to read:

17 79.10 (10) (bm) 2. A person who may apply for a credit under subd. 1. but who  
18 does not timely apply for the credit under subd. 1. may apply to the department of  
19 revenue no later than October 1 following the issuance of the person's property tax  
20 bill. Subject to review by the department, the department shall compute the amount  
21 of the credit; issue a check to the person in the amount of the credit; and notify the  
22 treasurer of the county in which the person's property is located or the treasurer of  
23 the taxation district in which the person's property is located, if the taxation district  
24 collects taxes under s. 74.87. The treasurer shall enter the person's property on the  
25 next tax roll as property that qualifies for a lottery and gaming credit. Claims made

1 under this subdivision become invalid when claims made under par. (a) become  
2 invalid.

3 **SECTION 2294eg.** 79.10 (10) (bn) of the statutes is renumbered 79.10 (10) (bn)  
4 1. and amended to read:

5 79.10 (10) (bn) 1. If a person who owns and uses property as specified under  
6 sub. (1) (dm), as of the certification date under par. (a), transfers the property after  
7 the certification date, the transferee may apply to the treasurer of the county in  
8 which the property is located or, if the property is located in a city that collects taxes  
9 under s. 74.87, to the treasurer of the city in which the property is located for the  
10 credit under sub. (9) (bm) on a form prescribed by the department of revenue. The  
11 transferee shall attest that, to the transferee's knowledge, the transferor used the  
12 property in the manner specified under sub. (1) (dm) as of the certification date under  
13 par. (a). A claim that is made under this ~~paragraph~~ subdivision is valid for the year  
14 in which the property is transferred.

15 **SECTION 2294eh.** 79.10 (10) (bn) 2. of the statutes is created to read:

16 79.10 (10) (bn) 2. A person who is eligible for a credit under subd. 1. but whose  
17 property tax bill does not reflect the credit may claim the credit by applying to the  
18 treasurer of the taxation district in which the property is located for the credit by  
19 January 31 following the issuance of the person's property tax bill. Claims made  
20 after January 31, but no later than October 1 following the issuance of the person's  
21 property tax bill, shall be made to the department of revenue. Paragraph (bm), as  
22 it applies to processing claims made under that paragraph, applies to processing  
23 claims made under this subdivision, except that a claim that is made under this  
24 subdivision is valid for the year in which the person took possession of the  
25 transferred property under subd. 1.



1           **SECTION 2294j.** 80.05 (2) (b) of the statutes is amended to read:

2           80.05 (2) (b) Give notice by registered mail to the department of natural  
3 resources, to the department of forestry and to the county land conservation  
4 committee in each county through which the highway may pass.

5           **SECTION 2294m.** 80.39 (2) of the statutes is amended to read:

6           80.39 (2) NOTICE. Upon such petition the county board or the commissioners  
7 appointed by the board shall give notice of the time and place they will meet to decide  
8 on the petition. The notice shall be published as a class 2 notice, under ch. 985. The  
9 notice shall also be given to the ~~department~~ secretary of natural resources ~~by serving~~  
10 ~~a copy upon the secretary of natural resources~~ and to the secretary of forestry either  
11 by registered mail or personally. If the board appoints a committee to act, the notice  
12 shall state the fact and the notice shall be signed by the commissioners, otherwise  
13 by the chairperson of the board.

14           **SECTION 2294p.** 84.01 (17) of the statutes is amended to read:

15           84.01 (17) IMPROVEMENTS FOR NEXT 6 YEARS. In each odd-numbered year, the  
16 department of transportation shall determine, as far as possible, what  
17 improvements will be made during the following 6-year period, and shall notify the  
18 county clerks prior to February 1 of each even-numbered year, as to the  
19 improvements in their respective counties. Such notice shall also be given to the  
20 department of natural resources, to the department of forestry and to the  
21 department of agriculture, trade and consumer protection.

22           **SECTION 2295.** 84.01 (31) of the statutes is created to read:

23           84.01 (31) ACCOMMODATION OF UTILITY FACILITIES WITHIN HIGHWAY RIGHTS-OF-WAY.  
24 Notwithstanding ss. 84.06 (4), 84.063, 84.065, and 84.093, the department may, upon  
25 finding that it is feasible and advantageous to the state, negotiate and enter into an

1 agreement to accept any plant or equipment used for the conveyance, by wire, optics,  
2 radio signal, or other means, of voice, data, or other information at any frequency  
3 over any part of the electromagnetic spectrum, or to accept any services associated  
4 with the collection, storage, forwarding, switching, and delivery incidental to such  
5 communication, as payment for the accommodation of a utility facility, as defined in  
6 s. 84.063 (1) (b), within a highway right-of-way. Any agreement under this  
7 subsection is exempt from ss. 16.70 to 16.75, 16.755 to 16.82, and 16.85 to 16.89, but  
8 ss. 16.528, 16.752, and 16.754 apply to such agreement.

9 **SECTION 2296.** 84.01 (32) of the statutes is created to read:

10 **84.01 (32) CONFIDENTIALITY OF BIDDER INFORMATION.** (a) The department may  
11 not disclose to any person any information requested by the department for the  
12 purpose of complying with 49 CFR 26, as that section existed on October 1, 1999, that  
13 relates to an individual's statement of net worth, a statement of experience, or a  
14 company's financial statement, including the gross receipts of a bidder.

15 (b) This subsection does not prohibit the department from disclosing  
16 information to any of the following persons:

- 17 1. The person to whom the information relates.
- 18 2. Any person who has the written consent of the person to whom the  
19 information relates to receive such information.
- 20 3. Any person to whom 49 CFR 26, as that section existed on October 1, 1999,  
21 requires or specifically authorizes the department to disclose such information.

22 **SECTION 2296m.** 84.01 (33) of the statutes is created to read:

23 **84.01 (33) TRANSPORTATION FUNDING REPORT.** By January 15, 2003, and  
24 biennially thereafter, the department shall submit a report to the chief clerk of each  
25 house of the legislature for distribution to the appropriate standing committee

1 dealing with transportation matters in each house of the legislature that shows  
2 transportation revenues and the funding for transportation programs for at least 15  
3 years preceding the report, including changes to funding levels following the  
4 enactment of biennial budget bills and an explanation of major changes in the  
5 funding levels for appropriations included in the most recent biennial budget act.

6 **SECTION 2296p.** 84.01 (34) of the statutes is created to read:

7 84.01 (34) <sup>↓</sup> STILLWATER BRIDGE PROJECT. (a) Not later than April 1, 2002, the  
8 department shall develop and submit to the joint committee on finance a proposal  
9 specifying the amount of anticipated expenditures to be made by the department for  
10 mitigation in connection with the Stillwater Bridge project across the St. Croix River  
11 between Houlton in St. Croix County and Stillwater, Minnesota.

12 (b) If, after submission of the proposal under par. (a), the department  
13 determines that it will exceed the amount of anticipated expenditures specified in  
14 the proposal under par. (a), the department shall submit to the joint committee on  
15 finance a proposal for the additional amount of anticipated expenditures for  
16 mitigation in connection with the project.

17 **SECTION 2297.** 84.013 (2) (a) of the statutes is amended to read:

18 84.013 (2) (a) Subject to ~~s. ss. 84.59 (1) and~~ 86.255, major highway projects shall  
19 be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and  
20 20.866 (2) (ur) to (uu).

21 **SECTION 2298.** 84.013 (2) (b) of the statutes is amended to read:

22 84.013 (2) (b) ~~Subject~~ Except as provided in ss. 84.014 and 84.03 (3) and subject  
23 to s. 86.255, reconditioning, reconstruction and resurfacing of highways shall be  
24 funded from the appropriations under s. 20.395 (3) (cq) to (cx).

1           **SECTION 2299.** 84.013 (3) (a), (b), (c), (d), (e), (em), (f), (g), (h), (i), (j), (k), (L), (m),  
2           (n), (o), (p), (q), (r), (s), (t), (tj), (u), (v), (vc), (vg), (vL), (vp), (vt), (vx), (w), (wr), (x), (xf),  
3           (xo), (xs), (xw), (xy), (y), (yb), (yf), (yk), (yo), (ys), (yw), (yy) and (z) of the statutes are  
4           repealed.

5           **SECTION 2300.** 84.013 (3) (pe) of the statutes is created to read:

6           84.013 (3) (pe) STH 17 extending approximately 3.25 miles from the  
7           intersection of STH 17 and Birchwood Drive to USH 8 approximately 0.16 miles east  
8           of Germond Road, designated as the Rhinelander relocation, in Oneida County.

9           **SECTION 2301.** 84.013 (3) (pm) of the statutes is created to read:

10          84.013 (3) (pm) STH 26 extending approximately 48 miles between I 90 in  
11          Janesville and STH 60 north of Watertown in Rock, Jefferson, and Dodge counties.

12          **SECTION 2302.** 84.013 (3) (ps) of the statutes is created to read:

13          84.013 (3) (ps) I 39/USH 51 extending approximately 8 miles from south of Fox  
14          Glove Road to north of Bridge Street, designated as the Wausau beltline, in  
15          Marathon County.

16          **SECTION 2302c.** 84.013 (3m) (d) of the statutes is created to read:

17          84.013 (3m) (d) In constructing the major highway project specified under sub.  
18          (3) (ac), the department shall construct USH 12, as designated on the effective date  
19          of this paragraph .... [revisor inserts date], between Fern Dell Road and Old Highway  
20          33 in Sauk County to 5 lanes, and the department may not require a matching fund  
21          contribution from any city, village, town, or county for this construction.

22          **SECTION 2302e.** 84.013 (3m) (e) of the statutes is created to read:

23          84.013 (3m) (e) The major highway project specified under sub. (3) (tp) shall  
24          include an interchange, with grade separation at each interchange ramp, at the  
25          intersection of STH 57 and CTH "P" in Brown County.

1           **SECTION 2302g.** 84.013 (3m) (f) of the statutes is created to read:

2           84.013 (3m) (f) The major highway project specified under sub. (3) (ai) shall  
3 include an interchange, with grade separation at each interchange ramp, at the  
4 intersection of USH 141 and CTH “B” in Marinette County.

5           **SECTION 2302k.** 84.013 (6g) of the statutes is created to read:

6           84.013 (6g) Notwithstanding s. 13.489 (1m) the department shall conduct a  
7 study of the STH 11/USH 14 transportation corridor between Janesville and I 43 in  
8 Rock and Walworth counties to evaluate alternatives to improve the capacity and  
9 safety of transportation in the corridor. The department shall consult with local  
10 units of government to determine the design and methodology of the study, and shall  
11 cooperate with the city of Janesville and the counties of Rock and Walworth in  
12 completing the study. If the department concludes after the study that  
13 improvements in the corridor require construction of a major highway project on  
14 STH 11 and USH 14, the department shall include the project in its report submitted  
15 to the transportation projects commission under s. 13.489 (2) no later than  
16 September 15, 2004, for review by the commission under s. 13.489 (4).

17           **SECTION 2302gg.** 84.013 (3m) (g) of the statutes is created to read:

18           84.013 (3m) (g) The department shall complete any major highway project  
19 involving USH 10 from Marshfield to Stevens Point in Portage and Wood counties  
20 by December 31, 2013.

21           **SECTION 2302m.** 84.013 (10) of the statutes is created to read:

22           84.013 (10) By June 1, 2002, and annually thereafter, the department shall  
23 submit a report that shows the current schedule for the construction of major  
24 highway projects enumerated under sub. (3), including the projected expenditures  
25 in each fiscal year for each major highway project, to the transportation projects

1 commission and to the chief clerk of each house of the legislature for distribution to  
2 the appropriate standing committee dealing with transportation matters in each  
3 house of the legislature.

4 **SECTION 2303b.** 84.014 of the statutes is created to read:

5 **84.014 Southeast Wisconsin freeway rehabilitation; Marquette**  
6 **interchange reconstruction project. (1)** In this section:

7 (a) “Interim repair” means any improvement not specified in a notice given  
8 under s. 84.01 (17) that is needed to remedy unanticipated roadway deficiencies.

9 (b) “Marquette interchange” means all highways, including ramps and  
10 shoulders, encompassing I 43, I 94, and I 794 in Milwaukee County within the area  
11 bordered by 25th Street to the west, North Avenue to the north, the southern end of  
12 Burnham Canal to the south, and the Milwaukee River to the east.

13 (c) “Reconstruction” means the rebuilding of highways and bridges, including  
14 improvements to enhance highway safety, design, or capacity. The term includes  
15 activities associated with such rebuilding, including design engineering, traffic  
16 mitigation, property acquisition, and utility facility relocation. The term does not  
17 include interim repairs.

18 (d) “Rehabilitation” means the reconditioning, reconstruction, or resurfacing,  
19 as defined in s. 84.013 (1) (b) to (d), of a freeway or the adding of one or more lanes  
20 to the freeway, and includes interim repairs.

21 (e) “Southeast Wisconsin freeway” means a state trunk highway, located in  
22 Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, or Waukesha  
23 county, that has 4 or more lanes of traffic physically separated by a median or barrier  
24 and that gives preference to through traffic by limiting access to interchanges only.

1           (2) Notwithstanding s. 84.013 and subject to s. 86.255, any southeast  
2       Wisconsin freeway rehabilitation projects, including the Marquette interchange  
3       reconstruction project, may be funded only from the appropriations under s. 20.395  
4       (3) (cr), (cw), and (cy).

5           (3) The department may not expend from the appropriations under s. 20.395  
6       (3) (cr) and (cy) more than \$160,643,900 in the 2001–03 fiscal biennium, or more than  
7       \$45,918,500 in any fiscal year thereafter, for the Marquette interchange  
8       reconstruction project, unless the expenditure of more funds is approved or modified  
9       and approved by the joint committee on finance under sub. (5). From funds that  
10      would otherwise be expended from the appropriations under s. 20.395 (3) (cr) and (cy)  
11      for other southeast Wisconsin freeway rehabilitation projects, the department may  
12      exceed the expenditure limit for the 2001–03 fiscal biennium or for a fiscal year  
13      thereafter to meet project deadlines if the department makes a reduction in  
14      subsequent allocations for the Marquette interchange reconstruction project that is  
15      equal to the amount by which the applicable expenditure limit was exceeded.

16          (4) The department may transfer the funding of southeast Wisconsin freeway  
17      rehabilitation projects between the appropriations for s. 20.395 (3) (cr) and (cy) to  
18      minimize project costs.

19          (5) The department may not take any of the following actions unless the action  
20      is approved or modified and approved by the joint committee on finance under s.  
21      13.101:

22           (a) Transfer any funds from the appropriations under s. 20.395 (3) (cq), (cv), and  
23      (cx) to the appropriations under s. 20.395 (3) (cr), (cw), and (cy).

24           (b) Except as otherwise provided in this section and 2001 Wisconsin Act .... (this  
25      act), section 9152 (5w), make any other adjustments to the appropriations under s.

1 20.395 (3) (cr), (cw), and (cy) or to the allocations for the Marquette interchange  
2 reconstruction project.

3 (6) The department shall submit its proposed relocation assistance agreement  
4 with Aldrich Chemical Company, Inc., in the city of Milwaukee that is associated  
5 with the Marquette interchange reconstruction project to the joint committee on  
6 finance. The proposed relocation assistance agreement shall include a designation  
7 of the relative responsibilities of each party to the agreement with respect to  
8 remediation of any environmental contamination on the property. If the  
9 cochairpersons of the committee do not notify the department within 14 working  
10 days after the date of the department's submission that the committee has scheduled  
11 a meeting to review the proposed agreement, the department may enter into the  
12 proposed agreement. If, within 14 working days after the date of the department's  
13 submission, the cochairpersons of the committee notify the department that the  
14 committee has scheduled a meeting to review the proposed agreement, the  
15 department may enter into the proposed agreement only upon approval of the  
16 committee.

17 (7) The Marquette interchange reconstruction project shall include an  
18 interchange at the intersection of 13th Street and I 94. Notwithstanding ss. 84.29  
19 (6) and 84.295 (7), the department shall keep the 13th Street interchange existing  
20 on the effective date of this subsection .... [revisor inserts date], open for travel during  
21 the Marquette interchange reconstruction project.

22 (7fg) The Marquette interchange reconstruction project shall include an exit  
23 at the intersection of Plankinton Avenue and I 794. Notwithstanding ss. 84.29 (6)  
24 and 84.295 (7), the department shall keep an exit at Plankinton Avenue open for  
25 travel during the Marquette interchange reconstruction project.



1           ↓  
(7fm) Construction work on the Marquette interchange reconstruction project  
2 shall be performed on a 24-hour basis.

3           ↓  
(7fr) The department shall design the reconstruction of the Marquette  
4 interchange and I 94 in Milwaukee and Waukesha counties to allow for expansion  
5 of capacity for vehicular traffic on the Marquette interchange and I 94 in these  
6 counties to meet the projected vehicular traffic capacity needs, as determined by the  
7 department, for 30 years following the completion of such reconstruction.

8           ↓  
SECTION 2304p. 84.02 (5) (a) of the statutes is amended to read:

9           84.02 (5) (a) As often as it deems necessary, the department shall publish  
10 highway service maps showing the state trunk highway system and such other main  
11 highways and other features as may seem desirable. Such highway service maps  
12 shall be sold by the department at a price to be fixed by it, which shall be not less than  
13 cost. The department may permit the use of the base plates for other maps and  
14 publications in consideration of a fair fee for such use. The department shall make  
15 and publish or duplicate such highway service maps as are required for its use, and  
16 shall publish folded highway maps of Wisconsin for free distribution to the public.  
17 The department shall ensure that the folded highway maps bear information  
18 regarding the requirements of s. 347.48 (4) and do not bear information regarding  
19 toll-free telephone service under s. 13.205.

20           ↓  
SECTION 2304g. 84.02 (3) (a) of the statutes is amended to read:

21           84.02 (3) (a) Changes may be made in the state trunk system by the  
22 department, if it deems that the public good is best served by making the changes.  
23 The department, in making the changes, may lay out new highways by the procedure  
24 under this subsection. Due notice shall be given to the localities concerned of the  
25 intention to make changes or discontinuances, and if the change proposes to lay a

1 highway via a new location and the distance along such deviation from the existing  
2 location exceeds 2 1/2 miles, then a hearing in or near the region affected by the  
3 proposed change shall be held prior to making the change effective. The notice shall  
4 also be given to the secretary of natural resources and to the secretary of forestry  
5 either by registered mail or personally. Whenever the department decides to thus  
6 change more than 2 1/2 miles of the system the change shall not be effective until the  
7 decision of the department has been referred to and approved by the county board  
8 of each county in which any part of the proposed change is situated. A copy of the  
9 decision shall be filed in the office of the clerk of each county in which a change is  
10 made or proposed. Where the distance along the deviation from the existing location  
11 exceeds 5 miles the change shall constitute an addition to the state trunk highway  
12 system. The preexisting route shall continue to be a state trunk highway unless the  
13 county board of each county in which any part of the relocation lies and the  
14 department mutually agree to its discontinuance as a state trunk highway.  
15 Whenever such county board or boards and the department cannot so agree the  
16 department shall report the problem to the next ensuing session of the legislature  
17 for determination.

18 SECTION 2305. 84.02 (8) (d) of the statutes is repealed.

19 *Delete blank line*

20 SECTION 2305g. 84.02 (16) of the statutes is created to read:

21 84.02 (16) STATE TRUNK HIGHWAY REPORT TO LEGISLATURE. By September 15,  
22 2002, and biennially thereafter, the department shall submit a report to the chief  
23 clerk of each house of the legislature for distribution to the appropriate standing  
24 committee dealing with transportation matters in each house of the legislature that  
25 provides statistics on the condition and performance of state trunk highways,

1 including pavement smoothness and distress, geometric deficiencies, safety  
2 problems, structural and functional bridge deficiencies, and traffic congestion.

3 **SECTION 2305k.** 84.02 (17) of the statutes is created to read:

4 84.02 (17) WIDENING OF USH 12; VILLAGE OF CAMBRIDGE. With respect to any  
5 reconstruction or repair of the portion of USH 12 in the village of Cambridge in Dane  
6 County, the department may not, between the effective date of this subsection ....  
7 [revisor inserts date], and December 31, 2011, widen the portion of USH 12 between  
8 the intersection of USH 12 and USH 18 and the Koshkonong Creek Bridge.

9 **SECTION 2305m.** 84.03 (2) (b) 2. of the statutes is amended to read:

10 84.03 (2) (b) 2. The secretary is required to submit a plan under subd. 1. only  
11 if the department's most recent estimate of the amount of federal funds that the  
12 department will be appropriated under s. 20.395 in the current state fiscal year is  
13 less than ~~95%~~ 97% or more than ~~105%~~ 103% of the amount of federal funds shown  
14 in the schedule for the appropriations under s. 20.395 in that fiscal year.

15 **SECTION 2306.** 84.03 (3) of the statutes is created to read:

16 84.03 (3) WEST CANAL STREET RECONSTRUCTION PROJECT. (a) Subject to par. (b),  
17 the department shall, from the appropriations under s. 20.395 (3) (cr) and (cy), award  
18 a grant of \$5,000,000 from the amounts allocated for the Marquette interchange  
19 reconstruction project under 2001 Wisconsin Act ... (this act), section 9152 (5w),  
20 shall award a grant of \$2,500,000 under s. 86.31 (3s), and shall award grants totaling  
21 \$2,500,000 from the appropriation under s. 20.395 (3) (ck), to the city of Milwaukee  
22 for reconstruction of West Canal Street in the city of Milwaukee to serve as a  
23 transportation corridor for the purpose of mitigating traffic associated with the  
24 reconstruction of the Marquette interchange.

1 (b) No grant may be awarded under par. (a) or s. 86.31 (3s) unless the city of  
2 Milwaukee contributes \$10,000,000 toward the West Canal Street reconstruction  
3 project.

4 (c) This subsection does not apply after December 31, 2005.

5 **SECTION 2307.** 84.03 (4) of the statutes is created to read:

6 **84.03 (4) PARK EAST FREEWAY CORRIDOR COST SHARING.** (a) The maximum state  
7 share of costs for the project for the demolition of the Park East Freeway corridor in  
8 Milwaukee County, as provided in an agreement entered into on April 20, 1999,  
9 between the city of Milwaukee, Milwaukee County, and the state, shall be  
10 \$8,000,000, of which \$6,800,000 shall be federal interstate cost estimate funds  
11 received by the state.

12 (b) The local share of costs of the project described in par. (a) shall be not less  
13 than the amount of \$17,000,000 provided for in the agreement specified under par.  
14 (a), of which \$14,450,000 shall be federal interstate cost estimate funds received by  
15 the city or county.

16 **SECTION 2307h.** ✓ 84.075 (1) of the statutes is amended to read:

17 **84.075 (1)** In purchasing services under s. 84.01 (13), in awarding construction  
18 contracts under s. 84.06, and in contracting with private contractors and agencies  
19 under s. 84.07, the department of transportation shall attempt to ensure that 5% of  
20 the total amount expended in each fiscal year is paid to contractors, subcontractors,  
21 and vendors ~~which are minority businesses, as defined under s. 560.036 (1) (e) 1 that~~  
22 are minority businesses certified by the department of commerce under s. 560.036  
23 (2). In attempting to meet this goal, the department of transportation may award  
24 any contract to a minority business that submits a qualified responsible bid that is  
25 no more than 5% higher than the low bid.

1           **SECTION 2307i.** 84.075 (2) of the statutes is amended to read:

2           84.075 (2) The contractor shall report to the department of transportation any  
3 amount of the contract paid to subcontractors and vendors ~~which that~~ are minority  
4 businesses certified by the department of commerce under s. 560.036 (2).

5           **SECTION 2307j.** 84.075 (3) of the statutes is amended to read:

6           84.075 (3) The department of transportation shall at least semiannually, or  
7 more often if required by the department of administration, report to the department  
8 of administration the total amount of money it has paid to contractors,  
9 subcontractors, and vendors ~~which that~~ are minority businesses under ss. 84.01 (13),  
10 84.06, and 84.07 and the number of contacts with minority businesses in connection  
11 with proposed purchases and contracts. In its reports, the department of of  
12 transportation shall include only amounts paid to businesses certified by the  
13 department of commerce under s. 560.036 (2) as minority businesses.

14           **SECTION 2307jk.** 84.076 (1) (c) of the statutes is amended to read:

15           84.076 (1) (c) "Minority business" ~~has the meaning given under s. 560.036 (1)~~  
16 ~~(e) 1~~ means a business that is certified by the department of commerce under s.  
17 560.036 (2).

18           **SECTION 2307f.** 84.04 (4) of the statutes is created to read:

19           84.04 (4) Notwithstanding sub. (2), after the effective date of this subsection  
20 .... [revisor inserts date], the department may not construct any rest area along or  
21 in close proximity with a state trunk highway at a location that is within a radius  
22 of 5 miles from an exit from the highway that provides access to motorist services  
23 described under s. 86.195 (3). This subsection does not apply to any rest area that  
24 is located no more than 5 miles from the border of this state or to any rest area that  
25 may be located near the village of Belmont in Lafayette County.

1           **SECTION 2307dc.** 84.072 of the statutes is created to read:

2           **84.072 Unified disadvantaged business certification program. (1)**

3           DEFINITIONS. In this section:

4           (a) “Business” means a sole proprietorship, partnership, limited liability  
5           company, joint venture, or corporation that is operated for profit.

6           (am) “Certifying authority” means the department or, if authorized under sub.  
7           (5m), a municipality or county.

8           (b) “Disadvantaged business” means a business that is all of the following:

9           1. At least 51% owned by one or more disadvantaged individuals who are U.S.  
10           citizens or persons lawfully admitted to the United States for permanent residence,  
11           as defined in 8 USC 1101 (a) (20).

12           2. Controlled in its management and daily business operations by one or more  
13           of the disadvantaged individuals who own the business.

14           3. A small business concern within the meaning given in 49 CFR 26.5.

15           (c) “Disadvantaged individual” means an individual found by a certifying  
16           authority to be socially and economically disadvantaged within the meaning given  
17           in 49 CFR 26.5.

18           (d) “Municipality” means a city, village, or town.

19           **(2) CERTIFICATION.** (a) Any business may apply to a certifying authority for  
20           certification as a disadvantaged business. All applications shall be sworn and  
21           notarized. A certifying authority shall certify as a disadvantaged business any  
22           business that meets the requirements under 49 CFR 26, subpart D, for such  
23           certification. A certifying authority shall follow all certification procedures and  
24           standards provided in 49 CFR 26 and all certification determinations shall strictly  
25           conform with 49 CFR 26 and federal guidelines established under that section. A

1 certifying authority shall complete review and issue a decision concerning an  
2 application within 90 days after receiving the completed application, except that a  
3 certifying authority may extend its review period to not more than 150 days if, within  
4 those 90 days, the certifying authority provides written notice to the applicant  
5 specifying the reasons for the extension. No person may certify a business as a  
6 disadvantaged business for purposes of 49 CFR 26, except as provided in this section.  
7 A certifying authority may charge and collect reasonable fees for reviewing an  
8 application submitted under this paragraph.

9 (b) 1. Except as provided in sub. (6), a certifying authority is not required to  
10 review an application submitted by a business that has its principal place of business  
11 in another state, unless the business is certified as a disadvantaged business under  
12 a unified certification program that strictly conforms to 49 CFR 26 and to which that  
13 other state is a party.

14 2. If the department receives an application for a business that is certified as  
15 a disadvantaged business under a federally approved unified certification program  
16 pursuant to 49 CFR 26, the department may do any of the following:

17 a. Grant certification in reliance of the certification determination under the  
18 federally approved unified certification program.

19 b. Make an independent certification determination based on material  
20 submitted by the other certifying agency, supplemented by whatever additional  
21 information the department may request from the applicant.

22 c. Require the applicant to undergo the application process without regard to  
23 the other certification.

24 3. If a certifying authority that is a municipality or county receives an  
25 application for a business that is certified as a disadvantaged business under a

1 federally approved unified certification program pursuant to 49 CFR 26, the  
2 certifying authority shall forward the application to the department for purposes of  
3 subd. 2.

4 (c) A certifying authority shall cooperate with any directive from the federal  
5 government under authority of 49 CFR 26 concerning certification under this  
6 section.

7 (d) Certification under this section is valid for 3 years, unless the department  
8 removes certification under sub. (4) or the certification is removed as provided in 49  
9 CFR 26.87 or 26.89. A certifying authority may not require a business that is  
10 certified under this section to reapply during the 3-year period after its certification,  
11 unless the factual basis on which the certification is made materially changes.

12 (e) No certification of a business as a disadvantaged business for purposes of  
13 federal transportation assistance programs before the effective date of this  
14 paragraph .... [revisor inserts date], is valid for contracts executed after the last day  
15 of the 5th month beginning after the effective date of this paragraph .... [revisor  
16 inserts date]. Beginning on the first day of the 6th month beginning after the  
17 effective date of this paragraph.... [revisor inserts date], only a business certified  
18 under this section qualifies as a disadvantaged business enterprise for purposes of  
19 49 CFR 26.

20 **(2m) CONFIDENTIALITY.** (a) A certifying authority may not disclose to any  
21 person any information that relates to an individual's statement of net worth, a  
22 statement of experience, or a company's financial statement, including the gross  
23 receipts of a bidder, or to any documentation submitted in support of those  
24 statements, if the information was obtained for the purpose of complying with 49  
25 CFR 26, as that section existed on October 1, 1999.



1 (b) This subsection does not prohibit a certifying authority from disclosing  
2 information to any of the following persons:

3 1. The person to whom the information relates.

4 2. If the certifying authority is a municipality or county, to the department.

5 3. If the certifying authority is the department, to a municipality or county  
6 authorized under sub. (5m).

7 4. Any person who has the written consent of the person to whom the  
8 information relates to receive such information.

9 5. Any person to whom 49 CFR 26, as that section existed on October 1, 1999,  
10 requires or specifically authorizes the certifying authority to disclose such  
11 information.

12 6. The federal department of transportation, if the certifying authority  
13 discloses the information for the purposes of a certification appeal proceeding in  
14 which the disadvantaged status of the individual is in question.

15 **(3) IMPLIED CONSENT.** Any municipality, county, or other person that accepts  
16 federal moneys from the appropriations under s. 20.395 (1) (bx), (2) (ax), (dx), or (fx),  
17 or (3) (bx), (cx), or (ex), or accepts other federal moneys for highway, transit, or airport  
18 purposes, after the effective date of this subsection ... [revisor inserts date], is  
19 considered to have given consent to the unified certification disadvantage business  
20 program administered under this section.

21 **(4) REQUIREMENTS OF CERTIFIED BUSINESSES.** A business certified as a  
22 disadvantaged business shall, within 30 days after a change in the business's size,  
23 disadvantaged status, ownership, or control that could preclude its certification as  
24 a disadvantaged business under 49 CFR 26, notify the department of such change  
25 by sworn and notarized statement. A business certified as a disadvantaged business

1 shall submit annually to the department a sworn, notarized statement attesting that  
2 there have been no changes to business's size, disadvantaged status, ownership, or  
3 control, or gross receipts, that would preclude its certification as a disadvantaged  
4 business under 49 CFR 26. The notice shall include a statement that the business  
5 meets the size and gross receipts criteria for certification, and shall include  
6 documentary evidence supporting that statement. The department shall remove the  
7 certification of any disadvantaged business that fails to provide the statement within  
8 13 months after certification under this section, or within 13 months after it last  
9 submitted to the department the information required under this subsection,  
10 whichever is later.

11 (5) DIRECTORY OF CERTIFIED BUSINESSES. The department shall maintain a list  
12 of all businesses certified as a disadvantaged business by a certifying authority or  
13 by a state that is a party to an agreement under sub. (6). The list shall include the  
14 business name, address, telephone number, and types of work that the business is  
15 certified to perform as a disadvantaged business. The department shall make the  
16 list and any updated information available to any person, at no charge, on the  
17 Internet and in printed format. The department shall update the list at least  
18 annually, but shall update the electronic list available on the Internet by including  
19 additions, deletions, or other changes to the list as soon as the department makes  
20 such an addition, deletion, or other change.

21 (5m) CERTIFICATION BY A MUNICIPALITY OR COUNTY. The department may  
22 authorize any municipality or county to certify a business as a disadvantaged  
23 business. The authorization shall be in writing and shall require the municipality  
24 or county to conform strictly to the standards and processes provided in this section  
25 and rules promulgated under this section. The authorization shall be valid for one

1 year. The authorization shall require the municipality or county to provide written  
2 notice to the department of any certification decision. The written notice shall  
3 include all of the information contained in the directory maintained under sub. (5).  
4 The authorization shall require the municipality or county to forward applications  
5 to the department under sub. (2) (b) 3. Certification by a municipality or county is  
6 valid for 3 years, unless the department removes certification under sub. (4) or the  
7 certification is removed as provided in 49 CFR 26.87 or 26.89. No municipality or  
8 county authorized under this subsection may hear any appeals or complaints  
9 regarding certification decisions.

10 (6) RECIPROCAL CERTIFICATION AGREEMENTS. Notwithstanding sub. (2) (a), the  
11 department may enter into a reciprocal agreement with any other state establishing  
12 a joint unified certification program that strictly conforms to 49 CFR 26. The  
13 agreement may authorize the other state to certify as a disadvantaged business any  
14 business that is based in this state, or may authorize the department to certify as a  
15 disadvantaged business any business based in that other state.

16 (7) CERTIFICATION APPEALS AND COMPLAINTS. (a) Any business whose application  
17 for certification is denied, or is not reviewed within the time limits prescribed in sub.  
18 (2) (a), or whose certification is removed, may appeal that action as provided in 49  
19 CFR 26.89 to the department.

20 (b) Any person may file with the department a signed, written complaint that  
21 a business that a certifying authority has certified under this section is not eligible  
22 for such certification. The department shall investigate complaints that it finds are  
23 supported by credible evidence. If, upon investigation, the department finds  
24 reasonable cause to believe that a business is not eligible for certification, the

1 department shall notify the business of its findings in writing and shall proceed in  
2 the manner provided under 49 CFR 26.87.

3 (8) APPLICABILITY. This section does not apply if federal law does not require,  
4 as a condition of using federal funds, this state to establish goals for the participation  
5 of disadvantaged businesses or the employment of disadvantaged individuals in  
6 projects using federal funds.

7 SECTION 2307de. 84.076 (1) (a) of the statutes is amended to read:

8 84.076 (1) (a) “Disadvantaged individual” means a minority group member, a  
9 woman or any other individual found by the department to be socially and  
10 economically disadvantaged ~~by the department as provided within the meaning~~  
11 given in 49 CFR ~~23.62~~ 26.5, unless successfully challenged as provided in 49 CFR  
12 ~~23.69~~ 26.89.

13 SECTION 2307dg. 84.076 (1) (b) (intro.) of the statutes is renumbered 84.076  
14 (1) (b) and amended to read:

15 84.076 (1) (b) “Disadvantaged business” ~~means a sole proprietorship,~~  
16 ~~partnership, limited liability company, joint venture or corporation that fulfills all~~  
17 ~~of the following requirements, as certified by the department:~~ has the meaning given  
18 in s. 84.072 (1) (b).

19 SECTION 2307dh. 84.076 (1) (b) 1., 2. and 3. of the statutes are repealed.

20 SECTION 2307dj. 84.076 (3) (intro.) and (a) of the statutes are consolidated,  
21 renumbered 84.076 (3) and amended to read:

22 84.076 (3) BIDS, CONTRACTS. Section 84.06 (2) applies to bids and contracts  
23 under this section, except that the secretary shall reject low bids that do not satisfy  
24 the requirements under sub. (4). ~~The secretary shall establish a list of disadvantaged~~  
25 ~~businesses that are eligible to submit bids for contracts awarded under this section~~

1 ~~and subcontractors who meet the requirements under sub. (4) (b).~~ Each bid  
2 submitted under this section shall include the agreement specified under sub. (4) and  
3 ~~all of the following conditions: (a) A, as a condition, a goal that at least 25% of the~~  
4 ~~total number of workers in all construction trades employed on the project will be~~  
5 ~~disadvantaged individuals.~~

6 **SECTION 2307dk.** <sup>↓</sup> 84.076 (3) (b) of the statutes is repealed.

7 **SECTION 2307dm.** <sup>↓</sup> 84.076 (4) (b) of the statutes is amended to read:

8 84.076 (4) (b) Obtain from a subcontractor that has experience in providing  
9 training to disadvantaged individuals a program of preapprenticeship training that  
10 satisfies the requirements established by the secretary under sub. (2) (b), and assure  
11 that the subcontractor has experience in providing a program of management and  
12 technical assistance to disadvantaged business contractors, and that the  
13 subcontractor's management and technical assistance program satisfies the  
14 requirements established by the secretary under sub. (2) (b) and includes all of the  
15 requirements of par. (a) 2. A subcontractor under this paragraph need not be a  
16 disadvantaged business, but if the subcontractor is not a disadvantaged business, it  
17 may not be included within the goal established under sub. (3) (b).

18 **SECTION 2307g.** <sup>↓</sup> 84.06 (1) of the statutes is amended to read:

19 84.06 (1) DEFINITIONS. In this section, "improvement" or "highway  
20 improvement" includes construction, reconstruction, rehabilitation, and the  
21 ~~activities, operations and processes incidental to building, fabricating, or bettering~~  
22 ~~a highway, public mass transportation system or street, but not maintenance. The~~  
23 ~~terms do not include the installation, replacement, rehabilitation, or maintenance~~  
24 ~~of highway signs, traffic control signals, highway lighting, pavement markings, or~~

1 intelligent transportation systems, unless incidental to building, fabricating, or  
2 bettering a highway or street.

3 **SECTION 2307h.** 84.07 (1) of the statutes is amended to read:

4 84.07 (1) STATE EXPENSE; WHEN DONE BY COUNTY OR MUNICIPALITY. The state trunk  
5 highway system shall be maintained by the state at state expense. The department  
6 shall prescribe by rule specifications for such maintenance and may contract with  
7 any county highway committee or municipality to have all or certain parts of the  
8 work of maintaining the state trunk highways within or beyond the limits of the  
9 county or municipality, including interstate bridges, performed by the county or  
10 municipality, and any county or municipality may enter into such contract. General  
11 maintenance activities include the application of protective coatings, the removal  
12 and control of snow, the removal, treatment and sanding of ice, interim repair of  
13 highway surfaces and adjacent structures, and all other operations, activities and  
14 processes required on a continuing basis for the preservation of the highways on the  
15 state trunk system, and including the care and protection of trees and other roadside  
16 vegetation and suitable planting to prevent soil erosion or to beautify highways  
17 pursuant to s. 80.01 (3), and all measures deemed necessary to provide adequate  
18 traffic service. Special maintenance activities include the restoration,  
19 reinforcement, complete repair or other activities which the department deems are  
20 necessary on an individual basis for specified portions of the state trunk system.  
21 Maintenance activities also include the installation, replacement, rehabilitation, or  
22 maintenance of highway signs, traffic control signals, highway lighting, pavement  
23 markings, and intelligent transportation systems. The department may contract  
24 with a private entity for services or materials or both associated with the installation,

1 replacement, rehabilitation, or maintenance of highway signs, traffic control signals,  
2 highway lighting, pavement markings, and intelligent transportation systems.

3 **SECTION 2307cf.** 84.09 (9) of the statutes is created to read:

4 84.09 (9) Subsections (5), (5m), and (6) do not apply to residual state property  
5 subject to s. 20.9145.

6 **SECTION 2307cg.** 84.09 (9) of the statutes, as created by 2001 Wisconsin Act ....  
7 (this act), is repealed.

8 **SECTION 2307k.** 84.1033 of the statutes is created to read:

9 **84.1033 Leo Frigo Memorial Bridge.** Not later than June 30, 2003, the  
10 department shall designate and mark the bridge on I 43 across the Fox River in the  
11 city of Green Bay as the “Leo Frigo Memorial Bridge” in recognition and appreciation  
12 of Leo Frigo, a civic and philanthropic leader in the Green Bay area whose legacy  
13 includes one of the largest food pantry programs in the nation for feeding the hungry.

14 **SECTION 2307m.** 84.1040 of the statutes is created to read:

15 **84.1040 Donald K. “Deke” Slayton Memorial Highway.** (1) The  
16 department shall designate and, subject to sub. (2), mark STH 27 in Monroe County  
17 commencing at Sparta and proceeding southerly to Cashton as the “Donald K. ‘Deke’  
18 Slayton Memorial Highway” as a living memorial to and in honor of Donald K. “Deke”  
19 Slayton, who brought credit to this state and, in particular, Monroe County for his  
20 contribution to this country’s space program as one of the 7 original astronauts and  
21 as a participant in the first joint United States–Soviet space mission.

22 (2) Upon receipt of sufficient contributions from interested parties, including  
23 any county, city, village, or town, to cover the cost of erecting and maintaining  
24 markers along the route specified in sub. (1) to clearly identify to motorists the  
25 designation of the route as the “Donald K. ‘Deke’ Slayton Memorial Highway,” the

1 department shall erect and maintain the markers. No state funds, other than from  
2 the receipt of contributions under this subsection, may be expended for the erection  
3 or maintenance of the markers.

4 **SECTION 2307r.** 84.1041 of the statutes is created to read:

5 **84.1041 Gateway to the North Bridge.** Not later than June 30, 2003, the  
6 department shall designate and mark the bridge on USH 45 across the south branch  
7 of the Embarrass River in the village of Tigerton in Shawano County as the “Gateway  
8 to the North” to serve as a welcome to visitors to the northern part of this state.

9 **SECTION 2308h.** 84.185 (6m) of the statutes is amended to read:

10 **84.185 (6m) ADMINISTRATION.** From the appropriations under s. 20.395 (2) (iq),  
11 (iv), and (ix), upon the approval of the secretary under sub. (2), the department may  
12 make improvements to or provide other assistance for the improvement of a  
13 transportation facility under sub. (1) (d) 1. to 3. or provide other assistance for the  
14 improvement of a transportation facility under sub. (1) (d) 4. or 5. The department  
15 may not allocate more than 80% of the total funds appropriated under s. 20.395 (2)  
16 (iq) and (iw) in fiscal year 2002–03, and in any fiscal year thereafter, for grants under  
17 this section. The department may make loans from the appropriations under s.  
18 20.395 (2) (iq) and (iw) for the improvement of a transportation facility. The state  
19 share of costs for the improvement of a transportation facility, including any loans  
20 made under this subsection for the improvement of the transportation facility, may  
21 not exceed 50% of the cost of the improvement. The department shall give priority  
22 to funding applications for which the applicant has indicated a willingness to accept  
23 a loan made under this subsection for all or part of the state share of costs for the  
24 improvement of the transportation facility.

25 **SECTION 2308m.** 84.205 of the statutes is created to read:



1           **84.205 Claims arising from repair and maintenance of state trunk**  
2 **highways.** (1) In this section, “political subdivision” means a city, village, town, or  
3 county.

4           (2) From funds appropriated and available to the department under s. 20.395  
5 (3), the department shall pay, in whole or in part, any claims submitted to the  
6 department by a political subdivision, on a form prescribed by the department, for  
7 damage to any gravel road maintained by the political subdivision that is determined  
8 by the department to be caused by reason of the road’s use as a detour incident to the  
9 maintenance, repair, or construction by the department of any state trunk highway,  
10 if the gravel road is not part of a detour route designated by the department. The  
11 political subdivision shall include with the claim a description of the nature and  
12 cause of the alleged damage, the asserted value of the claim, and all known evidence  
13 in support of the claim. In making its determination after submittal of the claim, the  
14 department shall consider each of the following factors:

15           (a) The condition of the gravel road at the time the claim was submitted.

16           (b) The condition of the gravel road, if known, immediately prior to its use as  
17 a detour incident to the maintenance, repair, or construction by the department of  
18 the state trunk highway.

19           (c) The proximity and convenience of the gravel road to the state trunk highway  
20 and to any applicable detour route.

21           (d) The extent of motor truck traffic in the vicinity of the state trunk highway  
22 and the gravel road.

23           (e) Any other factors or evidence submitted by the political subdivision with its  
24 claim under this subsection.

1           (3) The department shall promulgate rules to implement and administer this  
2 section.

3           **SECTION 2308r.** 84.30 (10m) of the statutes is renumbered 84.30 (10m) (intro.)  
4 and amended to read:

5           **84.30 (10m) ANNUAL PERMIT FEE REQUIREMENT.** (intro.) The department may  
6 promulgate a rule requiring persons specified in the rule to pay annual permit fees  
7 for signs. If the department establishes an annual permit fee under this subsection,  
8 failure to pay the fee within 2 months after the date on which payment is due is  
9 evidence that the sign has been abandoned for the purposes of s. TRANS 201.10 (2)  
10 (f), Wis. Adm. Code. This subsection does not apply to any of the following:

11           **SECTION 2308s.** 84.30 (10m) (a) and (b) of the statutes are created to read:

12           **84.30 (10m) (a)** An off-premises advertising sign that is owned by a religious  
13 organization.

14           (b) A sign that has been permanently removed by the owner of the sign, even  
15 if the department was not notified of the sign's removal.

16           **SECTION 2308p.** 84.28 (1) of the statutes is amended to read:

17           **84.28 (1)** Moneys from the appropriation under s. ~~20.370 (7) (mc)~~ 20.375 (3) (b)  
18 may be expended for the renovation, marking and maintenance of a town or county  
19 highway located within the boundaries of any ~~state park, state forest or other~~  
20 property under the jurisdiction of the department of natural resources, other than  
21 a southern state forest. Moneys from the appropriation under s. 20.370 (7) (mc) may  
22 be expended for the renovation, marking and maintenance of a town or county  
23 highway located within the boundaries of any state park or any southern state forest,  
24 in the lower Wisconsin state riverway, as defined in s. 30.40 (15), or on other property  
25 under the jurisdiction of the department of natural resources. Outside the lower

1 Wisconsin state riverway, as defined in s. 30.40 (15), or outside the boundaries of  
2 these parks, forests or other property under the jurisdiction of the department of  
3 natural resources, moneys from the appropriation under s. 20.370 (7) (mc) may be  
4 expended for the renovation, marking and maintenance of roads which the  
5 department of natural resources certifies are utilized by a substantial number of  
6 visitors to these state parks, state forests or other property under the jurisdiction of  
7 the department of natural resources. The department of natural resources shall  
8 authorize expenditures from the appropriation under s. 20.370 (7) (mc) under this  
9 subsection. The department of natural resources shall rank projects eligible for  
10 assistance funding from the appropriation under s. 20.370 (7) (mc) under a priority  
11 system and funding may be restricted to those projects with highest priority. Outside  
12 the boundaries of the state forests under the jurisdiction of the department of  
13 forestry, moneys from the appropriation under s. 20.375 (3) (b) may be expended for  
14 the renovation, marking, and maintenance of roads which the department of forestry  
15 certifies are utilized by a substantial number of visitors to these state forests. The  
16 department of forestry shall authorize expenditures from the appropriation under  
17 s. 20.375 (3) (b) under this subsection. The department of forestry shall rank projects  
18 eligible for funding from the appropriation under s. 20.375 (3) (b) under a priority  
19 system and funding may be restricted to those projects with the highest priority.

20



21 SECTION 2308s. 84.28 (2) of the statutes is amended to read:

22 84.28 (2) The department may administer a program for the construction,  
23 maintenance, and marking of roads, including fire roads, service areas, trailer, or  
24 vehicle parking stalls or parking areas and other facilities consistent with highway  
25 construction and for the marking of scenic routes in the state parks, state forests, the

1 lower Wisconsin state riverway as defined under s. 30.40 (15), state fish hatcheries,  
2 other public used areas under the jurisdiction of the department of natural resources  
3 or the department of forestry, and other public lands as defined in ch. 24, for  
4 highways or fire roads leading from the most convenient state trunk highways to  
5 such lands, and for the relocation and construction of state trunk highways in or near  
6 state parks when required in the interests of public safety. Within the limitations  
7 and for the purposes of this section, work may be performed by or under the  
8 supervision or authority or with the approval of the department of transportation,  
9 upon the request for such work filed by the department ~~of natural resources~~ having  
10 jurisdiction as to the lower Wisconsin state riverway, as defined in s. 30.40 (15), or  
11 as to state park or forest lands, or by the board of commissioners of the public lands  
12 as to other classes of public lands. Outside the lower Wisconsin state riverway, as  
13 defined in s. 30.40 (15), and outside the limits of the park, state forest, and public  
14 land areas, direct connections to the most convenient state trunk highway may be  
15 built or maintained under this section. Roads in unincorporated areas within 5 miles  
16 of the boundaries of the Horicon national wildlife refuge or the Horicon marsh  
17 wildlife area may be built or maintained under this section upon request of the town  
18 board, if the department of transportation certifies that such roads are or will be used  
19 by a substantial number of visitors to such area. Costs incurred under this section  
20 shall be the responsibility of the department of natural resources, department of  
21 forestry, commissioners of public lands or town board, as appropriate.

22 **SECTION 2309.** 84.59 (1) of the statutes is amended to read:

23 84.59 (1) Transportation facilities under s. 84.01 (28) and major highway  
24 projects as defined under s. 84.013 (1) (a) for the purposes under ss. 84.06 and 84.09  
25 may be funded with the proceeds of revenue obligations issued subject to and in

1 accordance with subch. II of ch. 18, except that funding for major highway projects  
2 with such proceeds may not exceed 55% of the total funds encumbered in any period  
3 of 3 consecutive fiscal years, beginning with the 3-year period of 2002-03 to 2004-05,  
4 for major highway projects.

5 **SECTION 2310.** 84.59 (6) of the statutes is amended to read:

6 84.59 (6) The building commission may contract revenue obligations when it  
7 reasonably appears to the building commission that all obligations incurred under  
8 this section can be fully paid from moneys received or anticipated and pledged to be  
9 received on a timely basis. Except as provided in this subsection, the principal  
10 amount of revenue obligations issued under this section may not exceed  
11 \$1,447,085,500 and may \$1,753,067,500 , excluding any obligations that have been  
12 deceased under a cash optimization program administered by the building  
13 commission, to be used for transportation facilities under s. 84.01 (28) and major  
14 highway projects for the purposes under ss. 84.06 and 84.09. In addition to the  
15 foregoing limit on principal amount, the building commission may contract revenue  
16 obligations under this section as the building commission determines is desirable to  
17 refund outstanding revenue obligations contracted under this section and to pay  
18 expenses associated with revenue obligations contracted under this section.

19 **SECTION 2310m.** <sup>√</sup>85.027 of the statutes is created to read:

20 **85.027 Highway corridor planning grant program.** (1) In this section:

21 (a) "Highway corridor" means the area up to 10 miles on either side of a state  
22 trunk highway that is expected by the department to need additional capacity for  
23 vehicular traffic or to have possible safety or operational problems resulting from  
24 pressure for development adjacent to the highway.

1 (b) "Local governmental unit" means a city, village, town, county, regional  
2 planning commission, or metropolitan planning organization, as defined in s. 85.243  
3 (1) (c).

4 (2) The department shall administer a highway corridor planning grant  
5 program. From the appropriation under s. 20.395 (3) (bq), the department shall  
6 award grants to local governmental units for highway corridor planning activities.  
7 In any fiscal year, the department may not expend more than \$500,000 for grants  
8 under this subsection.

9 **SECTION 2311g.** 85.061 (3) (b) of the statutes is renumbered 85.061 (3) (b) 1. and  
10 amended to read:

11 85.061 (3) (b) 1. The department may not use any proceeds from the bond issue  
12 authorized under s. 20.866 (2) (up) unless ~~the joint committee on finance approves~~  
13 ~~the use of the proceeds and, with state funds are used for not more than 20% of the~~  
14 cost of the project. This subdivision does not apply to the use of any bond proceeds  
15 approved by the joint committee on finance before the effective date of this  
16 subdivision ... [revisor inserts date].

17 2. With respect to a route under par. (a) 1. or 2., the department may not use  
18 any proceeds from the bond issue authorized under s. 20.866 (2) (up) unless the  
19 department submits evidence to the joint committee on finance that Amtrak or the  
20 applicable railroad has agreed to provide rail passenger service on that route.

21 (c) The department may contract with Amtrak, railroads or other persons to  
22 perform the activities under the program.

23 **SECTION 2312.** 85.107 (title) of the statutes is amended to read:

24 **85.107 (title) ~~Minority civil engineer scholarship~~ Scholarship and loan**  
25 **repayment incentive grant program.**

1           **SECTION 2313.** 85.107 (1) of the statutes is amended to read:

2           85.107 (1) PURPOSE. The ~~minority civil engineer~~ scholarship and loan  
3 repayment incentive grant program is created to assist in improving the  
4 representation of ~~minorities among employees of~~ targeted group members within job  
5 classifications in which targeted group members are underutilized in the  
6 department ~~who are classified as civil engineers.~~

7           **SECTION 2314.** 85.107 (2) of the statutes is repealed.

8           **SECTION 2315.** 85.107 (2m) (intro.) of the statutes is created to read:

9           85.107 (2m) DEFINITIONS. (intro.) In this section:

10          **SECTION 2316.** 85.107 (2m) (am) of the statutes is created to read:

11          85.107 (2m) (am) "Person with a disability" means any person who has a  
12 physical or mental disability that constitutes or results in a substantial barrier to  
13 employment.

14          **SECTION 2317.** 85.107 (2m) (b) of the statutes is created to read:

15          85.107 (2m) (b) "Targeted group member" means a person with disabilities, or  
16 a person who belongs to a class of race, color, or sex, whose percent of the workforce  
17 within any job classification in the department is less than that class's percent of the  
18 statewide labor market for such job activities.

19          **SECTION 2318.** 85.107 (3) (a) (intro.) of the statutes is amended to read:

20          85.107 (3) (a) (intro.) Award scholarships to ~~resident minority students~~  
21 targeted group members who are enrolled fulltime full time and registered as  
22 sophomores, juniors or seniors in a ~~civil engineering bachelor of science~~ degree  
23 program offered by an accredited institution of higher education in this state.  
24 Scholarships under this paragraph shall not exceed the following amounts:

25          **SECTION 2319.** 85.107 (3) (am) of the statutes is created to read:

1           85.107 (3) (am) Award scholarships of not more than \$2,000 each to any  
2 targeted group member who is registered in his or her 2nd year of full-time  
3 enrollment in an associate degree program, as defined in s. 38.01 (1), or vocational  
4 diploma program, as defined in s. 38.01 (11), at a technical college in this state.

5           **SECTION 2320.** 85.107 (3) (b) 1. (intro.) of the statutes is amended to read:

6           85.107 (3) (b) 1. (intro.) Make loan repayment grants to ~~minority civil engineers~~  
7 targeted group members who are employed by the department and have education  
8 loans outstanding. Subject to subd. 2., loan repayment grants under this subdivision  
9 shall not exceed the following amounts:

10          **SECTION 2321.** 85.12 (3) of the statutes is amended to read:

11          85.12 (3) The department may contract with any local governmental unit, as  
12 defined in s. ~~16.97~~ 22.01 (7), to provide that local governmental unit with services  
13 under this section.

14          **SECTION 2321m.** 85.12 (4) of the statutes is created to read:

15          85.12 (4) Beginning with fiscal year 2001–02, if the department of  
16 transportation provides radio services under this section to the department of  
17 natural resources in any fiscal year, the department of natural resources shall make  
18 quarterly payments from the appropriation under s. 20.370 (8) (mu) of \$111,450 to  
19 the department of transportation.

20          **SECTION 2321p.** ✓ 85.12 (5) of the statutes is created to read:

21          85.12 (5) Beginning with fiscal year 2001–02, from the appropriations under  
22 s. 20.395 (5) (dk) of moneys received by the department from the department and  
23 under s. 20.395 (5) (dq), the amount provided by the department in any fiscal year  
24 for the statewide public safety radio management program under this section may



1 not exceed 50% of the costs of the statewide public safety radio management program  
2 or \$138,000, whichever is less.

3 **SECTION 2323.** 85.20 (4m) (a) 6. a. and b. of the statutes are repealed.

4 **SECTION 2324m.** 85.20 (4m) (a) 6. cm. of the statutes is amended to read:

5 85.20 (4m) (a) 6. cm. ~~Beginning with aid payable for calendar year 2000~~ For  
6 aid payable for calendar years 2000 and 2001, from the appropriation under s. 20.395  
7 (1) (ht), the department shall pay \$53,555,600 to the eligible applicant that pays the  
8 local contribution required under par. (b) 1. for an urban mass transit system that  
9 has annual operating expenses in excess of \$80,000,000. For aid payable for calendar  
10 year 2002, from the appropriation under s. 20.395 (1) (ht), the department shall pay  
11 \$55,697,800 to the eligible applicant that pays the local contribution required under  
12 par. (b) 1. for an urban mass transit system that has annual operating expenses in  
13 excess of \$80,000,000. Beginning with aid payable for calendar year 2003 and for  
14 each calendar year thereafter, from the appropriation under s. 20.395 (1) (ht), the  
15 department shall pay \$56,811,800 to the eligible applicant that pays the local  
16 contribution required under par. (b) 1. for an urban mass transit system that has  
17 annual operating expenses in excess of \$80,000,000. If the eligible applicant that  
18 receives aid under this subd. 6. cm. is served by more than one urban mass transit  
19 system, the eligible applicant may allocate the aid between the urban mass transit  
20 systems in any manner the eligible applicant considers desirable.

21 **SECTION 2325m.** 85.20 (4m) (a) 6. d. of the statutes is amended to read:

22 85.20 (4m) (a) 6. d. ~~Beginning with aid payable for calendar year 2000~~ For aid  
23 payable for calendar years 2000 and 2001, from the appropriation under s. 20.395  
24 (1) (hu), the department shall pay \$14,297,600 to the eligible applicant that pays the  
25 local contribution required under par. (b) 1. for an urban mass transit system that

1 has annual operating expenses in excess of \$20,000,000 but less than \$80,000,000.  
2 For aid payable for calendar year 2002, from the appropriation under s. 20.395 (1)  
3 (hu), the department shall pay \$14,869,500 to the eligible applicant that pays the  
4 local contribution required under par. (b) 1. for an urban mass transit system that  
5 has annual operating expenses in excess of \$20,000,000 but less than \$80,000,000.  
6 Beginning with aid payable for calendar year 2003 and for each calendar year  
7 thereafter, from the appropriation under s. 20.395 (1) (hu), the department shall pay  
8 \$15,166,900 to the eligible applicant that pays the local contribution required under  
9 par. (b) 1. for an urban mass transit system that has annual operating expenses in  
10 excess of \$20,000,000 but less than \$80,000,000. If the eligible applicant that  
11 receives aid under this subd. 6. d. is served by more than one urban mass transit  
12 system, the eligible applicant may allocate the aid between the urban mass transit  
13 systems in any manner the eligible applicant considers desirable.

14 **SECTION 2326m.** 85.20 (4m) (a) 7. of the statutes is amended to read:

15 85.20 (4m) (a) 7. a. From the appropriation under s. 20.395 (1) (hr), for aid  
16 payable for calendar year 2001, the uniform percentage for each eligible applicant  
17 served by an urban mass transit system operating within an urbanized area having  
18 a population as shown in the 1990 federal decennial census of at least 50,000 or  
19 receiving federal mass transit aid for such area, and not specified in subd. 6. From  
20 the appropriation under s. 20.395 (1) (hr), beginning with aid payable for calendar  
21 year 2002 and for each calendar year thereafter, the uniform percentage for each  
22 eligible applicant served by an urban mass transit system operating within an  
23 urbanized area having a population as shown in the 2000 federal decennial census  
24 of at least 50,000 or receiving federal mass transit aid for such area, and not specified  
25 in subd. 6.

1           b. For the purpose of making allocations under subd. 7. a., the amounts for aids  
2 are ~~\$18,422,500 in calendar year 1999 and \$19,804,200 in calendar year 2000 and~~  
3 years 2000 and 2001, \$20,596,400 in calendar year 2002, and \$21,008,300 in  
4 calendar year 2003 and in each calendar year thereafter. These amounts, to the  
5 extent practicable, shall be used to determine the uniform percentage in the  
6 particular calendar year.

7           **SECTION 2327m.** 85.20 (4m) (a) 8. of the statutes is amended to read:

8           85.20 (4m) (a) 8. a. From the appropriation under s. 20.395 (1) (hs), for aid  
9 payable for calendar year 2001, the uniform percentage for each eligible applicant  
10 served by an urban mass transit system operating within an area having a  
11 population as shown in the 1990 federal decennial census of less than 50,000 or  
12 receiving federal mass transit aid for such area. From the appropriation under s.  
13 20.395 (1) (hs), beginning with aid payable for calendar year 2002 and for each  
14 calendar year thereafter, the uniform percentage for each eligible applicant served  
15 by an urban mass transit system operating within an area having a population as  
16 shown in the 2000 federal decennial census of less than 50,000 or receiving federal  
17 mass transit aid for such area.

18           b. For the purpose of making allocations under subd. 8. a., the amounts for aids  
19 are ~~\$4,975,900 in calendar year 1999 and \$5,349,100 in calendar year 2000 and years~~  
20 2000 and 2001, \$5,563,100 in calendar year 2002, and \$5,674,400 in calendar year  
21 2003 and in each calendar year thereafter. These amounts, to the extent practicable,  
22 shall be used to determine the uniform percentage in the particular calendar year.

23           **SECTION 2330g.** <sup>↓</sup> 85.205 (title) of the statutes is amended to read:

24           **85.205 (title) Prohibited expenditures and construction for light rail.**

1           **SECTION 2330h.** ✓ 85.205 of the statutes is renumbered 85.205 (1) and amended  
2 to read:

3           85.205 (1) Notwithstanding ss. 85.022, 85.062 and 85.063, the department may  
4 not encumber or expend any federal funds received under P.L. 102–240, section 1045,  
5 or P.L. 105–277, section 373, or state funds for any purpose related to a light rail mass  
6 transit system. ~~This section~~ on or after the effective date of this subsection ...  
7 [revisor inserts date]. This subsection does not apply to any light rail mass transit  
8 system that is being constructed on October 29, 1999. ~~This section~~ subsection does  
9 not apply to any funds expended or activity related to a mass transit system that is  
10 done under the memorandum of agreement concerning USH 12 between Middleton  
11 and Lake Delton, Wisconsin, that was executed by the governor, the secretary of  
12 transportation, the secretary of natural resources, the county executive of Dane  
13 County, the administrative coordinator of Sauk County, and others, and that became  
14 effective on April 22, 1999. ~~This section~~ subsection does not apply after  
15 June 30, 2001 2002.

16           **SECTION 2330j.** ✓ 85.205 (2) of the statutes is created to read:

17           85.205 (2) A light rail mass transit system may not be constructed in  
18 Milwaukee County after the effective date of this subsection ... [revisor inserts date],  
19 unless the Milwaukee County board authorizes construction of the light rail mass  
20 transit system by resolution and the resolution is ratified by the electors of  
21 Milwaukee County at a referendum held at the next general election.

22           **SECTION 2331.** 85.24 (title) of the statutes is repealed and recreated to read:

23           **85.24 (title) Transportation employment and mobility program.**

24           **SECTION 2332.** 85.24 (1) of the statutes is amended to read:

1           85.24 (1) PURPOSE. The purpose of this section is to promote the conservation  
2 of energy, reduce traffic congestion, improve air quality ~~and~~, enhance the efficient  
3 use of existing transportation systems, and enhance the success of welfare-to-work  
4 programs by providing efficient and effective transportation services that link  
5 low-income workers with jobs, training centers, and child care facilities, by planning  
6 and promoting demand management and ride-sharing programs, and by providing  
7 technical and financial assistance to public and private organizations for job access  
8 and employment transportation assistance programs and for the development and  
9 implementation of demand management and ride-sharing programs.

10           **SECTION 2333.** 85.24 (2) (ag) of the statutes is created to read:

11           85.24 (2) (ag) “Job access and employment transportation assistance” means  
12 policies and programs that are directed at resolving the transportation needs of  
13 low-income workers and recipients of public assistance with respect to  
14 transportation to-and-from jobs, including welfare-to-work programs, and  
15 activities related to their employment.

16           **SECTION 2334.** 85.24 (2) (br) of the statutes is created to read:

17           85.24 (2) (br) “Transportation employment and mobility” means policies and  
18 programs that encompass demand management, ride sharing, and job access and  
19 employment transportation assistance.

20           **SECTION 2335.** 85.24 (3) (a) of the statutes is amended to read:

21           85.24 (3) (a) The department of transportation shall be the lead state agency  
22 in demand management and ride sharing activities and shall collaborate with the  
23 department of workforce development in job access and employment transportation  
24 assistance programs. The department of transportation shall have all powers  
25 necessary to develop and implement a state ~~demand management and ride-sharing~~

1 ~~assistance program which shall include transportation employment and mobility~~  
2 ~~program that includes the coordination of demand management and, ride-sharing,~~  
3 ~~and job access and employment transportation assistance~~ activities in this state; the  
4 promotion and marketing of demand management ~~and, ride-sharing, and job access~~  
5 ~~and employment transportation assistance~~ activities; the dissemination of technical  
6 information; the provision of technical and financial assistance to public and private  
7 organizations for the planning, development, and implementation of demand  
8 management ~~and, ride-sharing, and job access and employment transportation~~  
9 ~~assistance~~ programs; and the development and distribution of computer and  
10 manual ride-matching systems.

11 **SECTION 2336.** 85.24 (3) (c) of the statutes is amended to read:

12 85.24 (3) (c) The department may administer a program for the distribution of  
13 any federal funds for ride sharing ~~and, demand management, and job access and~~  
14 ~~employment transportation assistance~~ that are made available to the state.

15 **SECTION 2337.** 85.24 (3) (d) (intro.) of the statutes is amended to read:

16 85.24 (3) (d) (intro.) The department may award grants from the appropriation  
17 under s. 20.395 (1) (bs) to public and private organizations for the development and  
18 implementation of demand management ~~and, ride-sharing, and job access and~~  
19 ~~employment transportation assistance~~ programs. As a condition of obtaining a grant  
20 under this paragraph, a public or private organization may be required to provide  
21 matching funds at any percentage. ~~The For demand management and ride-sharing~~  
22 ~~purposes, the~~ department shall give priority in the awarding of grants to those  
23 programs that provide the greatest reduction in automobile trips, especially during  
24 peak hours of traffic congestion. The department shall have all powers necessary  
25 and convenient to implement this paragraph, including the following powers: