

1 of this paragraph [revisor inserts date], between Fern Dell Road and Old Highway
2 33 in Sauk County to 5 lanes, and the department may not require a matching fund
3 contribution from any city, village, town, or county for this construction.

4 *b0528/1.1* SECTION 2302e. 84.013 (3m) (e) of the statutes is created to read:

5 84.013 (3m) (e) The major highway project specified under sub. (3) (tp) shall
6 include an interchange, with grade separation at each interchange ramp, at the
7 intersection of STH 57 and CTH "P" in Brown County.

8 *b0527/1.1* SECTION 2302g. 84.013 (3m) (f) of the statutes is created to read:

9 84.013 (3m) (f) The major highway project specified under sub. (3) (ai) shall
10 include an interchange, with grade separation at each interchange ramp, at the
11 intersection of USH 141 and CTH "B" in Marinette County.

12 *b2008/1.1* SECTION 2302gg. 84.013 (3m) (g) of the statutes is created to read:

13 84.013 (3m) (g) The department shall complete any major highway project
14 involving USH 10 from Marshfield to Stevens Point in Portage and Wood counties
15 by December 31, 2013.

16 *b0844/2.1* SECTION 2302k. 84.013 (6g) of the statutes is created to read:

17 84.013 (6g) Notwithstanding s. 13.489 (1m) the department shall conduct a
18 study of the STH 11/USH 14 transportation corridor between Janesville and I 43 in
19 Rock and Walworth counties to evaluate alternatives to improve the capacity and
20 safety of transportation in the corridor. The department shall consult with local
21 units of government to determine the design and methodology of the study, and shall
22 cooperate with the city of Janesville and the counties of Rock and Walworth in
23 completing the study. If the department concludes after the study that
24 improvements in the corridor require construction of a major highway project on
25 STH 11 and USH 14, the department shall include the project in its report submitted

1 to the transportation projects commission under s. 13.489 (2) no later than
2 September 15, 2004, for review by the commission under s. 13.489 (4).

3 ***b0519/3.2* SECTION 2302m.** 84.013 (10) of the statutes is created to read:

4 84.013 (10) By June 1, 2002, and annually thereafter, the department shall
5 submit a report that shows the current schedule for the construction of major
6 highway projects enumerated under sub. (3), including the projected expenditures
7 in each fiscal year for each major highway project, to the transportation projects
8 commission and to the chief clerk of each house of the legislature for distribution to
9 the appropriate standing committee dealing with transportation matters in each
10 house of the legislature.

11 ***b0422/3.5* SECTION 2303b.** 84.014 of the statutes is created to read:

12 **84.014 Southeast Wisconsin freeway rehabilitation; Marquette**
13 **interchange reconstruction project.** (1) In this section:

14 (a) "Interim repair" means any improvement not specified in a notice given
15 under s. 84.01 (17) that is needed to remedy unanticipated roadway deficiencies.

16 (b) "Marquette interchange" means all highways, including ramps and
17 shoulders, encompassing I 43, I 94, and I 794 in Milwaukee County within the area
18 bordered by 25th Street to the west, North Avenue to the north, the southern end of
19 Burnham Canal to the south, and the Milwaukee River to the east.

20 (c) "Reconstruction" means the rebuilding of highways and bridges, including
21 improvements to enhance highway safety, design, or capacity. The term includes
22 activities associated with such rebuilding, including design engineering, traffic
23 mitigation, property acquisition, and utility facility relocation. The term does not
24 include interim repairs.

1 (d) "Rehabilitation" means the reconditioning, reconstruction, or resurfacing,
2 as defined in s. 84.013 (1) (b) to (d), of a freeway or the adding of one or more lanes
3 to the freeway, and includes interim repairs.

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

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

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

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

1 (5) The department may not take any of the following actions unless the action
2 is approved or modified and approved by the joint committee on finance under s.
3 13.101:

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

6 (b) Except as otherwise provided in this section and 2001 Wisconsin Act (this
7 act), section 9152 (5w), make any other adjustments to the appropriations under s.
8 20.395 (3) (cr), (cw), and (cy) or to the allocations for the Marquette interchange
9 reconstruction project.

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

24 (7) The Marquette interchange reconstruction project shall include an
25 interchange at the intersection of 13th Street and I 94. Notwithstanding ss. 84.29

1 (6) and 84.295 (7), the department shall keep the 13th Street interchange existing
2 on the effective date of this subsection [revisor inserts date], open for travel during
3 the Marquette interchange reconstruction project.

4 (7fg) The Marquette interchange reconstruction project shall include an exit
5 at the intersection of Plankinton Avenue and I 794. Notwithstanding ss. 84.29 (6)
6 and 84.295 (7), the department shall keep an exit at Plankinton Avenue open for
7 travel during the Marquette interchange reconstruction project.

8 (7fm) Construction work on the Marquette interchange reconstruction project
9 shall be performed on a 24-hour basis.

10 (7fr) The department shall design the reconstruction of the Marquette
11 interchange and I 94 in Milwaukee and Waukesha counties to allow for expansion
12 of capacity for vehicular traffic on the Marquette interchange and I 94 in these
13 counties to meet the projected vehicular traffic capacity needs, as determined by the
14 department, for 30 years following the completion of such reconstruction.

15 *b2221/3.122* SECTION 2304g. 84.02 (3) (a) of the statutes is amended to read:

16 84.02 (3) (a) Changes may be made in the state trunk system by the
17 department, if it deems that the public good is best served by making the changes.
18 The department, in making the changes, may lay out new highways by the procedure
19 under this subsection. Due notice shall be given to the localities concerned of the
20 intention to make changes or discontinuances, and if the change proposes to lay a
21 highway via a new location and the distance along such deviation from the existing
22 location exceeds 2 1/2 miles, then a hearing in or near the region affected by the
23 proposed change shall be held prior to making the change effective. The notice shall
24 also be given to the secretary of natural resources and to the secretary of forestry
25 either by registered mail or personally. Whenever the department decides to thus

1 change more than 2 1/2 miles of the system the change shall not be effective until the
2 decision of the department has been referred to and approved by the county board
3 of each county in which any part of the proposed change is situated. A copy of the
4 decision shall be filed in the office of the clerk of each county in which a change is
5 made or proposed. Where the distance along the deviation from the existing location
6 exceeds 5 miles the change shall constitute an addition to the state trunk highway
7 system. The preexisting route shall continue to be a state trunk highway unless the
8 county board of each county in which any part of the relocation lies and the
9 department mutually agree to its discontinuance as a state trunk highway.
10 Whenever such county board or boards and the department cannot so agree the
11 department shall report the problem to the next ensuing session of the legislature
12 for determination.

13 *b2165/1.2* SECTION 2304p. 84.02 (5) (a) of the statutes is amended to read:

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

25 *-0081/1.2* SECTION 2305. 84.02 (8) (d) of the statutes is repealed.

1 ***b0519/3.3* SECTION 2305g.** 84.02 (16) of the statutes is created to read:

2 84.02 (16) STATE TRUNK HIGHWAY REPORT TO LEGISLATURE. By September 15,
3 2002, and biennially thereafter, the department shall submit a report to the chief
4 clerk of each house of the legislature for distribution to the appropriate standing
5 committee dealing with transportation matters in each house of the legislature that
6 provides statistics on the condition and performance of state trunk highways,
7 including pavement smoothness and distress, geometric deficiencies, safety
8 problems, structural and functional bridge deficiencies, and traffic congestion.

9 ***b0506/3.1* SECTION 2305k.** 84.02 (17) of the statutes is created to read:

10 84.02 (17) WIDENING OF USH 12; VILLAGE OF CAMBRIDGE. With respect to any
11 reconstruction or repair of the portion of USH 12 in the village of Cambridge in Dane
12 County, the department may not, between the effective date of this subsection
13 [revisor inserts date], and December 31, 2011, widen the portion of USH 12 between
14 the intersection of USH 12 and USH 18 and the Koshkonong Creek Bridge.

15 ***b0423/1.1* SECTION 2305m.** 84.03 (2) (b) 2. of the statutes is amended to read:

16 84.03 (2) (b) 2. The secretary is required to submit a plan under subd. 1. only
17 if the department's most recent estimate of the amount of federal funds that the
18 department will be appropriated under s. 20.395 in the current state fiscal year is
19 less than ~~95%~~ 97% or more than ~~105%~~ 103% of the amount of federal funds shown
20 in the schedule for the appropriations under s. 20.395 in that fiscal year.

21 ***-1965/7.5* SECTION 2306.** 84.03 (3) of the statutes is created to read:

22 84.03 (3) WEST CANAL STREET RECONSTRUCTION PROJECT. (a) Subject to par. (b),
23 the department shall, from the appropriations under s. 20.395 (3) (cr) and (cy), award
24 a grant of \$5,000,000 from the amounts allocated for the Marquette interchange
25 reconstruction project under 2001 Wisconsin Act (this act), section 9152 (5w),

1 shall award a grant of \$2,500,000 under s. 86.31 (3s), and shall award grants totaling
2 \$2,500,000 from the appropriation under s. 20.395 (3) (ck), to the city of Milwaukee
3 for reconstruction of West Canal Street in the city of Milwaukee to serve as a
4 transportation corridor for the purpose of mitigating traffic associated with the
5 reconstruction of the Marquette interchange.

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

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

10 *~~2387/3.1~~* SECTION 2307. 84.03 (4) of the statutes is created to read:

11 84.03 (4) PARK EAST FREEWAY CORRIDOR COST SHARING. (a) The maximum state
12 share of costs for the project for the demolition of the Park East Freeway corridor in
13 Milwaukee County, as provided in an agreement entered into on April 20, 1999,
14 between the city of Milwaukee, Milwaukee County, and the state, shall be
15 \$8,000,000, of which \$6,800,000 shall be federal interstate cost estimate funds
16 received by the state.

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

21 *b1416/1.1* SECTION 2307f. 84.04 (4) of the statutes is created to read:

22 84.04 (4) Notwithstanding sub. (2), after the effective date of this subsection
23 [revisor inserts date], the department may not construct any rest area along or
24 in close proximity with a state trunk highway at a location that is within a radius
25 of 5 miles from an exit from the highway that provides access to motorist services

1 described under s. 86.195 (3). This subsection does not apply to any rest area that
2 is located no more than 5 miles from the border of this state or to any rest area that
3 may be located near the village of Belmont in Lafayette County.

4 ***b2007/2.8* SECTION 2307g.** 84.06 (1) of the statutes is amended to read:

5 84.06 (1) DEFINITIONS. In this section, “improvement” or “highway
6 improvement” includes construction, reconstruction, rehabilitation, and the
7 activities, operations and processes incidental to building, fabricating, or bettering
8 a highway, ~~public mass transportation system~~ or street, but not maintenance. The
9 terms do not include the installation, replacement, rehabilitation, or maintenance
10 of highway signs, traffic control signals, highway lighting, pavement markings, or
11 intelligent transportation systems, unless incidental to building, fabricating, or
12 bettering a highway or street.

13 ***b2007/2.8* SECTION 2307gg.** 84.07 (1) of the statutes is amended to read:

14 84.07 (1) STATE EXPENSE; WHEN DONE BY COUNTY OR MUNICIPALITY. The state trunk
15 highway system shall be maintained by the state at state expense. The department
16 shall prescribe by rule specifications for such maintenance and may contract with
17 any county highway committee or municipality to have all or certain parts of the
18 work of maintaining the state trunk highways within or beyond the limits of the
19 county or municipality, including interstate bridges, performed by the county or
20 municipality, and any county or municipality may enter into such contract. General
21 maintenance activities include the application of protective coatings, the removal
22 and control of snow, the removal, treatment and sanding of ice, interim repair of
23 highway surfaces and adjacent structures, and all other operations, activities and
24 processes required on a continuing basis for the preservation of the highways on the
25 state trunk system, and including the care and protection of trees and other roadside

1 vegetation and suitable planting to prevent soil erosion or to beautify highways
2 pursuant to s. 80.01 (3), and all measures deemed necessary to provide adequate
3 traffic service. Special maintenance activities include the restoration,
4 reinforcement, complete repair or other activities which the department deems are
5 necessary on an individual basis for specified portions of the state trunk system.
6 Maintenance activities also include the installation, replacement, rehabilitation, or
7 maintenance of highway signs, traffic control signals, highway lighting, pavement
8 markings, and intelligent transportation systems. The department may contract
9 with a private entity for services or materials or both associated with the installation,
10 replacement, rehabilitation, or maintenance of highway signs, traffic control signals,
11 highway lighting, pavement markings, and intelligent transportation systems.

12 *b1489/2.1* SECTION 2307gm. 84.072 of the statutes is created to read:

13 **84.072 Unified disadvantaged business certification program. (1)**

14 DEFINITIONS. In this section:

15 (a) "Business" means a sole proprietorship, partnership, limited liability
16 company, joint venture, or corporation that is operated for profit.

17 (am) "Certifying authority" means the department or, if authorized under sub.
18 (5m), a municipality or county.

19 (b) "Disadvantaged business" means a business that is all of the following:

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

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

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

1 (c) "Disadvantaged individual" means an individual found by a certifying
2 authority to be socially and economically disadvantaged within the meaning given
3 in 49 CFR 26.5.

4 (d) "Municipality" means a city, village, or town.

5 (2) CERTIFICATION. (a) Any business may apply to a certifying authority for
6 certification as a disadvantaged business. All applications shall be sworn and
7 notarized. A certifying authority shall certify as a disadvantaged business any
8 business that meets the requirements under 49 CFR 26, subpart D, for such
9 certification. A certifying authority shall follow all certification procedures and
10 standards provided in 49 CFR 26 and all certification determinations shall strictly
11 conform with 49 CFR 26 and federal guidelines established under that section. A
12 certifying authority shall complete review and issue a decision concerning an
13 application within 90 days after receiving the completed application, except that a
14 certifying authority may extend its review period to not more than 150 days if, within
15 those 90 days, the certifying authority provides written notice to the applicant
16 specifying the reasons for the extension. No person may certify a business as a
17 disadvantaged business for purposes of 49 CFR 26, except as provided in this section.
18 A certifying authority may charge and collect reasonable fees for reviewing an
19 application submitted under this paragraph.

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

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

4 a. Grant certification in reliance of the certification determination under the
5 federally approved unified certification program.

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

9 c. Require the applicant to undergo the application process without regard to
10 the other certification.

11 3. If a certifying authority that is a municipality or county receives an
12 application for a business that is certified as a disadvantaged business under a
13 federally approved unified certification program pursuant to 49 CFR 26, the
14 certifying authority shall forward the application to the department for purposes of
15 subd. 2.

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

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

24 (e) No certification of a business as a disadvantaged business for purposes of
25 federal transportation assistance programs before the effective date of this

1 paragraph [revisor inserts date], is valid for contracts executed after the last day
2 of the 5th month beginning after the effective date of this paragraph [revisor
3 inserts date]. Beginning on the first day of the 6th month beginning after the
4 effective date of this paragraph.... [revisor inserts date], only a business certified
5 under this section qualifies as a disadvantaged business enterprise for purposes of
6 49 CFR 26.

7 (2m) CONFIDENTIALITY. (a) A certifying authority may not disclose to any
8 person any information that relates to an individual's statement of net worth, a
9 statement of experience, or a company's financial statement, including the gross
10 receipts of a bidder, or to any documentation submitted in support of those
11 statements, if the information was obtained for the purpose of complying with 49
12 CFR 26, as that section existed on October 1, 1999.

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

- 15 1. The person to whom the information relates.
- 16 2. If the certifying authority is a municipality or county, to the department.
- 17 3. If the certifying authority is the department, to a municipality or county
18 authorized under sub. (5m).
- 19 4. Any person who has the written consent of the person to whom the
20 information relates to receive such information.
- 21 5. Any person to whom 49 CFR 26, as that section existed on October 1, 1999,
22 requires or specifically authorizes the certifying authority to disclose such
23 information.

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

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

10 **(4) REQUIREMENTS OF CERTIFIED BUSINESSES.** A business certified as a
11 disadvantaged business shall, within 30 days after a change in the business's size,
12 disadvantaged status, ownership, or control that could preclude its certification as
13 a disadvantaged business under 49 CFR 26, notify the department of such change
14 by sworn and notarized statement. A business certified as a disadvantaged business
15 shall submit annually to the department a sworn, notarized statement attesting that
16 there have been no changes to business's size, disadvantaged status, ownership, or
17 control, or gross receipts, that would preclude its certification as a disadvantaged
18 business under 49 CFR 26. The notice shall include a statement that the business
19 meets the size and gross receipts criteria for certification, and shall include
20 documentary evidence supporting that statement. The department shall remove the
21 certification of any disadvantaged business that fails to provide the statement within
22 13 months after certification under this section, or within 13 months after it last
23 submitted to the department the information required under this subsection,
24 whichever is later.

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

11 **(5m) CERTIFICATION BY A MUNICIPALITY OR COUNTY.** The department may
12 authorize any municipality or county to certify a business as a disadvantaged
13 business. The authorization shall be in writing and shall require the municipality
14 or county to conform strictly to the standards and processes provided in this section
15 and rules promulgated under this section. The authorization shall be valid for one
16 year. The authorization shall require the municipality or county to provide written
17 notice to the department of any certification decision. The written notice shall
18 include all of the information contained in the directory maintained under sub. (5).
19 The authorization shall require the municipality or county to forward applications
20 to the department under sub. (2) (b) 3. Certification by a municipality or county is
21 valid for 3 years, unless the department removes certification under sub. (4) or the
22 certification is removed as provided in 49 CFR 26.87 or 26.89. No municipality or
23 county authorized under this subsection may hear any appeals or complaints
24 regarding certification decisions.

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

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

11 (b) Any person may file with the department a signed, written complaint that
12 a business that a certifying authority has certified under this section is not eligible
13 for such certification. The department shall investigate complaints that it finds are
14 supported by credible evidence. If, upon investigation, the department finds
15 reasonable cause to believe that a business is not eligible for certification, the
16 department shall notify the business of its findings in writing and shall proceed in
17 the manner provided under 49 CFR 26.87.

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

22 ***b0957/1.9* SECTION 2307h.** 84.075 (1) of the statutes is amended to read:

23 84.075 (1) In purchasing services under s. 84.01 (13), in awarding construction
24 contracts under s. 84.06, and in contracting with private contractors and agencies
25 under s. 84.07, the department of transportation shall attempt to ensure that 5% of

1 the total amount expended in each fiscal year is paid to contractors, subcontractors,
2 and vendors ~~which are minority businesses, as defined under s. 560.036 (1) (e) 1 that~~
3 are minority businesses certified by the department of commerce under s. 560.036
4 (2). In attempting to meet this goal, the department of transportation may award
5 any contract to a minority business that submits a qualified responsible bid that is
6 no more than 5% higher than the low bid.

7 *b0957/1.9* SECTION 2307i. 84.075 (2) of the statutes is amended to read:

8 84.075 (2) The contractor shall report to the department of transportation any
9 amount of the contract paid to subcontractors and vendors ~~which that~~ are minority
10 businesses certified by the department of commerce under s. 560.036 (2).

11 *b0957/1.9* SECTION 2307j. 84.075 (3) of the statutes is amended to read:

12 84.075 (3) The department of transportation shall at least semiannually, or
13 more often if required by the department of administration, report to the department
14 of administration the total amount of money it has paid to contractors,
15 subcontractors, and vendors ~~which that~~ are minority businesses under ss. 84.01 (13),
16 84.06, and 84.07 and the number of contacts with minority businesses in connection
17 with proposed purchases and contracts. In its reports, the department of
18 transportation shall include only amounts paid to businesses certified by the
19 department of commerce under s. 560.036 (2) as minority businesses.

20 *b1489/2.1* SECTION 2307je. 84.076 (1) (a) of the statutes is amended to read:

21 84.076 (1) (a) "Disadvantaged individual" means a minority group member, a
22 woman or any other individual found by the department to be socially and
23 economically disadvantaged ~~by the department as provided within the meaning~~
24 given in 49 CFR 23.62 26.5, unless successfully challenged as provided in 49 CFR
25 ~~23.69 26.89~~.

1 ***b1489/2.1* SECTION 2307jg.** 84.076 (1) (b) (intro.) of the statutes is
2 renumbered 84.076 (1) (b) and amended to read:

3 84.076 (1) (b) “Disadvantaged business” ~~means a sole proprietorship,~~
4 ~~partnership, limited liability company, joint venture or corporation that fulfills all~~
5 ~~of the following requirements, as certified by the department:~~ has the meaning given
6 in s. 84.072 (1) (b).

7 ***b1489/2.1* SECTION 2307jh.** 84.076 (1) (b) 1., 2. and 3. of the statutes are
8 repealed.

9 ***b0957/1.9* SECTION 2307ji.** 84.076 (1) (c) of the statutes is amended to read:
10 84.076 (1) (c) “Minority business” ~~has the meaning given under s. 560.036 (1)~~
11 ~~(e) 1~~ means a business that is certified by the department of commerce under s.
12 560.036 (2).

13 ***b1489/2.1* SECTION 2307jk.** 84.076 (3) (intro.) and (a) of the statutes are
14 consolidated, renumbered 84.076 (3) and amended to read:

15 84.076 (3) BIDS, CONTRACTS. Section 84.06 (2) applies to bids and contracts
16 under this section, except that the secretary shall reject low bids that do not satisfy
17 the requirements under sub. (4). ~~The secretary shall establish a list of disadvantaged~~
18 ~~businesses that are eligible to submit bids for contracts awarded under this section~~
19 ~~and subcontractors who meet the requirements under sub. (4) (b).~~ Each bid
20 submitted under this section shall include the agreement specified under sub. (4) and
21 ~~all of the following conditions: (a) A, as a condition, a goal that at least 25% of the~~
22 total number of workers in all construction trades employed on the project will be
23 disadvantaged individuals.

24 ***b1489/2.1* SECTION 2307jL.** 84.076 (3) (b) of the statutes is repealed.

25 ***b1489/2.1* SECTION 2307jm.** 84.076 (4) (b) of the statutes is amended to read:

1 84.076 (4) (b) Obtain from a subcontractor that has experience in providing
2 training to disadvantaged individuals a program of preapprenticeship training that
3 satisfies the requirements established by the secretary under sub. (2) (b), and assure
4 that the subcontractor has experience in providing a program of management and
5 technical assistance to disadvantaged business contractors, and that the
6 subcontractor's management and technical assistance program satisfies the
7 requirements established by the secretary under sub. (2) (b) and includes all of the
8 requirements of par. (a) 2. A subcontractor under this paragraph need not be a
9 disadvantaged business, but if the subcontractor is not a disadvantaged business, it
10 may not be included within the goal established under sub. (3) (b).

11 ***b2213/2.3* SECTION 2307jn.** 84.09 (9) of the statutes is created to read:

12 84.09 (9) Subsections (5), (5m), and (6) do not apply to residual state property
13 subject to s. 20.9145.

14 ***b2213/2.3* SECTION 2307jp.** 84.09 (9) of the statutes, as created by 2001
15 Wisconsin Act (this act), is repealed.

16 ***b0489/1.1* SECTION 2307k.** 84.1033 of the statutes is created to read:

17 **84.1033 Leo Frigo Memorial Bridge.** Not later than June 30, 2003, the
18 department shall designate and mark the bridge on I 43 across the Fox River in the
19 city of Green Bay as the "Leo Frigo Memorial Bridge" in recognition and appreciation
20 of Leo Frigo, a civic and philanthropic leader in the Green Bay area whose legacy
21 includes one of the largest food pantry programs in the nation for feeding the hungry.

22 ***b1302/2.1* SECTION 2307m.** 84.1040 of the statutes is created to read:

23 **84.1040 Donald K. "Deke" Slayton Memorial Highway.** (1) The
24 department shall designate and, subject to sub. (2), mark STH 27 in Monroe County
25 commencing at Sparta and proceeding southerly to Cashton as the "Donald K. 'Deke'

1 Slayton Memorial Highway” as a living memorial to and in honor of Donald K. “Deke”
2 Slayton, who brought credit to this state and, in particular, Monroe County for his
3 contribution to this country’s space program as one of the 7 original astronauts and
4 as a participant in the first joint United States–Soviet space mission.

5 (2) Upon receipt of sufficient contributions from interested parties, including
6 any county, city, village, or town, to cover the cost of erecting and maintaining
7 markers along the route specified in sub. (1) to clearly identify to motorists the
8 designation of the route as the “Donald K. ‘Deke’ Slayton Memorial Highway,” the
9 department shall erect and maintain the markers. No state funds, other than from
10 the receipt of contributions under this subsection, may be expended for the erection
11 or maintenance of the markers.

12 *b0491/1.1* SECTION 2307r. 84.1041 of the statutes is created to read:

13 **84.1041 Gateway to the North Bridge.** Not later than June 30, 2003, the
14 department shall designate and mark the bridge on USH 45 across the south branch
15 of the Embarrass River in the village of Tigerton in Shawano County as the “Gateway
16 to the North” to serve as a welcome to visitors to the northern part of this state.

17 *b0511/2.1* SECTION 2308h. 84.185 (6m) of the statutes is amended to read:

18 84.185 (6m) ADMINISTRATION. From the appropriations under s. 20.395 (2) (iq),
19 (iv), and (ix), upon the approval of the secretary under sub. (2), the department may
20 make improvements to or provide other assistance for the improvement of a
21 transportation facility under sub. (1) (d) 1. to 3. or provide other assistance for the
22 improvement of a transportation facility under sub. (1) (d) 4. or 5. The department
23 may not allocate more than 80% of the total funds appropriated under s. 20.395 (2)
24 (iq) and (iw) in fiscal year 2002–03, and in any fiscal year thereafter, for grants under
25 this section. The department may make loans from the appropriations under s.

1 20.395 (2) (iq) and (iw) for the improvement of a transportation facility. The state
2 share of costs for the improvement of a transportation facility, including any loans
3 made under this subsection for the improvement of the transportation facility, may
4 not exceed 50% of the cost of the improvement. The department shall give priority
5 to funding applications for which the applicant has indicated a willingness to accept
6 a loan made under this subsection for all or part of the state share of costs for the
7 improvement of the transportation facility.

8 *b0532/3.1* SECTION 2308m. 84.205 of the statutes is created to read:

9 **84.205 Claims arising from repair and maintenance of state trunk**
10 **highways. (1)** In this section, “political subdivision” means a city, village, town, or
11 county.

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

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

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

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

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

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

10 (3) The department shall promulgate rules to implement and administer this
11 section.

12 *b2221/3.123* SECTION 2308p. 84.28 (1) of the statutes is amended to read:

13 84.28 (1) Moneys from the appropriation under s. ~~20.370 (7) (mc)~~ 20.375 (3) (b)
14 may be expended for the renovation, marking and maintenance of a town or county
15 highway located within the boundaries of any ~~state park, state forest or other~~
16 ~~property under the jurisdiction of the department of natural resources, other than~~
17 a southern state forest. Moneys from the appropriation under s. 20.370 (7) (mc) may
18 be expended for the renovation, marking and maintenance of a town or county
19 highway located within the boundaries of any state park or any southern state forest,
20 in the lower Wisconsin state riverway, as defined in s. 30.40 (15), or on other property
21 under the jurisdiction of the department of natural resources. Outside the lower
22 Wisconsin state riverway, as defined in s. 30.40 (15), or outside the boundaries of
23 these parks, forests or other property under the jurisdiction of the department of
24 natural resources, moneys from the appropriation under s. 20.370 (7) (mc) may be
25 expended for the renovation, marking and maintenance of roads which the

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

16 *b2221/3.123* SECTION 2308sc. 84.28 (2) of the statutes is amended to read:

17 84.28 (2) The department may administer a program for the construction,
18 maintenance, and marking of roads, including fire roads, service areas, trailer, or
19 vehicle parking stalls or parking areas and other facilities consistent with highway
20 construction and for the marking of scenic routes in the state parks, state forests, the
21 lower Wisconsin state riverway as defined under s. 30.40 (15), state fish hatcheries,
22 other public used areas under the jurisdiction of the department of natural resources
23 or the department of forestry, and other public lands as defined in ch. 24, for
24 highways or fire roads leading from the most convenient state trunk highways to
25 such lands, and for the relocation and construction of state trunk highways in or near

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

17 *b2009/1.1* SECTION 2308sr. 84.30 (10m) of the statutes is renumbered 84.30
18 (10m) (intro.) and amended to read:

19 84.30 (10m) ANNUAL PERMIT FEE REQUIREMENT. (intro.) The department may
20 promulgate a rule requiring persons specified in the rule to pay annual permit fees
21 for signs. If the department establishes an annual permit fee under this subsection,
22 failure to pay the fee within 2 months after the date on which payment is due is
23 evidence that the sign has been abandoned for the purposes of s. TRANS 201.10 (2)
24 (f), Wis. Adm. Code. This subsection does not apply to any of the following:

1 ***b2009/1.1* SECTION 2308st.** 84.30 (10m) (a) and (b) of the statutes are created
2 to read:

3 84.30 (10m) (a) An off-premises advertising sign that is owned by a religious
4 organization.

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

7 ***-2228/4.6* SECTION 2309.** 84.59 (1) of the statutes is amended to read:

8 84.59 (1) Transportation facilities under s. 84.01 (28) and major highway
9 projects as defined under s. 84.013 (1) (a) for the purposes under ss. 84.06 and 84.09
10 may be funded with the proceeds of revenue obligations issued subject to and in
11 accordance with subch. II of ch. 18, except that funding for major highway projects
12 with such proceeds may not exceed 55% of the total funds encumbered in any period
13 of 3 consecutive fiscal years, beginning with the 3-year period of 2002–03 to 2004–05,
14 for major highway projects.

15 ***-2228/4.7* SECTION 2310.** 84.59 (6) of the statutes is amended to read:

16 84.59 (6) The building commission may contract revenue obligations when it
17 reasonably appears to the building commission that all obligations incurred under
18 this section can be fully paid from moneys received or anticipated and pledged to be
19 received on a timely basis. Except as provided in this subsection, the principal
20 amount of revenue obligations issued under this section may not exceed
21 \$1,447,085,500 and may \$1,753,067,500, excluding any obligations that have been
22 defeased under a cash optimization program administered by the building
23 commission, to be used for transportation facilities under s. 84.01 (28) and major
24 highway projects for the purposes under ss. 84.06 and 84.09. In addition to the
25 foregoing limit on principal amount, the building commission may contract revenue

1 obligations under this section as the building commission determines is desirable to
2 refund outstanding revenue obligations contracted under this section and to pay
3 expenses associated with revenue obligations contracted under this section.

4 ***b1491/1.2* SECTION 2310m.** 85.027 of the statutes is created to read:

5 **85.027 Highway corridor planning grant program.** (1) In this section:

6 (a) “Highway corridor” means the area up to 10 miles on either side of a state
7 trunk highway that is expected by the department to need additional capacity for
8 vehicular traffic or to have possible safety or operational problems resulting from
9 pressure for development adjacent to the highway.

10 (b) “Local governmental unit” means a city, village, town, county, regional
11 planning commission, or metropolitan planning organization, as defined in s. 85.243
12 (1) (c).

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

18 ***b2006/2.1* SECTION 2311g.** 85.061 (3) (b) of the statutes is renumbered
19 85.061 (3) (b) 1. and amended to read:

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

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

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

7 *-0082/2.1* SECTION 2312. 85.107 (title) of the statutes is amended to read:

8 **85.107 (title) ~~Minority civil engineer scholarship~~ Scholarship and loan**
9 **repayment incentive grant program.**

10 *-0082/2.2* SECTION 2313. 85.107 (1) of the statutes is amended to read:

11 85.107 (1) PURPOSE. The ~~minority civil engineer~~ scholarship and loan
12 repayment incentive grant program is created to assist in improving the
13 representation of ~~minorities among employees of~~ targeted group members within job
14 classifications in which targeted group members are underutilized in the
15 department ~~who are classified as civil engineers.~~

16 *-0082/2.3* SECTION 2314. 85.107 (2) of the statutes is repealed.

17 *-0082/2.4* SECTION 2315. 85.107 (2m) (intro.) of the statutes is created to
18 read:

19 85.107 (2m) DEFINITIONS. (intro.) In this section:

20 *-0082/2.5* SECTION 2316. 85.107 (2m) (am) of the statutes is created to read:

21 85.107 (2m) (am) "Person with a disability" means any person who has a
22 physical or mental disability that constitutes or results in a substantial barrier to
23 employment.

24 *-0082/2.6* SECTION 2317. 85.107 (2m) (b) of the statutes is created to read:

1 85.107 (2m) (b) "Targeted group member" means a person with disabilities, or
2 a person who belongs to a class of race, color, or sex, whose percent of the workforce
3 within any job classification in the department is less than that class's percent of the
4 statewide labor market for such job activities.

5 *~~0082/2.7~~* SECTION 2318. 85.107 (3) (a) (intro.) of the statutes is amended to
6 read:

7 85.107 (3) (a) (intro.) Award scholarships to ~~resident minority students~~
8 targeted group members who are enrolled ~~fulltime~~ full time and registered as
9 sophomores, juniors or seniors in a ~~civil engineering~~ bachelor of science degree
10 program offered by an accredited institution of higher education in this state.
11 Scholarships under this paragraph shall not exceed the following amounts:

12 *~~0082/2.8~~* SECTION 2319. 85.107 (3) (am) of the statutes is created to read:

13 85.107 (3) (am) Award scholarships of not more than \$2,000 each to any
14 targeted group member who is registered in his or her 2nd year of full-time
15 enrollment in an associate degree program, as defined in s. 38.01 (1), or vocational
16 diploma program, as defined in s. 38.01 (11), at a technical college in this state.

17 *~~0082/2.9~~* SECTION 2320. 85.107 (3) (b) 1. (intro.) of the statutes is amended
18 to read:

19 85.107 (3) (b) 1. (intro.) Make loan repayment grants to ~~minority civil engineers~~
20 targeted group members who are employed by the department and have education
21 loans outstanding. Subject to subd. 2., loan repayment grants under this subdivision
22 shall not exceed the following amounts:

23 *~~1857/5.111~~* SECTION 2321. 85.12 (3) of the statutes is amended to read:

1 85.12 (3) The department may contract with any local governmental unit, as
2 defined in s. ~~16.97~~ 22.01 (7), to provide that local governmental unit with services
3 under this section.

4 ***b0253/1.1* SECTION 2321m.** 85.12 (4) of the statutes is created to read:

5 85.12 (4) Beginning with fiscal year 2001–02, if the department of
6 transportation provides radio services under this section to the department of
7 natural resources in any fiscal year, the department of natural resources shall make
8 quarterly payments from the appropriation under s. 20.370 (8) (mu) of \$111,450 to
9 the department of transportation.

10 ***b1484/1.2* SECTION 2321p.** 85.12 (5) of the statutes is created to read:

11 85.12 (5) Beginning with fiscal year 2001–02, from the appropriations under
12 s. 20.395 (5) (dk) of moneys received by the department from the department and
13 under s. 20.395 (5) (dq), the amount provided by the department in any fiscal year
14 for the statewide public safety radio management program under this section may
15 not exceed 50% of the costs of the statewide public safety radio management program
16 or \$138,000, whichever is less.

17 ***-2161/1.1* SECTION 2323.** 85.20 (4m) (a) 6. a. and b. of the statutes are
18 repealed.

19 ***b0523/2.1* SECTION 2324m.** 85.20 (4m) (a) 6. cm. of the statutes is amended
20 to read:

21 85.20 (4m) (a) 6. cm. ~~Beginning with aid payable for calendar year 2000~~ For
22 aid payable for calendar years 2000 and 2001, from the appropriation under s. 20.395
23 (1) (ht), the department shall pay \$53,555,600 to the eligible applicant that pays the
24 local contribution required under par. (b) 1. for an urban mass transit system that
25 has annual operating expenses in excess of \$80,000,000. For aid payable for calendar

1 year 2002, from the appropriation under s. 20.395 (1) (ht), the department shall pay
2 \$55,697,800 to the eligible applicant that pays the local contribution required under
3 par. (b) 1. for an urban mass transit system that has annual operating expenses in
4 excess of \$80,000,000. Beginning with aid payable for calendar year 2003 and for
5 each calendar year thereafter, from the appropriation under s. 20.395 (1) (ht), the
6 department shall pay \$56,811,800 to the eligible applicant that pays the local
7 contribution required under par. (b) 1. for an urban mass transit system that has
8 annual operating expenses in excess of \$80,000,000. If the eligible applicant that
9 receives aid under this subd. 6. cm. is served by more than one urban mass transit
10 system, the eligible applicant may allocate the aid between the urban mass transit
11 systems in any manner the eligible applicant considers desirable.

12 *b0523/2.1* SECTION 2325m. 85.20 (4m) (a) 6. d. of the statutes is amended to
13 read:

14 85.20 (4m) (a) 6. d. ~~Beginning with aid payable for calendar year 2000~~ For aid
15 payable for calendar years 2000 and 2001, from the appropriation under s. 20.395
16 (1) (hu), the department shall pay \$14,297,600 to the eligible applicant that pays the
17 local contribution required under par. (b) 1. for an urban mass transit system that
18 has annual operating expenses in excess of \$20,000,000 but less than \$80,000,000.
19 For aid payable for calendar year 2002, from the appropriation under s. 20.395 (1)
20 (hu), the department shall pay \$14,869,500 to the eligible applicant that pays the
21 local contribution required under par. (b) 1. for an urban mass transit system that
22 has annual operating expenses in excess of \$20,000,000 but less than \$80,000,000.
23 Beginning with aid payable for calendar year 2003 and for each calendar year
24 thereafter, from the appropriation under s. 20.395 (1) (hu), the department shall pay
25 \$15,166,900 to the eligible applicant that pays the local contribution required under

1 par. (b) 1. for an urban mass transit system that has annual operating expenses in
2 excess of \$20,000,000 but less than \$80,000,000. If the eligible applicant that
3 receives aid under this subd. 6. d. is served by more than one urban mass transit
4 system, the eligible applicant may allocate the aid between the urban mass transit
5 systems in any manner the eligible applicant considers desirable.

6 *b0523/2.1* SECTION 2326m. 85.20 (4m) (a) 7. of the statutes is amended to
7 read:

8 85.20 (4m) (a) 7. a. From the appropriation under s. 20.395 (1) (hr), 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 urbanized area having
11 a population as shown in the 1990 federal decennial census of at least 50,000 or
12 receiving federal mass transit aid for such area, and not specified in subd. 6. From
13 the appropriation under s. 20.395 (1) (hr), beginning with aid payable for calendar
14 year 2002 and for each calendar year thereafter, the uniform percentage for each
15 eligible applicant served by an urban mass transit system operating within an
16 urbanized area having a population as shown in the 2000 federal decennial census
17 of at least 50,000 or receiving federal mass transit aid for such area, and not specified
18 in subd. 6.

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

1 ***b0523/2.1* SECTION 2327m.** 85.20 (4m) (a) 8. of the statutes is amended to
2 read:

3 85.20 (4m) (a) 8. a. From the appropriation under s. 20.395 (1) (hs), for aid
4 payable for calendar year 2001, the uniform percentage for each eligible applicant
5 served by an urban mass transit system operating within an area having a
6 population as shown in the 1990 federal decennial census of less than 50,000 or
7 receiving federal mass transit aid for such area. From the appropriation under s.
8 20.395 (1) (hs), beginning with aid payable for calendar year 2002 and for each
9 calendar year thereafter, the uniform percentage for each eligible applicant served
10 by an urban mass transit system operating within an area having a population as
11 shown in the 2000 federal decennial census of less than 50,000 or receiving federal
12 mass transit aid for such area.

13 b. For the purpose of making allocations under subd. 8. a., the amounts for aids
14 are \$4,975,900 in calendar year 1999 and \$5,349,100 in calendar year 2000 and years
15 2000 and 2001, \$5,563,100 in calendar year 2002, and \$5,674,400 in calendar year
16 2003 and in each calendar year thereafter. These amounts, to the extent practicable,
17 shall be used to determine the uniform percentage in the particular calendar year.

18 ***b2003/3.1* SECTION 2330g.** 85.205 (title) of the statutes is amended to read:

19 **85.205 (title) Prohibited expenditures and construction for light rail.**

20 ***b2003/3.1* SECTION 2330h.** 85.205 of the statutes is renumbered 85.205 (1)
21 and amended to read:

22 85.205 (1) Notwithstanding ss. 85.022, 85.062 and 85.063, the department may
23 not encumber or expend any federal funds received under P.L. 102-240, section 1045,
24 or P.L. 105-277, section 373, or state funds for any purpose related to a light rail mass
25 transit system. This section on or after the effective date of this subsection

1 [revisor inserts date]. This subsection does not apply to any light rail mass transit
2 system that is being constructed on October 29, 1999. This ~~section~~ subsection does
3 not apply to any funds expended or activity related to a mass transit system that is
4 done under the memorandum of agreement concerning USH 12 between Middleton
5 and Lake Delton, Wisconsin, that was executed by the governor, the secretary of
6 transportation, the secretary of natural resources, the county executive of Dane
7 County, the administrative coordinator of Sauk County, and others, and that became
8 effective on April 22, 1999. This ~~section~~ subsection does not apply after
9 June 30, 2001 2002.

10 *b2003/3.1* SECTION 2330j. 85.205 (2) of the statutes is created to read:

11 85.205 (2) A light rail mass transit system may not be constructed in
12 Milwaukee County after the effective date of this subsection [revisor inserts date],
13 unless the Milwaukee County board authorizes construction of the light rail mass
14 transit system by resolution and the resolution is ratified by the electors of
15 Milwaukee County at a referendum held at the next general election.

16 *-0284/2.5* SECTION 2331. 85.24 (title) of the statutes is repealed and
17 recreated to read:

18 **85.24 (title) Transportation employment and mobility program.**

19 *-0284/2.6* SECTION 2332. 85.24 (1) of the statutes is amended to read:

20 85.24 (1) PURPOSE. The purpose of this section is to promote the conservation
21 of energy, reduce traffic congestion, improve air quality and, enhance the efficient
22 use of existing transportation systems, and enhance the success of welfare to-work
23 programs by providing efficient and effective transportation services that link
24 low-income workers with jobs, training centers, and child care facilities, by planning
25 and promoting demand management and ride-sharing programs, and by providing

1 technical and financial assistance to public and private organizations for job access
2 and employment transportation assistance programs and for the development and
3 implementation of demand management and ride-sharing programs.

4 ***-0284/2.7* SECTION 2333.** 85.24 (2) (ag) of the statutes is created to read:

5 85.24 (2) (ag) “Job access and employment transportation assistance” means
6 policies and programs that are directed at resolving the transportation needs of
7 low-income workers and recipients of public assistance with respect to
8 transportation to-and-from jobs, including welfare-to-work programs, and
9 activities related to their employment.

10 ***-0284/2.8* SECTION 2334.** 85.24 (2) (br) of the statutes is created to read:

11 85.24 (2) (br) “Transportation employment and mobility” means policies and
12 programs that encompass demand management, ride sharing, and job access and
13 employment transportation assistance.

14 ***-0284/2.9* SECTION 2335.** 85.24 (3) (a) of the statutes is amended to read:

15 85.24 (3) (a) The department of transportation shall be the lead state agency
16 in demand management and ride-sharing activities and shall collaborate with the
17 department of workforce development in job access and employment transportation
18 assistance programs. The department of transportation shall have all powers
19 necessary to develop and implement a state ~~demand management and ride-sharing~~
20 ~~assistance program which shall include~~ transportation employment and mobility
21 program that includes the coordination of demand management and, ride-sharing,
22 and job access and employment transportation assistance activities in this state; the
23 promotion and marketing of demand management and, ride-sharing, and job access
24 and employment transportation assistance activities; the dissemination of technical
25 information; the provision of technical and financial assistance to public and private

1 organizations for the planning, development, and implementation of demand
2 management and, ride-sharing, and job access and employment transportation
3 assistance programs; and the development and distribution of computer and
4 manual ride-matching systems.

5 *~~0284/2.10~~* SECTION 2336. 85.24 (3) (c) of the statutes is amended to read:

6 85.24 (3) (c) The department may administer a program for the distribution of
7 any federal funds for ride sharing and, demand management, and job access and
8 employment transportation assistance that are made available to the state.

9 *~~0284/2.11~~* SECTION 2337. 85.24 (3) (d) (intro.) of the statutes is amended to
10 read:

11 85.24 (3) (d) (intro.) The department may award grants from the appropriation
12 under s. 20.395 (1) (bs) to public and private organizations for the development and
13 implementation of demand management and, ride-sharing, and job access and
14 employment transportation assistance programs. As a condition of obtaining a grant
15 under this paragraph, a public or private organization may be required to provide
16 matching funds at any percentage. ~~The~~ For demand management and ride-sharing
17 purposes, the department shall give priority in the awarding of grants to those
18 programs that provide the greatest reduction in automobile trips, especially during
19 peak hours of traffic congestion. The department shall have all powers necessary
20 and convenient to implement this paragraph, including the following powers:

21 *~~b0241/2.2~~* SECTION 2337k. 85.285 of the statutes is created to read:

22 **85.285 Extrication training grants.** From the appropriation under s. 20.395
23 (5) (ds), the department shall award a grant of \$375,000 in fiscal year 2002–03 and
24 in each fiscal year thereafter to a nonprofit corporation that has experience providing
25 training that meets the standards of the National Fire Protection Association and

1 that prepares trained individuals to teach extrication techniques for all types of
2 vehicles to rescue personnel. A grant made under this section may be used to provide
3 training, acquire extrication equipment, or develop extrication training curricula.
4 The department may not award a grant under this section unless the recipient of the
5 grant enters into a written agreement with the department that specifies the
6 conditions for use of the grant proceeds, including the use of any training curriculum
7 developed with grant proceeds.

8 *~~0758/2.1~~* SECTION 2338. 85.51 (title) of the statutes is amended to read:

9 **85.51 (title) State traffic patrol services; special events fee.**

10 *~~0758/2.2~~* SECTION 2339. 85.51 of the statutes is renumbered 85.51 (1) (a)
11 and amended to read:

12 85.51 (1) (a) ~~The~~ Except as provided in par. (b), the department may charge ~~the~~
13 an event sponsor, as defined by rule, a fee, in an amount calculated under a uniform
14 method established by rule, for security and traffic enforcement services provided by
15 the state traffic patrol at any public event for which an admission fee is charged for
16 spectators ~~if the event is organized by a private organization~~. The department may
17 not impose a fee for such services except as provided in this ~~section~~ paragraph.

18 (3) USE OF FEES. All moneys received under this ~~subsection~~ section shall be
19 deposited in the general fund and credited to the appropriation account under s.
20 20.395 (5) (dg).

21 *~~b0252/2.4~~* SECTION 2339g. 85.51 (1) (title) of the statutes is created to read:

22 85.51 (1) (title) SPECIAL EVENTS FEE.

23 *~~b0252/2.4~~* SECTION 2339m. 85.51 (1) (b) of the statutes is created to read:

24 85.51 (1) (b) Paragraph (a) does not apply to farm progress days subject to s.

25 85.511.

1 ***-0758/2.3* SECTION 2340.** 85.51 (2) of the statutes is created to read:

2 85.51 (2) **SECURITY AND TRAFFIC ENFORCEMENT SERVICES FEE.** The department
3 may charge any person a fee, in an amount calculated under a uniform method
4 established by rule, for security and traffic enforcement services provided by the
5 state traffic patrol during that person's installation, inspection, removal, relocation,
6 or repair of a utility facility, as defined in s. 30.40 (19), located on a highway, as
7 defined in s. 340.01 (22), if that person requests such services in writing.

8 ***b0252/2.5* SECTION 2340i.** 85.511 of the statutes is created to read:

9 **85.511 Farm progress days. (1)** The department is prohibited from charging
10 any sponsor of farm progress days for any costs incurred by the department
11 associated with farm progress days.

12 **(2)** The department shall promulgate rules specifying eligibility as a sponsor
13 under sub. (1) and determining the conditions that shall be satisfied to qualify as
14 farm progress days under sub. (1).

15 ***b0248/2.1* SECTION 2340k.** 85.517 of the statutes is created to read:

16 **85.517 Database redesign; division of motor vehicles.** By January 2,
17 2002, and biennially by January 2 thereafter, the department shall submit to the
18 joint committee on finance, and to the appropriate standing committees of the
19 legislature under s. 13.172 (3), a report on the progress of the division of motor
20 vehicles database redesign. The report shall include all of the following:

21 **(1)** The identification of all portions of the database redesign that have been
22 completed and all portions planned for completion within 12 months following the
23 report.

24 **(2)** The identification of any change in data processing, administrative, or other
25 process efficiencies realized from those portions of the database redesign that have

1 been completed, or anticipated from those portions of the database redesign that are
2 planned for completion within 12 months following the report.

3 (3) A timetable for completion of the database redesign, including the
4 identification of all portions of the database redesign that remain to be completed
5 and their projected dates of completion.

6 (4) Any recommended statutory changes or funding levels to facilitate the
7 database redesign or any data processing, administrative, or other process
8 efficiencies associated with the database redesign.

9 *b0751/2.3* SECTION 2340q. 85.53 (3) of the statutes is amended to read:

10 85.53 (3) Grants under this section shall be paid from the appropriations under
11 s. 20.395 (5) (jr) and (jt). The amount of a grant may not exceed 80% of the amount
12 expended by an eligible applicant for services related to the program.

13 *b0254/1.1* SECTION 2340t. 85.56 of the statutes is created to read:

14 **85.56 Joint committee on finance review of transportation safety**
15 **contracts.** The department may not enter into any contract relating to alcohol or
16 traffic enforcement activities to be funded in whole or in part with federal
17 transportation safety funds unless the department first notifies the joint committee
18 on finance in writing of the proposed contract. If the cochairpersons of the committee
19 do not notify the department within 14 working days after the date of the
20 department's notification that the committee has scheduled a meeting to review the
21 proposed contract, the department may enter into the proposed contract. If, within
22 14 working days after the date of the department's notification, the chairpersons of
23 the committee notify the department that the committee has scheduled a meeting to
24 review the proposed contract, the department may enter into the proposed contract
25 only upon approval of the committee.

1 ***b2153/1.1* SECTION 2340vg.** 86.03 (5m) of the statutes is created to read:

2 **86.03 (5m) TREES AND OTHER VEGETATION BLOCKING VIEW OF BUSINESS OR SIGN.**

3 (a) In this subsection, “vegetation” means any tree, shrub, hedge, or other foliage.

4 (b) Notwithstanding any other provision of this section, if any vegetation
5 located in the right-of-way of any highway under the jurisdiction of the department
6 prevents the operator of a vehicle traveling on a highway at the posted speed limit
7 from viewing for 6 uninterrupted seconds a business premises located adjacent to the
8 highway right-of-way, a sign located on a business premises adjacent to the highway
9 right-of-way that advertises the business to motorists on the adjacent highway, or
10 any sign erected under this chapter or s. 84.30 that is permitted to be located in or
11 adjacent to the highway right-of-way, any person who maintains a majority
12 ownership interest in the business adjacent to the highway right-of-way or in any
13 business advertised on a sign identified in this paragraph may trim or remove any
14 obstructing vegetation located in the highway right-of-way if all of the following
15 requirements are met:

16 1. The person obtains a permit from the department under par. (c).

17 2. The person pays for the cost of trimming or removing the obstructing
18 vegetation, including the cost of cleanup and disposal, and for replacing any removed
19 vegetation, including the cost of purchasing and planting the replacement
20 vegetation.

21 3. If the person has removed vegetation, the person replaces the removed
22 vegetation with comparable vegetation along the same highway right-of-way,
23 provided that the person may not locate replacement vegetation in a manner that
24 obstructs, or will obstruct in the foreseeable future, the view from the highway of
25 another existing business or sign identified in this paragraph.

1 4. No state funds are expended for the trimming, removal, or replacement of
2 vegetation under this paragraph.

3 5. With respect to a sign identified in this paragraph, the owner of the land on
4 which the sign is erected does not object to the trimming or removal of vegetation.

5 (c) The department shall issue permits to eligible applicants for the trimming
6 or removal of vegetation located in a highway right-of-way under par. (b). Any
7 permit issued under this paragraph shall specify the vegetation or the portion of the
8 highway right-of-way to which the permit applies. The department shall grant or
9 deny an application for a permit within 30 days of receipt of the application.

10 ***b1812/2.2* SECTION 2340y.** 86.193 of the statutes is created to read:

11 **86.193 Agricultural tourism signs.** (1) In this section, “agricultural
12 tourism facility” means a facility located in this state that is open to the public at
13 least 4 days a week for a minimum of 3 months and which does any of the following:

14 (a) Markets Wisconsin farm products.

15 (b) Processes and markets agricultural products, of which at least 50% are
16 grown and produced in this state.

17 (c) Promotes tourism by providing tours and on-site sales or samples of
18 Wisconsin agricultural products.

19 (2) The department shall develop and, no later than March 1, 2002, implement
20 a plan, consistent with federal and state laws, to promote and maximize the erection
21 of agricultural tourism signs on highways in this state to identify and provide
22 directional information to any agricultural tourism facility.

23 (3) (a) Except as provided in par. (b), the department may assess and collect
24 from an agricultural tourism facility the actual costs of erection of any agricultural
25 tourism sign that identifies and provides directional information to the facility.

1 (b) A local authority shall permit erection of a trailblazer sign that identifies
2 and provides directional information to an agricultural tourism facility on a highway
3 under the jurisdiction of the local authority if the facility is located more than 5 miles
4 from the highway and the local authority assesses and collects from the facility the
5 actual costs of erection of the trailblazer sign. The department shall promulgate
6 rules defining “trailblazer sign” for purposes of this paragraph.

7 (4) In developing and implementing the plan under sub. (2), the department
8 shall consult with the department of agriculture, trade and consumer protection.

9 ***-2162/1.1* SECTION 2341.** 86.30 (2) (a) 3. (intro.) of the statutes is renumbered
10 86.30 (2) (a) 3. and amended to read:

11 86.30 (2) (a) 3. For each mile of road or street under the jurisdiction of a
12 municipality as determined under s. 86.302, the mileage aid payment shall be an
13 amount equal to the following: \$1,704 in calendar year 2001, \$1,755 in calendar year
14 2002, and \$1,825 in calendar year 2003 and thereafter.

15 ***-2162/1.2* SECTION 2342.** 86.30 (2) (a) 3. g. of the statutes is repealed.

16 ***-2162/1.3* SECTION 2343.** 86.30 (2) (a) 3. h. of the statutes is repealed.

17 ***-2162/1.4* SECTION 2344.** 86.30 (9) (b) of the statutes is amended to read:

18 86.30 (9) (b) For the purpose of calculating and distributing aids under sub. (2),
19 the amounts for aids to counties are ~~\$78,744,300 in calendar years 1998 and 1999,~~
20 ~~and \$84,059,500 in calendar year years 2000 and 2001,~~ \$86,581,300 in calendar year
21 2002, and \$90,044,600 in calendar year 2003 and thereafter. These amounts, to the
22 extent practicable, shall be used to determine the statewide county average
23 cost-sharing percentage in the particular calendar year.

24 ***-2162/1.5* SECTION 2345.** 86.30 (9) (c) of the statutes is amended to read:

1 86.30 (9) (c) For the purpose of calculating and distributing aids under sub. (2),
2 the amounts for aids to municipalities are ~~\$247,739,100 in calendar years 1998 and~~
3 ~~1999, and \$264,461,500 in calendar year years 2000 and 2001, \$272,395,300 in~~
4 ~~calendar year 2002, and \$283,291,100 in calendar year 2003~~ and thereafter. These
5 amounts, to the extent practicable, shall be used to determine the statewide
6 municipal average cost-sharing percentage in the particular calendar year.

7 ***b2040/1.6* SECTION 2345m.** 86.30 (10c) of the statutes is created to read:

8 86.30 (10c) AID PAYMENTS FOR CALENDAR YEAR 2002. (a) 1. For calendar year 2002,
9 the department shall determine the percentage change between the amount of
10 moneys appropriated for distribution under this section to counties for calendar year
11 2002 and the amount of moneys appropriated for distribution under this section to
12 counties for calendar year 2001.

13 2. Notwithstanding sub. (2) (a), (b), and (d) and s. 86.303 (5) (e), (f), (h), and (i),
14 the amount of aid payable to each county in calendar year 2002 shall be the amount
15 paid to that county for calendar year 2001, plus an amount equal to the percentage
16 determined under subd. 1. of the amount paid to the county for calendar year 2001.

17 (b) 1. For calendar year 2002, the department shall determine the percentage
18 change between the amount of moneys appropriated for distribution under this
19 section to municipalities for calendar year 2002 and the amount of moneys
20 appropriated for distribution under this section to municipalities for calendar year
21 2001.

22 2. Notwithstanding sub. (2) (a), (b), and (d) and s. 86.303 (5) (e), (f), (h), and (i),
23 the amount of aid payable to each municipality in calendar year 2002 shall be the
24 amount paid to that municipality for calendar year 2001, plus an amount equal to

1 the percentage determined under subd. 1. of the amount paid to the municipality for
2 calendar year 2001.

3 *b2040/1.6* SECTION 2345n. 86.30 (10g) of the statutes is created to read:

4 86.30 (10g) AID PAYMENTS FOR CALENDAR YEAR 2003. (a) 1. For calendar year 2003,
5 the department shall determine the percentage change between the amount of
6 moneys appropriated for distribution under this section to counties for calendar year
7 2003 and the amount of moneys appropriated for distribution under this section to
8 counties for calendar year 2002.

9 2. Notwithstanding sub. (2) (a), (b), and (d) and s. 86.303 (5) (e), (f), (h), and (i),
10 the amount of aid payable to each county in calendar year 2003 shall be the amount
11 paid to that county for calendar year 2002, plus an amount equal to the percentage
12 determined under subd. 1. of the amount paid to the county for calendar year 2002.

13 (b) 1. For calendar year 2003, the department shall determine the percentage
14 change between the amount of moneys appropriated for distribution under this
15 section to municipalities for calendar year 2003 and the amount of moneys
16 appropriated for distribution under this section to municipalities for calendar year
17 2002.

18 2. Notwithstanding sub. (2) (a), (b), and (d) and s. 86.303 (5) (e), (f), (h), and (i),
19 the amount of aid payable to each municipality in calendar year 2003 shall be the
20 amount paid to that municipality for calendar year 2002, plus an amount equal to
21 the percentage determined under subd. 1. of the amount paid to the municipality for
22 calendar year 2002.

23 *b0652/1.1* SECTION 2346m. 86.31 (2) (f) of the statutes is created to read:

24 86.31 (2) (f) With respect to town road improvements, the department shall
25 give priority to town road improvements under subs. (3) and (3m) that fund

1 improvements of town roads that have been damaged as a result of heavy motor truck
2 loads.

3 ***b0504/1.1* SECTION 2347f.** 86.31 (3g) of the statutes is amended to read:

4 86.31 (3g) COUNTY TRUNK HIGHWAY IMPROVEMENTS. From the appropriation
5 under s. 20.395 (2) (fr), the department shall allocate ~~\$5,000,000~~ \$5,250,000 in each
6 fiscal year, beginning in fiscal year 2001-02, to fund county trunk highway
7 improvements with eligible costs totaling more than \$250,000. The funding of
8 improvements under this subsection is in addition to the allocation of funds for
9 entitlements under sub. (3).

10 ***b0504/1.1* SECTION 2347k.** 86.31 (3m) of the statutes is amended to read:

11 86.31 (3m) TOWN ROAD IMPROVEMENTS. From the appropriation under s. 20.395
12 (2) (fr), the department shall allocate ~~\$2,000,000 in fiscal year 1999-2000 and~~
13 ~~\$500,000 in each following fiscal year~~ \$750,000 in each fiscal year, beginning in fiscal
14 year 2001-02, to fund town road improvements with eligible costs totaling \$100,000
15 or more. The funding of improvements under this subsection is in addition to the
16 allocation of funds for entitlements under sub. (3).

17 ***b0504/1.1* SECTION 2347r.** 86.31 (3r) of the statutes is amended to read:

18 86.31 (3r) MUNICIPAL STREET IMPROVEMENTS. From the appropriation under s.
19 20.395 (2) (fr), the department shall allocate ~~\$1,250,000 in fiscal year 1999-2000,~~
20 ~~and \$750,000 in each fiscal year thereafter~~ \$1,000,000 in each fiscal year, beginning
21 in fiscal year 2001-02, to fund municipal street improvement projects having total
22 estimated costs of \$250,000 or more. The funding of improvements under this
23 subsection is in addition to the allocation of funds for entitlements under sub. (3).

24 ***b2011/2.5* SECTION 2348m.** 86.31 (3s) of the statutes is created to read:

1 **86.31 (3s) WEST CANAL STREET RECONSTRUCTION.** Notwithstanding limitations
2 on the amount and use of aids provided under this section, or on eligibility
3 requirements for receiving aids under this section, and subject to s. 84.03 (3) (b), the
4 department shall award a grant of \$2,500,000 to the city of Milwaukee for the
5 purpose specified under s. 84.03 (3) (a). Notwithstanding subs. (3) (b), (3g), (3m), and
6 (3r), payment of the grant under this subsection shall be made from the
7 appropriation under s. 20.395 (2) (fr) before making any other allocation of funds
8 under subs. (3) (b), (3g), (3m), and (3r), and the allocation of funds under subs. (3) (b),
9 (3g), (3m), and (3r) shall be reduced proportionately to reflect the amount of the grant
10 made under this subsection. This subsection does not apply after December 31, 2005.

11 ***b2221/3.124* SECTION 2349m.** 86.315 (1) of the statutes is amended to read:

12 **86.315 (1)** From the appropriation under s. 20.395 (1) (fu), the department
13 shall annually, on March 10, pay to counties having county forests established under
14 ch. 28, for the improvement of public roads within the county forests which are open
15 and used for travel and which are not state or county trunk highways or town roads
16 and for which no aids are paid under s. 86.30, the amount of \$336 per mile of road
17 designated in the comprehensive county forest land use plan as approved by the
18 county board and the department of ~~natural resources~~ forestry. If the amount
19 appropriated under s. 20.395 (1) (fu) is insufficient to make the payments required
20 under this subsection, the department shall prorate the amount appropriated in the
21 manner it considers desirable.

22 ***b0293/2.2* SECTION 2351h.** 88.15 (2m) of the statutes is created to read:

23 **88.15 (2m)** The department of agriculture, trade and consumer protection shall
24 create and maintain a secure Internet site on which drainage districts may post
25 engineering projects in order to obtain bids electronically for engineering services.

1 The department shall promulgate rules that specify fees designed to cover the costs
2 of creating and maintaining the Internet site.

3 *b0297/5.9* SECTION 2380g. 92.14 (5g) of the statutes is renumbered 92.14
4 (5g) (a) and amended to read:

5 92.14 (5g) (a) If Except as provided in par. (b), if a grant under sub. (3) provides
6 funding for salary and fringe benefits for more than one county staff person, a county
7 shall provide matching funds, as determined by the department by rule, equal to 30%
8 of the cost of salary and fringe benefits for the 2nd staff person and 50% of the cost
9 of salary and fringe benefits for any additional staff persons for whom the grant
10 provides funding.

11 *b0297/5.9* SECTION 2380i. 92.14 (5g) (b) of the statutes is created to read:

12 92.14 (5g) (b) For a grant awarded for a year before 2010, the department shall
13 require a county to provide matching funds for priority watershed project staff equal
14 to not less than 10% nor more than 30% of the staff funding that was provided to the
15 county for 1997 for a priority watershed that was designated before July 1, 1998.
16 This paragraph does not apply to matching funds for priority watershed project staff
17 after the termination date that was in effect on October 6, 1998, for the priority
18 watershed project.

19 *b1461/3.10* SECTION 2382. 93.06 (8) of the statutes is amended to read:

20 93.06 (8) PRESCRIBE CONDITIONS OF LICENSES. Except as provided in s. 93.135,
21 issue any permit, certificate, registration or license on a temporary or conditional
22 basis, contingent upon pertinent circumstances or acts. If the temporary or
23 conditional permit, certificate, registration or license is conditioned upon compliance
24 with chs. 93 to 100, ch. ~~127~~ 126, a rule promulgated by the department or a regulation
25 adopted under s. 97.41 (7) within a specified period of time and the condition is not

1 met within the specified period, the permit, certificate, registration or license shall
2 be void.

3 ***-0397/2.2* SECTION 2383.** 93.06 (12) of the statutes is created to read:

4 93.06 (12) FEDERAL AGRICULTURAL POLICY REFORM. Provide at least \$50,000 in
5 each fiscal year to organizations to seek the reform of federal agricultural policy for
6 the benefit of agricultural producers in this state. This subsection does not apply
7 after June 30, 2005.

8 ***b1461/3.11* SECTION 2385.** 93.135 (1) (rm) of the statutes is amended to read:

9 93.135 (1) (rm) A registration certificate license under s. ~~100.03 (2)~~ 126.56.

10 ***b1461/3.11* SECTION 2386.** 93.135 (1) (s) of the statutes is amended to read:

11 93.135 (1) (s) A license under s. ~~127.02 (1)~~ 126.26.

12 ***b1461/3.11* SECTION 2387.** 93.135 (1) (sm) of the statutes is amended to read:

13 93.135 (1) (sm) A license under s. ~~127.03 (1)~~ 126.11.

14 ***b1461/3.11* SECTION 2388.** 93.20 (1) of the statutes is amended to read:

15 93.20 (1) DEFINITION. In this section, “action” means an action that is
16 commenced in court by, or on behalf of, the department of agriculture, trade and
17 consumer protection to enforce chs. 88, 91 to 100 or ~~127~~ 126.

18 ***b1461/3.11* SECTION 2389.** 93.21 (5) (a) of the statutes is amended to read:

19 93.21 (5) (a) In this subsection, “license” means a permit, certificate,
20 registration or license issued by the department under chs. 91 to 100 or ch. ~~127~~ 126.

21 ***-0404/3.1* SECTION 2390.** 93.23 (1) (h) of the statutes is repealed.

22 ***b1366/1.3* SECTION 2390p.** 93.32 of the statutes is created to read:

23 **93.32 Agriculture in the classroom program.** From the appropriation
24 account under s. 20.115 (4) (q), the department shall provide grants to the
25 organization that conducts an agriculture in the classroom program in cooperation

1 with the federal department of agriculture to help teachers educate students about
2 agriculture.

3 ***-0394/3.18* SECTION 2392.** 93.47 (2) of the statutes is amended to read:

4 93.47 (2) The department may award grants from the appropriation accounts
5 under s. 20.115 (4) (c) and ~~(i)~~ (8) (g) to individuals or organizations to fund
6 demonstration projects designed to encourage the use of sustainable agriculture.
7 The department shall promulgate rules to govern the sustainable agriculture grant
8 program under this section.

9 ***-0403/1.3* SECTION 2393.** 93.48 of the statutes is repealed.

10 ***b1461/3.12* SECTION 2394.** 93.50 (1) (g) of the statutes is amended to read:

11 93.50 (1) (g) “Procurement contract” has the meaning given for “vegetable
12 procurement contract” in s. ~~100.03 (1) (vm)~~ 126.55 (15).

13 ***b2014/2.1* SECTION 2394p.** 93.80 of the statutes is created to read:

14 **93.80 Arsenic in wood.** (1) The department, jointly with the department of
15 commerce, shall review scientific evidence to determine whether there is a
16 substantial likelihood that wood treated with copper, chromium, and arsenic is
17 harmful to the environment or to human health. The departments shall report the
18 results of their review to the legislature under s. 13.172 (2) no later than June 30,
19 2002.

20 (2) If the department and the department of commerce determine under sub.
21 (1) that there is a substantial likelihood that wood treated with copper, chromium,
22 and arsenic is harmful to the environment or to human health, the departments
23 jointly shall promulgate rules that phase in restrictions on the use of wood treated
24 with copper, chromium, and arsenic. The departments may not prohibit the use of
25 wood treated with copper, chromium, and arsenic for a purpose unless there is a

1 substitute wood preservative that may be used for that purpose and that is less
2 harmful.

3 (3) Any person who violates a rule promulgated under sub. (2) may be required
4 to forfeit not more than \$500 for each violation.

5 *b0294/2.4* SECTION 2395t. 94.715 of the statutes is created to read:

6 **94.715 Pest management for schools. (1) DEFINITIONS.** In this section:

7 (a) “Active ingredient” has the meaning given in s. 94.67 (1).

8 (b) “Federal act” has the meaning given in s. 94.67 (13).

9 (c) “Inert ingredient” has the meaning given in s. 94.67 (16).

10 (cm) “Integrated pest management” means a comprehensive strategy of pest
11 control with the main objective of achieving desired levels of pest control in an
12 environmentally responsible manner to reduce or eliminate reliance on pesticides by
13 using a combination of nonchemical pest controls, which may include monitoring,
14 increased sanitation, physical barriers, and the use of natural pest enemies, to
15 address conditions that support pests and judiciously using lowest risk pesticides
16 when necessary after all other practical methods have failed.

17 (d) “Pest” has the meaning given in s. 94.67 (24).

18 (e) “Pesticide” has the meaning given in s. 94.67 (25), except that “pesticide”
19 does not include a germicide, sanitizer, or disinfectant.

20 (2) REQUIREMENTS FOR SCHOOL BOARDS. A school board shall do all of the
21 following:

22 (a) Propose a pest management plan that complies with sub. (4).

23 (am) Before proposing a plan under par. (a), obtain training under s. 36.25 (43)
24 for at least one member of the school board or school district employee who will be
25 involved in developing the pest management plan.

1 (b) After public notice and a hearing on the proposed plan under par. (a) and
2 no later than the first day of the 7th month beginning after the effective date of this
3 paragraph [revisor inserts date], adopt a pest management plan that complies
4 with sub. (4) and submit a copy of the plan to the department.

5 (c) No later than the first day of the 13th month beginning after the effective
6 date of this paragraph [revisor inserts date], implement the pest management
7 plan adopted under par. (b).

8 (d) Provide public notice and a hearing before modifying the pest management
9 plan adopted under par. (b) and notify the department of any modifications to the
10 plan.

11 (dm) Authorize pesticide application in a school or on school grounds to be
12 conducted only by persons who are certified in the applicable pesticide use categories
13 under s. 94.705.

14 (e) When the use of a pesticide is determined to be necessary in a school or on
15 school grounds, use pesticide in accordance with integrated pest management
16 practices.

17 (f) Except as provided in sub. (6), at least 72 hours in advance of each pesticide
18 application in a school or on school grounds, provide written notification, in a font
19 size no smaller than that routinely used for other notices to parents, of the name of
20 the pesticide to be applied, the planned time and location of the application, the
21 potential health effects of exposure to the pesticide, as indicated on its label, and the
22 name and telephone number of a person at the school who can be called for more
23 information or to report health effects from exposure, to all of the following: