

JK

SENATE BILL 55

Edited by GMM

KJF

- 1 (k) 445310 — Beer, wine, and liquor stores.
- 2 (L) 451110 — Sporting goods stores.
- 3 (m) 443130 — Camera and photographic supply stores.
- 4 (n) 453220 — Gift, novelty, and souvenir stores.
- 5 (o) 721110 — Hotels and motels.
- 6 (p) 721120 — Casino hotels.
- 7 (q) 721191 — Bed-and-breakfast inns.
- 8 (r) 721199 — All other traveler accommodations.
- 9 (s) 721214 — Recreational and vacation camps.
- 10 (t) 721211 — Recreational vehicle parks and campgrounds.
- 11 (u) 711212 — Racetracks.
- 12 (v) 713910 — Golf courses and country clubs.
- 13 (w) 713100 — Amusement parks and arcades.
- 14 (x) 713200 — Gambling industries.
- 15 (y) 713920 — Skiing facilities.
- 16 (z) 713990 — All other amusement and recreation industries.

b0289/4.3 SECTION 2250n. 77.994 (3) of the statutes is created to read:

77.994 (3) If a premier resort area has imposed a tax under this subchapter that is based on the standard industrial classification manual, 1987 edition, published by the U.S. office of management and budget, the tax imposed by the premier resort area applies to the businesses specified under sub. (1).

-0320/5.4 SECTION 2251. 77.996 (2) (intro.) of the statutes is amended to

read:

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1 77.996 (2) (intro.) “Dry cleaning facility” means a facility that dry cleans
2 apparel or household fabrics for the general public using a dry cleaning product,
3 other than the following facilities:

4 *~~0320/5.5~~* SECTION 2252. 77.996 (3) of the statutes is amended to read:

5 77.996 (3) “Dry cleaning ~~solvent product~~” means a ~~chlorine-based or~~
6 ~~hydrocarbon-based formulation or product that is used as a primary cleaning agent~~
7 ~~in dry cleaning facilities~~ hazardous substance used to clean apparel or household
8 fabrics, except a hazardous substance used to launder apparel or household
9 products.

10 *~~0320/5.6~~* SECTION 2253. 77.9962 of the statutes is amended to read:

11 **77.9962 Dry cleaning solvents products fee.** There is imposed on each
12 person who sells a dry cleaning ~~solvent product~~ to a dry cleaning facility a fee equal
13 to \$5 per gallon of perchloroethylene sold and 75 cents per gallon of ~~a~~
14 ~~hydrocarbon-based solvent~~ any dry cleaning product sold, other than
15 perchloroethylene. The fees for the previous 3 months are due on January 25, April
16 25, July 25, and October 25.

17 *~~0320/5.7~~* SECTION 2254. 77.9963 of the statutes is repealed.

18 *~~0832/5.12~~* SECTION 2255. 78.55 (1) of the statutes is amended to read:

19 78.55 (1) “Air carrier company” has the meaning given in s. ~~76.02 (1)~~ 70.11 (42)
20 (a) 1.

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****NOTE: This is reconciled s. 79.02 (2) (b). This SECTION has been affected by drafts
with the following LRB numbers: LRB-1301/4 and LRB-1744/2.

****NOTE: This is reconciled s. 79.02 (3). This SECTION has been affected by drafts
with the following LRB numbers: LRB-1301/4 and LRB-1744/2.

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1 ~~*-1744/3.30* SECTION 2281. 79.03 (4) of the statutes is amended to read:~~

2 ~~79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04, and~~
 3 ~~79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be~~
 4 ~~distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) is \$885,961,300.~~
 5 ~~In 1993, the total amount to be distributed under ss. 79.03, 79.04, and 79.06 from s.~~
 6 ~~20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this~~
 7 ~~section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to~~
 8 ~~municipalities and \$168,981,800 to counties. In 1995 and subsequent years, the~~
 9 ~~total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1)~~
 10 ~~(d) are \$761,478,000 to municipalities and \$168,981,800 to counties."~~

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****NOTE: This is reconciled s.79.03 (4). This SECTION has been affected by drafts with the following LRB numbers: -1321 and -1744.

12 ~~*-1321/2.6* SECTION 2282. 79.04 (1) (intro.) of the statutes is amended to read:~~

13 ~~79.04 (1) (intro.) Annually the department of administration, upon~~
 14 ~~certification by the department of revenue, shall distribute to a municipality having~~
 15 ~~within its boundaries a production plant or a general structure, including production~~
 16 ~~plants and general structures under construction, used by a light, heat, or power~~
 17 ~~company assessed under s. 76.28 (2) or 76.29 (2), except property described in s.~~
 18 ~~66.0813 unless the production plant is owned or operated by a local governmental~~
 19 ~~unit located outside of the municipality, or by an electric cooperative assessed under~~
 20 ~~ss. 76.07 and 76.48, respectively, or by a municipal electric company under s. 66.0825~~
 21 ~~the amount determined as follows:~~

22 ~~*-1321/2.9* SECTION 2285. 79.04 (2) (a) of the statutes is amended to read:~~

*not
substantive
changes
remain*

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SECTION 2285

1 79.04 (2) (a) Annually, the department of administration, upon certification by
2 the department of revenue, shall distribute from the shared revenue account to any
3 county having within its boundaries a production plant or a general structure,
4 including production plants and general structures under construction, used by a
5 light, heat or power company assessed under s. 76.28 (2) or 76.29 (2), except property
6 described in s. 66.0813 unless the production plant is owned or operated by a local
7 governmental unit that is located outside of the municipality in which the production
8 plant is located, or by an electric cooperative assessed under ss. 76.07 and 76.48,
9 respectively, or by a municipal electric company under s. 66.0825 an amount
10 determined by multiplying by 6 mills in the case of property in a town and by 3 mills
11 in the case of property in a city or village the first \$125,000,000 of the amount shown
12 in the account, plus leased property, of each public utility except qualified wholesale
13 electric companies, as defined in s. 76.28 (1) (gm), ~~plants, as defined in s. 196.49 (1)~~
14 ~~and~~, on December 31 of the preceding year for either “production plant, exclusive of
15 land” and “general structures”, or “work in progress” for production plants and
16 general structures under construction, in the case of light, heat and power
17 companies, electric cooperatives or municipal electric companies, for all property
18 within the municipality in accordance with the system of accounts established by the
19 public service commission or rural electrification administration, less depreciation
20 thereon as determined by the department of revenue and less the value of treatment
21 plant and pollution abatement equipment, as defined under s. 70.11 (21) (a), as
22 determined by the department of revenue plus an amount from the shared revenue
23 account determined by multiplying by 6 mills in the case of property in a town, and
24 3 mills in the case of property in a city or village, of the total original cost of production
25 plant, general structures and work-in-progress less depreciation, land and

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1 approved waste treatment facilities of each qualified wholesale electric company, as
2 defined in s. 76.28 (1) (gm), as reported to the department of revenue of all property
3 within the municipality. The total of amounts, as depreciated, from the accounts of
4 all public utilities for the same production plant is also limited to not more than
5 \$125,000,000. The amount distributable to a county in any year shall not exceed
6 \$100 times the population of the county.

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10 ***-0923/4.2*** SECTION 2292. 79.10 (6m) of the statutes is renumbered 79.10 (6m)

11 (a) and amended to read:

12 79.10 (6m) (a) If Except as provided in pars. (b) and (c), if the department of
13 administration or the department of revenue determines by October 1 of the year of
14 any distribution under subs. (4) and (5) that there was an overpayment or
15 underpayment made in that year's distribution by the department of administration
16 to municipalities, as determined under subs. (4) and (5), because of an error by the
17 department of administration, the department of revenue or any municipality, the
18 overpayment or underpayment shall be corrected as provided in this subsection
19 paragraph. Any overpayment shall be corrected by reducing the subsequent year's
20 distribution, as determined under subs. (4) and (5), by an amount equal to the
21 amount of the overpayment. Any underpayment shall be corrected by increasing the
22 subsequent year's distribution, as determined under subs. (4) and (5), by an amount
23 equal to the amount of the underpayment. Corrections shall be made in the
24 distributions to all municipalities affected by the error. Corrections shall be without
25 interest.

SENATE BILL 55**SECTION 2293**

1 ***-0923/4.3*** **SECTION 2293.** 79.10 (6m) (b) of the statutes is created to read:

2 79.10 **(6m)** (b) If, after March 1 of the year of any distribution under sub. (5),
3 a municipality discovers an error in the notice that the municipality furnished under
4 sub. (1m) that resulted in an overpayment of that year's distribution to the
5 municipality, as determined under sub. (5), the municipality shall correct the error
6 and notify the department of revenue of the correction on a form that the department
7 prescribes. If, after March 1 of the year of any distribution under sub. (5), the
8 department of administration or the department of revenue discovers an error in the
9 notice that the municipality furnished under sub. (1m) that resulted in an
10 overpayment of that year's distribution to the municipality, as determined under
11 sub. (5), the department of administration or the department of revenue shall notify
12 the municipality and the municipality shall correct the error. The municipality may
13 pay the amount of the overpayment to the department of revenue and, if the
14 municipality chooses to make such a payment, shall submit the payment with the
15 form prescribed under this paragraph. If the municipality does not pay the amount
16 of the overpayment, the department of administration may collect the amount of the
17 overpayment as a special charge to the municipality or may correct the overpayment
18 as provided under par. (a). Payments under this paragraph shall be without interest
19 and shall be deposited in the lottery fund.

20 ***-0923/4.4*** **SECTION 2294.** 79.10 (6m) (c) of the statutes is created to read:

21 79.10 **(6m)** (c) If, after March 1 of the year of any distribution under sub. (5),
22 a municipality discovers an error in the notice that the municipality furnished under
23 sub. (1m) that resulted in an underpayment of that year's distribution to the
24 municipality, as determined under sub. (5), the municipality shall correct the error
25 and notify the department of revenue on a form that the department prescribes. If,

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1 after March 1 of the year of any distribution under sub. (5), the department of
2 administration or the department of revenue discovers an error in the notice that the
3 municipality furnished under sub. (1m) that resulted in an underpayment of that
4 year's distribution to the municipality, as determined under sub. (5), the department
5 of administration or the department of revenue shall notify the municipality and the
6 municipality shall correct the error. The department of revenue may either pay the
7 amount of the underpayment to the municipality, from the appropriation under s.
8 20.835 (3) (q), or correct the underpayment as provided under par. (a). Payments
9 under this paragraph shall be without interest.

10 ***-0578/2.4* SECTION 2295.** 84.01 (31) of the statutes is created to read:

11 84.01 (31) ACCOMMODATION OF UTILITY FACILITIES WITHIN HIGHWAY RIGHTS-OF-WAY.
12 Notwithstanding ss. 84.06 (4), 84.063, 84.065, and 84.093, the department may, upon
13 finding that it is feasible and advantageous to the state, negotiate and enter into an
14 agreement to accept any plant or equipment used for the conveyance, by wire, optics,
15 radio signal, or other means, of voice, data, or other information at any frequency
16 over any part of the electromagnetic spectrum, or to accept any services associated
17 with the collection, storage, forwarding, switching, and delivery incidental to such
18 communication, as payment for the accommodation of a utility facility, as defined in
19 s. 84.063 (1) (b), within a highway right-of-way. Any agreement under this
20 subsection is exempt from ss. 16.70 to 16.75, 16.755 to 16.82, and 16.85 to 16.89, but
21 ss. 16.528, 16.752, and 16.754 apply to such agreement.

22 ***-0579/1.1* SECTION 2296.** 84.01 (32) of the statutes is created to read:

23 84.01 (32) CONFIDENTIALITY OF BIDDER INFORMATION. (a) The department may
24 not disclose to any person any information requested by the department for the
25 purpose of complying with 49 CFR 26, as that section existed on October 1, 1999, that

SENATE BILL 55**SECTION 2296**

1 relates to an individual's statement of net worth, a statement of experience, or a
2 company's financial statement, including the gross receipts of a bidder.

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

5 1. The person to whom the information relates.

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

8 3. Any person to whom 49 CFR 26, as that section existed on October 1, 1999,
9 requires or specifically authorizes the department to disclose such information.

10 *b0519/3.1* **SECTION 2296m.** 84.01 (33) of the statutes is created to read:

11 84.01 (33) **TRANSPORTATION FUNDING REPORT.** By January 15, 2003, and
12 biennially thereafter, the department shall submit a report to the chief clerk of each
13 house of the legislature for distribution to the appropriate standing committee
14 dealing with transportation matters in each house of the legislature that shows
15 transportation revenues and the funding for transportation programs for at least 15
16 years preceding the report, including changes to funding levels following the
17 enactment of biennial budget bills and an explanation of major changes in the
18 funding levels for appropriations included in the most recent biennial budget act.

19 *-1798/2.1* **SECTION 2297.** 84.013 (2) (a) of the statutes is amended to read:

20 84.013 (2) (a) Subject to ~~s. ss. 84.59 (1) and~~ 86.255, major highway projects shall
21 be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and
22 20.866 (2) (ur) to (uu).

23 *-2228/4.4* **SECTION 2298.** 84.013 (2) (b) of the statutes is amended to read:

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1 84.013 (2) (b) ~~Subject~~ Except as provided in ss. 84.014 and 84.03 (3) and subject
2 to s. 86.255, reconditioning, reconstruction and resurfacing of highways shall be
3 funded from the appropriations under s. 20.395 (3) (cq) to (cx).

****NOTE: This is reconciled s. 84.013 (2) (b). This SECTION has been affected by
drafts with the following LRB numbers: LRB-1817, LRB-1965, and LRB-2228.

4 ***-0081/1.1*** SECTION 2299. 84.013 (3) (a), (b), (c), (d), (e), (em), (f), (g), (h), (i),
5 (j), (k), (L), (m), (n), (o), (p), (q), (r), (s), (t), (tj), (u), (v), (vc), (vg), (vL), (vp), (vt), (vx),
6 (w), (wr), (x), (xf), (xo), (xs), (xw), (xy), (y), (yb), (yf), (yk), (yo), (ys), (yw), (yy) and (z)
7 of the statutes are repealed.

8 ***-1685/1.1*** SECTION 2300. 84.013 (3) (pe) of the statutes is created to read:
9 84.013 (3) (pe) STH 17 extending approximately 3.25 miles from the
10 intersection of STH 17 and Birchwood Drive to USH 8 approximately 0.16 miles east
11 of Germond Road, designated as the Rhinelander relocation, in Oneida County.

12 ***-1685/1.2*** SECTION 2301. 84.013 (3) (pm) of the statutes is created to read:
13 84.013 (3) (pm) STH 26 extending approximately 48 miles between I 90 in
14 Janesville and STH 60 north of Watertown in Rock, Jefferson, and Dodge counties.

15 ***-1685/1.3*** SECTION 2302. 84.013 (3) (ps) of the statutes is created to read:
16 84.013 (3) (ps) I 39/USH 51 extending approximately 8 miles from south of Fox
17 Glove Road to north of Bridge Street, designated as the Wausau beltline, in
18 Marathon County.

19 ***b0507/2.1*** SECTION 2302p. 84.013 (3m) (d) of the statutes is created to read:
20 84.013 (3m) (d) In constructing the major highway project specified under sub.
21 (3) (ac), the department shall construct USH 12, as designated on the effective date
22 of this paragraph [revisor inserts date], between Fern Dell Road and Old Highway

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1 33 in Sauk County to 5 lanes, and the department may not require a matching fund
2 contribution from any city, village, town, or county for this construction.

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

12 84.013 (3m) (f) The major highway project specified under sub. (3) (ai) shall
13 include an interchange, with grade separation at each interchange ramp, at the
14 intersection of USH 141 and CTH "B" in Marinette County.

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

16 84.013 (3m) (e) The major highway project specified under sub. (3) (tp) shall
17 include an interchange, with grade separation at each interchange ramp, at the
18 intersection of STH 57 and CTH "P" in Brown County.

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

20 **84.014 Southeast Wisconsin freeway reconstruction; Marquette**
21 **interchange reconstruction project.** (1) In this section:

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

24 (b) "Marquette interchange" means all highways, including ramps and
25 shoulders, encompassing I 43, I 94, and I 794 in Milwaukee County within the area

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1 bordered by 25th Street to the west, North Avenue to the north, the southern end of
2 Burnham Canal to the south, and the Milwaukee River to the east.

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

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

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

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

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SECTION 2303b

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 (plan)
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

This is a
created section

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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.

****NOTE: This is reconciled s. 84.014. This SECTION has been affected by drafts
with the following LRB numbers: LRB-1817, LRB-1965, and LRB-2228.

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5 ***-0081/1.2* SECTION 2305.** 84.02 (8) (d) of the statutes is repealed.

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

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7 84.03 (2) (b) 2. The secretary is required to submit a plan under subd. 1. only
8 if the department's most recent estimate of the amount of federal funds that the
9 department will be appropriated under s. 20.395 in the current state fiscal year is
10 less than ~~95%~~ 97% or more than ~~105%~~ 103% of the amount of federal funds shown
11 in the schedule for the appropriations under s. 20.395 in that fiscal year.

11

12 ***b0501/2.1* SECTION 2305m.** 84.02 (15) of the statutes is created to read:

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13 84.02 (15) TRAFFIC CONTROL SIGNAL EMERGENCY PREEMPTION DEVICES. (a) In this
14 subsection:

14

15 1. "Additional cost" means the difference in cost between installation of a traffic
16 control signal that is equipped with an emergency preemption device and
17 confirmation signal and installation of a traffic control signal that is not so equipped,
18 and includes the difference in incidental costs such as electrical wiring.

18

19 2. "Authorized emergency vehicle" has the meaning given in s. 340.01 (3) (a),
20 (c), (g), or (i).

20

21 3. "Confirmation signal" means a white signal, located on or near a traffic
22 control signal equipped with an emergency preemption device, that is designed to be
23 visible to the operator of an approaching authorized emergency vehicle and that

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1 confirms to the operator that the emergency preemption device has received a
2 transmission from the operator.

3 4. “Emergency preemption device” means an electrical device, located on or
4 within a traffic control signal, that is designed to receive an electronic, radio, or sonic
5 transmission from an approaching authorized emergency vehicle that alters the
6 normal sequence of the traffic control signal to provide or maintain a green signal for
7 the authorized emergency vehicle to proceed through the intersection.

8 5. “Political subdivision” means a county, city, village, or town.

9 6. “Traffic control signal” means any electrical device by which traffic is
10 alternately directed to stop and permitted to proceed by means of exhibiting different
11 colored lights successively.

12 (b) Before the department installs a new traffic control signal on a state trunk
13 highway within the corporate limits of any political subdivision, the department
14 shall do all of the following:

15 1. Notify the political subdivision of the planned traffic control signal
16 installation.

17 2. Notify the political subdivision of the additional cost of equipping the traffic
18 control signal with an emergency preemption device and confirmation signal.

19 3. Provide the political subdivision with the opportunity to request that the
20 traffic control signal be equipped with an emergency preemption device and
21 confirmation signal.

22 (c) If any political subdivision requests under par. (b) 3. that the department
23 equip the traffic control signal with an emergency preemption device and
24 confirmation signal, and one or more political subdivisions contributes a total of 50%
25 of the additional cost specified under par. (b) 2., the department shall equip the traffic

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1 control signal with an emergency preemption device and confirmation signal when
2 the department installs the traffic control signal.

3 (d) Notwithstanding pars. (b) and (c), this subsection does not prohibit the
4 department from installing on any state trunk highway, at the department's
5 expense, any traffic control signal equipped with an emergency preemption device
6 and confirmation signal. The department may install a new traffic control signal
7 equipped with an emergency preemption device and confirmation signal under this
8 paragraph without providing notice and an opportunity to respond under par. (b) to
9 any political subdivision. The department shall install a confirmation signal with
10 every new emergency preemption device installed by the department under this
11 paragraph.

12 (e) Any traffic control signal installed by the department on a state trunk
13 highway after the effective date of this paragraph [revisor inserts date], that is
14 not equipped with an emergency preemption device shall include all electrical wiring
15 necessary to equip the traffic control signal with an emergency preemption device
16 and confirmation signal.

17 (f) The department shall promulgate rules to implement and administer this
18 subsection. The rules shall include procedures and deadlines for the department's
19 notification of political subdivisions, and for political subdivisions' requests and
20 contributions to the department, under this subsection.

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

22 84.02 (17) WIDENING OF USH 12; VILLAGE OF CAMBRIDGE. With respect to any
23 reconstruction or repair of the portion of USH 12 in the village of Cambridge in Dane
24 County, the department may not, between the effective date of this subsection

1 [revisor inserts date], and December 31, 2011, widen the portion of USH 12 between
2 the intersection of USH 12 and USH 18 and the Koshkonong Creek Bridge.

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

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

11 ***-1965/7.5* SECTION 2306.** 84.03 (3) of the statutes is created to read:

12 84.03 (3) WEST CANAL STREET RECONSTRUCTION PROJECT. (a) Subject to par. (b),
13 the department shall, from the appropriations under s. 20.395 (3) (cr) and (cy), award
14 a grant of \$5,000,000 from the amounts allocated for the Marquette interchange
15 reconstruction project under 2001 Wisconsin Act (this act), section 9152 (5w), and
16 shall award grants totaling \$5,000,000 from the appropriation under s. 20.395 (3)
17 (ck), to the city of Milwaukee for reconstruction of West Canal Street in the city of
18 Milwaukee to serve as a transportation corridor for the purpose of mitigating traffic
19 associated with the reconstruction of the Marquette interchange.

20 (b) No grant may be awarded under par. (a) unless ← SPACING

21 the city of Milwaukee contributes \$10,000,000 toward the West Canal Street
22 reconstruction project.

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

24 ***-2387/3.1* SECTION 2307.** 84.03 (4) of the statutes is created to read:

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1 84.03 (4) PARK EAST FREEWAY CORRIDOR COST SHARING. (a) The maximum state
2 share of costs for the project for the demolition of the Park East Freeway corridor in
3 Milwaukee County, as provided in an agreement entered into on April 20, 1999,
4 between the city of Milwaukee, Milwaukee County, and the state, shall be
5 \$8,000,000, of which \$6,800,000 shall be federal interstate cost estimate funds
6 received by the state.

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

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

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

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

18 **84.1041 Gateway to the North Bridge.** Not later than June 30, 2003, the
19 department shall designate and mark the bridge on USH 45 across the south branch
20 of the Embarrass River in the village of Tigerton in Shawano County as the “Gateway
21 to the North” to serve as a welcome to visitors to the northern part of this state.

 ****NOTE: This is reconciled s. 84.03 (4). This SECTION has been affected by drafts
with the following LRB numbers: LRB-1965/6.

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

SENATE BILL 55**SECTION 2308m**

1 84.185 **(6m)** ADMINISTRATION. From the appropriations under s. 20.395 (2) (iq),
2 (iv), and (ix), upon the approval of the secretary under sub. (2), the department may
3 make improvements to or provide other assistance for the improvement of a
4 transportation facility under sub. (1) (d) 1. to 3. or provide other assistance for the
5 improvement of a transportation facility under sub. (1) (d) 4. or 5. The department
6 may not allocate more than 80% of the total funds appropriated under s. 20.395 (2)
7 (iq) and (iw) in fiscal year 2002–03, and in any fiscal year thereafter, for grants under
8 this section. The department may make loans from the appropriations under s.
9 20.395 (2) (iq) and (iw) for the improvement of a transportation facility. The state
10 share of costs for the improvement of a transportation facility, including any loans
11 made under this subsection for the improvement of the transportation facility, may
12 not exceed 50% of the cost of the improvement. The department shall give priority
13 to funding applications for which the applicant has indicated a willingness to accept
14 a loan made under this subsection for all or part of the state share of costs for the
15 improvement of the transportation facility.

16 ***b0592/3.1* SECTION 2308m.** 84.205 of the statutes is created to read:

17 **84.205 Claims arising from repair and maintenance of state trunk**
18 **highways.** (1) In this section, “political subdivision” means a city, village, town, or
19 county.

20 (2) From funds appropriated and available to the department under s. 20.395
21 (3), the department shall pay, in whole or in part, any claims submitted to the
22 department by a political subdivision, on a form prescribed by the department, for
23 damage to any gravel road maintained by the political subdivision that is determined
24 by the department to be caused by reason of the road’s use as a detour incident to the
25 maintenance, repair, or construction by the department of any state trunk highway,

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1 if the gravel road is not part of a detour route designated by the department. The
2 political subdivision shall include with the claim a description of the nature and
3 cause of the alleged damage, the asserted value of the claim, and all known evidence
4 in support of the claim. In making its determination after submittal of the claim, the
5 department shall consider each of the following factors:

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

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

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

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

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

16 (3) The department shall promulgate rules to implement and administer this
17 section.

18 *-2228/4.6* SECTION 2309. 84.59 (1) of the statutes is amended to read:

19 84.59 (1) Transportation facilities under s. 84.01 (28) and major highway
20 projects as defined under s. 84.013 (1) (a) for the purposes under ss. 84.06 and 84.09
21 may be funded with the proceeds of revenue obligations issued subject to and in
22 accordance with subch. II of ch. 18, except that funding for major highway projects
23 with such proceeds may not exceed 55% of the total funds encumbered in any period
24 of 3 consecutive fiscal years, beginning with the 3-year period of 2002-03 to 2004-05,
25 for major highway projects.

SENATE BILL 55**SECTION 2309**

****NOTE: This is reconciled s. 84.59 (1). This SECTION has been affected by drafts with the following LRB numbers: LRB-1798 and LRB-2228.

1 *~~-2228/4.7~~* **SECTION 2310.** 84.59 (6) of the statutes is amended to read:

2 84.59 (6) The building commission may contract revenue obligations when it
3 reasonably appears to the building commission that all obligations incurred under
4 this section can be fully paid from moneys received or anticipated and pledged to be
5 received on a timely basis. Except as provided in this subsection, the principal
6 amount of revenue obligations issued under this section may not exceed
7 ~~\$1,447,085,500 and may~~ \$1,753,067,500, ~~excluding any obligations that have been~~
8 ~~defeased under a cash optimization program administered by the building~~
9 ~~commission, to be used for transportation facilities under s. 84.01 (28) and major~~
10 ~~highway projects for the purposes under ss. 84.06 and 84.09~~. In addition to the
11 foregoing limit on principal amount, the building commission may contract revenue
12 obligations under this section as the building commission determines is desirable to
13 refund outstanding revenue obligations contracted under this section and to pay
14 expenses associated with revenue obligations contracted under this section.

****NOTE: This is reconciled s. 84.59 (6), stats. This SECTION has been affected by drafts with the following LRB numbers: LRB-1635 and LRB-2228.

15 *~~-1813/4.12~~* **SECTION 2311.** 85.037 of the statutes is repealed.

16 *~~-0082/2.1~~* **SECTION 2312.** 85.107 (title) of the statutes is amended to read:

17 85.107 (title) ~~Minority civil engineer scholarship~~ **Scholarship and loan**
18 **repayment incentive grant program.**

19 *~~-0082/2.2~~* **SECTION 2313.** 85.107 (1) of the statutes is amended to read:

20 85.107 (1) PURPOSE. The ~~minority civil engineer~~ scholarship and loan
21 repayment incentive grant program is created to assist in improving the
22 representation of ~~minorities among employees of targeted group members within job~~

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1 classifications in which targeted group members are underutilized in the
2 department who are classified as civil engineers.

3 *~~0082/2.3~~* SECTION 2314. 85.107 (2) of the statutes is repealed.

4 *~~0082/2.4~~* SECTION 2315. 85.107 (2m) (intro.) of the statutes is created to
5 read:

6 85.107 (2m) DEFINITIONS. (intro.) In this section:

7 *~~0082/2.5~~* SECTION 2316. 85.107 (2m) (am) of the statutes is created to read:

8 85.107 (2m) (am) “Person with a disability” means any person who has a
9 physical or mental disability that constitutes or results in a substantial barrier to
10 employment.

11 *~~0082/2.6~~* SECTION 2317. 85.107 (2m) (b) of the statutes is created to read:

12 85.107 (2m) (b) “Targeted group member” means a person with disabilities, or
13 a person who belongs to a class of race, color, or sex, whose percent of the workforce
14 within any job classification in the department is less than that class’s percent of the
15 statewide labor market for such job activities.

16 *~~0082/2.7~~* SECTION 2318. 85.107 (3) (a) (intro.) of the statutes is amended to
17 read:

18 85.107 (3) (a) (intro.) Award scholarships to ~~resident minority students~~
19 targeted group members who are enrolled fulltime full time and registered as
20 sophomores, juniors or seniors in a ~~civil engineering bachelor of science degree~~
21 program offered by an accredited institution of higher education in this state.
22 Scholarships under this paragraph shall not exceed the following amounts:

23 *~~0082/2.8~~* SECTION 2319. 85.107 (3) (am) of the statutes is created to read:

24 85.107 (3) (am) Award scholarships of not more than \$2,000 each to any
25 targeted group member who is registered in his or her 2nd year of full-time

SENATE BILL 55**SECTION 2319**

1 enrollment in an associate degree program, as defined in s. 38.01 (1), or vocational
2 diploma program, as defined in s. 38.01 (11), at a technical college in this state.

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

5 85.107 (3) (b) 1. (intro.) Make loan repayment grants to ~~minority civil engineers~~
6 targeted group members who are employed by the department and have education
7 loans outstanding. Subject to subd. 2., loan repayment grants under this subdivision
8 shall not exceed the following amounts:

9 ***-1857/5.111* SECTION 2321.** 85.12 (3) of the statutes is amended to read:

10 85.12 (3) The department may contract with any local governmental unit, as
11 defined in s. ~~16.97~~ 22.01 (7), to provide that local governmental unit with services
12 under this section.

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

14 85.12 (4) Beginning with fiscal year 2001–02, if the department of
15 transportation provides radio services under this section to the department of
16 natural resources in any fiscal year, the department of natural resources shall make
17 quarterly payments from the appropriation under s. 20.370 (8) (mu) of \$111,450 to
18 the department of transportation.

19 ***-2161/1.1* SECTION 2323.** 85.20 (4m) (a) 6. a. and b. of the statutes are
20 repealed.

21

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

24 85.20 (4m) (a) 6. cm. ~~Beginning with aid payable for calendar year 2000~~ For
25 aid payable for calendar years 2000 and 2001, from the appropriation under s. 20.395

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

15

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

18 85.20 (4m) (a) 6. d. ~~Beginning with aid payable for calendar year 2000~~ For aid
19 payable for calendar years 2000 and 2001, from the appropriation under s. 20.395
20 (1) (hu), the department shall pay \$14,297,600 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 For aid payable for calendar year 2002, from the appropriation under s. 20.395 (1)
24 (hu), the department shall pay \$14,869,500 to the eligible applicant that pays the
25 local contribution required under par. (b) 1. for an urban mass transit system that

SENATE BILL 55**SECTION 2325m**

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

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

12 85.20 (4m) (a) 7. a. From the appropriation under s. 20.395 (1) (hr), for aid
13 payable for calendar year 2001, the uniform percentage for each eligible applicant
14 served by an urban mass transit system operating within an urbanized area having
15 a population as shown in the 1990 federal decennial census of at least 50,000 or
16 receiving federal mass transit aid for such area, and not specified in subd. 6. From
17 the appropriation under s. 20.395 (1) (hr), beginning with aid payable for calendar
18 year 2002 and for each calendar year thereafter, the uniform percentage for each
19 eligible applicant served by an urban mass transit system operating within an
20 urbanized area having a population as shown in the 2000 federal decennial census
21 of at least 50,000 or receiving federal mass transit aid for such area, and not specified
22 in subd. 6.

23 b. For the purpose of making allocations under subd. 7. a., the amounts for aids
24 are \$18,422,500 in calendar year 1999 and \$19,804,200 in calendar year 2000 and
25 years 2000 and 2001, \$20,596,400 in calendar year 2002, and \$21,008,300 in

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1 calendar year 2003 and in each calendar year thereafter. These amounts, to the
2 extent practicable, shall be used to determine the uniform percentage in the
3 particular calendar year.

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

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

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

21 *-0284/2.5* SECTION 2331. 85.24 (title) of the statutes is repealed and
22 recreated to read:

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

24 *-0284/2.6* SECTION 2332. 85.24 (1) of the statutes is amended to read:

SENATE BILL 55**SECTION 2332**

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

10 *~~0284/2.7~~* SECTION 2333. 85.24 (2) (ag) of the statutes is created to read:

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

16 *~~0284/2.8~~* SECTION 2334. 85.24 (2) (br) of the statutes is created to read:

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

20 *~~0284/2.9~~* SECTION 2335. 85.24 (3) (a) of the statutes is amended to read:

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

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

11 *~~0284/2.10~~* SECTION 2336. 85.24 (3) (c) of the statutes is amended to read:

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

15 *~~0284/2.11~~* SECTION 2337. 85.24 (3) (d) (intro.) of the statutes is amended to
16 read:

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

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SECTION 2337

1 peak hours of traffic congestion. The department shall have all powers necessary
2 and convenient to implement this paragraph, including the following powers:

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

4 **85.285 Extrication training grants.** From the appropriation under s. 20.395
5 (5) (ds), the department shall award a grant of \$375,000 in fiscal year 2002–03 and
6 in each fiscal year thereafter to a nonprofit corporation that has experience providing
7 training that meets the standards of the National Fire Protection Association and
8 that prepares trained individuals to teach extrication techniques for all types of
9 vehicles to rescue personnel. A grant made under this section may be used to provide
10 training, acquire extrication equipment, or develop extrication training curricula.
11 The department may not award a grant under this section unless the recipient of the
12 grant enters into a written agreement with the department that specifies the
13 conditions for use of the grant proceeds, including the use of any training curriculum
14 developed with grant proceeds.

15 *-0758/2.1* SECTION 2338. 85.51 (title) of the statutes is amended to read:

16 **85.51 (title) State traffic patrol services; ~~special events fee.~~**

17 *-0758/2.2* SECTION 2339. 85.51 of the statutes is renumbered 85.51 (1) (a)
18 and amended to read:

19 (19) 85.51 (1) (a) The Except as provided in par. (b), the department may charge
20 the an event sponsor, as defined by rule, a fee, in an amount calculated under a
21 uniform method established by rule, for security and traffic enforcement services
22 provided by the state traffic patrol at any public event for which an admission fee is
23 charged for spectators ~~if the event is organized by a private organization.~~ The
24 department may not impose a fee for such services except as provided in this ~~section~~
25 paragraph.

PLAIN TEXT

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

4 ***b0252/2.4* SECTION 2339g.** 85.51 (1) (title) of the statutes is created to read:
5 85.51 (1) (title) SPECIAL EVENTS FEE.

6 ***b0252/2.4* SECTION 2339m.** 85.51 (1) (b) of the statutes is created to read:
7 85.51 (1) (b) Paragraph (a) does not apply to farm progress days subject to s.
8 85.511.

9 ***-0758/2.3* SECTION 2340.** 85.51 (2) of the statutes is created to read:
10 85.51 (2) SECURITY AND TRAFFIC ENFORCEMENT SERVICES FEE. The department
11 may charge any person a fee, in an amount calculated under a uniform method
12 established by rule, for security and traffic enforcement services provided by the
13 state traffic patrol during that person's installation, inspection, removal, relocation,
14 or repair of a utility facility, as defined in s. 30.40 (19), located on a highway, as
15 defined in s. 340.01 (22), if that person requests such services in writing.

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

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

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

SENATE BILL 55**SECTION 2340k**

1 (2) The identification of any change in data processing, administrative, or other
2 process efficiencies realized from those portions of the database redesign that have
3 been completed, or anticipated from those portions of the database redesign that are
4 planned for completion within 12 months following the report.

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

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

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

12 **85.511 Farm progress days.** (1) The department is prohibited from charging
13 any sponsor of farm progress days for any costs incurred by the department
14 associated with farm progress days.

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

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

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

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1 proposed contract, the department may enter into the proposed contract. If, within
2 14 working days after the date of the department's notification, the chairpersons of
3 the committee notify the department that the committee has scheduled a meeting to
4 review the proposed contract, the department may enter into the proposed contract
5 only upon approval of the committee.

6 *b0517/2.1* SECTION 2340r. 86.193 of the statutes is created to read:

7 **86.193 Agricultural tourism signs.** The department shall develop and
8 implement a plan, consistent with federal and state laws, to promote and maximize
9 the erection of agricultural tourism signs on highways in this state to identify and
10 provide directional information to any agricultural tourism facility located in this
11 state. In developing and implementing the plan under this section, the department
12 shall consult with the department of agriculture, trade and consumer protection.

13 *-2162/1.1* SECTION 2341. 86.30 (2) (a) 3. (intro.) of the statutes is renumbered
14 86.30 (2) (a) 3. and amended to read:

15 86.30 (2) (a) 3. For each mile of road or street under the jurisdiction of a
16 municipality as determined under s. 86.302, the mileage aid payment shall be an
17 amount equal to the following: \$1,704 in calendar year 2001, \$1,755 in calendar year
18 2002, and \$1,790 in calendar year 2003 and thereafter.

19 *-2162/1.2* SECTION 2342. 86.30 (2) (a) 3. g. of the statutes is repealed.

20 *-2162/1.3* SECTION 2343. 86.30 (2) (a) 3. h. of the statutes is repealed.

21 *-2162/1.4* SECTION 2344. 86.30 (9) (b) of the statutes is amended to read:

22 86.30 (9) (b) For the purpose of calculating and distributing aids under sub. (2),
23 the amounts for aids to counties are ~~\$78,744,300 in calendar years 1998 and 1999,~~
24 and \$84,059,500 in calendar year years 2000 and 2001, \$86,581,300 in calendar year
25 2002, and \$88,312,900 in calendar year 2003 and thereafter. These amounts, to the

SENATE BILL 55**SECTION 2344**

1 extent practicable, shall be used to determine the statewide county average
2 cost-sharing percentage in the particular calendar year.

3 ***-2162/1.5* SECTION 2345.** 86.30 (9) (c) of the statutes is amended to read:

4 86.30 (9) (c) For the purpose of calculating and distributing aids under sub. (2),
5 the amounts for aids to municipalities are ~~\$247,739,100 in calendar years 1998 and~~
6 ~~1999, and \$264,461,500 in calendar year years 2000 and 2001, \$272,395,300 in~~
7 ~~calendar year 2002, and \$277,843,200 in calendar year 2003~~ and thereafter. These
8 amounts, to the extent practicable, shall be used to determine the statewide
9 municipal average cost-sharing percentage in the particular calendar year.

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

11 86.31 (3g) COUNTY TRUNK HIGHWAY IMPROVEMENTS. From the appropriation
12 under s. 20.395 (2) (fr), the department shall allocate ~~\$5,000,000~~ \$5,250,000 in each
13 fiscal year, beginning in fiscal year 2001-02, to fund county trunk highway
14 improvements with eligible costs totaling more than \$250,000. The funding of
15 improvements under this subsection is in addition to the allocation of funds for
16 entitlements under sub. (3).

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

18 86.31 (3m) TOWN ROAD IMPROVEMENTS. From the appropriation under s. 20.395
19 (2) (fr), the department shall allocate ~~\$2,000,000 in fiscal year 1999-2000 and~~
20 ~~\$500,000 in each following fiscal year~~ \$750,000 in each fiscal year, beginning in fiscal
21 year 2001-02, to fund town road improvements with eligible costs totaling \$100,000
22 or more. The funding of improvements under this subsection is in addition to the
23 allocation of funds for entitlements under sub. (3).

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

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

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

8 86.31 (2) (f) With respect to town road improvements, the department shall
9 give priority to town road improvements under subs. (3) and (3m) that fund
10 improvements of town roads that have been damaged as a result of heavy motor truck
11 loads.

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

13 88.15 (2m) The department of agriculture, trade and consumer protection shall
14 create and maintain a secure Internet site on which drainage districts may post
15 engineering projects in order to obtain bids electronically for engineering services.
16 The department shall promulgate rules that specify fees designed to cover the costs
17 of creating and maintaining the Internet site.

18
19 ***-1813/4.13* SECTION 2380.** 92.14 (3) (intro.) of the statutes is amended to
20 read:

21 92.14 (3) BASIC ALLOCATIONS TO COUNTIES. (intro.) To help counties fund their
22 land and water conservation activities, the department shall award an annual grant
23 from the appropriation under s. 20.115 (7) (c) ~~or (qd)~~ or under s. 20.866 (2) (we) to any
24 county land conservation committee that has a land and water resource
25 management plan approved by the department under s. 92.10 (4) (d), and that, by

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1 county board action, has resolved to provide any matching funds required under sub.
2 (5g). The county may use the grant for land and water resource management
3 planning and for any of the following purposes, consistent with the approved land
4 and water resource management plan:

5 ***b0297/5.9* SECTION 2380g.** 92.14 (5g) of the statutes is renumbered 92.14
6 (5g) (a) and amended to read:

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

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

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

21

22 ***-0397/2.2* SECTION 2383.** 93.06 (12) of the statutes is created to read:

23 93.06 (12) FEDERAL AGRICULTURAL POLICY REFORM. From the appropriation
24 under s. 20.115 (3) (a), provide at least \$50,000 in each fiscal year to organizations

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1 to seek the reform of federal agricultural policy for the benefit of agricultural
2 producers in this state. This subsection does not apply after June 30, 2005.

3 ***-0404/3.1* SECTION 2390.** 93.23 (1) (h) of the statutes is repealed.

4

5 ***-0394/3.18* SECTION 2392.** 93.47 (2) of the statutes is amended to read:

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

11 ***-0403/1.3* SECTION 2393.** 93.48 of the statutes is repealed.

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

13 **94.715 Pest management for schools. (1) DEFINITIONS.** In this section:

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

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

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

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

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

SENATE BILL 55**SECTION 2395t**

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

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

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

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

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

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

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

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

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

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

8 1. Each employee of the school district, or of a contractor with the school
9 district, who may be present in the area of application within 72 hours after the
10 application.

11 2. Each student who may be present in the area of application within 72 hours
12 after the application.

13 3. The parents or guardians of the students under subd. 2.

14 (g) Post notice of each pesticide application in a school or on school grounds at
15 the time of the application and for at least 72 hours following the application.

16 (h) Maintain a record of all of the following for each application of pesticide in
17 a school or on school grounds:

18 1. The name and certification number of the person applying the pesticide.

19 2. The type of pesticide applied and its brand name, the name of the pesticide
20 as registered under the federal act, the pesticide registration number assigned to the
21 pesticide under the federal act, the manufacturer of the pesticide, and the pesticide's
22 active ingredients and inert ingredients.

23 3. The date and time of the application and the amount of pesticide applied.

24 4. How the pesticide was applied, including any additives used and the type of
25 application device used.

SENATE BILL 55**SECTION 2395t**

1 5. The street address of the place at which the pesticide was applied and a
2 description of the area to which the pesticide was applied.

3 6. The purpose of the application, including the target pest and whether the
4 application was preventive or reactive.

5 7. For an outdoor application, a description of the weather conditions at the
6 time of the application.

7 8. The symptoms of acute poisoning from the pesticide, as indicated on its label.

8 (i) Make the information under par. (h) available to any person upon request
9 and provide the information about pesticide applications to the department
10 quarterly, except as provided in sub. (6m).

11 (j) Review liability and property insurance maintained by the school board to
12 determine whether coverage is adequate for damage or loss caused by pesticides.

13 (k) Provide any information concerning pest management that is requested by
14 the department.

15 **(3) PROHIBITIONS.** (a) A school district may not routinely use pesticides on a
16 regularly scheduled basis in a school or on school grounds.

17 (b) A school district may not use pesticide fumigation in a school or on school
18 grounds.

19 (c) A school district may not use pesticides for aesthetic or cosmetic purposes.

20 (d) A school district may not use a pesticide in a school or on school grounds
21 unless nonchemical methods of pest control have failed to prevent unacceptable
22 levels of pest activity and damage.

23 **(4) PEST MANAGEMENT PLAN.** A school board shall design its pest management
24 plan required under sub. (2) (b) to prevent unacceptable levels of pest activity and
25 damage while minimizing hazards to persons, property, and the environment. In the

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1 plan required under sub. (2) (b), a school board shall specify the pest management
2 practices that will be used by the school district and shall include all of the following:

3 (a) A description of the methods that will be used to identify pest problems,
4 including monitoring to determine whether pests are present in sufficient numbers
5 to require treatment with pesticides.

6 (b) A description of the nonchemical methods that the school district will use
7 to seek to prevent unacceptable levels of pest activity and damage.

8 (c) A description of the pesticides and methods of application that the school
9 district will use if the methods under par. (b) fail to prevent unacceptable levels of
10 pest activity and damage.

11 (d) A description of the other means that the school district will use to ensure
12 compliance with subs. (2) (c) to (k) and (3).

13 **(6) EXEMPTION FROM ADVANCE NOTICE REQUIREMENT.** A school board is not
14 required to provide advance notice of a pesticide application if the school district
15 administrator, as defined in s. 115.001 (8), or the school principal declares that a pest
16 emergency exists. If a pesticide is applied in a school or on school grounds without
17 advance notice, the school board shall provide written notification of the name of the
18 pesticide that was applied, the time and location of the application, the potential
19 health effects of exposure to the pesticide, as indicated on its label, and the name and
20 telephone number of a person at the school who can be called for more information
21 or to report health effects from exposure, to all of the persons identified in sub. (2)
22 (f) 1. to 3., as soon as possible after the application. The school board shall provide
23 the notice in a font size no smaller than that routinely used for other notices to
24 parents.

SENATE BILL 55**SECTION 2395t**

1 **(6m) EXEMPTION FROM REPORTING REQUIREMENT.** A school district is not required
2 to provide quarterly reports to the department under sub. (2) (i) if the school district
3 does not use pesticides and notifies the department that it does not use pesticides.
4 A school district shall begin to make the quarterly reports if it begins to use
5 pesticides.

6 **(7) ASSISTANCE AND COOPERATION.** The department shall provide assistance to
7 school districts in complying with subs. (2) to (4). The department shall consult with
8 the department of health and family services and the department of public
9 instruction concerning school pest management issues. The department and the
10 board of regents of the University of Wisconsin System shall enter into a
11 memorandum of understanding concerning school pest management and the
12 provision of training by the University of Wisconsin–Extension to ensure cooperation
13 between the department and the University of Wisconsin–Extension and to avoid
14 duplication of activities. The University of Wisconsin–Extension and the cooperative
15 educational service agencies shall cooperate in providing the training under s. 36.25
16 (43).

17 **(8) AVAILABILITY OF PLANS.** The department shall retain pest management plans
18 submitted under sub. (2) (b) and make the plans available to any person upon
19 request.

20 **(9) REPORT.** On or before January 1 of each even-numbered year, the
21 department, in cooperation with the University of Wisconsin–Extension and the
22 department of health and family services, shall submit a report evaluating the
23 program under this section to the legislature under s. 13.172 (2).

24 *–0401/1.8* **SECTION 2398.** 95.15 of the statutes is repealed.

25 *–0399/1.2* **SECTION 2399.** 95.60 (8) of the statutes is created to read:

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1 95.60 (8) The department may provide training to veterinarians and other
2 persons who issue fish health certificates for the purposes of this section. The
3 department may charge fees to recover the cost of providing the training.

4

5 ***b0552/1.2* SECTION 2403e.** 97.60 of the statutes is created to read:

6 **97.60 Food advisory council.** The food advisory council shall meet at least
7 quarterly and shall advise the department concerning issues related to providing a
8 safe and wholesome food supply in this state, including all of the following:

9

(1) Food recalls.

10

(2) Rules that apply to retail food establishments and food processing plants.

11

(3) Food safety concerns and communications.

12

(4) Training.

13

(5) Partnerships between the department and the food industry.

14

(6) Enforcement and inspection.

15

(7) Other issues related to the food industry.

16

***-2007/2.3* SECTION 2408.** 100.20 (2) (b) of the statutes is amended to read:

17

100.20 (2) (b) Notwithstanding par. (a), the department may not issue any
18 order or promulgate any rule that regulates the provision of water or sewer service
19 by a ~~mobile~~ manufactured home park operator, as defined in s. ~~196.01 (3t)~~ 101.91 (8),
20 or ~~mobile~~ manufactured home park contractor, as defined in s. ~~196.01 (3q)~~ 101.91
21 (6m), or enforce any rule to the extent that the rule regulates the provision of such
22 water or sewer service.

23

24

***-0454/3.2* SECTION 2422.** 100.261 (title) of the statutes is amended to read:

25

100.261 (title) Consumer information protection assessment.

SENATE BILL 55**SECTION 2423**

1 *~~0454/3.3~~* **SECTION 2423.** 100.261 (1) of the statutes is amended to read:

2 100.261 (1) If a court imposes a fine or forfeiture for a violation of this chapter,
3 ch. 98, a rule promulgated under this chapter or ch. 98 or an ordinance enacted under
4 this chapter or ch. 98, the court shall also impose a consumer ~~information~~ protection
5 assessment in an amount equal to ~~15%~~ 25% of the fine or forfeiture imposed. If
6 multiple violations are involved, the court shall base the consumer ~~information~~
7 protection assessment upon the the total of the fine or forfeiture amounts for all
8 violations. If a fine or forfeiture is suspended in whole or in part, the court shall
9 reduce the assessment in proportion to the suspension.

10 *~~0454/3.4~~* **SECTION 2424.** 100.261 (2) of the statutes is amended to read:

11 100.261 (2) If any deposit is made for a violation to which this section applies,
12 the person making the deposit shall also deposit a sufficient amount to include the
13 consumer ~~information~~ protection assessment required under this section. If the
14 deposit is forfeited, the amount of the consumer ~~information~~ protection assessment
15 shall be transmitted to the state treasurer under sub. (3). If the deposit is returned,
16 the consumer ~~information~~ protection assessment shall also be returned.

17 *~~0454/3.5~~* **SECTION 2425.** 100.261 (3) (a) of the statutes is amended to read:

18 100.261 (3) (a) The clerk of court shall collect and transmit the consumer
19 ~~information~~ protection assessment amounts to the county treasurer under s. 59.40
20 (2) (m). The county treasurer shall then make payment to the state treasurer under
21 s. 59.25 (3) (f) 2.

22 *~~0454/3.6~~* **SECTION 2426.** 100.261 (3) (b) 1. of the statutes is renumbered

23 100.261 (3) (b) and amended to read:

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1 100.261 (3) (b) The state treasurer shall deposit the consumer protection
2 assessment amounts in the general fund and shall credit them to the appropriation
3 account under s. 20.115 (1) (jb), subject to the limit under ~~subd. 2~~ par. (c).

4 *~~0454/3.7~~* **SECTION 2427.** 100.261 (3) (b) 2. of the statutes is renumbered
5 100.261 (3) (c) and amended to read:

6 100.261 (3) (c) The amount credited to the appropriation account under s.
7 20.115 (1) (jb) may not exceed ~~\$85,000~~ \$185,000 in each fiscal year.

8 *~~1335/7.56~~* **SECTION 2434.** 100.45 (1) (dm) of the statutes is amended to read:

9 100.45 (1) (dm) “State agency” means any office, department, agency,
10 institution of higher education, association, society or other body in state
11 government created or authorized to be created by the constitution or any law which
12 is entitled to expend moneys appropriated by law, including the legislature and the
13 courts, the Wisconsin Housing and Economic Development Authority, the Bradley
14 Center Sports and Entertainment Corporation, the University of Wisconsin
15 Hospitals and Clinics Authority ~~and~~, the Wisconsin Health and Educational
16 Facilities Authority, and the Fox River Navigational System Authority.

17

18

19 *~~0664/2.2~~* **SECTION 2449.** 101.09 (3) (d) of the statutes is created to read:

20 101.09 (3) (d) The department shall promulgate a rule specifying fees for plan
21 review and inspection of tanks for the storage, handling, or use of flammable or
22 combustile liquids and for any certification or registration required under par. (c).

23 *~~b0338/1.2~~* **SECTION 2449f.** 101.123 (title) of the statutes is repealed and
24 recreated to read:

25 **101.123 (title) Smoking prohibited.**

SENATE BILL 55**SECTION 2449h**

1 ***b0338/1.2* SECTION 2449h.** 101.123 (1) (i) of the statutes is amended to read:

2 101.123 (1) (i) “State institution” means a prison, ~~a secured correctional~~
3 ~~facility,~~ a mental health institute as defined in s. 51.01 (12) or a center for the
4 developmentally disabled as defined in s. 51.01 (3), ~~except that “state institution”~~
5 ~~does not include a Type 2 secured correctional facility, as defined in s. 938.02 (20).~~

6 ***b0338/1.2* SECTION 2449j.** 101.123 (1) (j) of the statutes is created to read:

7 101.123 (1) (j) “Type 1 secured correctional facility” has the meaning given in
8 s. 938.02 (19).

9 ***b0338/1.2* SECTION 2449L.** 101.123 (2) (br) of the statutes is created to read:

10 101.123 (2) (br) Notwithstanding par. (a) and sub. (3), no person may smoke
11 in any enclosed, indoor area of a Type 1 secured correctional facility or on the grounds
12 of a Type 1 secured correctional facility.

13 ***b0338/1.2* SECTION 2449n.** 101.123 (4) (a) 2. of the statutes is amended to
14 read:

15 101.123 (4) (a) 2. A person in charge or his or her agent may not designate an
16 entire building as a smoking area or designate any smoking areas in the state capitol
17 building, in the immediate vicinity of the state capitol, in a Type 1 secured
18 correctional facility, on the grounds of a Type 1 secured correctional facility, in a
19 motor bus, hospital or physician’s office or on the premises, indoors or outdoors, of
20 a day care center when children who are receiving day care services are present,
21 except that in a hospital or a unit of a hospital that has as its primary purpose the
22 care and treatment of mental illness, alcoholism or drug abuse a person in charge or
23 his or her agent may designate one or more enclosed rooms with outside ventilation
24 as smoking areas for the use of adult patients who have the written permission of a

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1 physician. Subject to this subdivision and sub. (3) (b), a person in charge or his
2 her agent may not designate an entire room as a smoking area.

3 *b0338/1.2* SECTION 2449p. 101.123 (4) (am) 3. of the statutes is amended to
4 read:

5 101.123 (4) (am) 3. Except in a prison, ~~secured correctional facility~~, jail, or
6 lockup facility, an entire building may not be designated as a smoking area.

7 *b0338/1.2* SECTION 2449r. 101.123 (4) (bm) of the statutes is amended to
8 read:

9 101.123 (4) (bm) The person in charge of a state institution, jail or lockup
10 facility, or his or her agent, shall post notice of the designation of a smoking area
11 under par. (am) in or near the area designated. If an entire room is designated a
12 smoking area, the person in charge or his or her agent shall post notice of the
13 designation conspicuously on or near all normally used entrances to the room. If an
14 entire building in a prison, ~~secured correctional facility~~, jail, or lockup facility is
15 designated a smoking area, the person in charge, or his or her agent, shall post notice
16 of the designation on or near all normally used entrances to the building, but need
17 not post notice of the designation on or near entrances to rooms within the building.

18 *b0338/1.2* SECTION 2449t. 101.123 (8) (a) of the statutes is amended to read:

19 101.123 (8) (a) Any person who wilfully violates sub. (2) (a), (am) 1. ~~or~~, (bm),
20 or (br) after being advised by an employee of the facility that smoking in the area is
21 prohibited or any person in charge or his or her agent who wilfully fails to comply
22 with sub. (5) shall forfeit not more than \$10.

23

24

25 *b0211/1.1* SECTION 2464f. 101.143 (1) (e) 3. of the statutes is created to read:

SENATE BILL 55**SECTION 2464f**

1 101.143 (1) (e) 3. A person who formerly owned a farm tank and who satisfies
2 the criteria in sub. (4) (ei) 1m. b.

3 ***b0202/1.1* SECTION 2468p.** 101.143 (4) (a) 2. of the statutes is renumbered
4 101.143 (4) (a) 2. (intro.) and amended to read:

5 101.143 (4) (a) 2. (intro.) The department may not issue an award before all
6 eligible costs have been incurred and written approval is received under sub. (3) (c)
7 4., unless except as follows:

8 a. The department may issue an award before all eligible costs have been
9 incurred and written approval is received under sub. (3) (c) 4. if the department
10 determines that the delay in issuing the award would cause a financial hardship to
11 the owner or operator or the person.

12 ***b0202/1.1* SECTION 2468r.** 101.143 (4) (a) 2. b. of the statutes is created to
13 read:

14 101.143 (4) (a) 2. b. The department shall issue an award if the owner or
15 operator or the person has incurred at least \$50,000 in unreimbursed eligible costs
16 and has not submitted a claim during the preceding 12 months.

17 ***-0662/3.1* SECTION 2469.** 101.143 (4) (a) 6. of the statutes is amended to read:

18 101.143 (4) (a) 6. In any fiscal year, the department may not award more than
19 5% of the amount appropriated under s. 20.143 (3) (v) as awards for petroleum
20 product storage systems described in par. (ei) 1.

21 ***-1815/7.6* SECTION 2470.** 101.143 (4) (b) (intro.) of the statutes is amended
22 to read:

23 101.143 (4) (b) *Eligible costs.* (intro.) Except as provided in par. (c) or (cc),
24 eligible costs for an award under par. (a) include actual costs or, if the department

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1 establishes a usual and customary cost under par. (cm) for an item, usual and
2 customary costs for the following items:

3 ***b0202/1.2* SECTION 2470p.** 101.143 (4) (c) 8. (intro.) and a. of the statutes are
4 consolidated, renumbered 101.143 (4) (c) 8. and amended to read:

5 101.143 (4) (c) 8. Interest costs incurred by an applicant that exceed interest
6 at the following rate: ~~a. If the applicant has gross revenues of not more than~~
7 ~~\$25,000,000 in the most recent tax year before the applicant submits a claim, 1%~~
8 under the prime rate.

9 ***b0202/1.2* SECTION 2470r.** 101.143 (4) (c) 8. d. of the statutes is repealed.

10 ***-1815/7.7* SECTION 2471.** 101.143 (4) (cc) of the statutes is created to read:

11 101.143 (4) (cc) *Ineligibility for interest reimbursement.* 1. a. Except as
12 provided in subd. 1m. or 2., if an applicant's final claim is submitted more than 120
13 days after receiving written notification that no further remedial action is necessary
14 with respect to the discharge, interest costs incurred by the applicant after the 60th
15 day after receiving that notification are not eligible costs.

16

17 c. Except as provided in subd. 2., if an applicant does not complete the
18 investigation of the petroleum product discharge by the first day of the 61st month
19 after the month in which the applicant notified the department under sub. (3) (a) 3.
20 or the first day of the 25th month beginning after the effective date of subd. 1. a.,
21 whichever is later, interest costs incurred by the applicant after the later of those
22 days are not eligible costs.

23 1m. If an applicant received written notification that no further remedial
24 action is necessary with respect to a discharge before the effective date of this
25 subdivision [revisor inserts date], and the applicant's final claim is submitted

SENATE BILL 55**SECTION 2471**

1 more than 120 days after the effective date of this subdivision [revisor inserts
2 date], interest costs incurred by the applicant after the 120th day after the effective
3 date of this subdivision [revisor inserts date], are not eligible costs.

4 2. Subdivision 1. does not apply to any of the following:

5 a. An applicant that is a local unit of government, if federal or state financial
6 assistance other than under this section, has been provided for that expansion or
7 redevelopment.

8 b. An applicant that is engaged in the expansion or redevelopment of
9 brownfields, as defined in s. 560.13 (1) (a), if federal or state financial assistance
10 other than under this section, has been provided for that expansion or
11 redevelopment.

12
13 ***-0662/3.2* SECTION 2472.** 101.143 (4) (d) 2. c. of the statutes is amended to
14 read:

15 101.143 (4) (d) 2. c. For an owner or operator of a petroleum product storage
16 system described in par. (ei) ~~1~~, \$100,000.

17 ***-0662/3.3* SECTION 2473.** 101.143 (4) (dm) 2. c. of the statutes is amended to
18 read:

19 101.143 (4) (dm) 2. c. For the owner or operator of a petroleum product storage
20 system that is described in par. (ei) ~~1~~, \$2,500 plus 5% of eligible costs per occurrence.

21 ***-0662/3.4* SECTION 2474.** 101.143 (4) (dm) 3. c. of the statutes is amended to
22 read:

23 101.143 (4) (dm) 3. c. For an owner or operator of a petroleum product storage
24 system described in par. (ei) ~~1~~, \$100,000.

25 ***-0662/3.5* SECTION 2475.** 101.143 (4) (e) 2. of the statutes is amended to read:

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1 101.143 (4) (e) 2. The department shall issue the award under this paragraph
2 without regard to fault in an amount equal to the amount of the eligible costs that
3 exceeds a deductible amount of \$10,000, except that the deductible amount for a
4 petroleum product storage system that is owned by a school district or a technical
5 college district and that is used for storing heating oil for consumptive use on the
6 premises where stored is 25% of eligible costs and except that the deductible for a
7 petroleum product storage system that is described in par. (ei) ~~1~~ is \$2,500 plus 5%
8 of the eligible costs, but not more than \$7,500 per occurrence without regard to when
9 the eligible costs are incurred.

10 *~~0662/3.6~~* SECTION 2476. 101.143 (4) (e) 2m. of the statutes is amended to
11 read:

12 101.143 (4) (e) 2m. An award issued under this paragraph may not exceed
13 \$190,000 for each occurrence, except that an award under this paragraph to the
14 owner or operator of a petroleum product storage system described in par. (ei) ~~1~~ may
15 not exceed \$100,000 per occurrence.

16 *~~0662/3.7~~* SECTION 2477. 101.143 (4) (ei) 1. (intro.) of the statutes is
17 renumbered 101.143 (4) (ei) (intro.).

18 *~~0662/3.8~~* SECTION 2478. 101.143 (4) (ei) 1. a. of the statutes is renumbered
19 101.143 (4) (ei) 1m. a. and amended to read:

20 101.143 (4) (ei) 1m. a. The owner or operator of the farm tank owns a parcel
21 of 35 or more acres of contiguous land, on which the farm tank is located, which is
22 devoted primarily to agricultural use, as defined in s. 91.01 (1), including land
23 designated by the department of natural resources as part of the ice age trail under
24 s. 23.17, which during the year preceding submission of a first claim under sub. (3)
25 produced gross farm profits, as defined in s. 71.58 (4), of not less than \$6,000 or

SENATE BILL 55**SECTION 2478**

1 which, during the 3 years preceding that submission produced gross farm profits, as
2 defined in s. 71.58 (4), of not less than \$18,000, or a parcel of 35 or more acres, on
3 which the farm tank is located, of which at least 35 acres, during part or all of the
4 year preceding that submission, were enrolled in the conservation reserve program
5 under 16 USC 3831 to 3836.

6 ***-0662/3.9* SECTION 2479.** 101.143 (4) (ei) 1. b. of the statutes is renumbered
7 101.143 (4) (ei) 2m.

8 ***-0662/3.10* SECTION 2480.** 101.143 (4) (ei) 1m. (intro.) of the statutes is
9 created to read:

10 101.143 (4) (ei) 1m. (intro.) One of the following conditions is satisfied:

11 ***b0211/1.2* SECTION 2481b.** 101.143 (4) (ei) 1m. b. of the statutes is created
12 to read:

13 101.143 (4) (ei) 1m. b. The claim is submitted by a person who, at the time that
14 the notification was made under sub. (3) (a) 3., was the owner of the farm tank and
15 owned a parcel of 35 or more acres of contiguous land, on which the farm tank is or
16 was located, which was devoted primarily to agricultural use, as defined in s. 91.01
17 (1), including land designated by the department of natural resources as part of the
18 ice age trail under s. 23.17, which during the year preceding that notification
19 produced gross farm profits, as defined in s. 71.58 (4), of not less than \$6,000 or
20 which, during the 3 years preceding that notification, produced gross farm profits,
21 as defined in s. 71.58 (4), of not less than \$18,000, or a parcel of 35 or more acres, on
22 which the farm tank is located, of which at least 35 acres, during part or all of the
23 year preceding that notification, were enrolled in the conservation reserve program
24 under 16 USC 3831 to 3836.

SENATE BILL 55

1 ***-0662/3.12*** SECTION 2482. 101.143 (4) (ei) 2. of the statutes is renumbered
2 101.143 (4) (a) 5m. and amended to read:

3 101.143 (4) (a) 5m. The department shall review claims related to discharges
4 from farm tanks described in ~~subd. 1. par. (ei)~~ as soon as the claims are received. The
5 department shall issue an award for an eligible discharge from a farm tank described
6 in ~~subd. 1. par. (ei)~~ as soon as it completes the review of the claim.

7 ***b0202/1.3*** SECTION 2483k. 101.143 (6s) of the statutes is amended to read:

8 101.143 (6s) ARBITRATION. Upon the request of a person who files an appeal of
9 a decision of the department under this section, if the amount at issue is \$20,000
10 \$100,000 or less, the appeal shall be heard by one or more individuals designated by
11 the department to serve as arbitrator under rules promulgated for this purpose by
12 the department. In such an arbitration, the arbitrator shall render a decision at the
13 conclusion of the hearing, or within 5 business days after the conclusion of the
14 hearing if the arbitrator determines that additional time is needed to review
15 materials submitted during the hearing, affirming, modifying or rejecting the
16 decision of the department. The arbitrator shall promptly file his or her decision with
17 the department. The decision of the arbitrator is final and shall stand as the decision
18 of the department. An arbitrator's decision may not be cited as precedent in any
19 other proceeding before the department or before any court. A decision under this
20 subsection is subject to review under ss. 227.53 to 227.57 only on the ground that the
21 decision was procured by corruption, fraud or undue means. The record of a
22 proceeding under this subsection shall be transcribed as provided in s. 227.44 (8).

23 ***-1815/7.8*** SECTION 2485. 101.143 (9m) (g) 2. of the statutes is amended to
24 read:

SENATE BILL 55**SECTION 2485**

1 101.143 (9m) (g) 2. Revenue obligations issued under this subsection may not
2 exceed ~~\$270,000,000~~ \$342,000,000 in principal amount, excluding any obligations
3 that have been defeased under a cash optimization program administered by the
4 building commission. In addition to this limit on principal amount, the building
5 commission may contract revenue obligations under this subsection as the building
6 commission determines is desirable to fund or refund outstanding revenue
7 obligations, to pay issuance or administrative expenses, to make deposits to reserve
8 funds, or to pay accrued or capitalized interest.

9 ***-0664/2.3* SECTION 2490.** 101.19 (1) (b) of the statutes is amended to read:

10 101.19 (1) (b) The required inspection of boilers, pressure vessels, refrigeration
11 plants, ~~petroleum and~~ liquefied petroleum gas vessels, anhydrous ammonia tanks
12 and containers, elevators, ski towing and lift devices, escalators, dumbwaiters, and
13 amusement or thrill rides but not of amusement attractions.

14 ***b0631/1.1* SECTION 2490r.** 101.563 of the statutes is created to read:

15 **101.563 Administration of fire dues program pending rule changes. (1)**
16 ENTITLEMENT TO DUES. Notwithstanding ss. 101.573 (3) (a) and 101.575 (1) and (3) to
17 (5) and except as provided in sub. (3), the department may not withhold payment of
18 fire department dues under ss. 101.573 and 101.575 to a city, village, or town based
19 upon the failure of that city, village, or town to satisfy all eligibility requirements
20 under s. 101.575 (1) and (3) to (5) or to demonstrate to the department that the city,
21 village, or town is eligible under s. 101.575 (1) and (3) to (5) to receive fire department
22 dues.

23 **(2) DISTRIBUTION OF DUES.** Notwithstanding s. 101.573 (3) (a) and except as
24 provided in sub. (3), on or before May 1 in each year, the department shall compile
25 the fire department dues paid by all insurers under s. 601.93 and the dues paid by

SENATE BILL 55


1 the state fire fund under s. 101.573 (1) and funds remaining under s. 101.573 (3) (b),
2 withhold 0.5% and certify to the state treasurer the proper amount to be paid from
3 the appropriation under s. 20.143 (3) (L) to each city, village, and town entitled to fire
4 department dues as provided under sub. (1) and s. 101.575. Annually, on or before
5 August 1, the state treasurer shall pay the amounts certified by the department to
6 each city, village, and town that is entitled to fire department dues as provided under
7 sub. (1) and s. 101.575.

8 (3) SUNSET PROVISION. (a) This section does not apply on or after the date on
9 which changes to the rules of the department of commerce relating to eligibility to
10 receive payments of fire department dues first take effect, if all of the following are
11 satisfied:

12 1. The changes are promulgated in consultation with the representatives of the
13 Wisconsin fire service and volunteer fire departments in this state.

14 2. The changes are based on recommendations of the joint legislative audit
15 committee that are derived from a legislative audit bureau performance evaluation
16 audit of the department that relates to the payment of fire department dues and that
17 is conducted at the direction of the joint legislative audit committee.

18 3. The changes are approved by the joint legislative audit committee before the
19 date on which the changes take effect.

20 (b) When filing rules that are promulgated and approved in satisfaction of par.
21 (a) 1. to 3. with the revisor of statutes under s. 227.20, the department shall include
22 a separate statement indicating that the rules were promulgated and approved in
23 satisfaction of par. (a) 1. to 3. 

****NOTE: This provision is drafted on the assumption that LRBb0099 (yank #115, fire safety and fire dues grant program) will be included in the JCF substitute amendment. If LRBb0099 is not included in the JCF substitute amendment, this

SENATE BILL 55**SECTION 2490r**

provision will need to be reconciled with the changes made to the fire dues grant program by LRBb0999.

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***b0631/1.2* SECTION 2495m.** 101.573 (4) of the statutes is amended to read:

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101.573 (4) The department shall transmit to the treasurer of each city, village, and town entitled to fire department dues, a statement of the amount of dues payable to it ~~under this section~~, and the commissioner of insurance shall furnish to the state treasurer, upon request, a list of the insurers paying dues under s. 601.93 and the amount paid by each.

****NOTE: This provision is drafted on the assumption that LRBb0099 (yank #115, fire safety and fire dues grant program) will be included in the JCF substitute amendment. If LRBb0099 is not included in the JCF substitute amendment, this provision will need to be reconciled with the changes made to the fire dues grant program by LRBb0999.

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***b0631/1.3* SECTION 2497m.** 101.575 (1) (am) of the statutes is amended to read:

101.575 (1) (am) If the department determines that a city, village, or town fire department has failed to satisfy the requirements of this subsection or subs. (3) to (6), the department shall notify the chief of the fire department, the governing body, and the highest elected official of the city, village, or town, in writing, that the fire department has 30 days to demonstrate to the department that the failure has been corrected. If the fire department makes this demonstration within the 30-day period, the department shall pay dues for that calendar year to the city, village, or town. If the fire department fails to make this demonstration within the 30-day period, the department shall nonetheless pay dues for that calendar year to that city, village, or town. The department and shall issue a notice of noncompliance to the chief of the fire department, the governing body, and the highest elected official of the

SENATE BILL 55

1 city, village, or town. If the fire department cannot demonstrate to the department
 2 that the fire department has met all requirements within one year after receipt of
 3 the notice of noncompliance or prior to the next audit by the department, whichever
 4 is later, the city, village, or town shall not be entitled to dues under par. (a) for that
 5 year in which the city, village, or town becomes not entitled to dues and for all
 6 subsequent calendar years until the requirements are met.

****NOTE: This provision is drafted on the assumption that LRBb0099 (yank #115, fire safety and fire dues grant program) will be included in the JCF substitute amendment. If LRBb0099 is not included in the JCF substitute amendment, this provision will need to be reconciled with the changes made to the fire dues grant program by LRBb0099.

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8 ***-2007/2.4*** SECTION 2532. Subchapter V (title) of chapter 101 [precedes
 9 101.91] of the statutes is amended to read:

CHAPTER 101

SUBCHAPTER V

MANUFACTURED HOMES AND MOBILE HOMES;

REGULATION OF MANUFACTURERS

14 ***-2007/2.5*** SECTION 2533. 101.91 (2b) of the statutes is renumbered 101.91
 15 (3).

16 ***-2007/2.6*** SECTION 2534. 101.91 (2d) of the statutes is renumbered 101.91
 17 (4).

18 ***-2007/2.7*** SECTION 2535. 101.91 (2f) of the statutes is renumbered 101.91
 19 (5m).

20 ***-2007/2.8*** SECTION 2536. 101.91 (2h) of the statutes is renumbered 101.91
 21 (9).

SENATE BILL 55**SECTION 2537**

1 *~~2007/2.9~~* **SECTION 2537.** 101.91 (2k) of the statutes is renumbered 101.91
2 (10).

3 *~~2007/2.10~~* **SECTION 2538.** 101.91 (5) of the statutes is renumbered 101.91
4 (11).

5 *~~2007/2.11~~* **SECTION 2539.** 101.91 (6) of the statutes is renumbered 101.91
6 (12).

7 *~~b0396/1.1~~* **SECTION 2539k.** 101.9208 (1) (b) of the statutes is amended to
8 read:

9 101.9208 (1) (b) ~~Upon filing an application under par. (a) or (d) before the first~~
10 ~~day of the 2nd month beginning after September 1, 2000, an environmental impact~~
11 ~~fee of \$5, by the person filing the application.~~ Upon filing an application under par.
12 (a) or (d) ~~on or after September 1, 2000,~~ an environmental impact fee of ~~\$6~~ \$9, by the
13 person filing the application. All moneys collected under this subsection shall be
14 credited to the environmental fund for environmental management. This paragraph
15 does not apply after December 31, 2003.

16 *~~2007/2.12~~* **SECTION 2540.** 101.93 (title) of the statutes is repealed and
17 recreated to read:

18 **101.93 (title) Plumbing in manufactured homes.**

19 *~~b0269/2.4~~* **SECTION 2540m.** 101.935 (2) (c) 2. of the statutes is amended to
20 read:

21 101.935 (2) (c) 2. The department shall establish by rule the permit fee and
22 renewal fee for a permit issued under this subsection. Beginning in fiscal year
23 2002-03, the department may increase the fees to recover the cost of administering
24 s. 101.937. An additional penalty fee, as established by the department by rule, is

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1 required for each permit if the biennial renewal fee is not paid before the permit
2 expires.

3 ~~*-2007/2.13* SECTION 2541. 101.937 (title) of the statutes is created to read:~~

4 ~~101.937 (title) Water and sewer service to manufactured home parks.~~

5 ~~*-2411/3.31* SECTION 2544. 102.07 (9) of the statutes is amended to read:~~

6 ~~102.07 (9) Members of the national guard, the naval militia, and state defense~~
7 ~~force, when on state active duty under direction of appropriate authority, but only in~~
8 ~~case federal laws, rules or regulations provide no benefits substantially equivalent~~
9 ~~to those provided in this chapter.~~

10 ~~*b0625/3.26* SECTION 2544m. 102.29 (8r) of the statutes is amended to read:~~

11 ~~102.29 (8r) No participant in a food stamp employment and training program~~
12 ~~under s. ~~49.124 (1m) 49.13~~ who, under s. ~~49.124 (1m) 49.13 (2)~~ (d), is provided~~
13 ~~worker's compensation coverage by the department or by a Wisconsin works agency,~~
14 ~~as defined in s. 49.001 (9), and who makes a claim for compensation under this~~
15 ~~chapter may make a claim or maintain an action in tort against the employer who~~
16 ~~provided the employment and training from which the claim arose.~~

17 ~~*-2411/3.32* SECTION 2545. 102.475 (1) of the statutes is amended to read:~~

18 ~~102.475 (1) SPECIAL BENEFIT. If the deceased employee is a law enforcement~~
19 ~~officer, correctional officer, fire fighter, rescue squad member, diving team member,~~
20 ~~national guard member, naval militia member, or state defense force member on~~
21 ~~state active duty as described in s. 102.07 (9) or if a deceased person is an employee~~
22 ~~or volunteer performing emergency management activities under ch. 166 during a~~
23 ~~state of emergency or a circumstance described in s. 166.04, who sustained an~~
24 ~~accidental injury while performing services growing out of and incidental to that~~
25 ~~employment or volunteer activity so that benefits are payable under s. 102.46 or~~