

1 ***-0543/3.17*** SECTION 2213. 74.25 (1) (a) 4m. of the statutes is created to read:
2 74.25 (1) (a) 4m. Pay to each taxing jurisdiction within the district its
3 proportionate share of the taxes and interest under s. 70.995 (12) (a).

4 ***-0401/1.6*** SECTION 2216. 74.30 (1) (b) of the statutes is amended to read:
5 74.30 (1) (b) Pay to the proper treasurer all collections of special assessments,
6 special charges and special taxes, except that occupational taxes under ss. 70.40 to
7 ~~70.425~~ 70.421 and forest cropland, woodland and managed forest land taxes under
8 ch. 77 shall be settled for under pars. (e) to (h).

9 ***-0401/1.7*** SECTION 2217. 74.30 (1) (c) of the statutes is amended to read:
10 74.30 (1) (c) Retain all collections of special assessments, special charges and
11 special taxes due to the taxation district, except that occupational taxes under ss.
12 70.40 to ~~70.425~~ 70.421 and forest cropland, woodland and managed forest land taxes
13 under ch. 77 shall be settled for under pars. (e) to (h).

14 ***-0543/3.18*** SECTION 2218. 74.30 (1) (dm) of the statutes is created to read:
15 74.30 (1) (dm) Pay to each taxing jurisdiction within the district its
16 proportionate share of the taxes and interest under s. 70.995 (12) (a).

17 ***-0925/1.2*** SECTION 2226. 74.41 (1) (d) of the statutes is created to read:
18 74.41 (1) (d) Have been corrected under s. 70.73 (1m).

19 ***-0832/5.10*** SECTION 2231. 76.02 (1) of the statutes is amended to read:
20 76.02 (1) “Air carrier company” means any person engaged in the business of
21 transportation in aircraft of persons or property for hire on regularly scheduled
22 flights, except an air carrier company whose property is exempt from taxation under
23 s. 70.11 (42) (b). In this subsection, “aircraft” means a completely equipped operating
24 unit, including spare flight equipment, used as a means of conveyance in air
25 commerce.

1 ***-2389/1.4*** SECTION 2234. 76.28 (1) (f) of the statutes is amended to read:

2 76.28 (1) (f) "Payroll factor" means a fraction the numerator of which is the total
3 amount paid in this state during the tax period by the taxpayer for compensation and
4 the denominator of which is the total compensation paid everywhere during the tax
5 period, except that compensation solely related to the production of nonoperating
6 revenues shall be excluded from the numerator and denominator of the payroll factor
7 and except that compensation related to the production of both operating and
8 nonoperating revenue shall be partially excluded from the numerator and
9 denominator of the payroll factor so as to exclude as near as possible the portion of
10 compensation related to the production of nonoperating revenue. Compensation is
11 paid in this state if the individual's service is performed entirely within this state,
12 or if the individual's service is performed both within and outside this state but the
13 service performed outside this state is incidental to the individual's service within
14 this state, or if some of the service is performed in this state and the base of operations
15 or, if there is no base of operations, the place from which the service is directed or
16 controlled is in this state or the base of operations or the place from which the service
17 is directed or controlled is not in any state in which part of the service is performed
18 and the individual's residence is in this state. In this paragraph, "compensation"
19 includes management and service fees paid to an affiliated service corporation
20 pursuant to 15 USC 79.

21 ***b0569/2.3*** SECTION 2234m. 76.28 (1) (gm) of the statutes is renumbered
22 76.28 (1) (gm) (intro.) and amended to read:

23 76.28 (1) (gm) (intro.) "Qualified wholesale electric company" means any all of
24 the following:

1 1. Any person that owns or operates facilities for the generation and sale of
2 electricity to a public utility, as defined in s. 196.01 (5), or to any other entity that sells
3 electricity directly to the public, except that “qualified wholesale electric company”
4 does not include any person that sells less than 95% of its net production of electricity
5 or that does not own, operate, or control electric generating facilities that have a total
6 power production capacity of at least 50 megawatts.

7 ***b0569/2.3* SECTION 2234n.** 76.28 (1) (gm) 2. of the statutes is created to read:

8 76.28 (1) (gm) 2. A wholesale merchant plant, as defined in s. 196.491 (1) (w),
9 that has a total power production capacity of at least 50 megawatts.

10 ***-1321/2.3* SECTION 2235.** 76.28 (2) (a) of the statutes is amended to read:

11 76.28 (2) (a) There Except as provided in s. 76.29, there is imposed on every
12 light, heat and power company an annual license fee to be assessed by the
13 department on or before May 1, 1985, and every May 1 thereafter measured by the
14 gross revenues of the preceding year; excluding for the tax period, as defined in s.
15 76.29 (1) (f), gross revenues that are subject to the license fee under s. 76.29; at the
16 rates and by the methods set forth under pars. (b) to (d). The fee shall become
17 delinquent if not paid when due and when delinquent shall be subject to interest at
18 the rate of 1.5% per month until paid. Payment in full of the May 1 assessment
19 constitutes a license to carry on business for the 12-month period commencing on the
20 preceding January 1.

21 ***-1321/2.4* SECTION 2236.** 76.29 of the statutes is created to read:

22 **76.29 License fee for selling electricity at wholesale. (1) DEFINITIONS.**

23 In this section:

24 (a) “Apportionment factor” has the meaning given in s. 76.28 (1) (a).

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

1 (c) “Electric cooperative” has the meaning given in s. 76.48 (1g) (c).

2 (d) “Gross revenues” means total revenues from the sale of electricity for resale
3 by the purchaser of the electricity.

4 (e) “Light, heat, and power companies” has the meaning given in s. 76.28 (1)
5 (e).

6 (f) “Tax period” means each calendar year or portion of a calendar year from
7 January 1, 2004, to December 31, 2009.

8 (2) IMPOSITION. There is imposed on every light, heat, and power company and
9 electric cooperative that owns an electric utility plant, an annual license fee to be
10 assessed by the department on or before May 1, 2005, and every May 1 thereafter,
11 ending with the assessment on May 1, 2010, measured by the gross revenues of the
12 preceding tax period in an amount equal to the apportionment factor multiplied by
13 gross revenues multiplied by 1.59%. The fee shall become delinquent if not paid
14 when due and when delinquent shall be subject to interest at the rate of 1.5% per
15 month until paid. Gross revenues earned by a light, heat, and power company after
16 December 31, 2009, are subject to the license fee imposed under s. 76.28 (2). Gross
17 revenues earned by an electric cooperative after December 31, 2009, are subject to
18 the license fee imposed under s. 76.48 (1r).

19 (3) ADMINISTRATION. Section 76.28 (3) (c) and (4) to (11), as it applies to the fee
20 imposed under s. 76.28 (2), applies to the fee imposed under this section.

21 *b0521/3.7* SECTION 2236m. 76.31 of the statutes is created to read:

22 **76.31 Determination of ad valorem tax receipts for hub facility**
23 **exemptions.** By July 1, 2004, and every July 1 thereafter, the department shall
24 determine the total amount of the tax imposed under subch. I of ch. 76 that was paid
25 by each air carrier company, as defined in s. 70.11 (42) (a) 1., whose property is

1 exempt from taxation under s. 70.11 (42) (b) for the most recent taxable year that the
2 air carrier company paid the tax imposed under subch. I of ch. 76. The total amount
3 determined under this section shall be transferred under s. 20.855 (4) (fm) to the
4 transportation fund.

5 ***-1321/2.5* SECTION 2237.** 76.48 (1r) of the statutes is amended to read:

6 76.48 (1r) ~~Every~~ Except as provided in s. 76.29, every electric cooperative shall
7 pay, in lieu of other general property and income or franchise taxes, an annual license
8 fee equal to its apportionment factor multiplied by its gross revenues; excluding for
9 the tax period, as defined in s. 76.29 (1) (f), gross revenues that are subject to the
10 license fee under s. 76.29; multiplied by 3.19%. Real estate and personal property
11 not used primarily for the purpose of generating, transmitting or distributing
12 electric energy are subject to general property taxes. If a general structure is used
13 in part to generate, transmit or distribute electric energy and in part for
14 nonoperating purposes, the license fee imposed by this section is in place of the
15 percentage of all other general property taxes that fairly measures and represents
16 the extent of the use in generating, transmitting or distributing electric energy, and
17 the balance is subject to local assessment and taxation, except that the entire general
18 structure is subject to special assessments for local improvements.

19 ***-0544/3.3* SECTION 2243.** 76.81 of the statutes is amended to read:

20 **76.81 Imposition.** There is imposed a tax on the real property of, and the
21 tangible personal property of, every telephone company, excluding property that is
22 exempt from the property tax under s. 70.11 (39), motor vehicles that are exempt
23 under s. 70.112 (5), property that is used less than 50% in the operation of a telephone
24 company, as provided under s. 70.112 (4) (b), and treatment plant and pollution
25 abatement equipment that is exempt under s. 70.11 (21) (a). Except as provided in

1 s. 76.815, the rate for the tax imposed on each description of real property and on each
2 item of tangible personal property is the net rate for the prior year for the tax under
3 ch. 70 in the taxing jurisdictions where the description or item is located. The real
4 and tangible personal property of a telephone company shall be assessed as provided
5 under s. 70.112 (4) (b).

6 ***-2302/1.1*** SECTION 2244. 77.51 (20) of the statutes is amended to read:

7 77.51 (20) “Tangible personal property” means all tangible personal property
8 of every kind and description and includes electricity, natural gas, steam, and water,
9 and also leased property affixed to realty if the lessor has the right to remove the
10 property upon breach or termination of the lease agreement, unless the lessor of the
11 property is also the lessor of the realty to which the property is affixed. “Tangible
12 personal property” also includes coins and stamps of the United States sold or traded
13 as collectors’ items above their face value and computer programs except, including
14 custom computer programs.

15 ***-0540/1.1*** SECTION 2245. 77.52 (2) (a) 10. of the statutes is amended to read:

16 77.52 (2) (a) 10. Except for installing or applying tangible personal property
17 which, when installed or applied, will constitute an addition or capital improvement
18 of real property, the repair, service, alteration, fitting, cleaning, painting, coating,
19 towing, inspection and maintenance of all items of tangible personal property unless,
20 at the time of such repair, service, alteration, fitting, cleaning, painting, coating,
21 towing, inspection or maintenance, a sale in this state of the type of property
22 repaired, serviced, altered, fitted, cleaned, painted, coated, towed, inspected or
23 maintained would have been exempt to the customer from sales taxation under this
24 subchapter, other than the exempt sale of a motor vehicle or truck body to a
25 nonresident under s. 77.54 (5) (a) and other than nontaxable sales under s. 77.51

1 (14r). For purposes of this paragraph, the following items shall be deemed to have
2 retained their character as tangible personal property, regardless of the extent to
3 which any such item is fastened to, connected with or built into real property:
4 furnaces, boilers, stoves, ovens, including associated hoods and exhaust systems,
5 heaters, air conditioners, humidifiers, dehumidifiers, refrigerators, coolers, freezers,
6 water pumps, water heaters, water conditioners and softeners, clothes washers,
7 clothes dryers, dishwashers, garbage disposal units, radios and radio antennas,
8 incinerators, television receivers and antennas, record players, tape players,
9 jukeboxes, vacuum cleaners, furniture and furnishings, carpeting and rugs,
10 bathroom fixtures, sinks, awnings, blinds, gas and electric logs, heat lamps,
11 electronic dust collectors, grills and rotisseries, bar equipment, intercoms,
12 recreational, sporting, gymnasium and athletic goods and equipment including by
13 way of illustration but not of limitation bowling alleys, golf practice equipment, pool
14 tables, punching bags, ski tows and swimming pools; ~~office, restaurant and tavern~~
15 type equipment in offices, business facilities, schools, and hospitals but not in
16 residential facilities including personal residences, apartments, long-term care
17 facilities, as defined under s. 16.009 (1) (em), state institutions, as defined under s.
18 101.123 (1) (i), or similar facilities, including by way of illustration but not of
19 limitation lamps, chandeliers, and fans, venetian blinds, canvas awnings, office and
20 business machines, ice and milk dispensers, beverage-making equipment, vending
21 machines, soda fountains, steam warmers and tables, compressors, condensing units
22 and evaporative condensers, pneumatic conveying systems; laundry, dry cleaning,
23 and pressing machines, power tools, burglar alarm and fire alarm fixtures, electric
24 clocks and electric signs. "Service" does not include services performed by
25 veterinarians. The tax imposed under this subsection applies to the repair, service,

1 alteration, fitting, cleaning, painting, coating, towing, inspection, or maintenance of
2 items listed in this subdivision, regardless of whether the installation or application
3 of tangible personal property related to the items is an addition to or a capital
4 improvement of real property, except that the tax imposed under this subsection does
5 not apply to the original installation or the complete replacement of an item listed
6 in this subdivision, if such installation or replacement is a real property construction
7 activity under s. 77.51 (2).

8 *b0338/1.1* SECTION 2245d. 77.52 (2) (a) 10. of the statutes, as affected by
9 2001 Wisconsin Act (this act), is amended to read:

10 77.52 (2) (a) 10. The repair, service, alteration, fitting, cleaning, painting,
11 coating, towing, inspection and maintenance of all items of tangible personal
12 property unless, at the time of such repair, service, alteration, fitting, cleaning,
13 painting, coating, towing, inspection or maintenance, a sale in this state of the type
14 of property repaired, serviced, altered, fitted, cleaned, painted, coated, towed,
15 inspected or maintained would have been exempt to the customer from sales taxation
16 under this subchapter, other than the exempt sale of a motor vehicle or truck body
17 to a nonresident under s. 77.54 (5) (a) and other than nontaxable sales under s. 77.51
18 (14r). For purposes of this paragraph, the following items shall be deemed to have
19 retained their character as tangible personal property, regardless of the extent to
20 which any such item is fastened to, connected with or built into real property:
21 furnaces, boilers, stoves, ovens, including associated hoods and exhaust systems,
22 heaters, air conditioners, humidifiers, dehumidifiers, refrigerators, coolers, freezers,
23 water pumps, water heaters, water conditioners and softeners, clothes washers,
24 clothes dryers, dishwashers, garbage disposal units, radios and radio antennas,
25 incinerators, television receivers and antennas, record players, tape players,

1 jukeboxes, vacuum cleaners, furniture and furnishings, carpeting and rugs,
2 bathroom fixtures, sinks, awnings, blinds, gas and electric logs, heat lamps,
3 electronic dust collectors, grills and rotisseries, bar equipment, intercoms,
4 recreational, sporting, gymnasium and athletic goods and equipment including by
5 way of illustration but not of limitation bowling alleys, golf practice equipment, pool
6 tables, punching bags, ski tows and swimming pools; equipment in offices, business
7 facilities, schools and hospitals but not in residential facilities including personal
8 residences, apartments, long-term care facilities, as defined under s. 16.009 (1) (em),
9 state institutions, as defined under s. 101.123 (1) (i), Type 1 secured correctional
10 facilities, as defined in s. 938.02 (19), or similar facilities, including by way of
11 illustration but not of limitation lamps, chandeliers, and fans, venetian blinds,
12 canvas awnings, office and business machines, ice and milk dispensers,
13 beverage-making equipment, vending machines, soda fountains, steam warmers
14 and tables, compressors, condensing units and evaporative condensers, pneumatic
15 conveying systems; laundry, dry cleaning, and pressing machines, power tools,
16 burglar alarm and fire alarm fixtures, electric clocks and electric signs. “Service”
17 does not include services performed by veterinarians. The tax imposed under this
18 subsection applies to the repair, service, alteration, fitting, cleaning, painting,
19 coating, towing, inspection, or maintenance of items listed in this subdivision,
20 regardless of whether the installation or application of tangible personal property
21 related to the items is an addition to or a capital improvement of real property, except
22 that the tax imposed under this subsection does not apply to the original installation
23 or the complete replacement of an item listed in this subdivision, if such installation
24 or replacement is a real property construction activity under s. 77.51 (2).

25 *–1335/7.55* SECTION 2246. 77.54 (9a) (a) of the statutes is amended to read:

1 77.54 (9a) (a) This state or any agency thereof and, the University of Wisconsin
2 Hospitals and Clinics Authority, and the Fox River Navigational System Authority.

3 ***b0695/1.1* SECTION 2246m.** 77.54 (45) of the statutes is amended to read:

4 77.54 (45) The gross receipts from the sale of and the use or other consumption
5 of a onetime license or similar right to purchase admission to professional football
6 games at a football stadium, as defined in s. 229.821 (6), that is granted by a
7 municipality; a local professional football stadium district; or a professional football
8 team or related party, as defined in s. 229.821 (12); if the person who buys the license
9 or right is entitled, at the time the license or right is transferred to the person, to
10 purchase admission to at least 3 professional football games in this state during one
11 football season. ~~The exemption under this subsection does not apply to a license or~~
12 ~~right that is sold after December 31, 2003.~~

13 ***b0630/1.1* SECTION 2247m.** ^(b) 77.76 (3) of the statutes is amended to read:

14 77.76 (3) From the appropriation under s. 20.835 (4) (g) the department shall
15 distribute 98.25% of the county taxes reported for each enacting county, minus the
16 county portion of the retailers' discounts, to the county and shall indicate the taxes
17 reported by each taxpayer, no later than ~~the end of the 3rd month~~ 75 days following
18 the ~~end~~ last day of the calendar quarter in which such amounts were reported. In
19 this subsection, the "county portion of the retailers' discount" is the amount
20 determined by multiplying the total retailers' discount by a fraction the numerator
21 of which is the gross county sales and use taxes payable and the denominator of
22 which is the sum of the gross state and county sales and use taxes payable. The
23 county taxes distributed shall be increased or decreased to reflect subsequent
24 refunds, audit adjustments and all other adjustments of the county taxes previously
25 distributed. Interest paid on refunds of county sales and use taxes shall be paid from

1 the appropriation under s. 20.835 (4) (g) at the rate paid by this state under s. 77.60
2 (1) (a). The county may retain the amount it receives or it may distribute all or a
3 portion of the amount it receives to the towns, villages, cities and school districts in
4 the county. Any county receiving a report under this subsection is subject to the
5 duties of confidentiality to which the department of revenue is subject under s. 77.61
6 (5).

7 ***b0475/3.1* SECTION 2247d.** 77.82 (1) (a) 2. of the statutes is amended to read:

8 77.82 (1) (a) 2. At least 80% 65% of the parcel must be producing or capable of
9 producing a minimum of 20 cubic feet of merchantable timber per acre per year.

10 ***b0475/3.1* SECTION 2247h.** 77.82 (1) (b) 1. of the statutes is amended to read:

11 77.82 (1) (b) 1. A parcel of which more than 20% 35% consists of land that is
12 unsuitable for producing merchantable timber, including water, marsh, muskeg,
13 bog, rock outcrops, or sand dunes, farmland, roadway or railroad and utility
14 rights-of-way.

15 ***b0475/3.1* SECTION 2247p.** 77.82 (1) (b) 1g. of the statutes is created to read:

16 77.82 (1) (b) 1g. A parcel of which more than 20% consists of land that is
17 farmland, roadway, or a railroad or utility right-of-way or that is not capable of
18 producing merchantable timber because the production would affect the land's
19 natural resources including land that contains sensitive soil, as determined by the
20 department, endangered species as defined in s. 29.604 (2) (a), threatened species,
21 as defined in s. 29.604 (2) (b), or an archeological site, or land that lacks sound
22 forestry regeneration options, as determined by the department.

23 ***b0475/3.1* SECTION 2247t.** 77.82 (7) (a) 3. of the statutes is amended to read:

24 77.82 (7) (a) 3. That a stand of merchantable timber will be developed on at
25 least 80% 65% of the land within a reasonable period of time.

1 ***-0667/5.13* SECTION 2248.** 77.92 (4) of the statutes is amended to read:

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

17 ***-1446/1.1* SECTION 2249.** 77.94 (1) (b) of the statutes is amended to read:

18 77.94 (1) (b) On an entity under s. 77.93 (2) ~~or~~, (3), or (5), except an entity that
19 has less than \$4,000,000 of gross receipts, an amount equal to the amount calculated
20 by multiplying net business income as allocated or apportioned to this state by means
21 of the methods under s. 71.04, for the taxable year of the entity by 0.2 %, up to a
22 maximum of \$9,800, or \$25, whichever is greater.

23 ***-1446/1.2* SECTION 2250.** 77.94 (1) (c) of the statutes is repealed.

24 ***b0289/4.3* SECTION 2250m.** 77.994 (1) of the statutes is repealed and
25 recreated to read:

1 77.994 (1) Except as provided in sub. (2) and subject to sub. (3), a municipality
2 or a county all of which is included in a premier resort area under s. 66.1113 may, by
3 ordinance, impose a tax at a rate of 0.5% of the gross receipts from the sale, lease,
4 or rental in the municipality or county of goods or services that are taxable under
5 subch. III made by businesses that are classified in the North American Industry
6 Classification System, 1997 edition, published by the U.S. office of management and
7 budget, under the following industry numbers:

8 (a) 452990 — All other general merchandise stores.

9 (b) 445292 — Confectionery and nut stores.

10 (c) 445299 — All other specialty food stores.

11 (d) 311811 — Retail bakeries.

12 (e) 447100 — Gasoline stations.

13 (f) 722110 — Full-service restaurants.

14 (g) 722210 — Limited-service eating places.

15 (h) 722300 — Special food services.

16 (i) 722410 — Drinking places.

17 (j) 446110 — Pharmacies and drug stores.

18 (k) 445310 — Beer, wine, and liquor stores.

19 (L) 451110 — Sporting goods stores.

20 (m) 443130 — Camera and photographic supply stores.

21 (n) 453220 — Gift, novelty, and souvenir stores.

22 (o) 721110 — Hotels and motels.

23 (p) 721120 — Casino hotels.

24 (q) 721191 — Bed-and-breakfast inns.

25 (r) 721199 — All other traveler accommodations.

- 1 (s) 721214 — Recreational and vacation camps.
- 2 (t) 721211 — Recreational vehicle parks and campgrounds.
- 3 (u) 711212 — Racetracks.
- 4 (v) 713910 — Golf courses and country clubs.
- 5 (w) 713100 — Amusement parks and arcades.
- 6 (x) 713200 — Gambling industries.
- 7 (y) 713920 — Skiing facilities.
- 8 (z) 713990 — All other amusement and recreation industries.

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

10 77.994 (3) If a premier resort area has imposed a tax under this subchapter that
11 is based on the standard industrial classification manual, 1987 edition, published by
12 the U.S. office of management and budget, the tax imposed by the premier resort
13 area applies to the businesses specified under sub. (1).

14 ***-0320/5.4* SECTION 2251.** 77.996 (2) (intro.) of the statutes is amended to
15 read:

16 77.996 (2) (intro.) “Dry cleaning facility” means a facility that dry cleans
17 apparel or household fabrics for the general public using a dry cleaning product,
18 other than the following facilities:

19 ***-0320/5.5* SECTION 2252.** 77.996 (3) of the statutes is amended to read:

20 77.996 (3) “Dry cleaning solvent product” means a ~~chlorine-based or~~
21 ~~hydrocarbon-based formulation or product that is used as a primary cleaning agent~~
22 ~~in dry cleaning facilities~~ hazardous substance used to clean apparel or household
23 fabrics, except a hazardous substance used to launder apparel or household
24 products.

25 ***-0320/5.6* SECTION 2253.** 77.9962 of the statutes is amended to read:

1 **77.9962 Dry cleaning solvents products fee.** There is imposed on each
2 person who sells a dry cleaning solvent product to a dry cleaning facility a fee equal
3 to \$5 per gallon of perchloroethylene sold and 75 cents per gallon of ~~a~~
4 ~~hydrocarbon-based solvent~~ any dry cleaning product sold, other than
5 perchloroethylene. The fees for the previous 3 months are due on January 25, April
6 25, July 25, and October 25.

7 *~~0320/5.7~~* SECTION 2254. 77.9963 of the statutes is repealed.

8 *~~0832/5.12~~* SECTION 2255. 78.55 (1) of the statutes is amended to read:

9 78.55 (1) “Air carrier company” has the meaning given in s. ~~76.02(1)~~ 70.11 (42)

10 (a) 1.

11 *~~1321/2.6~~* SECTION 2282. 79.04 (1) (intro.) of the statutes is amended to read:

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

21 *~~1321/2.9~~* SECTION 2285. 79.04 (2) (a) of the statutes is amended to read:

22 79.04 (2) (a) Annually, the department of administration, upon certification by
23 the department of revenue, shall distribute from the shared revenue account to any
24 county having within its boundaries a production plant or a general structure,
25 including production plants and general structures under construction, used by a

1 light, heat or power company assessed under s. 76.28 (2) or 76.29 (2), except property
2 described in s. 66.0813 unless the production plant is owned or operated by a local
3 governmental unit that is located outside of the municipality in which the production
4 plant is located, or by an electric cooperative assessed under ss. 76.07 and 76.48,
5 respectively, or by a municipal electric company under s. 66.0825 an amount
6 determined by multiplying by 6 mills in the case of property in a town and by 3 mills
7 in the case of property in a city or village the first \$125,000,000 of the amount shown
8 in the account, plus leased property, of each public utility except qualified wholesale
9 electric companies, as defined in s. 76.28 (1) (gm), on December 31 of the preceding
10 year for either “production plant, exclusive of land” and “general structures”, or
11 “work in progress” for production plants and general structures under construction,
12 in the case of light, heat and power companies, electric cooperatives or municipal
13 electric companies, for all property within the municipality in accordance with the
14 system of accounts established by the public service commission or rural
15 electrification administration, less depreciation thereon as determined by the
16 department of revenue and less the value of treatment plant and pollution
17 abatement equipment, as defined under s. 70.11 (21) (a), as determined by the
18 department of revenue plus an amount from the shared revenue account determined
19 by multiplying by 6 mills in the case of property in a town, and 3 mills in the case of
20 property in a city or village, of the total original cost of production plant, general
21 structures and work-in-progress less depreciation, land and approved waste
22 treatment facilities of each qualified wholesale electric company, as defined in s.
23 76.28 (1) (gm), as reported to the department of revenue of all property within the
24 municipality. The total of amounts, as depreciated, from the accounts of all public
25 utilities for the same production plant is also limited to not more than \$125,000,000.

1 The amount distributable to a county in any year shall not exceed \$100 times the
2 population of the county.

3 *~~0923/4.2~~* SECTION 2292. 79.10 (6m) of the statutes is renumbered 79.10 (6m)
4 (a) and amended to read:

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

19 *~~0923/4.3~~* SECTION 2293. 79.10 (6m) (b) of the statutes is created to read:

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

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

13 *~~0923/4.4~~* SECTION 2294. 79.10 (6m) (c) of the statutes is created to read:

14 79.10 (6m) (c) If, after March 1 of the year of any distribution under sub. (5),
15 a municipality discovers an error in the notice that the municipality furnished under
16 sub. (1m) that resulted in an underpayment of that year's distribution to the
17 municipality, as determined under sub. (5), the municipality shall correct the error
18 and notify the department of revenue on a form that the department prescribes. If,
19 after March 1 of the year of any distribution under sub. (5), the department of
20 administration or the department of revenue discovers an error in the notice that the
21 municipality furnished under sub. (1m) that resulted in an underpayment of that
22 year's distribution to the municipality, as determined under sub. (5), the department
23 of administration or the department of revenue shall notify the municipality and the
24 municipality shall correct the error. The department of revenue may either pay the
25 amount of the underpayment to the municipality, from the appropriation under s.

1 20.835 (3) (q), or correct the underpayment as provided under par. (a). Payments
2 under this paragraph shall be without interest.

3 ***-0578/2.4* SECTION 2295.** 84.01 (31) of the statutes is created to read:

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

15 ***-0579/1.1* SECTION 2296.** 84.01 (32) of the statutes is created to read:

16 84.01 (32) CONFIDENTIALITY OF BIDDER INFORMATION. (a) The department may
17 not disclose to any person any information requested by the department for the
18 purpose of complying with 49 CFR 26, as that section existed on October 1, 1999, that
19 relates to an individual's statement of net worth, a statement of experience, or a
20 company's financial statement, including the gross receipts of a bidder.

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

- 23 1. The person to whom the information relates.
- 24 2. Any person who has the written consent of the person to whom the
25 information relates to receive such information.

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

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

4 84.01 (33) TRANSPORTATION FUNDING REPORT. By January 15, 2003, and
5 biennially thereafter, the department shall submit a report to the chief clerk of each
6 house of the legislature for distribution to the appropriate standing committee
7 dealing with transportation matters in each house of the legislature that shows
8 transportation revenues and the funding for transportation programs for at least 15
9 years preceding the report, including changes to funding levels following the
10 enactment of biennial budget bills and an explanation of major changes in the
11 funding levels for appropriations included in the most recent biennial budget act.

12 ***-1798/2.1* SECTION 2297.** 84.013 (2) (a) of the statutes is amended to read:

13 84.013 (2) (a) Subject to ~~s.~~ ss. 84.59 (1) and 86.255, major highway projects shall
14 be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and
15 20.866 (2) (ur) to (uu).

16 ***-2228/4.4* SECTION 2298.** 84.013 (2) (b) of the statutes is amended to read:

17 84.013 (2) (b) ~~Subject~~ Except as provided in ss. 84.014 and 84.03 (3) and subject
18 to s. 86.255, reconditioning, reconstruction and resurfacing of highways shall be
19 funded from the appropriations under s. 20.395 (3) (cq) to (cx).

20 ***-0081/1.1* SECTION 2299.** 84.013 (3) (a), (b), (c), (d), (e), (em), (f), (g), (h), (i),
21 (j), (k), (L), (m), (n), (o), (p), (q), (r), (s), (t), (tj), (u), (v), (vc), (vg), (vL), (vp), (vt), (vx),
22 (w), (wr), (x), (xf), (xo), (xs), (xw), (xy), (y), (yb), (yf), (yk), (yo), (ys), (yw), (yy) and (z)
23 of the statutes are repealed.

24 ***-1685/1.1* SECTION 2300.** 84.013 (3) (pe) of the statutes is created to read:

1 84.013 (3) (pe) STH 17 extending approximately 3.25 miles from the
2 intersection of STH 17 and Birchwood Drive to USH 8 approximately 0.16 miles east
3 of Germond Road, designated as the Rhinelander relocation, in Oneida County.

4 ***-1685/1.2* SECTION 2301.** 84.013 (3) (pm) of the statutes is created to read:

5 84.013 (3) (pm) STH 26 extending approximately 48 miles between I 90 in
6 Janesville and STH 60 north of Watertown in Rock, Jefferson, and Dodge counties.

7 ***-1685/1.3* SECTION 2302.** 84.013 (3) (ps) of the statutes is created to read:

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

11 ***b0507/2.1* SECTION 2302^c.** 84.013 (3m) (d) of the statutes is created to read:

12 84.013 (3m) (d) In constructing the major highway project specified under sub.
13 (3) (ac), the department shall construct USH 12, as designated on the effective date
14 of this paragraph [revisor inserts date], between Fern Dell Road and Old Highway
15 33 in Sauk County to 5 lanes, and the department may not require a matching fund
16 contribution from any city, village, town, or county for this construction.

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

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

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

22 84.013 (3m) (f) The major highway project specified under sub. (3) (ai) shall
23 include an interchange, with grade separation at each interchange ramp, at the
24 intersection of USH 141 and CTH "B" in Marinette County.

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

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

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

9 **84.014 Southeast Wisconsin freeway reconstruction; Marquette**
10 **interchange reconstruction project.** (1) In this section:

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

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

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

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

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

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

15 **(5)** The department may not take any of the following actions unless the action
16 is approved or modified and approved by the joint committee on finance under s.
17 13.101:

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

20 **(b)** Except as otherwise provided in this section and 2001 Wisconsin Act (this
21 act), section 9152 (5w), make any other adjustments to the appropriations under s.
22 20.395 **(3) (cr)**, **(cw)**, and **(cy)** or to the allocations for the Marquette interchange
23 reconstruction project.

24 **(6)** The department shall submit its proposed relocation assistance agreement
25 with Aldrich Chemical Company, Inc., in the city of Milwaukee that is associated

1 with the Marquette interchange reconstruction project to the joint committee on
2 finance. The proposed relocation assistance agreement shall include a designation
3 of the relative responsibilities of each party to the agreement with respect to
4 remediation of any environmental contamination on the property. If the
5 cochairpersons of the committee do not notify the department within 14 working
6 days after the date of the department's submission that the committee has scheduled
7 a meeting to review the proposed agreement, the department may enter into the
8 proposed agreement. If, within 14 working days after the date of the department's
9 submission, the cochairpersons of the committee notify the department that the
10 committee has scheduled a meeting to review the proposed agreement, the
11 department may enter into the proposed agreement only upon approval of the
12 committee.

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

18 *-0081/1.2* SECTION 2305. 84.02 (8) (d) of the statutes is repealed.

19 *b0501/2.1* SECTION 2305^a. 84.02 (15) of the statutes is created to read:

20 84.02 (15) TRAFFIC CONTROL SIGNAL EMERGENCY PREEMPTION DEVICES. (a) In this
21 subsection:

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

1 2. “Authorized emergency vehicle” has the meaning given in s. 340.01 (3) (a),
2 (c), (g), or (i).

3 3. “Confirmation signal” means a white signal, located on or near a traffic
4 control signal equipped with an emergency preemption device, that is designed to be
5 visible to the operator of an approaching authorized emergency vehicle and that
6 confirms to the operator that the emergency preemption device has received a
7 transmission from the operator.

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

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

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

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

20 1. Notify the political subdivision of the planned traffic control signal
21 installation.

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

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

4 (c) If any political subdivision requests under par. (b) 3. that the department
5 equip the traffic control signal with an emergency preemption device and
6 confirmation signal, and one or more political subdivisions contributes a total of 50%
7 of the additional cost specified under par. (b) 2., the department shall equip the traffic
8 control signal with an emergency preemption device and confirmation signal when
9 the department installs the traffic control signal.

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

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

24 (f) The department shall promulgate rules to implement and administer this
25 subsection. The rules shall include procedures and deadlines for the department's

1 notification of political subdivisions, and for political subdivisions' requests and
2 contributions to the department, under this subsection.

3 ***b0519/3.3* SECTION 2305g.** 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 ***b0506/3.1* SECTION 2305k.** 84.02 (17) of the statutes is created to read:

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

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

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

23 ***-1965/7.5* SECTION 2306.** 84.03 (3) of the statutes is created to read:

24 84.03 (3) WEST CANAL STREET RECONSTRUCTION PROJECT. (a) Subject to par. (b),
25 the department shall, from the appropriations under s. 20.395 (3) (cr) and (cy), award

1 a grant of \$5,000,000 from the amounts allocated for the Marquette interchange
2 reconstruction project under 2001 Wisconsin Act (this act), section 9152 (5w), and
3 shall award grants totaling \$5,000,000 from the appropriation under s. 20.395 (3)
4 (ck), to the city of Milwaukee for reconstruction of West Canal Street in the city of
5 Milwaukee to serve as a transportation corridor for the purpose of mitigating traffic
6 associated with the reconstruction of the Marquette interchange.

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

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

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

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

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

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

22 **84.1033 Leo Frigo Memorial Bridge.** Not later than June 30, 2003, the
23 department shall designate and mark the bridge on I 43 across the Fox River in the
24 city of Green Bay as the “Leo Frigo Memorial Bridge” in recognition and appreciation

1 of Leo Frigo, a civic and philanthropic leader in the Green Bay area whose legacy
2 includes one of the largest food pantry programs in the nation for feeding the hungry.

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

4 **84.1041 Gateway to the North Bridge.** Not later than June 30, 2003, the
5 department shall designate and mark the bridge on USH 45 across the south branch
6 of the Embarrass River in the village of Tigerton in Shawano County as the “Gateway
7 to the North” to serve as a welcome to visitors to the northern part of this state.

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

9 84.185 (6m) ADMINISTRATION. From the appropriations under s. 20.395 (2) (iq),
10 (iv), and (ix), upon the approval of the secretary under sub. (2), the department may
11 make improvements to or provide other assistance for the improvement of a
12 transportation facility under sub. (1) (d) 1. to 3. or provide other assistance for the
13 improvement of a transportation facility under sub. (1) (d) 4. or 5. The department
14 may not allocate more than 80% of the total funds appropriated under s. 20.395 (2)
15 (iq) and (iw) in fiscal year 2002–03, and in any fiscal year thereafter, for grants under
16 this section. The department may make loans from the appropriations under s.
17 20.395 (2) (iq) and (iw) for the improvement of a transportation facility. The state
18 share of costs for the improvement of a transportation facility, including any loans
19 made under this subsection for the improvement of the transportation facility, may
20 not exceed 50% of the cost of the improvement. The department shall give priority
21 to funding applications for which the applicant has indicated a willingness to accept
22 a loan made under this subsection for all or part of the state share of costs for the
23 improvement of the transportation facility.

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

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

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

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

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

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

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

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

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

3 *~~2228/4.6~~* SECTION 2309. 84.59 (1) of the statutes is amended to read:

4 84.59 (1) Transportation facilities under s. 84.01 (28) and major highway
5 projects as defined under s. 84.013 (1) (a) for the purposes under ss. 84.06 and 84.09
6 may be funded with the proceeds of revenue obligations issued subject to and in
7 accordance with subch. II of ch. 18, except that funding for major highway projects
8 with such proceeds may not exceed 55% of the total funds encumbered in any period
9 of 3 consecutive fiscal years, beginning with the 3-year period of 2002–03 to 2004–05,
10 for major highway projects.

11 *~~2228/4.7~~* SECTION 2310. 84.59 (6) of the statutes is amended to read:

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

25 *~~1813/4.12~~* SECTION 2311. 85.037 of the statutes is repealed.

1 ***-0082/2.1*** SECTION 2312. 85.107 (title) of the statutes is amended to read:
2 **85.107 (title) ~~Minority civil engineer scholarship~~ Scholarship and loan**
3 **repayment incentive grant program.**

4 ***-0082/2.2*** SECTION 2313. 85.107 (1) of the statutes is amended to read:
5 85.107 (1) PURPOSE. The ~~minority civil engineer~~ scholarship and loan
6 repayment incentive grant program is created to assist in improving the
7 representation of ~~minorities among employees of~~ targeted group members within job
8 classifications in which targeted group members are underutilized in the
9 department who are classified as civil engineers.

10 ***-0082/2.3*** SECTION 2314. 85.107 (2) of the statutes is repealed.

11 ***-0082/2.4*** SECTION 2315. 85.107 (2m) (intro.) of the statutes is created to
12 read:

13 85.107 (2m) DEFINITIONS. (intro.) In this section:

14 ***-0082/2.5*** SECTION 2316. 85.107 (2m) (am) of the statutes is created to read:
15 85.107 (2m) (am) “Person with a disability” means any person who has a
16 physical or mental disability that constitutes or results in a substantial barrier to
17 employment.

18 ***-0082/2.6*** SECTION 2317. 85.107 (2m) (b) of the statutes is created to read:
19 85.107 (2m) (b) “Targeted group member” means a person with disabilities, or
20 a person who belongs to a class of race, color, or sex, whose percent of the workforce
21 within any job classification in the department is less than that class’s percent of the
22 statewide labor market for such job activities.

23 ***-0082/2.7*** SECTION 2318. 85.107 (3) (a) (intro.) of the statutes is amended to
24 read:

1 85.107 (3) (a) (intro.) Award scholarships to ~~resident minority students~~
2 targeted group members who are enrolled ~~fulltime~~ full time and registered as
3 sophomores, juniors or seniors in a ~~civil engineering~~ bachelor of science degree
4 program offered by an accredited institution of higher education in this state.
5 Scholarships under this paragraph shall not exceed the following amounts:

6 *~~0082/2.8~~* SECTION 2319. 85.107 (3) (am) of the statutes is created to read:

7 85.107 (3) (am) Award scholarships of not more than \$2,000 each to any
8 targeted group member who is registered in his or her 2nd year of full-time
9 enrollment in an associate degree program, as defined in s. 38.01 (1), or vocational
10 diploma program, as defined in s. 38.01 (11), at a technical college in this state.

11 *~~0082/2.9~~* SECTION 2320. 85.107 (3) (b) 1. (intro.) of the statutes is amended
12 to read:

13 85.107 (3) (b) 1. (intro.) Make loan repayment grants to ~~minority civil engineers~~
14 targeted group members who are employed by the department and have education
15 loans outstanding. Subject to subd. 2., loan repayment grants under this subdivision
16 shall not exceed the following amounts:

17 *~~1857/5.111~~* SECTION 2321. 85.12 (3) of the statutes is amended to read:

18 85.12 (3) The department may contract with any local governmental unit, as
19 defined in s. ~~16.97~~ 22.01 (7), to provide that local governmental unit with services
20 under this section.

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

22 85.12 (4) Beginning with fiscal year 2001–02, if the department of
23 transportation provides radio services under this section to the department of
24 natural resources in any fiscal year, the department of natural resources shall make

1 quarterly payments from the appropriation under s. 20.370 (8) (mu) of \$111,450 to
2 the department of transportation.

3 ***-2161/1.1* SECTION 2323.** 85.20 (4m) (a) 6. a. and b. of the statutes are
4 repealed.

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

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

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

1 85.20 (4m) (a) 6. d. ~~Beginning with aid payable for calendar year 2000~~ For aid
2 payable for calendar years 2000 and 2001, from the appropriation under s. 20.395
3 (1) (hu), the department shall pay \$14,297,600 to the eligible applicant that pays the
4 local contribution required under par. (b) 1. for an urban mass transit system that
5 has annual operating expenses in excess of \$20,000,000 but less than \$80,000,000.
6 For aid payable for calendar year 2002, from the appropriation under s. 20.395 (1)
7 (hu), the department shall pay \$14,869,500 to the eligible applicant that pays the
8 local contribution required under par. (b) 1. for an urban mass transit system that
9 has annual operating expenses in excess of \$20,000,000 but less than \$80,000,000.
10 Beginning with aid payable for calendar year 2003 and for each calendar year
11 thereafter, from the appropriation under s. 20.395 (1) (hu), the department shall pay
12 \$15,166,900 to the eligible applicant that pays the local contribution required under
13 par. (b) 1. for an urban mass transit system that has annual operating expenses in
14 excess of \$20,000,000 but less than \$80,000,000. If the eligible applicant that
15 receives aid under this subd. 6. d. is served by more than one urban mass transit
16 system, the eligible applicant may allocate the aid between the urban mass transit
17 systems in any manner the eligible applicant considers desirable.

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

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

1 year 2002 and for each calendar year thereafter, the uniform percentage for each
2 eligible applicant served by an urban mass transit system operating within an
3 urbanized area having a population as shown in the 2000 federal decennial census
4 of at least 50,000 or receiving federal mass transit aid for such area, and not specified
5 in subd. 6.

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

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

14 85.20 (4m) (a) 8. a. From the appropriation under s. 20.395 (1) (hs), for aid
15 payable for calendar year 2001, the uniform percentage for each eligible applicant
16 served by an urban mass transit system operating within an area having a
17 population as shown in the 1990 federal decennial census of less than 50,000 or
18 receiving federal mass transit aid for such area. From the appropriation under s.
19 20.395 (1) (hs), beginning with aid payable for calendar year 2002 and for each
20 calendar year thereafter, the uniform percentage for each eligible applicant served
21 by an urban mass transit system operating within an area having a population as
22 shown in the 2000 federal decennial census of less than 50,000 or receiving federal
23 mass transit aid for such area.

24 b. For the purpose of making allocations under subd. 8. a., the amounts for aids
25 are ~~\$4,975,900 in calendar year 1999 and \$5,349,100 in calendar year 2000 and years~~

1 2000 and 2001, \$5,563,100 in calendar year 2002, and \$5,674,400 in calendar year
2 2003 and in each calendar year thereafter. These amounts, to the extent practicable,
3 shall be used to determine the uniform percentage in the particular calendar year.

4 ***-0284/2.5*** SECTION 2331. 85.24 (title) of the statutes is repealed and
5 recreated to read:

6 **85.24 (title) Transportation employment and mobility program.**

7 ***-0284/2.6*** SECTION 2332. 85.24 (1) of the statutes is amended to read:

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

17 ***-0284/2.7*** SECTION 2333. 85.24 (2) (ag) of the statutes is created to read:

18 85.24 (2) (ag) “Job access and employment transportation assistance” means
19 policies and programs that are directed at resolving the transportation needs of
20 low-income workers and recipients of public assistance with respect to
21 transportation to-and-from jobs, including welfare-to-work programs, and
22 activities related to their employment.

23 ***-0284/2.8*** SECTION 2334. 85.24 (2) (br) of the statutes is created to read:

1 85.24 (2) (br) “Transportation employment and mobility” means policies and
2 programs that encompass demand management, ride sharing, and job access and
3 employment transportation assistance.

4 *~~0284/2.9~~* SECTION 2335. 85.24 (3) (a) of the statutes is amended to read:

5 85.24 (3) (a) The department of transportation shall be the lead state agency
6 in demand management and ride-sharing activities and shall collaborate with the
7 department of workforce development in job access and employment transportation
8 assistance programs. The department of transportation shall have all powers
9 necessary to develop and implement a state ~~demand management and ride-sharing~~
10 ~~assistance program which shall include~~ transportation employment and mobility
11 program that includes the coordination of demand management ~~and,~~ ride-sharing,
12 and job access and employment transportation assistance activities in this state; the
13 promotion and marketing of demand management ~~and,~~ ride-sharing, and job access
14 and employment transportation assistance activities; the dissemination of technical
15 information; the provision of technical and financial assistance to public and private
16 organizations for the planning, development, and implementation of demand
17 management ~~and,~~ ride-sharing, and job access and employment transportation
18 assistance programs; and the development and distribution of computer and
19 manual ride-matching systems.

20 *~~0284/2.10~~* SECTION 2336. 85.24 (3) (c) of the statutes is amended to read:

21 85.24 (3) (c) The department may administer a program for the distribution of
22 any federal funds for ride sharing ~~and,~~ demand management, and job access and
23 employment transportation assistance that are made available to the state.

24 *~~0284/2.11~~* SECTION 2337. 85.24 (3) (d) (intro.) of the statutes is amended to
25 read:

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

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

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

23 ***-0758/2.1* SECTION 2338.** 85.51 (title) of the statutes is amended to read:

24 **85.51 (title) State traffic patrol services; special events fee.**

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

3 85.51 (1) (a) The Except as provided in par. (b), the department may charge the
4 an event sponsor, as defined by rule, a fee, in an amount calculated under a uniform
5 method established by rule, for security and traffic enforcement services provided by
6 the state traffic patrol at any public event for which an admission fee is charged for
7 spectators if the event is organized by a private organization. The department may
8 not impose a fee for such services except as provided in this section paragraph.

9 **(3) USE OF FEES.** All moneys received under this subsection section shall be
10 deposited in the general fund and credited to the appropriation account under s.
11 20.395 (5) (dg).

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

13 85.51 (1) (title) SPECIAL EVENTS FEE.

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

15 85.51 (1) (b) Paragraph (a) does not apply to farm progress days subject to s.
16 85.511.

17 ***-0758/2.3* SECTION 2340.** 85.51 (2) of the statutes is created to read:

18 85.51 (2) SECURITY AND TRAFFIC ENFORCEMENT SERVICES FEE. The department
19 may charge any person a fee, in an amount calculated under a uniform method
20 established by rule, for security and traffic enforcement services provided by the
21 state traffic patrol during that person's installation, inspection, removal, relocation,
22 or repair of a utility facility, as defined in s. 30.40 (19), located on a highway, as
23 defined in s. 340.01 (22), if that person requests such services in writing.

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

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

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

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

8 **85.517 Database redesign; division of motor vehicles.** By January 2,
9 2002, and biennially by January 2 thereafter, the department shall submit to the
10 joint committee on finance, and to the appropriate standing committees of the
11 legislature under s. 13.172 (3), a report on the progress of the division of motor
12 vehicles database redesign. The report shall include all of the following:

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

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

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

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

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

2 **85.56 Joint committee on finance review of transportation safety**
3 **contracts.** The department may not enter into any contract relating to alcohol or
4 traffic enforcement activities to be funded in whole or in part with federal
5 transportation safety funds unless the department first notifies the joint committee
6 on finance in writing of the proposed contract. If the cochairpersons of the committee
7 do not notify the department within 14 working days after the date of the
8 department's notification that the committee has scheduled a meeting to review the
9 proposed contract, the department may enter into the proposed contract. If, within
10 14 working days after the date of the department's notification, the chairpersons of
11 the committee notify the department that the committee has scheduled a meeting to
12 review the proposed contract, the department may enter into the proposed contract
13 only upon approval of the committee.

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

15 **86.193 Agricultural tourism signs.** The department shall develop and
16 implement a plan, consistent with federal and state laws, to promote and maximize
17 the erection of agricultural tourism signs on highways in this state to identify and
18 provide directional information to any agricultural tourism facility located in this
19 state. In developing and implementing the plan under this section, the department
20 shall consult with the department of agriculture, trade and consumer protection.

21 ***-2162/1.1* SECTION 2341.** 86.30 (2) (a) 3. (intro.) of the statutes is renumbered
22 86.30 (2) (a) 3. and amended to read:

23 **86.30 (2) (a) 3.** For each mile of road or street under the jurisdiction of a
24 municipality as determined under s. 86.302, the mileage aid payment shall be an

1 amount equal to the following: \$1,704 in calendar year 2001, \$1,755 in calendar year
2 2002, and \$1,790 in calendar year 2003 and thereafter.

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

4 ***-2162/1.3* SECTION 2343.** 86.30 (2) (a) 3. h. of the statutes is repealed.

5 ***-2162/1.4* SECTION 2344.** 86.30 (9) (b) of the statutes is amended to read:

6 86.30 (9) (b) For the purpose of calculating and distributing aids under sub. (2),
7 the amounts for aids to counties are ~~\$78,744,300 in calendar years 1998 and 1999,~~
8 ~~and \$84,059,500 in calendar year years 2000 and 2001,~~ \$86,581,300 in calendar year
9 2002, and \$88,312,900 in calendar year 2003 and thereafter. These amounts, to the
10 extent practicable, shall be used to determine the statewide county average
11 cost-sharing percentage in the particular calendar year.

12 ***-2162/1.5* SECTION 2345.** 86.30 (9) (c) of the statutes is amended to read:

13 86.30 (9) (c) For the purpose of calculating and distributing aids under sub. (2),
14 the amounts for aids to municipalities are ~~\$247,739,100 in calendar years 1998 and~~
15 ~~1999, and \$264,461,500 in calendar year years 2000 and 2001,~~ \$272,395,300 in
16 calendar year 2002, and \$277,843,200 in calendar year 2003 and thereafter. These
17 amounts, to the extent practicable, shall be used to determine the statewide
18 municipal average cost-sharing percentage in the particular calendar year.

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

20 86.31 (2) (f) With respect to town road improvements, the department shall
21 give priority to town road improvements under subs. (3) and (3m) that fund
22 improvements of town roads that have been damaged as a result of heavy motor truck
23 loads.

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

1 **86.31 (3g) COUNTY TRUNK HIGHWAY IMPROVEMENTS.** From the appropriation
2 under s. 20.395 (2) (fr), the department shall allocate ~~\$5,000,000~~ \$5,250,000 in each
3 fiscal year, beginning in fiscal year 2001-02, to fund county trunk highway
4 improvements with eligible costs totaling more than \$250,000. The funding of
5 improvements under this subsection is in addition to the allocation of funds for
6 entitlements under sub. (3).

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

8 **86.31 (3m) TOWN ROAD IMPROVEMENTS.** From the appropriation under s. 20.395
9 (2) (fr), the department shall allocate ~~\$2,000,000 in fiscal year 1999-2000 and~~
10 ~~\$500,000 in each following fiscal year~~ \$750,000 in each fiscal year, beginning in fiscal
11 year 2001-02, to fund town road improvements with eligible costs totaling \$100,000
12 or more. The funding of improvements under this subsection is in addition to the
13 allocation of funds for entitlements under sub. (3).

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

15 **86.31 (3r) MUNICIPAL STREET IMPROVEMENTS.** From the appropriation under s.
16 20.395 (2) (fr), the department shall allocate ~~\$1,250,000 in fiscal year 1999-2000,~~
17 ~~and \$750,000 in each fiscal year thereafter~~ \$1,000,000 in each fiscal year, beginning
18 in fiscal year 2001-02, to fund municipal street improvement projects having total
19 estimated costs of \$250,000 or more. The funding of improvements under this
20 subsection is in addition to the allocation of funds for entitlements under sub. (3).

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

22 **88.15 (2m)** The department of agriculture, trade and consumer protection shall
23 create and maintain a secure Internet site on which drainage districts may post
24 engineering projects in order to obtain bids electronically for engineering services.

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

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

5 92.14 (3) BASIC ALLOCATIONS TO COUNTIES. (intro.) To help counties fund their
6 land and water conservation activities, the department shall award an annual grant
7 from the appropriation under s. 20.115 (7) (c) ~~or (qd)~~ or under s. 20.866 (2) (we) to any
8 county land conservation committee that has a land and water resource
9 management plan approved by the department under s. 92.10 (4) (d), and that, by
10 county board action, has resolved to provide any matching funds required under sub.
11 (5g). The county may use the grant for land and water resource management
12 planning and for any of the following purposes, consistent with the approved land
13 and water resource management plan:

14 ***b0297/5.9*** SECTION 2380g. 92.14 (5g) of the statutes is renumbered 92.14
15 (5g) (a) and amended to read:

16 92.14 (5g) (a) ~~If Except as provided in par. (b),~~ if a grant under sub. (3) provides
17 funding for salary and fringe benefits for more than one county staff person, a county
18 shall provide matching funds, as determined by the department, equal to at least
19 30% of the cost of salary and fringe benefits for the 2nd staff person and at least 50%
20 of the cost of salary and fringe benefits for any additional staff persons for whom the
21 grant provides funding.

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

23 92.14 (5g) (b) For a grant awarded for a year before 2010, the department shall
24 require a county to provide matching funds for priority watershed project staff equal
25 to not less than 10% nor more than 30% of the staff funding that was provided to the

1 county for 1997 for a priority watershed that was designated before July 1, 1998.
2 This paragraph does not apply to matching funds for priority watershed project staff
3 after the termination date that was in effect on October 6, 1998, for the priority
4 watershed project.

5 ***-0397/2.2* SECTION 2383.** 93.06 (12) of the statutes is created to read:

6 93.06 (12) FEDERAL AGRICULTURAL POLICY REFORM. From the appropriation
7 under s. 20.115 (3) (a), provide at least \$50,000 in each fiscal year to organizations
8 to seek the reform of federal agricultural policy for the benefit of agricultural
9 producers in this state. This subsection does not apply after June 30, 2005.

10 ***-0404/3.1* SECTION 2390.** 93.23 (1) (h) of the statutes is repealed.

11 ***-0394/3.18* SECTION 2392.** 93.47 (2) of the statutes is amended to read:

12 93.47 (2) The department may award grants from the appropriation accounts
13 under s. 20.115 (4) (c) and (i) (8) (g) to individuals or organizations to fund
14 demonstration projects designed to encourage the use of sustainable agriculture.
15 The department shall promulgate rules to govern the sustainable agriculture grant
16 program under this section.

17 ***-0403/1.3* SECTION 2393.** 93.48 of the statutes is repealed.

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

19 **94.715 Pest management for schools. (1) DEFINITIONS.** In this section:

20 (a) "Active ingredient" has the meaning given in s. 94.67 (1).

21 (b) "Federal act" has the meaning given in s. 94.67 (13).

22 (c) "Inert ingredient" has the meaning given in s. 94.67 (16).

23 (cm) "Integrated pest management" means a comprehensive strategy of pest
24 control with the main objective of achieving desired levels of pest control in an
25 environmentally responsible manner to reduce or eliminate reliance on pesticides by

1 using a combination of nonchemical pest controls, which may include monitoring,
2 increased sanitation, physical barriers, and the use of natural pest enemies, to
3 address conditions that support pests and judiciously using lowest risk pesticides
4 when necessary after all other methods have failed.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 7. For an outdoor application, a description of the weather conditions at the
13 time of the application.

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

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

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

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

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

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

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

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

5 (4) PEST MANAGEMENT PLAN. A school board shall design its pest management
6 plan required under sub. (2) (b) to prevent unacceptable levels of pest activity and
7 damage while minimizing hazards to persons, property, and the environment. In the
8 plan required under sub. (2) (b), a school board shall specify the pest management
9 practices that will be used by the school district and shall include all of the following:

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

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

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

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

20 (6) EXEMPTION FROM ADVANCE NOTICE REQUIREMENT. A school board is not
21 required to provide advance notice of a pesticide application if the school district
22 administrator, as defined in s. 115.001 (8), or the school principal declares that a pest
23 emergency exists. If a pesticide is applied in a school or on school grounds without
24 advance notice, the school board shall provide written notification of the name of the
25 pesticide that was applied, the time and location of the application, the potential

1 health effects of exposure to the pesticide, as indicated on its label, and the name and
2 telephone number of a person at the school who can be called for more information
3 or to report health effects from exposure, to all of the persons identified in sub. (2)
4 (f) 1. to 3., as soon as possible after the application. The school board shall provide
5 the notice in a font size no smaller than that routinely used for other notices to
6 parents.

7 **(6m) EXEMPTION FROM REPORTING REQUIREMENT.** A school district is not required
8 to provide quarterly reports to the department under sub. (2) (i) if the school district
9 does not use pesticides and notifies the department that it does not use pesticides.
10 A school district shall begin to make the quarterly reports if it begins to use
11 pesticides.

12 **(7) ASSISTANCE AND COOPERATION.** The department shall provide assistance to
13 school districts in complying with subs. (2) to (4). The department shall consult with
14 the department of health and family services and the department of public
15 instruction concerning school pest management issues. The department and the
16 board of regents of the University of Wisconsin System shall enter into a
17 memorandum of understanding concerning school pest management and the
18 provision of training by the University of Wisconsin–Extension to ensure cooperation
19 between the department and the University of Wisconsin–Extension and to avoid
20 duplication of activities. The University of Wisconsin–Extension and the cooperative
21 educational service agencies shall cooperate in providing the training under s. 36.25
22 (43).

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

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

5 *~~0401/1.8~~* SECTION 2398. 95.15 of the statutes is repealed.

6 *~~0399/1.2~~* SECTION 2399. 95.60 (8) of the statutes is created to read:

7 95.60 (8) The department may provide training to veterinarians and other
8 persons who issue fish health certificates for the purposes of this section. The
9 department may charge fees to recover the cost of providing the training.

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

11 **97.60 Food advisory council.** The food advisory council shall meet at least
12 quarterly and shall advise the department concerning issues related to providing a
13 safe and wholesome food supply in this state, including all of the following:

- 14 (1) Food recalls.
- 15 (2) Rules that apply to retail food establishments and food processing plants.
- 16 (3) Food safety concerns and communications.
- 17 (4) Training.
- 18 (5) Partnerships between the department and the food industry.
- 19 (6) Enforcement and inspection.
- 20 (7) Other issues related to the food industry.

21 *~~2007/2.3~~* SECTION 2408. 100.20 (2) (b) of the statutes is amended to read:

22 100.20 (2) (b) Notwithstanding par. (a), the department may not issue any
23 order or promulgate any rule that regulates the provision of water or sewer service
24 by a ~~mobile~~ manufactured home park operator, as defined in s. 196.01 (3t) 101.91 (8),
25 or ~~mobile~~ manufactured home park contractor, as defined in s. 196.01 (3q) 101.91

1 (6m), or enforce any rule to the extent that the rule regulates the provision of such
2 water or sewer service.

3 *~~0454/3.2~~* SECTION 2422. 100.261 (title) of the statutes is amended to read:

4 100.261 (title) **Consumer information protection assessment.**

5 *~~0454/3.3~~* SECTION 2423. 100.261 (1) of the statutes is amended to read:

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

14 *~~0454/3.4~~* SECTION 2424. 100.261 (2) of the statutes is amended to read:

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

21 *~~0454/3.5~~* SECTION 2425. 100.261 (3) (a) of the statutes is amended to read:

22 100.261 (3) (a) The clerk of court shall collect and transmit the consumer
23 information protection assessment amounts to the county treasurer under s. 59.40
24 (2) (m). The county treasurer shall then make payment to the state treasurer under
25 s. 59.25 (3) (f) 2.

1 ***-0454/3.6* SECTION 2426.** 100.261 (3) (b) 1. of the statutes is renumbered
2 100.261 (3) (b) and amended to read:

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

6 ***-0454/3.7* SECTION 2427.** 100.261 (3) (b) 2. of the statutes is renumbered
7 100.261 (3) (c) and amended to read:

8 100.261 (3) (c) The amount credited to the appropriation account under s.
9 20.115 (1) (jb) may not exceed ~~\$85,000~~ \$185,000 in each fiscal year.

10 ***-1335/7.56* SECTION 2434.** 100.45 (1) (dm) of the statutes is amended to read:

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

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 combustible 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.**

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

1 physician. Subject to this subdivision and sub. (3) (b), a person in charge or his or
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 ***b0211/1.1* SECTION 2464f.** 101.143 (1) (e) 3. of the statutes is created to read:

24 101.143 (1) (e) 3. A person who formerly owned a farm tank and who satisfies
25 the criteria in sub. (4) (ei) 1m. b.

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

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

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

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

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

15 ***-0662/3.1* SECTION 2469.** 101.143 (4) (a) 6. of the statutes is amended to read:

16 101.143 (4) (a) 6. In any fiscal year, the department may not award more than
17 5% of the amount appropriated under s. 20.143 (3) (v) as awards for petroleum
18 product storage systems described in par. (ei) 1.

19 ***-1815/7.6* SECTION 2470.** 101.143 (4) (b) (intro.) of the statutes is amended
20 to read:

21 101.143 (4) (b) *Eligible costs.* (intro.) Except as provided in par. (c) or (cc),
22 eligible costs for an award under par. (a) include actual costs or, if the department
23 establishes a usual and customary cost under par. (cm) for an item, usual and
24 customary costs for the following items:

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

3 101.143 (4) (c) 8. Interest costs incurred by an applicant that exceed interest
4 at the following rate: ~~a. If the applicant has gross revenues of not more than~~
5 ~~\$25,000,000 in the most recent tax year before the applicant submits a claim, 1%~~
6 under the prime rate.

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

8 ***-1815/7.7* SECTION 2471.** 101.143 (4) (cc) of the statutes is created to read:

9 101.143 (4) (cc) *Ineligibility for interest reimbursement.* 1. a. Except as
10 provided in subd. 1m. or 2., if an applicant's final claim is submitted more than 120
11 days after receiving written notification that no further remedial action is necessary
12 with respect to the discharge, interest costs incurred by the applicant after the 60th
13 day after receiving that notification are not eligible costs.

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

20 1m. If an applicant received written notification that no further remedial
21 action is necessary with respect to a discharge before the effective date of this
22 subdivision [revisor inserts date], and the applicant's final claim is submitted
23 more than 120 days after the effective date of this subdivision [revisor inserts
24 date], interest costs incurred by the applicant after the 120th day after the effective
25 date of this subdivision [revisor inserts date], are not eligible costs.

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

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

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

9 ***-0662/3.2* SECTION 2472.** 101.143 (4) (d) 2. c. of the statutes is amended to
10 read:

11 101.143 (4) (d) 2. c. For an owner or operator of a petroleum product storage
12 system described in par. (ei) ~~1~~, \$100,000.

13 ***-0662/3.3* SECTION 2473.** 101.143 (4) (dm) 2. c. of the statutes is amended to
14 read:

15 101.143 (4) (dm) 2. c. For the owner or operator of a petroleum product storage
16 system that is described in par. (ei) ~~1~~, \$2,500 plus 5% of eligible costs per occurrence.

17 ***-0662/3.4* SECTION 2474.** 101.143 (4) (dm) 3. c. of the statutes is amended to
18 read:

19 101.143 (4) (dm) 3. c. For an owner or operator of a petroleum product storage
20 system described in par. (ei) ~~1~~, \$100,000.

21 ***-0662/3.5* SECTION 2475.** 101.143 (4) (e) 2. of the statutes is amended to read:

22 101.143 (4) (c) 2. The department shall issue the award under this paragraph
23 without regard to fault in an amount equal to the amount of the eligible costs that
24 exceeds a deductible amount of \$10,000, except that the deductible amount for a
25 petroleum product storage system that is owned by a school district or a technical

1 college district and that is used for storing heating oil for consumptive use on the
2 premises where stored is 25% of eligible costs and except that the deductible for a
3 petroleum product storage system that is described in par. (ei) 1. is \$2,500 plus 5%
4 of the eligible costs, but not more than \$7,500 per occurrence without regard to when
5 the eligible costs are incurred.

6 ***-0662/3.6*** SECTION 2476. 101.143 (4) (e) 2m. of the statutes is amended to
7 read:

8 101.143 (4) (e) 2m. An award issued under this paragraph may not exceed
9 \$190,000 for each occurrence, except that an award under this paragraph to the
10 owner or operator of a petroleum product storage system described in par. (ei) 1. may
11 not exceed \$100,000 per occurrence.

12 ***-0662/3.7*** SECTION 2477. 101.143 (4) (ei) 1. (intro.) of the statutes is
13 renumbered 101.143 (4) (ei) (intro.).

14 ***-0662/3.8*** SECTION 2478. 101.143 (4) (ei) 1. a. of the statutes is renumbered
15 101.143 (4) (ei) 1m. a. and amended to read:

16 101.143 (4) (ei) 1m. a. The owner or operator of the farm tank owns a parcel
17 of 35 or more acres of contiguous land, on which the farm tank is located, which is
18 devoted primarily to agricultural use, as defined in s. 91.01 (1), including land
19 designated by the department of natural resources as part of the ice age trail under
20 s. 23.17, which during the year preceding submission of a first claim under sub. (3)
21 produced gross farm profits, as defined in s. 71.58 (4), of not less than \$6,000 or
22 which, during the 3 years preceding that submission produced gross farm profits, as
23 defined in s. 71.58 (4), of not less than \$18,000, or a parcel of 35 or more acres, on
24 which the farm tank is located, of which at least 35 acres, during part or all of the