

1 ***b1519/2.187*** “SECTION 2206d. 73.0301 (1) (e) of the statutes is amended to
2 read:

3 73.0301 (1) (e) “Licensing department” means the department of
4 administration; the board of commissioners of public lands; the department of
5 commerce; the ethics board; the department of financial institutions; the department
6 of health and family services; the department of ~~natural resources~~ fish, wildlife,
7 parks, and forestry; the department of environmental management; the department
8 of public instruction; the department of regulation and licensing; the department of
9 workforce development; the office of the commissioner of insurance; or the
10 department of transportation.”.

11 ***b1855/2.11* 1263.** Page 836, line 24: after that line insert:

12 ***b1855/2.11*** “SECTION 2205n. 73.03 (57) of the statutes is created to read:

13 73.03 (57) (1y) To work with the department of natural resources and with the
14 Gathering Waters Conservancy to prepare a report, no later than the first day of the
15 60th month beginning after the effective date of this subsection [revisor inserts
16 date], on the effectiveness of the conservation land, conservation easement tax credit
17 under ss. 71.07 (5s), 71.28 (5), and 71.47 (5s), and to submit the report to the speaker
18 of the assembly and the president of the senate under s. 13.172 (3). The report shall
19 also recommend modifications of the tax credit to encourage conservation
20 donations.”.

21 ***b1576/3.4* 1264.** Page 838, line 16: after that line insert:

22 ***b1576/3.4*** “SECTION 2222. 74.35 (3) (c) of the statutes is amended to read:

23 74.35 (3) (c) If the governing body of the taxation district determines that an
24 unlawful tax has been paid and that the claim for recovery of the unlawful tax has

1 complied with all legal requirements, the governing body shall allow the claim. The
2 Except as provided in par. (cm), the taxation district treasurer shall pay the claim
3 not later than 90 days after the claim is allowed.

4 ***b1576/3.4* SECTION 2223.** 74.35 (3) (cm) of the statutes is created to read:

5 74.35 (3) (cm) A municipality may pay a refund under par. (c) of the taxes on
6 property that is assessed under s. 70.995 in 5 annual installments, each of which
7 except the last is equal to at least 20% of the sum of the refund and the interest on
8 the refund, beginning in the year of the determination under par. (c), if all of the
9 following conditions exist:

10 1. The municipality's property tax levy for its general operations for the year
11 for which the taxes to be refunded are due is less than \$100,000,000.

12 2. The refund is at least 0.0025% of the municipality's levy for its general
13 operations for the year for which the taxes to be refunded are due.

14 3. The refund is more than \$10,000.

15 ***b1576/3.4* SECTION 2223d.** 74.35 (4) of the statutes is amended to read:

16 74.35 (4) INTEREST. The amount of a claim filed under sub. (2) or an action
17 commenced under sub. (3) may include interest computed from the date of filing the
18 claim against the taxation district, at the rate of 0.8% per month, except as provided
19 under s. 70.511 (2) (b).

20 ***b1576/3.4* SECTION 2224.** 74.37 (3) (c) of the statutes is amended to read:

21 74.37 (3) (c) If the governing body of the taxation district or county that has a
22 county assessor system determines that a tax has been paid which was based on an
23 excessive assessment, and that the claim for an excessive assessment has complied
24 with all legal requirements, the governing body shall allow the claim. The Except

1 as provided in par. (cm), the taxation district or county treasurer shall pay the claim
2 not later than 90 days after the claim is allowed.

3 *b1576/3.4* SECTION 2225. 74.37 (3) (cm) of the statutes is created to read:

4 74.37 (3) (cm) A municipality may pay a refund under par. (c) of the taxes on
5 property that is assessed under s. 70.995 in 5 annual installments, each of which
6 except the last is equal to at least 20% of the sum of the refund and the interest on
7 the refund, beginning in the year of the determination under par. (c), if all of the
8 following conditions exist:

9 1. The municipality's property tax levy for its general operations for the year
10 for which the taxes to be refunded are due is less than \$100,000,000.

11 2. The refund is at least 0.0025% of the municipality's levy for its general
12 operations for the year for which the taxes to be refunded are due.

13 3. The refund is more than \$10,000.

14 *b1576/3.4* SECTION 2225g. 74.37 (5) of the statutes is amended to read:

15 74.37 (5) INTEREST. The amount of a claim filed under sub. (2) or an action
16 commenced under sub. (3) may include interest computed from the date of filing the
17 claim against the taxation district, at the rate of 0.8% per month, except as provided
18 under s. 70.511 (2) (b).”.

19 *b1519/2.188* 1265. Page 838, line 18: after that line insert:

20 *b1519/2.188* “SECTION 2227p. 75.105 (1) (a) of the statutes is amended to
21 read:

22 75.105 (1) (a) “Department” means the department of ~~natural resources~~
23 environmental management.

24 *b1519/2.188* SECTION 2227t. 75.106 (1) (b) of the statutes is amended to read:

1 75.106 (1) (b) “Department” means the department of ~~natural resources~~
2 environmental management.”.

3 ***b1279/1.1* 1266.** Page 838, line 25: after that line insert:

4 ***b1279/1.1* SECTION 2231m.** 76.02 (6m) of the statutes is created to read:

5 76.02 (6m) “Repair facility” means property on which a roundhouse, a repair
6 shop, and a turntable are located and at which railcars and locomotives are built,
7 maintained, and repaired.

8 ***b1279/1.1* SECTION 2232d.** 76.16 of the statutes is amended to read:

9 **76.16 Separate valuation of repair facilities, docks, piers, wharves, ore**
10 **yards, elevators, car ferries and pipeline terminal facilities.** After the
11 property of a company is first valued as a whole, if any repair facilities, docks, ore
12 yards, piers, wharves, grain elevators or car ferries used in transferring freight or
13 passengers between cars and vessels or transfer of freight cars located on car ferries,
14 or if any terminal storage facilities, docks, pipelines and pumping equipment used
15 in transferring oil from pipelines to vessels shall be included in such valuation, then
16 for the purpose of accounting to the proper taxation districts, the department shall
17 make a separate valuation of each such repair facility, dock, ore yard, pier, wharf,
18 grain elevator, including the approaches thereto, or car ferries and of each such
19 terminal storage facility, dock, pipeline and pumping equipment. As used herein, an
20 approach shall be an immediate access facility commencing at the switching point
21 which leads primarily to the terminal facility. For the purpose of defining the
22 pipeline terminal facilities affected by this section, such facilities shall begin where
23 the incoming pipeline enters the terminal storage facility site used in the transfer
24 of oil to vessels.

1 ***b1279/1.1* SECTION 2232m.** 76.24 (2) (a) of the statutes is amended to read:

2 76.24 (2) (a) All taxes paid by any railroad company derived from or
3 apportionable to repair facilities, docks, ore yards, piers, wharves, grain elevators,
4 and their approaches, or car ferries or terminal storage facilities, docks, pipelines
5 and pumping equipment used in transferring oil from pipelines to vessels on the
6 basis of the separate valuation provided for in s. 76.16, shall be distributed annually
7 from the transportation fund to the towns, villages and cities in which they are
8 located, pursuant to certification made by the department of revenue on or before
9 August 15.”.

10 ***b1495/1.22* 1267.** Page 838, line 25: after that line insert:

11 ***b1495/1.22* “SECTION 2232m.** 76.24 (2) (a) of the statutes is amended to read:

12 76.24 (2) (a) All taxes paid by any railroad company derived from or
13 apportionable to docks, ore yards, piers, wharves, grain elevators, and their
14 approaches, or car ferries or terminal storage facilities, docks, pipelines and
15 pumping equipment used in transferring oil from pipelines to vessels on the basis of
16 the separate valuation provided for in s. 76.16, shall be distributed annually from the
17 public transportation account in the transportation fund to the towns, villages and
18 cities in which ~~they~~ those facilities are located, pursuant to certification made by the
19 department of revenue on or before August 15.”.

20 ***b1278/2.7* 1268.** Page 842, line 4: after that line insert:

21 ***b1278/2.7* “SECTION 2236p.** 76.39 (2) of the statutes is amended to read:

22 76.39 (2) There is levied annually a gross earnings tax in lieu of all property
23 taxes on the car line equipment of a car line company equal to ~~3%~~ 2.5% of the gross
24 earnings in this state. Every railroad company operating in this state shall, upon

1 making payment to each car line company for use of its cars, withhold ~~3%~~ 2.5% of the
2 amount constituting the gross earnings in this state of such car line company.”.

3 *b1519/2.189* **1269.** Page 843, line 5: after that line insert:

4 *b1519/2.189* “SECTION 2243c. 77.02 of the statutes is amended to read:

5 **77.02 Forest croplands.** (1) PETITION. The owner of an entire quarter quarter
6 section, fractional lot or government lot as determined by U.S. government survey
7 plat, excluding public roads and railroad rights-of-way that may have been sold,
8 may file with the department of ~~natural resources~~ fish, wildlife, parks, and forestry
9 a petition stating that the owner believes the lands therein described are more useful
10 for growing timber and other forest crops than for any other purpose, that the owner
11 intends to practice forestry thereon, that all persons holding encumbrances thereon
12 have joined in the petition and requesting that such lands be approved as “Forest
13 Croplands” under this subchapter. Whenever any such land is encumbered by a
14 mortgage or other indenture securing any issue of bonds or notes, the trustee named
15 in such mortgage or indenture or any amendment thereto may join in such petition,
16 and such action shall for the purpose of this section be deemed the action of all
17 holders of such bonds or notes.

18 (2) NOTICE OF HEARING, ADJOURNMENT. Upon receipt of such petition the
19 department of ~~natural resources~~ fish, wildlife, parks, and forestry shall investigate
20 the same and shall file a listing of descriptions with the town chairperson. For
21 petitions received prior to May 1, the department shall within the same calendar
22 year cause a notice that such petition has been filed to be published as a class 3 notice,
23 under ch. 985, in the newspaper having the largest general circulation in the county
24 in which the lands are located, and notice by registered mail shall be given to the

1 town clerk of any town in which the lands are located. Such notice shall contain the
2 name of the petitioner, a description of the lands and a statement that any resident
3 of or taxpayer in the town may within 15 days from the date of publication of the
4 notice file a request with the department that it conduct a public hearing on the
5 petition. Upon receipt of such a request the department shall conduct a public
6 hearing on the petition. The department may conduct a public hearing on any
7 petition without a request, if it deems it advisable to do so. Notice of the time and
8 place of such hearing and a description, in specific or general terms, as the
9 department deems advisable, of the property requested to be approved as “Forest
10 Croplands” shall be given to persons making the request, the owner of such land and
11 to the assessor of towns in which it is situated, by mail, at least one week before the
12 day of hearing. The notice also shall be published as a class 1 notice, under ch. 985,
13 in a newspaper having general circulation in the county in which such land is located,
14 at least one week before the day of the hearing. Such hearing may be adjourned and
15 no notice of the time and place of such adjourned hearing need be given, excepting
16 the announcement thereof by the presiding officer at the hearing at which the
17 adjournment is had.

18 (3) DECISION, COPIES. After receiving all the evidence offered at any hearing
19 held on the petition and after making such independent investigation as it sees fit
20 the department shall make its findings of fact and make and enter an order
21 accordingly. If it finds that the facts give reasonable assurance that a stand of
22 merchantable timber will be developed on such descriptions within a reasonable
23 time, and that such descriptions are then held permanently for the growing of timber
24 under sound forestry practices, rather than for agricultural, mineral, shoreland
25 development of navigable waters, recreational, residential or other purposes, and

1 that all persons holding encumbrances against such descriptions have in writing
2 agreed to the petition, the order entered shall grant the request of the petitioner on
3 condition that all unpaid taxes against said descriptions be paid within 30 days
4 thereafter; otherwise the department of ~~natural resources~~ fish, wildlife, parks, and
5 forestry shall deny the request of the petitioner. If the request of the petitioner is
6 granted, a copy of such order shall be filed with the department of revenue, the
7 supervisor of equalization and the clerk of each town, and the order shall be recorded
8 with the register of deeds of each county, in which any of the lands affected by the
9 order are located. The register of deeds shall record the entry, transfer or withdrawal
10 of all forest croplands in a suitable manner on the county records. The register of
11 deeds may collect recording fees under s. 59.43 (2) from the owner. Any order of the
12 department relating to the entry of forest croplands issued on or before November
13 20 of any year shall take effect on January 1 of the following calendar year, but all
14 orders issued after November 20 shall take effect on January 1 of the calendar year
15 following the calendar year in which orders issued on or before November 20 would
16 have been effective.

17 *b1519/2.189* SECTION 2243d. 77.03 of the statutes is amended to read:

18 **77.03 Taxation of forest croplands.** After the filing and recording of the
19 order with the officers under s. 77.02 (3) the lands described therein shall be “Forest
20 Croplands”^{2,3} on which taxes shall thereafter be payable only as provided under this
21 subchapter. The enactment of ss. 77.01 to 77.14, petition by the owner and the
22 making of the order under s. 77.02 (3) shall constitute a contract between the state
23 and the owner, running with the lands, for a period of 25 or 50 years at the election
24 of the applicant at the time the petition is filed, unless withdrawn under s. 77.10,
25 with privilege of renewal by mutual agreement between the owner and the state,

1 whereby the state as an inducement to owners and prospective purchasers of forest
2 croplands to come under ss. 77.01 to 77.14 agrees that, unless withdrawn under s.
3 77.10, no change in or repeal of ss. 77.01 to 77.14 shall apply to any land then
4 accepted as forest croplands, except as the department of ~~natural resources~~ fish,
5 wildlife, parks, and forestry, and the owner may expressly agree in writing and
6 except as provided in s. 77.17. If at the end of the contract period the land is not
7 designated as managed forest land under subch. VI, the merchantable timber on the
8 land shall be estimated by an estimator jointly agreed upon by the department of
9 ~~natural resources~~ fish, wildlife, parks, and forestry and the owner, and if the
10 department and the owner fail to agree on an estimator, the judge of the circuit court
11 of the district in which the lands lie shall appoint a qualified forester, whose estimate
12 shall be final, and the cost thereof shall be borne jointly by the department of ~~natural~~
13 ~~resources~~ fish, wildlife, parks, and forestry and the owner; and the 10% severance
14 tax paid on the stumpage thereon in the same manner as if the stumpage had been
15 cut. The owners by such contract consent that the public may hunt and fish on the
16 lands, subject to such rules as the department of ~~natural resources~~ fish, wildlife,
17 parks, and forestry prescribes regulating hunting and fishing.

18 ***b1519/2.189* SECTION 2243e.** 77.04 (2) of the statutes is amended to read:

19 77.04 (2) TAX PER ACRE; PAYMENT; PENALTY. The “acreage share” shall be
20 computed at the rate of 10 cents per acre on all lands entered prior to 1972. On all
21 lands entered after December 31, 1971, the “acreage share” shall be computed every
22 10 years to the nearest cent by the department of revenue at the rate of 20 cents per
23 acre multiplied by a ratio using the equalized value of the combined residential,
24 commercial, manufacturing, agricultural, swamp, or waste and productive forest
25 land classes under s. 70.32 (2) within the state in 1972 as the denominator, and using

1 equalized value for these combined land classes in 1982 and every 10th year
2 thereafter as the numerator. All owners shall pay to the taxation district treasurer
3 the acreage share on each description on or before January 31. If the acreage share
4 is not paid when due to the taxation district treasurer it shall be subject to interest
5 and penalty as provided under ss. 74.11 (11), 74.12 (10) and 74.47. These lands shall
6 be returned as delinquent and a tax certificate under subch. VII of ch. 74 shall be
7 issued on them. After 2 years from the date of the issuance of a tax certificate, the
8 county clerk shall promptly take a tax deed under ch. 75. On taking such deed the
9 county clerk shall certify that fact and specify the descriptions to the department of
10 ~~natural resources~~ fish, wildlife, parks, and forestry.

11 ***b1519/2.189* SECTION 2243f.** 77.05 of the statutes is amended to read:

12 **77.05 State contribution.** The department of ~~natural resources~~ fish, wildlife,
13 parks, and forestry shall pay before June 30 annually to the town treasurer, from the
14 appropriation under s. 20.370 (5) (bv), 20 cents for each acre of land in the town that
15 is described as forest croplands under this subchapter.

16 ***b1519/2.189* SECTION 2243g.** 77.06 of the statutes is amended to read:

17 **77.06 Forestation. (1) CUTTING TIMBER REGULATED.** No person shall cut any
18 merchantable wood products on any forest croplands where the forest crop taxes are
19 delinquent nor until 30 days after the owner has filed with the department of ~~natural~~
20 ~~resources~~ fish, wildlife, parks, and forestry a notice of intention to cut, specifying by
21 descriptions and the estimated amount of wood products to be removed and the
22 proportion of present volume to be left as growing stock in the area to be cut. The
23 department of ~~natural resources~~ fish, wildlife, parks, and forestry may require a
24 bond executed by some surety company licensed in this state or other surety for such
25 amount as may reasonably be required for the payment to the department of ~~natural~~

1 ~~resources~~ fish, wildlife, parks, and forestry of the severance tax hereinafter provided.
2 The department, after examination of the lands specified, may prescribe the amount
3 of forest products to be removed. Cutting in excess of the amount prescribed shall
4 render the owner liable to double the severance tax prescribed in s. 77.06 (5) and
5 subject to cancellation under s. 77.10. Merchantable wood products include all wood
6 products except wood used for fuel by the owner.

7 (2) APPRAISAL OF TIMBER, ZONES. Each year the department of ~~natural resources~~
8 fish, wildlife, parks, and forestry, at the time and place it shall fix and after such
9 public notice as it deems reasonable, shall hold a public hearing. After the hearing
10 the department shall make and file, open to public inspection, a determination of the
11 reasonable stumpage values of the wood products usually grown in the several towns
12 in which any forest croplands lie. A public hearing under this section shall be held
13 prior to August 1 of each year and the determination of stumpage values made by the
14 department of ~~natural resources~~ fish, wildlife, parks, and forestry shall take effect
15 on November 1 of that year. If the department of ~~natural resources~~ fish, wildlife,
16 parks, and forestry finds there is a material variance in the stumpage values in the
17 different localities, it may fix separate zones and determine the values for each zone.

18 (3) REVALUATION. As to any locality or zone in which the department of ~~natural~~
19 ~~resources~~ fish, wildlife, parks, and forestry deems there has been no material
20 variance from the preceding year in stumpage values, it may omit to make any new
21 valuation in any year, in which event the last preceding valuation shall continue in
22 force until changed in a succeeding year.

23 (4) CUTTING REPORTED. Within 30 days after completion of cutting on any land
24 description, but not more than one year after filing of the notice of intention to cut,
25 the owner shall transmit to the department of ~~natural resources~~ fish, wildlife, parks,

1 and forestry on forms provided by the department a written statement of the
2 products so cut, specifying the variety of wood, kind of product, and quantity of each
3 variety and kind as shown by the scale or measurement thereof made on the ground
4 as cut, skidded, loaded, delivered, or by tree scale certified by a qualified forester
5 when stumpage is sold by tree measurement. The department of ~~natural resources~~
6 fish, wildlife, parks, and forestry may accept such reports as sufficient evidence of
7 the facts, or may either with or without hearing and notice of time and place thereof
8 to such owner, investigate and determine the fact of the quantity of each variety and
9 kind of product so cut during said periods preceding such reports.

10 (5) TAX LEVY ON RIGHT TO CUT TIMBER. The department of ~~natural resources~~ fish,
11 wildlife, parks, and forestry shall assess and levy against the owner a severance tax
12 on the right to cut and remove wood products covered by reports under this section,
13 at the rate of 10% of the value of the wood products based upon the stumpage value
14 then in force. Upon making the assessment, the department of ~~natural resources~~
15 fish, wildlife, parks, and forestry shall mail a duplicate of the certificate by registered
16 mail to the owner who made the report of cutting at the owner's last-known
17 post-office address. The tax assessed is due and payable to the department of
18 ~~natural resources~~ fish, wildlife, parks, and forestry on the last day of the next
19 calendar month after mailing the certificate. The proceeds of the tax shall be paid
20 into the forestry account of the conservation fund for distribution under s. 77.07 (3).

21 *b1519/2.189* SECTION 2243h. 77.07 (2) of the statutes is amended to read:

22 77.07 (2) PENALTY, COLLECTIONS. If any severance tax ~~remain~~ remains unpaid
23 for 30 days after it becomes due, there shall then be added a penalty of 10%, and such
24 tax and penalty shall thereafter draw interest at the rate of one ~~per cent~~ percent per
25 month until paid. At the expiration of said 30 days the department of ~~natural~~

1 ~~resources~~ fish, wildlife, parks, and forestry shall report to the attorney general any
2 unpaid severance tax, adding said penalty, and the attorney general shall thereupon
3 proceed to collect the same with penalty and interest by suit against the owner and
4 by attachment or other legal means to enforce the lien and by action on the bond
5 mentioned in s. 77.06 (1), or by any or all such means.

6 *b1519/2.189* SECTION 2243i. 77.08 of the statutes is amended to read:

7 **77.08 Supplemental severance tax.** At any time within one year after any
8 cutting should have been reported, the department of ~~natural resources~~ fish, wildlife,
9 parks, and forestry after due notice to the owner and opportunity to be heard, and
10 on evidence duly made a matter of record, may determine whether the quantity of
11 wood products cut from any such land, did in fact substantially exceed the amount
12 on which the severance tax theretofore levied was based, and if so shall assess a
13 supplemental severance tax which, in all respects, shall have the same force and
14 effect as the former severance tax, except only it shall not be a lien on any property
15 the title of which has passed to a purchaser for value without notice.

16 *b1519/2.189* SECTION 2243j. 77.09 (1) of the statutes is amended to read:

17 77.09 (1) Any person who fails to report or shall intentionally make any false
18 statement or report to the department of ~~natural resources~~ fish, wildlife, parks, and
19 forestry required by s. 77.06 shall forfeit not more than \$1,000. An action under this
20 section shall not be a bar to a cancellation of entry and order of withdrawal under s.
21 77.10.

22 *b1519/2.189* SECTION 2243k. 77.10 (1) of the statutes is amended to read:

23 77.10 (1) INVESTIGATIONS, CANCELLATIONS, CONVEYANCES. (a) The department of
24 ~~natural resources~~ fish, wildlife, parks, and forestry shall on the application of the
25 department of revenue or the owner of any forest croplands or the town board of the

1 town in which said lands lie and may on its own motion at any time cause an
2 investigation to be made and hearing to be had as to whether any forest croplands
3 shall continue under this subchapter. If on such hearing after due notice to and
4 opportunity to be heard by the department of revenue, the town and the owner, the
5 department of ~~natural resources~~ fish, wildlife, parks, and forestry finds that any
6 such lands are not meeting the requirements set forth in s. 77.02 or that the owner
7 has made use of the land for anything other than forestry or has failed to practice
8 sound forestry on the land, the department of ~~natural resources~~ fish, wildlife, parks,
9 and forestry shall cancel the entry of such description and issue an order of
10 withdrawal, and the owner shall be liable for the tax and penalty under sub. (2).
11 Copies of the order of withdrawal specifying the description shall be filed by the
12 department of ~~natural resources~~ fish, wildlife, parks, and forestry with all officers
13 designated to receive copies of the order of entry and withdrawal and this subchapter
14 shall not thereafter apply to the lands withdrawn, except s. 77.07 so far as it may be
15 needed to collect any previously levied severance or supplemental severance tax. If
16 the owner shall not repay the amounts on or before the last day of February next
17 succeeding the return of such lands to the general property tax roll as provided in
18 sub. (4), the department of ~~natural resources~~ fish, wildlife, parks, and forestry shall
19 certify to the county treasurer the descriptions and the amounts due, and the county
20 treasurer shall sell such lands as delinquent as described in s. 77.04 (2). Whenever
21 any county clerk has certified to the taking of a tax deed under s. 77.04 (2) the
22 department of ~~natural resources~~ fish, wildlife, parks, and forestry shall issue an
23 order of withdrawal as to the lands covered in such tax deed. Such order may also
24 be issued when examination of tax records reveals prolonged delinquency and
25 noncompliance with the requirements of s. 77.04 (2).

1 (b) Whenever any owner of forest croplands conveys such land the owner shall,
2 within 10 days of the date of the deed, file with the department of ~~natural resources~~
3 fish, wildlife, parks, and forestry on forms prepared by the department a transfer of
4 ownership signed by the owner and an acceptance of transfer signed by the grantee
5 certifying that the grantee intends to continue the practice of forestry on such land.
6 The department of ~~natural resources~~ fish, wildlife, parks, and forestry shall
7 immediately issue a notice of transfer to all officers designated to receive copies of
8 orders of entry and withdrawal. Whenever a purchaser of forest croplands declines
9 to certify his or her intention to continue the practice of forestry thereon, such action
10 shall constitute cause for cancellation of entry under par. (a) without hearing.

11 *b1519/2.189* SECTION 2243n. 77.10 (2) (a) of the statutes is amended to read:

12 77.10 (2) (a) 1. Any owner of forest croplands may elect to withdraw all or any
13 of such lands from under this subchapter, by filing with the department of ~~natural~~
14 ~~resources~~ fish, wildlife, parks, and forestry a declaration withdrawing from this
15 subchapter any description owned by such person which he or she specified, and by
16 payment by such owner to the department of ~~natural resources~~ fish, wildlife, parks,
17 and forestry within 60 days the amount of tax due from the date of entry or the most
18 recent date of renewal, whichever is later, as determined by the department of
19 revenue under s. 77.04 (1) with simple interest thereon at 12% per year, less any
20 severance tax and supplemental severance tax or acreage share paid thereon, with
21 interest computed according to the rule of partial payments at the rate of 12% per
22 year.

23 2. The amount of the tax shall be determined by the department of revenue and
24 furnished to the department of ~~natural resources~~ fish, wildlife, parks, and forestry,
25 which shall determine the exact amount of payment. When the tax rate or assessed

1 value ratio of the current year has not been determined the rate of the preceding tax
2 year may be used. On receiving such payment the department of ~~natural resources~~
3 fish, wildlife, parks, and forestry shall issue an order of withdrawal and file copies
4 thereof with the department of revenue, the supervisor of equalization and the clerk
5 of the town, and shall record the order with the register of deeds of the county, in
6 which the land lies. The land shall then cease to be forest croplands.

7 ***b1519/2.189* SECTION 2243p.** 77.10 (2) (b) of the statutes is amended to read:

8 77.10 (2) (b) Upon receipt of any taxes under this section by the state, the
9 department of ~~natural resources~~ fish, wildlife, parks, and forestry shall first deduct
10 all moneys paid by the state on account of the lands under s. 77.05 with interest on
11 the moneys computed according to the rule of partial payments at the rate of interest
12 paid under par. (a) by the person withdrawing such lands. The department shall
13 within 20 days remit the balance to the town treasurer who shall pay 20% to the
14 county treasurer and retain the remainder.

15 ***b1519/2.189* SECTION 2243q.** 77.10 (4) of the statutes is amended to read:

16 77.10 (4) TAXATION AFTER WITHDRAWAL. When any description ceases to be a part
17 of the forest croplands, by virtue of any order of withdrawal issued by the department
18 of ~~natural resources~~ fish, wildlife, parks, and forestry, taxes thereafter levied thereon
19 shall be payable and collectible as if such description had never been under this
20 subchapter.

21 ***b1519/2.189* SECTION 2243r.** 77.11 of the statutes is amended to read:

22 **77.11 Accounts of department of ~~natural resources~~ fish, wildlife,**
23 **parks, and forestry.** The department of ~~natural resources~~ fish, wildlife, parks, and
24 forestry shall keep a set of forest croplands books in which shall always appear as
25 to each description in each town containing any forest croplands, the amount of taxes

1 paid by the state to the town and received by the state from the owner. All tax
2 payments shall be paid out of and receipts credited to the forestry account of the
3 conservation fund.

4 ***b1519/2.189* SECTION 2243s.** 77.13 of the statutes is amended to read:

5 **77.13 Termination of forest croplands program.** (1) On and after July
6 20, 1985, no person may petition the department of ~~natural resources~~ fish, wildlife,
7 parks, and forestry requesting it to approve any land as forest croplands under this
8 subchapter.

9 (2) On and after January 1, 1986, the department of ~~natural resources~~ fish,
10 wildlife, parks, and forestry may not act on any petition requesting the designation
11 of land as forest croplands, issue any order entering land as forest croplands or enter
12 into a renewal of any forest croplands contract under this subchapter.

13 ***b1519/2.189* SECTION 2243t.** 77.14 of the statutes is amended to read:

14 **77.14 Forest croplands information, protection, appropriation.** The
15 department of ~~natural resources~~ fish, wildlife, parks, and forestry shall publish and
16 distribute information regarding the method of taxation of forest croplands under
17 this subchapter, and may employ a fire warden in charge of fire prevention in forest
18 croplands. All actual and necessary expenses incurred by the department of ~~natural~~
19 ~~resources~~ fish, wildlife, parks, and forestry or by the department of revenue in the
20 performance of their duties under this subchapter shall be paid from the
21 appropriation made in s. 20.370 ~~(1)(mu)~~ (3)(uu) upon certification by the department
22 incurring such expenses.

23 ***b1519/2.189* SECTION 2243u.** 77.16 (1) of the statutes is amended to read:

24 **77.16 (1)** In this section “department” means the department of ~~natural~~
25 ~~resources~~ fish, wildlife, parks, and forestry.

1 ***b1519/2.189* SECTION 2243v.** 77.54 (38) of the statutes is amended to read:

2 77.54 (38) The gross receipts from the sale of and the storage, use or other
3 consumption of snowmobile trail groomers and attachments for them that are
4 purchased, stored, used or consumed by a snowmobile club that meets at least 3
5 times a year, that has at least 10 members, that promotes snowmobiling and that
6 participates in the ~~department of natural resources'~~ snowmobile program under s.
7 350.12 (4) (b).”.

8 ***b1806/1.1* 1270.** Page 843, line 6: delete lines 6 to 14.

9 ***b1768/2.1* 1271.** Page 847, line 2: after that line insert:

10 ***b1768/2.1* “SECTION 2245mn.** 77.54 (5) (b) of the statutes is amended to read:

11 77.54 (5) (b) Motor trucks, truck tractors, road tractors, buses, trailers, and
12 semitrailers, and accessories, attachments, parts, supplies, and materials therefor,
13 sold to common or contract carriers who use such motor trucks, truck tractors, road
14 tractors, buses, trailers, and semitrailers exclusively as common or contract carriers,
15 including the urban mass transportation of passengers as defined in s. 71.38 and
16 including the transportation of property that has no value, such as waste or snow.”.

17 ***b1770/2.1* 1272.** Page 847, line 2: after that line insert:

18 ***b1770/2.1* “SECTION 2245m.** 77.54 (3) (a) of the statutes is amended to read:

19 77.54 (3) (a) The gross receipts from the sales of and the storage, use, or other
20 consumption of tractors and machines, including accessories, attachments, and
21 parts therefor, lubricants, nonpowered equipment, and other tangible personal
22 property used exclusively and directly in the business of farming or husbandry
23 activities, including dairy farming, agriculture, aquaculture, horticulture,
24 floriculture, and custom farming services, but excluding automobiles, trucks, and

1 other motor vehicles for highway use; excluding personal property that is attached
2 to, fastened to, connected to, or built into real property or that becomes an addition
3 to, component of, or capital improvement of real property; and excluding tangible
4 personal property used or consumed in the erection of buildings or in the alteration,
5 repair, or improvement of real property, regardless of any contribution that that
6 personal property makes to the production process in that building or real property
7 and regardless of the extent to which that personal property functions as a machine,
8 except as provided in par. (c).”.

9 *b1770/2.2* **1273.** Page 847, line 5: after that line insert:

10 *b1770/2.2* “SECTION 2246cc. 77.54 (30) (a) 3. of the statutes is repealed.

11 *b1770/2.2* SECTION 2246dd. 77.54 (30) (a) 5. of the statutes is repealed.

12 *b1770/2.2* SECTION 2246hh. 77.54 (34) of the statutes is repealed.”.

13 *b1809/1.1* **1274.** Page 847, line 5: after that line insert:

14 *b1809/1.1* “SECTION 2246d. 77.54 (41) of the statutes is amended to read:

15 77.54 (41) The gross receipts from the sale of building materials, supplies and
16 equipment to; and the storage, use or other consumption of those kinds of property
17 by; owners, contractors, subcontractors or builders if that property is acquired solely
18 for or used solely in; the construction, renovation or development of property that
19 would be exempt under s. 70.11 (36); or if that property is acquired solely for or used
20 solely in the construction, renovation, or development of property pursuant to a
21 contract with a school district in this state.”.

22 *b1297/2.3* **1275.** Page 847, line 15: after that line insert:

23 *b1297/2.3* “SECTION 2246p. 77.65 of the statutes is created to read:

1 **77.65 Determination of tax receipts related to motor vehicles.**

2 Beginning on July 1, 2004, and on each July 1 thereafter, the department of revenue
3 shall determine the total amount of the taxes imposed under ss. 77.52 and 77.53 that
4 is paid to the department of revenue and to the department of transportation in the
5 immediately preceding calendar year on the sale or use of motor vehicles and motor
6 vehicle parts. Annually on July 1, a percentage of the total amount determined
7 under this section shall be transferred from s. 20.855 (4) (fn) to the transportation
8 fund as follows:

9 (1) On July 1, 2004, 10%.

10 (2) On July 1, 2005, 20%.

11 (3) On July 1, 2006, 30%.

12 (4) On July 1, 2007, 40%.

13 (5) On July 1, 2008, 50%.

14 (6) On July 1, 2009, 60%.

15 (7) On July 1, 2010, 70%.

16 (8) On July 1, 2011, 80%.

17 (9) On July 1, 2012, 90%.

18 (10) On July 1, 2013, and on each July 1 thereafter, 100%.”.

19 ***b1519/2.190* 1276.** Page 847, line 15: after that line insert:

20 ***b1519/2.190* “SECTION 2247at.** 77.76 (1) of the statutes is amended to read:

21 77.76 (1) The department of revenue shall have full power to levy, enforce and
22 collect county and special district sales and use taxes and may take any action,
23 conduct any proceeding, impose interest and penalties and in all respects proceed as
24 it is authorized to proceed for the taxes imposed by subch. III. The department of

1 transportation and the department of ~~natural resources~~ fish, wildlife, parks, and
2 forestry may administer the county and special district sales and use taxes in regard
3 to items under s. 77.61 (1).”.

4 *b1767/3.1* **1277.** Page 847, line 15: after that line insert:

5 *b1767/3.1* “SECTION 2246p. 77.54 (46) of the statutes is created to read:

6 77.54 (46) The gross receipts from the sale of and the storage, use or other
7 consumption of printed materials that are printed outside this state, if the printer
8 ships the materials directly to the persons designated by the purchaser of the printed
9 materials and the purchaser does not take possession of the printed materials.”.

10 *b1519/2.191* **1278.** Page 848, line 9: after that line insert:

11 *b1519/2.191* “SECTION 2247c. 77.81 (1) of the statutes is amended to read:

12 77.81 (1) “Department” means the department of ~~natural resources~~ fish,
13 wildlife, parks, and forestry.”.

14 *b1519/2.192* **1279.** Page 848, line 25: after that line insert:

15 *b1519/2.192* “SECTION 2247re. 77.82 (2) (intro.) of the statutes is amended
16 to read:

17 77.82 (2) PETITION. (intro.) Any owner of land may petition the department to
18 designate any eligible parcel of land as managed forest land. A petition may include
19 any number of eligible parcels under the same ownership in a single municipality.
20 Each petition shall be submitted on a form provided by the department and shall be
21 accompanied by a nonrefundable \$10 application fee unless a different amount of the
22 fee is established by the department by rule at an amount equal to the average
23 expense to the department of recording an order issued under this subchapter. The

1 fee shall be deposited ~~in~~ into the conservation fund and credited to the appropriation
2 under s. 20.370 ~~(1)~~ (3) (cr). Each petition shall include all of the following:

3 ***b1519/2.192* SECTION 2247rm.** 77.82 (4) of the statutes is amended to read:

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

13 ***b1519/2.192* SECTION 2247rs.** 77.82 (4m) (bn) of the statutes is amended to
14 read:

15 77.82 (4m) (bn) A petition under this subsection shall be accompanied by a
16 nonrefundable \$100 application fee which shall be deposited ~~in~~ into the conservation
17 fund and credited to the appropriation under s. 20.370 ~~(1)~~ (3) (cr).”.

18 ***b1519/2.193* 1280.** Page 849, line 3: after that line insert:

19 ***b1519/2.193*** “SECTION 2247v. 77.88 (2) (d) of the statutes is amended to read:

20 77.88 (2) (d) Within 10 days after a transfer of ownership, the former owner
21 shall, on a form provided by the department, file with the department a report of the
22 transfer signed by the former owner and the transferee. The report shall be
23 accompanied by a \$20 fee which shall be deposited ~~in~~ into the conservation fund and

1 credited to the appropriation under s. 20.370 ~~(1)~~ (3) (cr). The department shall
2 immediately notify each person entitled to notice under s. 77.82 (8).

3 *b1519/2.193* SECTION 2247w. 77.91 (4) of the statutes is amended to read:

4 77.91 (4) EXPENSES. Except as provided in sub. (5), the department's expenses
5 for the administration of this subchapter shall be paid from the appropriation under
6 s. 20.370 ~~(1)~~ ~~(mu)~~ (3) (uu).

7 *b1519/2.193* SECTION 2247x. 77.91 (5) of the statutes is amended to read:

8 77.91 (5) RECORDING. Each register of deeds who receives notice of an order
9 under this subchapter shall record the action as provided under s. 59.43 (1). The
10 department shall pay the register of deeds the fee specified under s. 59.43 (2) (ag) 1.
11 from the appropriation under s. 20.370 ~~(1)~~ (3) (cr). If the amount in the appropriation
12 under s. 20.370 ~~(1)~~ (3) (cr) in any fiscal year is insufficient to pay the full amount
13 required under this subsection in that fiscal year, the department shall pay the
14 balance from the appropriation under s. 20.370 ~~(1)~~ ~~(mu)~~ (3) (uu)."

15 *b1440/1.10* 1281. Page 849, line 13: delete ", and (3g), and (3s)" and
16 substitute "and, (3g), (3s), and (5r)".

17 *b1553/3.20* 1282. Page 849, line 13: delete ", and (3g), and (3s)" and
18 substitute "and, (3g), (3s), and (5d)".

19 *b1855/2.12* 1283. Page 849, line 13: delete that line and substitute "(2di),
20 (2dj), (2dL), (2dm), (2dr), (2ds), (2dx) and, (3g), (3s), and (5s); and plus or minus, as".

21 *b1811/3.1* 1284. Page 852, line 11: after that line insert:

22 *b1811/3.1* "SECTION 2281. 79.03 (4) of the statutes is amended to read:

23 79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04, and
24 79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be

1 distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) is \$885,961,300.
2 In 1993, the total amount to be distributed under ss. 79.03, 79.04, and 79.06 from s.
3 20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this
4 section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to
5 municipalities and \$168,981,800 to counties. In Beginning in 1995 and subsequent
6 years ending in 2002, the total amounts to be distributed under ss. 79.03, 79.04, and
7 79.06 from s. 20.835 (1) (d) are \$761,478,000 to municipalities and \$168,981,800 to
8 counties. In 2003 and subsequent years, the total amount to be distributed under
9 ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) to municipalities is the sum of
10 \$761,478,000 and the difference between the amount that would be distributed to
11 municipalities under s. 79.04, 1999 stats., and the amount distributed to
12 municipalities under s. 79.04. In 2003 and subsequent years, the total amount to be
13 distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) to counties is the
14 sum of \$168,981,800 and the difference between the amount that would be
15 distributed to counties under s. 79.04, 1999 stats., and the amount distributed to
16 counties under s. 79.04.”

17 *b1811/3.2* **1285.** Page 852, line 21: after that line insert:

18 *b1811/3.2* “SECTION 2283. 79.04 (1) (a) of the statutes is amended to read:

19 79.04 (1) (a) An Except as provided in par. (am) and sub. (5), an amount from
20 the shared revenue account determined by multiplying by 3 mills in the case of a
21 town, and 6 mills in the case of a city or village, for the distribution in 2002, the first
22 \$125,000,000 of the amount shown in the account; for the distribution in 2003, the
23 first \$140,000,000 of the amount shown in the account; for the distribution in 2004,
24 the first \$160,000,000 of the amount shown in the account; for the distribution in

1 2005, the first \$185,000,000 of the amount shown in the account; and for the
2 distribution in 2006 and subsequent years, the first \$250,000,000 of the amount
3 shown in the account; plus leased property, of each public utility except qualified
4 wholesale electric companies, as defined in s. 76.28 (1) (gm), on December 31 of the
5 preceding year for either “production plant, exclusive of land” and “general
6 structures”, or “work in progress” for production plants and general structures under
7 construction, in the case of light, heat and power companies, electric cooperatives or
8 municipal electric companies, for all property within a municipality in accordance
9 with the system of accounts established by the public service commission or rural
10 electrification administration, less depreciation thereon as determined by the
11 department of revenue and less the value of treatment plant and pollution
12 abatement equipment, as defined under s. 70.11 (21) (a), as determined by the
13 department of revenue plus an amount from the shared revenue account determined
14 by multiplying by 3 mills in the case of a town, and 6 mills in the case of a city or
15 village, of the first \$125,000,000, for the distribution in 2002; the first \$140,000,000,
16 for the distribution in 2003; the first \$160,000,000, for the distribution in 2004; the
17 first \$185,000,000, for the distribution in 2005; and the first \$250,000,000, for the
18 distribution in 2006 and subsequent years; of the total original cost of production
19 plant, general structures and work-in-progress less depreciation, land and
20 approved waste treatment facilities of each qualified wholesale electric company, as
21 defined in s. 76.28 (1) (gm), as reported to the department of revenue of all property
22 within the municipality. The total of amounts, as depreciated, from the accounts of
23 all public utilities for the same production plant is also limited to ~~not more than the~~
24 first \$125,000,000. ~~The amount distributable to a municipality in any year shall not~~
25 ~~exceed \$300 times the population of the municipality, for the distribution in 2002; the~~

1 first \$140,000,000, for the distribution in 2003; the first \$160,000,000, for the
2 distribution in 2004; the first \$185,000,000, for the distribution in 2005; and the first
3 \$250,000,000, for the distribution in 2006 and subsequent years.

4 ***b1811/3.2* SECTION 2283d.** 79.04 (1) (am) of the statutes is created to read:

5 79.04 (1) (am) The amount distributable to a municipality under par. (a) shall
6 not exceed the following:

7 1. For the distribution in 2002, an amount equal to the municipality's
8 population multiplied by \$300.

9 2. For the distribution in 2003, an amount equal to the municipality's
10 population multiplied by \$450.

11 3. For the distribution in 2004, an amount equal to the municipality's
12 population multiplied by \$650.

13 4. For the distribution in 2005, an amount equal to the municipality's
14 population multiplied by \$950.

15 5. For the distribution in 2006 and subsequent years, an amount equal to the
16 municipality's population multiplied by \$1,200.

17 ***b1811/3.2* SECTION 2284m.** 79.04 (1) (c) 4. of the statutes is created to read:

18 79.04 (1) (c) 4. Beginning with the distributions in 2003, if property that was
19 exempt from the property tax under s. 70.112 (4) and that was used to generate power
20 by a light, heat, or power company, except property under s. 66.0813, is
21 decommissioned, the municipality shall be paid an amount calculated by subtracting
22 the property taxes paid for that property during the current year to the municipality
23 for its general operations from the following percentages of the payment that the
24 municipality received under this section during the last year that the property was
25 exempt from the property tax:

- 1 a. In the first year that the property is taxable, 100%.
- 2 b. In the 2nd year that the property is taxable, 80%.
- 3 c. In the 3rd year that the property is taxable, 60%.
- 4 d. In the 4th year that the property is taxable, 40%.
- 5 e. In the 5th year that the property is taxable, 20%.

6 *b1811/3.2* **SECTION 2284n.** 79.04 (2) (c) of the statutes is created to read:

7 79.04 (2) (c) Beginning with the distributions in 2003, if property that was
8 exempt from the property tax under s. 70.112 (4) and that was used to generate power
9 by a light, heat, or power company, except property under s. 66.0813, is
10 decommissioned, the county shall be paid an amount calculated by subtracting the
11 property taxes paid for that property during the current year to the county for its
12 general operations from the following percentages of the payment the county
13 received under this section during the last year that the property was exempt from
14 the property tax:

- 15 1. In the first year that the property is taxable, 100%.
- 16 2. In the 2nd year that the property is taxable, 80%.
- 17 3. In the 3rd year that the property is taxable, 60%.
- 18 4. In the 4th year that the property is taxable, 40%.
- 19 5. In the 5th year that the property is taxable, 20%.”.

20 *b1811/3.3* **1286.** Page 852, line 23: delete “Annually” and substitute
21 “Annually Except as provided in par. (ad) and sub. (5), annually”.

22 *b1811/3.4* **1287.** Page 853, line 8: delete lines 8 and 9 and substitute “in
23 the case of property in a city or village, for the distribution in 2002, the first
24 \$125,000,000 of the amount shown in the account; for the distribution in 2003, the

1 first \$140,000,000 of the amount shown in the account; for the distribution in 2004,
2 the first \$160,000,000 of the amount shown in the account; for the distribution in
3 2005, the first \$185,000,000 of the amount shown in the account; and for the
4 distribution in 2006 and subsequent years, the first \$250,000,000 of the amount
5 shown in the account; plus leased property, of each public utility except qualified
6 wholesale”.

7 ***b1811/3.5* 1288.** Page 854, line 1: delete lines 1 to 3 and substitute
8 “utilities for the same production plant is also limited to ~~not more than~~ the first
9 \$125,000,000. The amount distributable to a county in any year shall not exceed
10 \$100 times the population of the county, for the distribution in 2002; the first
11 \$140,000,000, for the distribution in 2003; the first \$160,000,000, for the distribution
12 in 2004; the first \$185,000,000, for the distribution in 2005; and the first
13 \$250,000,000, for the distribution in 2006 and subsequent years.”.

14 ***b1575/3.2* 1289.** Page 854, line 3: after that line insert:

15 ***b1575/3.2* SECTION 2285m.** 79.05 (2) (c) of the statutes is amended to read:
16 79.05 (2) (c) Its municipal budget, ~~exclusive of; excluding~~ principal and interest
17 on long-term debt and exclusive of payments of the, revenue sharing payments paid
18 by the municipality under s. 66.0305, as provided by rule by the department of
19 revenue, amounts paid from a segregated account under s. 66.0602, and recycling fee
20 payments under s. 289.645; for the year of the statement under s. 79.015 increased
21 over its municipal budget as adjusted under sub. (6), exclusive of; excluding principal
22 and interest on long-term debt and exclusive of payments of the, revenue sharing
23 payments paid by the municipality under s. 66.0305, as provided by rule by the
24 department of revenue, amounts paid from a segregated account under s. 66.0602,

1 and recycling fee payments under s. 289.645; for the year before that year by less
2 than the sum of the inflation factor and the valuation factor, rounded to the nearest
3 0.10% plus 50% of the difference between the municipality's allowable budget to be
4 eligible for a payment under this section, as determined in the prior year, and the
5 municipality's adopted budget, as determined in the prior year."

6 *b1775/1.1* **1290.** Page 854, line 3: after that line insert:

7 *b1775/1.1* "SECTION 2287. 79.06 (2) (b) of the statutes is amended to read:

8 79.06 (2) (b) If the payments to a municipality or county, except any county in
9 which there are no cities or villages, or any county incorporated in the year 1846, with
10 a population in the year 1990 greater than 16,000 but less than 17,000, as
11 determined by the 1990 federal decennial census, in any year exceed its combined
12 payments under this section and s. 79.03, excluding payments under s. 79.03 (3c),
13 in the previous year by more than the maximum allowable increase, the excess shall
14 be withheld to fund minimum payments in that year under sub. (1) (c)."

15 *b1811/3.6* **1291.** Page 854, line 3: after that line insert:

16 *b1811/3.6* "SECTION 2285d. 79.04 (2) (ad) of the statutes is created to read:

17 79.04 (2) (ad) The amount distributable to a county under par. (a) shall not
18 exceed the following:

19 1. For the distribution in 2002, an amount equal to the county's population
20 multiplied by \$100.

21 2. For the distribution in 2003, an amount equal to the county's population
22 multiplied by \$225.

23 3. For the distribution in 2004, an amount equal to the county's population
24 multiplied by \$325.

1 4. For the distribution in 2005, an amount equal to the county's population
2 multiplied by \$475.

3 5. For the distribution in 2006 and subsequent years, an amount equal to the
4 county's population multiplied by \$600.

5 ***b1811/3.6* SECTION 2285m.** 79.04 (5) of the statutes is created to read:

6 79.04 (5) (a) If a production plant, other than a coal-powered or
7 nuclear-powered production plant, is built on the site of an existing or
8 decommissioned production plant or on brownfields, as defined in s. 560.13 (1) (a),
9 after the effective date of this paragraph [revisor inserts date], and is operating
10 at a total power production capacity of at least 50 megawatts, the city, village, or town
11 in which the plant is located shall receive annually an additional payment from the
12 department of administration equal to the amount in the account, as determined
13 under sub. (1) (a), for the "production plant, exclusive of land" multiplied by one mill,
14 and the county in which the plant is located shall receive annually an additional
15 payment from the department of administration equal to the amount in the account,
16 as determined under sub. (2) (a), for the "production plant, exclusive of land"
17 multiplied by one mill.

18 (b) If a coal-powered production plant is built on the site of an existing or
19 decommissioned production plant or on brownfields, as defined in s. 560.13 (1) (a),
20 after the effective date of this paragraph [revisor inserts date], and is operating
21 at a total power production capacity of at least 50 megawatts, the city, village, or town
22 in which the plant is located shall receive annually an additional payment from the
23 department of administration equal to the amount in the account, as determined
24 under sub. (1) (a), for the "production plant, exclusive of land" multiplied by 2 mills,
25 and the county in which the plant is located shall receive annually an additional

1 payment from the department of administration equal to the amount in the account,
2 as determined under sub. (2) (a), for the “production plant, exclusive of land”
3 multiplied by one mill.”.

4 *b1838/1.3* **1292.** Page 854, line 3: after that line insert:

5 *b1838/1.3* “SECTION 2291d. 79.095 (3) of the statutes is renumbered 79.095
6 (3) (a) and amended to read:

7 79.095 (3) (a) The department shall adjust each rate reported under sub. (2)
8 (b) to a full-value rate. The department shall review and correct the information
9 submitted under sub. (2) (a), shall determine the full value, as provided under par.
10 (b), of all of the computers reported under sub. (2) (a) and of all the computers under
11 s. 70.995 (12r) and, on or before October 1, shall notify each taxing jurisdiction of the
12 full value of the computers that are exempt under s. 70.11 (39) and that are located
13 in the jurisdiction. The department shall adjust the full value that is reported to
14 taxing jurisdictions under this subsection in the year after an error occurs or a value
15 has been changed due to an appeal. All disputes between the department and
16 municipalities about the value of the property reported under sub. (2) (a) or of the
17 property under s. 70.995 (12r) shall be resolved by using the procedures under s.
18 70.995 (8).

19 *b1838/1.3* SECTION 2291e. 79.095 (3) (b) of the statutes is created to read:

20 79.095 (3) (b) The full value of a computer that is reported under sub. (2) (a)
21 or a computer under s. 70.995 (12r) is determined as follows:

22 1. If the computer was purchased in the previous year, the full value of the
23 computer is 67% of the cost of the computer.

1 2. If the computer was purchased in the year before the previous year, the full
2 value of the computer is 33% of the cost of the computer.

3 3. If the computer was purchased in any year that is before the year under subd.
4 2., the full value of the computer is zero.”.

5 ***b1420/2.7* 1293.** Page 856, line 3: after that line insert:

6 ***b1420/2.7* SECTION 2294m.** 84.001 (1r) of the statutes is created to read:

7 84.001 (1r) “Intelligent transportation system” means a specialized computer
8 system or other electronic, information processing, communication, or technical
9 system, including roadway detector loops, closed circuit television, permanent
10 variable message signs, or ramp meters, that is used to improve the efficiency or
11 safety of a surface transportation system.”.

12 ***b1519/2.194* 1294.** Page 856, line 3: after that line insert:

13 ***b1519/2.194* SECTION 2294c.** 80.05 (2) (b) of the statutes is amended to read:

14 80.05 (2) (b) Give notice by registered mail to the department of ~~natural~~
15 ~~resources~~ fish, wildlife, parks, and forestry, the department of environmental
16 management, and to the county land conservation committee in each county through
17 which the highway may pass.

18 ***b1519/2.194* SECTION 2294g.** 80.39 (2) of the statutes is amended to read:

19 80.39 (2) NOTICE. Upon such petition the county board or the commissioners
20 appointed by the board shall give notice of the time and place they will meet to decide
21 on the petition. The notice shall be published as a class 2 notice, under ch. 985. The
22 notice shall also be given to the department of ~~natural resources~~ fish, wildlife, parks,
23 and forestry by serving a copy upon the secretary of ~~natural resources~~ fish, wildlife,
24 parks, and forestry either by registered mail or personally and to the department of

1 environmental management by serving a copy upon the secretary of environmental
2 management. If the board appoints a committee to act, the notice shall state the fact
3 and the notice shall be signed by the commissioners, otherwise by the chairperson
4 of the board.

5 *b1519/2.194* SECTION 2294n. 80.41 of the statutes is amended to read:

6 **80.41 Discontinuing ways to waters.** No resolution, ordinance, order or
7 similar action of any town board or county board or committee thereof discontinuing
8 any highway, street, alley or right-of-way that provides public access to any
9 navigable lake or stream shall be effective until such resolution, ordinance, order or
10 similar action is approved by the department of ~~natural resources~~ fish, wildlife,
11 parks, and forestry and the department of environmental management.

12 *b1519/2.194* SECTION 2294r. 84.01 (17) of the statutes is amended to read:

13 84.01 (17) IMPROVEMENTS FOR NEXT 6 YEARS. In each odd-numbered year, the
14 department shall determine, as far as possible, what improvements will be made
15 during the following 6-year period, and shall notify the county clerks prior to
16 February 1 of each even-numbered year, as to the improvements in their respective
17 counties. Such notice shall also be given to the department of ~~natural resources,~~ fish,
18 wildlife, parks, and forestry, to the department of environmental management, and
19 to the department of agriculture, trade and consumer protection.

20 *b1519/2.194* SECTION 2294w. 84.01 (23) of the statutes is amended to read:

21 84.01 (23) BRIDGE STANDARDS. The department shall adopt standards and
22 specifications for the design and construction of county, town, village and city
23 bridges, arches or culverts. The standards shall be developed after consultation with
24 the department of ~~natural resources~~ fish, wildlife, parks, and forestry and the

1 department of environmental management, and shall be directed at preventing
2 undue impairment of public rights in navigable waters.”.

3 *b1551/3.4* **1295.** Page 856, line 3: after that line insert:

4 *b1551/3.4* “**SECTION 2294ec.** 79.10 (10) (bm) of the statutes is renumbered
5 79.10 (10) (bm) 1. and amended to read:

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

17 *b1551/3.4* **SECTION 2294ee.** 79.10 (10) (bm) 2. of the statutes is created to
18 read:

19 79.10 (10) (bm) 2. A person who may apply for a credit under subd. 1. but who
20 does not timely apply for the credit under subd. 1. may apply to the department of
21 revenue no later than October 1 following the issuance of the person’s property tax
22 bill. Subject to review by the department, the department shall compute the amount
23 of the credit; issue a check to the person in the amount of the credit; and notify the
24 treasurer of the county in which the person’s property is located or the treasurer of

1 the taxation district in which the person's property is located, if the taxation district
2 collects taxes under s. 74.87. The treasurer shall enter the person's property on the
3 next tax roll as property that qualifies for a lottery and gaming credit. Claims made
4 under this subdivision become invalid when claims made under par. (a) become
5 invalid.

6 *b1551/3.4* SECTION 2294eg. 79.10 (10) (bn) of the statutes is renumbered
7 79.10 (10) (bn) 1. and amended to read:

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

18 *b1551/3.4* SECTION 2294eh. 79.10 (10) (bn) 2. of the statutes is created to
19 read:

20 79.10 (10) (bn) 2. A person who is eligible for a credit under subd. 1. but whose
21 property tax bill does not reflect the credit may claim the credit by applying to the
22 treasurer of the taxation district in which the property is located for the credit by
23 January 31 following the issuance of the person's property tax bill. Claims made
24 after January 31, but no later than October 1 following the issuance of the person's
25 property tax bill, shall be made to the department of revenue. Paragraph (bm), as

1 it applies to processing claims made under that paragraph, applies to processing
2 claims made under this subdivision, except that a claim that is made under this
3 subdivision is valid for the year in which the person took possession of the
4 transferred property under subd. 1.”

5 *b1571/1.4* **1296.** Page 856, line 3: after that line insert:

6 *b1571/1.4* **SECTION 2294p.** 81.01 (3) (intro.) of the statutes is amended to
7 read:

8 81.01 (3) (intro.) Provide machinery, implements, material, and equipment
9 needed to construct, maintain, and repair said highways and bridges, and for that
10 purpose may acquire by purchase or by condemnation in the manner provided by ch.
11 32 gravel pits and stone quarries, but the total sum spent under this subsection ~~shall~~
12 ~~not exceed \$10,000~~ in any year for construction, maintenance, and repair of
13 highways and bridges may not exceed the product of \$5,000 multiplied by the miles
14 of highway under the jurisdiction of the town measured by the most recent highway
15 mileage for the town, as determined under s. 86.302, unless one of the following
16 occurs:

17 *b1571/1.4* **SECTION 2294pc.** 81.01 (3) (b) of the statutes is amended to read:

18 81.01 (3) (b) The town board, by resolution, submits to the electors of the town
19 as a referendum at a general or special town election the question of exceeding the
20 \$10,000 limit set under this subsection. A copy of the resolution shall be filed as
21 provided in s. 8.37. The board shall abide by the majority vote of the electors of the
22 town on the question. The question shall read as follows:

23 Shall the town of ~~...~~ ~~...~~ spend ~~...~~ ~~...~~ over the annual limit of \$10,000 the
24 product of \$5,000 multiplied by the miles of highway under the jurisdiction of the

1 town measured by the most recent highway mileage for the town, as determined
2 under section 86.302 of the Wisconsin Statutes, for the construction, maintenance,
3 and repair of its highways and bridges?

4 FOR SPENDING AGAINST SPENDING .

5 *b1599/2.21* **1297.** Page 856, line 3: after that line insert:

6 *b1599/2.21* “SECTION 2294m. 81.01 (3) (b) (intro.) of the statutes is amended
7 to read:

8 81.01 (3) (b) (intro.) The town board by resolution submits to the electors of the
9 town as a referendum at ~~a general or special town~~ an election authorized under s.
10 8.065 the question of exceeding the \$10,000 limit set under this subsection. A copy
11 of the resolution shall be filed as provided in s. 8.37. The board shall abide by the
12 majority vote of the electors of the town on the question. The question shall read as
13 follows:”.

14 *b1490/1.11* **1298.** Page 857, line 13: after that line insert:

15 *b1490/1.11* “SECTION 2296r. 84.013 (1) (a) (intro.) of the statutes is amended
16 to read:

17 84.013 (1) (a) (intro.) “Major highway project” means a project, except a project
18 providing an approach to a bridge over a river that forms a boundary of the state or
19 a southeast Wisconsin freeway rehabilitation project under s. 84.014, which has a
20 total cost of more than \$5,000,000 and which involves any of the following:”.

21 *b1495/1.23* **1299.** Page 857, line 13: after that line insert:

22 *b1495/1.23* “SECTION 2296p. 84.01 (34) of the statutes is created to read:

1 84.01 (34) HAZARD ELIMINATION. Hazard elimination activities authorized
2 under 23 USC 130 or 152 may not be funded from the appropriations under s. 20.395
3 (3) (cq) to (cx).”.

4 ***b1518/2.1* 1300.** Page 857, line 13: after that line insert:

5 ***b1518/2.1* “SECTION 2296p.** 84.01 (34) of the statutes is created to read:

6 84.01 (34) STILLWATER BRIDGE PROJECT. (a) Not later than April 1, 2002, the
7 department shall develop and submit to the joint committee on finance a proposal
8 specifying the amount of anticipated expenditures to be made by the department for
9 mitigation in connection with the Stillwater Bridge project across the St. Croix River
10 between Houlton in St. Croix County and Stillwater, Minnesota.

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

16 ***b1446/1.1* 1301.** Page 858, line 15: delete the material beginning with “and
17 Old” and ending with “33” on line 16 and substitute “in the town of Delton and
18 Terrytown Road in the town of Baraboo”.

19 ***b1303/2.1* 1302.** Page 858, line 25: after that line insert:

20 ***b1303/2.1* “SECTION 2302gg.** 84.013 (3m) (g) of the statutes is created to
21 read:

22 84.013 (3m) (g) The department shall complete any major highway project
23 involving USH 10 from Marshfield to Stevens Point in Portage and Wood counties
24 by December 31, 2010.”.

1 ***b1490/1.12* 1303.** Page 859, line 10: delete “**reconstruction**” and
2 substitute “**rehabilitation**”.

3 ***b1490/1.13* 1304.** Page 859, line 22: after that line insert:

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

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

11 ***b1490/1.14* 1305.** Page 859, line 23: after “86.255,” insert “any southeast
12 Wisconsin freeway rehabilitation projects, including”.

13 ***b1490/1.15* 1306.** Page 859, line 24: delete “project” and substitute
14 “project,”.

15 ***b1490/1.16* 1307.** Page 860, line 7: on lines 7 and 13, delete
16 “reconstruction” and substitute “rehabilitation”.

17 ***b1482/3.1* 1308.** Page 861, line 17: after that line insert:

18 “(8m) The department shall design the reconstruction of the Marquette
19 interchange and I 94 in Milwaukee and Waukesha counties to allow for expansion
20 of capacity for vehicular traffic on the Marquette interchange and I 94 in these
21 counties to meet the projected vehicular traffic capacity needs, as determined by the
22 department, for 30 years following the completion of such reconstruction.”.

23 ***b1516/2.2* 1309.** Page 861, line 17: after that line insert:

24 ***b1516/2.2* SECTION 2304p.** 84.02 (5) (a) of the statutes is amended to read:

1 84.02 (5) (a) As often as it deems necessary, the department shall publish
2 highway service maps showing the state trunk highway system and such other main
3 highways and other features as may seem desirable. Such highway service maps
4 shall be sold by the department at a price to be fixed by it, which shall be not less than
5 cost. The department may permit the use of the base plates for other maps and
6 publications in consideration of a fair fee for such use. The department shall make
7 and publish or duplicate such highway service maps as are required for its use, and
8 shall publish folded highway maps of Wisconsin for free distribution to the public.
9 The department shall ensure that the folded highway maps bear information
10 regarding the requirements of s. 347.48 (4) and do not bear information regarding
11 toll-free telephone service under s. 13.205.”

12 ***b1519/2.195* 1310.** Page 861, line 17: after that line insert:

13 ***b1519/2.195*** “SECTION 2304t. 84.02 (3) (a) of the statutes is amended to read:

14 84.02 (3) (a) Changes may be made in the state trunk system by the
15 department, if it deems that the public good is best served by making the changes.
16 The department, in making the changes, may lay out new highways by the procedure
17 under this subsection. Due notice shall be given to the localities concerned of the
18 intention to make changes or discontinuances, and if the change proposes to lay a
19 highway via a new location and the distance along such deviation from the existing
20 location exceeds 2 1/2 miles, then a hearing in or near the region affected by the
21 proposed change shall be held prior to making the change effective. The notice shall
22 also be given to the secretary of natural resources fish, wildlife, parks, and forestry
23 and to the secretary of environmental management either by registered mail or
24 personally. Whenever the department decides to thus change more than 2 1/2 miles

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

12 *b1421/1.1* **1311.** Page 861, line 19: delete the material beginning with that
13 line and ending with page 864, line 2.

14 *b1486/1.4* **1312.** Page 865, line 2: delete the material beginning with “and”
15 and ending with “(ck),” on line 4.

16 *b1486/1.5* **1313.** Page 865, line 8: delete “\$10,000,000” and substitute
17 “\$5,000,000”.

18 *b1416/1.1* **1314.** Page 865, line 20: after that line insert:

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

20 84.04 (4) Notwithstanding sub. (2), after the effective date of this subsection
21 [revisor inserts date], the department may not construct any rest area along or
22 in close proximity with a state trunk highway at a location that is within a radius
23 of 5 miles from an exit from the highway that provides access to motorist services
24 described under s. 86.195 (3). This subsection does not apply to any rest area that

1 is located no more than 5 miles from the border of this state or to any rest area that
2 may be located near the village of Belmont in Lafayette County.”

3 *b1420/2.8* **1315.** Page 865, line 20: after that line insert:

4 *b1420/2.8* **SECTION 2307g.** 84.06 (1) of the statutes is amended to read:

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

13 *b1420/2.8* **SECTION 2307h.** 84.07 (1) of the statutes is amended to read:

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

1 continuing basis for the preservation of the highways on the state trunk system, and
2 including the care and protection of trees and other roadside vegetation and suitable
3 planting to prevent soil erosion or to beautify highways pursuant to s. 80.01 (3), and
4 all measures deemed necessary to provide adequate traffic service. Special
5 maintenance activities include the restoration, reinforcement, complete repair or
6 other activities which the department deems are necessary on an individual basis for
7 specified portions of the state trunk system. Maintenance activities also include the
8 installation, replacement, rehabilitation, or maintenance of highway signs, traffic
9 control signals, highway lighting, pavement markings, and intelligent
10 transportation systems.”

11 *b1489/2.1* **1316.** Page 865, line 20: after that line insert:

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

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

14 DEFINITIONS. In this section:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 84.076 (1) (a) “Disadvantaged individual” means a minority group member, a
24 woman or any other individual found by the department to be socially and
25 economically disadvantaged ~~by the department as provided~~ within the meaning

1 given in 49 CFR ~~23.62~~ 26.5, unless successfully challenged as provided in 49 CFR
2 ~~23.69~~ 26.89.

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

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

9 *b1489/2.1* SECTION 2307dh. 84.076 (1) (b) 1., 2. and 3. of the statutes are
10 repealed.

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

13 84.076 (3) BIDS, CONTRACTS. Section 84.06 (2) applies to bids and contracts
14 under this section, except that the secretary shall reject low bids that do not satisfy
15 the requirements under sub. (4). ~~The secretary shall establish a list of disadvantaged~~
16 ~~businesses that are eligible to submit bids for contracts awarded under this section~~
17 ~~and subcontractors who meet the requirements under sub. (4) (b). Each bid~~
18 ~~submitted under this section shall include the agreement specified under sub. (4) and~~
19 ~~all of the following conditions: (a) A, as a condition, a goal that at least 25% of the~~
20 ~~total number of workers in all construction trades employed on the project will be~~
21 ~~disadvantaged individuals.~~

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

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

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

11 ***b1495/1.24* 1317.** Page 865, line 20: after that line insert:

12 ***b1495/1.24* “SECTION 2307c.** 84.03 (9) (a) of the statutes is amended to read:

13 84.03 (9) (a) Subject to s. 86.255, that part of the appropriation made by s.
14 20.395 (3) in the state and local highways account, not required for the other
15 purposes therein provided, may be used by the department for the improvement and
16 traffic service of the state trunk highway system and connecting highways, for the
17 purchase and operation of equipment, making surveys for locating local road
18 materials, testing of materials, and for other purposes provided in this section, and
19 to match or supplement federal aid for the construction, reconstruction or
20 improvement of the federal aid highway system, secondary or feeder roads, the
21 elimination of hazards at railroad grade crossings and for any other highway purpose
22 for which the state may match or supplement federal aid funds pursuant to any act
23 of congress. Where such funds are used for the improvement of the state trunk
24 highway system or connecting highways or to match or supplement federal aid they

1 shall be expended in accordance with s. 84.06 and any applicable act of congress. Any
2 funds expended pursuant to this paragraph shall be expended by the department on
3 such projects within the provisions of this paragraph, and executed in such manner
4 as the department shall from time to time determine will best meet the needs of
5 travel and best promote the general welfare. Such funds may be used for
6 improvements, within the provisions of this paragraph, independent of or in
7 conjunction with other funds available for such improvements. Subject to s. 86.255,
8 the requirements of any federal highway act, or regulations issued thereunder, may
9 be met from such appropriation.

10 *b1495/1.24* SECTION 2307d. 84.05 of the statutes is amended to read:

11 **84.05 Railroad crossing improvements.** On a highway which the
12 department has authority to construct and which crosses a railroad, if the
13 department determines that the construction or reconstruction of a grade separation
14 or the rearrangement or elimination of a grade crossing or other rearrangement of
15 the highway or tracks is necessary in the interest of public safety or for convenience
16 of public travel, the department shall make a plan of the construction proposed and
17 an estimate of the cost thereof, including the cost of needed right-of-way; and shall
18 endeavor to make an arrangement with all persons concerned as to all matters
19 involved in the plan, including the portion of the cost of the contemplated work which
20 the persons shall defray. If the department is unable to contract with the persons
21 concerned as to the distribution and payment of the cost of the work or the
22 maintenance thereof, the department shall lay the matter before the office of the
23 commissioner of railroads, and the office of the commissioner of railroads shall
24 review the proceedings and hold a hearing thereon in accordance with ss. 195.28 and
25 195.29, and shall fix the portion of the cost of the construction and of the maintenance

1 which is to be paid by the persons or corporations concerned, and the portion of the
2 cost, if any, to be paid by the public, which portion shall be paid from the public
3 transportation account in the transportation fund. The office of the commissioner
4 of railroads shall determine the benefits, if any, which will inure to other highways,
5 and apportion and charge to the units of government responsible for the construction
6 of such other highways a fair portion of the cost.

7 *b1495/1.24* SECTION 2307f. 84.09 (3) (c) of the statutes is amended to read:

8 84.09 (3) (c) The county highway committee when so ordered by the
9 department is authorized and empowered to sell and shall sell at public or private
10 sale, subject to such conditions and terms authorized by the department, any and all
11 buildings, structures, or parts thereof, and any other fixtures or personalty acquired
12 in the name of the county under this section or any predecessor. Any instrument in
13 the name of the county, transferring title to the property mentioned in the foregoing
14 sentence, shall be executed by the county highway committee and the county clerk.
15 The proceeds from such sale shall be deposited ~~with the state in the appropriate in~~
16 the state and local highways account in the transportation fund and the expense
17 incurred in connection with such sale shall be paid from such fund.

18 *b1495/1.24* SECTION 2307h. 84.09 (5) of the statutes is amended to read:

19 84.09 (5) Subject to the approval of the governor, the department may sell at
20 public or private sale property of whatever nature owned by the state and under the
21 jurisdiction of the department when the department determines that the property
22 is no longer necessary for the state's use for highway purposes and, if real property,
23 the real property is not the subject of a petition under s. 16.375 (2). The department
24 shall present to the governor a full and complete report of the property to be sold, the
25 reason for the sale, and the minimum price for which the same should be sold,

1 together with an application for the governor's approval of the sale. The governor
2 shall thereupon make such investigation as he or she may deem necessary and
3 approve or disapprove the application. Upon such approval and receipt of the full
4 purchase price, the department shall by appropriate deed or other instrument
5 transfer the property to the purchaser. The approval of the governor is not required
6 for public or private sale of property having a fair market value at the time of sale
7 of not more than \$3,000, for the transfer of surplus state real property to the
8 department of administration under s. 16.375 or for the transfer of surplus state
9 personal property to the department of tourism under sub. (5s). The funds derived
10 from sales under this subsection shall be deposited in the state and local highways
11 account in the transportation fund, and the expense incurred by the department in
12 connection with the sale shall be paid from such account in the transportation fund.

13 *b1495/1.24* SECTION 2307hg. 84.09 (5r) of the statutes is amended to read:

14 84.09 (5r) In lieu of the sale or conveyance of property under sub. (5) or (5m),
15 the department may, subject to the approval of the governor, donate real property
16 that is adjacent to the veterans memorial site located at The Highground in Clark
17 County and owned by the state and under the jurisdiction of the department to the
18 Wisconsin Vietnam Veterans Memorial Project, Inc., for the purpose of the veterans
19 memorial site located at The Highground in Clark County for the purpose of a
20 memorial hall specified in s. 70.11 (9). The department may donate property under
21 this subsection only when the department determines that the property is no longer
22 necessary for the state's use for highway purposes and is not the subject of a petition
23 under s. 16.375 (2) and is transferred with a restriction that the donee may not
24 subsequently transfer the real property to any person except to this state, which
25 shall not be charged for any improvements thereon. Such restriction shall be

1 recorded in the office of the register of deeds in the county in which the property is
2 located. The department shall present to the governor a full and complete report of
3 the property to be donated, the reason for the donation, and the minimum price for
4 which the property could likely be sold under sub. (5), together with an application
5 for the governor's approval of the donation. The governor shall thereupon make such
6 investigation as he or she considers necessary and approve or disapprove the
7 application. Upon such approval, the department shall by appropriate deed or other
8 instrument transfer the property to the donee. The approval of the governor is not
9 required for donation of property having a fair market value at the time of donation
10 of not more than \$3,000. Any expense incurred by the department in connection with
11 the donation shall be paid from the state and local highways account in the
12 transportation fund.

13 *b1495/1.24* **SECTION 2307hm.** 84.10 (2) of the statutes is amended to read:
14 84.10 (2) The joint committee on finance may transfer moneys to s. 20.395 (3)
15 (cq) from any other segregated revenue appropriations of the department for state
16 operations from the state and local highways account in the transportation fund,
17 upon request of the department, for the purpose of supplementing moneys allocated
18 under s. 20.395 (3) (cq) for the rehabilitation of a local bridge for which improvement
19 is a state responsibility and which has been posted with a weight limitation as
20 provided in s. 349.16 (2).”.

21 *b1519/2.196* **1318.** Page 865, line 20: after that line insert:

22 *b1519/2.196* **SECTION 2307g.** 84.078 (1) (am) of the statutes is amended to
23 read:

1 84.078 (1) (am) “High-volume industrial waste” means fly ash, bottom ash,
2 paper mill sludge or foundry process waste, or any other waste with similar
3 characteristics specified by the department of ~~natural resources~~ environmental
4 management by rule.

5 ***b1519/2.196* SECTION 2307h.** 84.078 (3) (a) 2. of the statutes is amended to
6 read:

7 84.078 (3) (a) 2. The department of ~~natural resources~~ environmental
8 management certifies to the department of transportation, before the time that the
9 department of transportation advertises for bids for the improvement, that the
10 high-volume industrial waste intended to be used and the design for the use of the
11 high-volume industrial waste comply with all applicable state requirements or
12 standards administered by the department of ~~natural resources~~ environmental
13 management.

14 ***b1519/2.196* SECTION 2307i.** 84.078 (3) (b) (intro.) of the statutes is amended
15 to read:

16 84.078 (3) (b) (intro.) The exemption under par. (a) extends to the
17 transportation of high-volume industrial waste to or from the site of a highway
18 improvement and to the storage of high-volume industrial waste at the site of a
19 highway improvement. The exemption provided under par. (a) continues to apply
20 after the date of certification by the department of ~~natural resources~~ environmental
21 management under par. (a) 2., notwithstanding the occurrence of any of the
22 following:

23 ***b1519/2.196* SECTION 2307j.** 84.078 (3) (c) of the statutes is amended to read:

24 84.078 (3) (c) The department of transportation and the department of ~~natural~~
25 ~~resources~~ environmental management may enter into agreements establishing

1 standard lists of high-volume industrial waste that may be used in highway
2 improvements and designs for the use of high-volume industrial waste in highway
3 improvements that comply with rules of the department of ~~natural resources~~
4 environmental management applicable at the time of the design of the highway
5 improvement in order to simplify certification under par. (a) 2. to the greatest extent
6 possible.”.

7 *b1302/2.1* **1319.** Page 866, line 2: after that line insert:

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

9 **84.1040 Donald K. “Deke” Slayton Memorial Highway.** (1) The
10 department shall designate and, subject to sub. (2), mark STH 27 in Monroe County
11 commencing at Sparta and proceeding southerly to Cashton as the “Donald K. ‘Deke’
12 Slayton Memorial Highway” as a living memorial to and in honor of Donald K. “Deke”
13 Slayton, who brought credit to this state and, in particular, Monroe County for his
14 contribution to this country’s space program as one of the 7 original astronauts and
15 as a participant in the first joint United States–Soviet space mission.

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

23 *b1519/2.197* **1320.** Page 866, line 7: after that line insert:

24 *b1519/2.197* “SECTION 2307u. 84.11 (3) of the statutes is amended to read:

1 84.11 (3) HEARING. Within 60 days of the receipt of a petition under sub. (2),
2 the department shall fix a time and place for a hearing and give notice of the hearing
3 by publication of a class 2 notice, under ch. 985, in the vicinity of the proposed bridge
4 project. Notice shall also be given by registered letter addressed to the clerks of the
5 counties, cities, villages and towns in which any part of the bridge project will be
6 located. The notice shall also be given to the secretary of ~~natural resources~~ fish,
7 wildlife, parks, and forestry and the secretary of environmental management either
8 by registered mail or personally. The hearing may be held in any county, city, village
9 or town in which any part of the bridge project will be located.

10 ***b1519/2.197* SECTION 2307w.** 84.11 (7m) of the statutes is amended to read:

11 84.11 (7m) EXECUTION AND CONTROL OF WORK. Subject to the control and
12 supervision over the navigable waters of the state conferred by law upon the
13 department of ~~natural resources~~ environmental management, and the control
14 exercised by the United States, the construction under this section of any bridge
15 project shall be wholly under the supervision and control of the department. The
16 secretary shall make and execute all contracts and have complete supervision over
17 all matters pertaining to such construction and shall have the power to suspend or
18 discontinue proceedings or construction relative to any bridge project at any time in
19 the event any county, city, village or town fails to pay the amount required of it as to
20 any project under sub. (1m), or in the event the secretary determines that sufficient
21 funds to pay the state's part of the cost of the bridge project are not available. All
22 moneys provided by counties, cities, villages and towns shall be deposited in the state
23 treasury, when required by the secretary, and paid out on order of the secretary. Any
24 of such moneys deposited for a project eligible for construction under sub. (1m) which
25 remain in the state treasury after the completion of the project shall be repaid to the

1 respective counties, cities, villages and towns in such amounts as to result in the
2 distribution provided in sub. (5m).

3 ***b1519/2.197* SECTION 2307y.** 84.12 (7) of the statutes is amended to read:

4 84.12 (7) EXECUTION AND CONTROL OF WORK. Subject to the control and
5 supervision over the navigable waters of the state conferred upon the department of
6 natural resources environmental management, and the control exercised by the
7 United States, the construction under this section of any bridge project shall be
8 under the joint supervision and control of the department and of the transportation
9 department of the other state concerned. If the transportation department of the
10 other state is not authorized to act jointly with this state in such bridge project
11 arrangements may be made with such subdivisions of the other state as may have
12 proper authority, represented by their proper officers. Control shall be exercised in
13 the manner deemed most expedient by the secretary and such department or by the
14 secretary and the officers of the subdivisions of the other state concerned in the
15 construction. Contracts for the construction of said bridge projects may be made and
16 executed by the secretary and the transportation department of the other state
17 jointly, or jointly by the secretary and such subdivisions of the other state as may
18 participate in the construction, or by appropriate agreement between the parties
19 with respect to financing and control of the work, the authority of either state may
20 contract for all or part of the construction. The secretary may suspend or discontinue
21 proceedings or construction relative to any bridge project at any time in the event any
22 county, city, village or town fails to pay the amount required of it as to any project
23 eligible to construction under sub. (1) (a) or offered by it as to any project eligible to
24 construction under sub. (1) (b), or in the event the secretary determines that
25 sufficient funds to pay the state's part of the cost of the bridge project are not

1 available. All moneys available from this state, or its subdivisions, shall be deposited
2 in the state treasury when required by the secretary and shall be paid out only upon
3 the order of the secretary. Moneys deposited by such subdivisions which remain in
4 the state treasury after the completion of such project shall be repaid to the
5 respective subdivisions in the proportion paid in.”.

6 *b1410/1.1* **1321.** Page 866, line 24: delete the material beginning with that
7 line and ending with page 868, line 2.

8 *b1414/1.1* **1322.** Page 868, line 2: after that line insert:

9 *b1414/1.1* “**SECTION 2308r.** 84.30 (10m) of the statutes is renumbered 84.30
10 (10m) (intro.) and amended to read:

11 84.30 (10m) ANNUAL PERMIT FEE REQUIREMENT. The department may
12 promulgate a rule requiring persons specified in the rule to pay annual permit fees
13 for signs. If the department establishes an annual permit fee under this subsection,
14 failure to pay the fee within 2 months after the date on which payment is due is
15 evidence that the sign has been abandoned for the purposes of s. TRANS 201.10 (2)
16 (f), Wis. Adm. Code. This subsection does not apply to any of the following:

17 *b1414/1.1* **SECTION 2308s.** 84.30 (10m) (a) and (b) of the statutes are created
18 to read:

19 84.30 (10m) (a) An off-premises advertising sign that is owned by a nonprofit
20 organization.

21 (b) A sign that has been permanently removed by the owner of the sign, even
22 if the department was not notified of the sign’s removal.”.

23 *b1495/1.25* **1323.** Page 868, line 2: after that line insert: