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1 ***b2146/4.3* 1089.** Page 832, line 20: delete “allowed for state death taxes”
2 and substitute “~~allowed for state death taxes~~”.

3 ***b2146/4.4* 1090.** Page 832, line 23: delete “allowed for state death taxes”
4 and substitute “~~allowed for state death taxes~~”.

5 ***b2146/4.5* 1091.** Page 833, line 2: delete “allowed for state death taxes” and
6 substitute “~~allowed for state death taxes~~”.

7 ***b2146/4.6* 1092.** Page 833, line 8: delete “chapter” and substitute
8 “chapter.”.

9 ***b2146/4.7* 1093.** Page 833, line 9: delete “chapter,” and substitute “chapter,
10 with”.

11 ***b2146/4.8* 1094.** Page 833, line 13: delete the material beginning with
12 “2001” and ending with “1,” on line 14.

13 ***b2160/2.8* 1095.** Page 836, line 24: after that line insert:

14 ***b2160/2.8*** “SECTION 2205n. 73.03 (57) of the statutes is created to read:

15 73.03 (57) To include on the forms on which the artistic endowment credits are
16 claimed, under ss. 71.07 (9t), 71.28 (9t), and 71.47 (9t), a statement that a taxpayer
17 may contribute amounts to the artistic endowment fund under s. 25.78 that exceed
18 the amount for which a credit may be claimed by reducing the taxpayer’s refund or
19 by increasing the taxpayer’s payment for tax liability, with the proceeds to be
20 deposited into the fund.”.

21 ***b2150/2.6* 1096.** Page 837, line 7: after that line insert:

22 ***b2150/2.6*** “SECTION 2207m. 73.06 (3) of the statutes is amended to read:

1 73.06 (3) The department of revenue, through its supervisors of equalization,
2 shall examine and test the work of assessors during the progress of their assessments
3 and ascertain whether any of them is assessing property at other than full value or
4 is omitting property subject to taxation from the roll. The department and such
5 supervisors shall have the rights and powers of a local assessor for the examination
6 of persons and property and for the discovery of property subject to taxation. If any
7 property has been omitted or not assessed according to law, they shall bring the same
8 to the attention of the local assessor of the proper district and if such local assessor
9 shall neglect or refuse to correct the assessment they shall report the fact to the board
10 of review. If it discovers errors in identifying or valuing property that is exempt
11 under s. 70.11 (39) or (39m), the department shall change the specification of the
12 property as taxable or exempt and shall change the value of the property. All
13 disputes between the department, municipalities and property owners about the
14 taxability or value of property that is reported under s. 79.095 (2) (a) or of the
15 property under s. 70.995 (12r) shall be resolved by using the procedures under s.
16 70.995 (8).”.

17 ***b1279/1.1* 1097.** Page 838, line 25: after that line insert:

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

19 76.02 (6m) “Repair facility” means property on which a roundhouse, a repair
20 shop, and a turntable are located and at which railcars and locomotives are built,
21 maintained, and repaired.

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

23 **76.16 Separate valuation of repair facilities, docks, piers, wharves, ore**
24 **yards, elevators, car ferries and pipeline terminal facilities.** After the

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

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

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

24 ***b2150/2.7* 1098.** Page 838, line 25: after that line insert:

1 ***b2150/2.7*** “SECTION 2231m. 76.025 (1) of the statutes is amended to read:

2 76.025 (1) The property taxable under s. 76.13 shall include all franchises, and
3 all real and personal property of the company used or employed in the operation of
4 its business, excluding property that is exempt from the property tax under s. 70.11
5 (39) and (39m), such motor vehicles as are exempt under s. 70.112 (5) and treatment
6 plant and pollution abatement equipment exempt under s. 70.11 (21) (a). The
7 taxable property shall include all title and interest of the company referred to in such
8 property as owner, lessee or otherwise, and in case any portion of the property is
9 jointly used by 2 or more companies, the unit assessment shall include and cover a
10 proportionate share of that portion of the property jointly used so that the
11 assessments of the property of all companies having any rights, title or interest of
12 any kind or nature whatsoever in any such property jointly used shall, in the
13 aggregate, include only one total full value of such property.”

14 ***b2150/2.8* 1099.** Page 842, line 22: after “(39)” insert “and (39m)”.

15 ***b2221/3.117* 1100.** Page 843, line 5: after that line insert:

16 ***b2221/3.117*** “SECTION 2243b. 77.02 (1) of the statutes is amended to read:

17 77.02 (1) PETITION. The owner of an entire quarter quarter section, fractional
18 lot or government lot as determined by U.S. government survey plat, excluding
19 public roads and railroad rights-of-way that may have been sold, may file with the
20 department of ~~natural resources~~ forestry a petition stating that the owner believes
21 the lands therein described are more useful for growing timber and other forest crops
22 than for any other purpose, that the owner intends to practice forestry thereon, that
23 all persons holding encumbrances thereon have joined in the petition and requesting
24 that such lands be approved as “Forest Croplands” under this subchapter. Whenever

1 any such land is encumbered by a mortgage or other indenture securing any issue
2 of bonds or notes, the trustee named in such mortgage or indenture or any
3 amendment thereto may join in such petition, and such action shall for the purpose
4 of this section be deemed the action of all holders of such bonds or notes.

5 ***b2221/3.117* SECTION 2243c.** 77.02 (2) of the statutes is amended to read:

6 77.02 (2) NOTICE OF HEARING, ADJOURNMENT. Upon receipt of such petition the
7 department of ~~natural resources~~ forestry shall investigate the same and shall file a
8 listing of descriptions with the town chairperson. For petitions received prior to May
9 1, the department shall within the same calendar year cause a notice that such
10 petition has been filed to be published as a class 3 notice, under ch. 985, in the
11 newspaper having the largest general circulation in the county in which the lands
12 are located, and notice by registered mail shall be given to the town clerk of any town
13 in which the lands are located. Such notice shall contain the name of the petitioner,
14 a description of the lands and a statement that any resident of or taxpayer in the
15 town may within 15 days from the date of publication of the notice file a request with
16 the department that it conduct a public hearing on the petition. Upon receipt of such
17 a request the department shall conduct a public hearing on the petition. The
18 department may conduct a public hearing on any petition without a request, if it
19 deems it advisable to do so. Notice of the time and place of such hearing and a
20 description, in specific or general terms, as the department deems advisable, of the
21 property requested to be approved as “Forest Croplands” shall be given to persons
22 making the request, the owner of such land and to the assessor of towns in which it
23 is situated, by mail, at least one week before the day of hearing. The notice also shall
24 be published as a class 1 notice, under ch. 985, in a newspaper having general
25 circulation in the county in which such land is located, at least one week before the

1 day of the hearing. Such hearing may be adjourned and no notice of the time and
2 place of such adjourned hearing need be given, excepting the announcement thereof
3 by the presiding officer at the hearing at which the adjournment is had.

4 ***b2221/3.117* SECTION 2243d.** 77.02 (3) of the statutes is amended to read:

5 77.02 (3) DECISION, COPIES. After receiving all the evidence offered at any
6 hearing held on the petition and after making such independent investigation as it
7 sees fit the department shall make its findings of fact and make and enter an order
8 accordingly. If it finds that the facts give reasonable assurance that a stand of
9 merchantable timber will be developed on such descriptions within a reasonable
10 time, and that such descriptions are then held permanently for the growing of timber
11 under sound forestry practices, rather than for agricultural, mineral, shoreland
12 development of navigable waters, recreational, residential or other purposes, and
13 that all persons holding encumbrances against such descriptions have in writing
14 agreed to the petition, the order entered shall grant the request of the petitioner on
15 condition that all unpaid taxes against said descriptions be paid within 30 days
16 thereafter; otherwise the department of ~~natural resources~~ forestry shall deny the
17 request of the petitioner. If the request of the petitioner is granted, a copy of such
18 order shall be filed with the department of revenue, the supervisor of equalization
19 and the clerk of each town, and the order shall be recorded with the register of deeds
20 of each county, in which any of the lands affected by the order are located. The
21 register of deeds shall record the entry, transfer or withdrawal of all forest croplands
22 in a suitable manner on the county records. The register of deeds may collect
23 recording fees under s. 59.43 (2) from the owner. Any order of the department
24 relating to the entry of forest croplands issued on or before November 20 of any year
25 shall take effect on January 1 of the following calendar year, but all orders issued

1 after November 20 shall take effect on January 1 of the calendar year following the
2 calendar year in which orders issued on or before November 20 would have been
3 effective.

4 *b2221/3.117* SECTION 2243e. 77.03 of the statutes is amended to read:

5 **77.03 Taxation of forest croplands.** After the filing and recording of the
6 order with the officers under s. 77.02 (3) the lands described therein shall be “Forest
7 Croplands”, on which taxes shall thereafter be payable only as provided under this
8 subchapter. The enactment of ss. 77.01 to 77.14, petition by the owner and the
9 making of the order under s. 77.02 (3) shall constitute a contract between the state
10 and the owner, running with the lands, for a period of 25 or 50 years at the election
11 of the applicant at the time the petition is filed, unless withdrawn under s. 77.10,
12 with privilege of renewal by mutual agreement between the owner and the state,
13 whereby the state as an inducement to owners and prospective purchasers of forest
14 croplands to come under ss. 77.01 to 77.14 agrees that, unless withdrawn under s.
15 77.10, no change in or repeal of ss. 77.01 to 77.14 shall apply to any land then
16 accepted as forest croplands, except as the department of ~~natural resources~~ forestry
17 and the owner may expressly agree in writing and except as provided in s. 77.17. If
18 at the end of the contract period the land is not designated as managed forest land
19 under subch. VI, the merchantable timber on the land shall be estimated by an
20 estimator jointly agreed upon by the department of ~~natural resources~~ forestry and
21 the owner, and if the department and the owner fail to agree on an estimator, the
22 judge of the circuit court of the district in which the lands lie shall appoint a qualified
23 forester, whose estimate shall be final, and the cost thereof shall be borne jointly by
24 the department of ~~natural resources~~ forestry and the owner; and the 10% severance
25 tax paid on the stumpage thereon in the same manner as if the stumpage had been

1 cut. The owners by such contract consent that the public may hunt and fish on the
2 lands, subject to such rules as the department of natural resources prescribes
3 regulating hunting and fishing.

4 ***b2221/3.117* SECTION 2243f.** 77.04 (2) of the statutes is amended to read:

5 77.04 (2) TAX PER ACRE; PAYMENT; PENALTY. The “acreage share” shall be
6 computed at the rate of 10 cents per acre on all lands entered prior to 1972. On all
7 lands entered after December 31, 1971, the “acreage share” shall be computed every
8 10 years to the nearest cent by the department of revenue at the rate of 20 cents per
9 acre multiplied by a ratio using the equalized value of the combined residential,
10 commercial, manufacturing, agricultural, swamp, or waste and productive forest
11 land classes under s. 70.32 (2) within the state in 1972 as the denominator, and using
12 equalized value for these combined land classes in 1982 and every 10th year
13 thereafter as the numerator. All owners shall pay to the taxation district treasurer
14 the acreage share on each description on or before January 31. If the acreage share
15 is not paid when due to the taxation district treasurer it shall be subject to interest
16 and penalty as provided under ss. 74.11 (11), 74.12 (10) and 74.47. These lands shall
17 be returned as delinquent and a tax certificate under subch. VII of ch. 74 shall be
18 issued on them. After 2 years from the date of the issuance of a tax certificate, the
19 county clerk shall promptly take a tax deed under ch. 75. On taking such deed the
20 county clerk shall certify that fact and specify the descriptions to the department of
21 natural resources forestry.

22 ***b2221/3.117* SECTION 2243g.** 77.05 of the statutes is amended to read:

23 **77.05 State contribution.** The department of natural resources forestry shall
24 pay before June 30 annually to the town treasurer, from the appropriation under s.

1 ~~20.370 (5) (bv)~~ 20.375 (2) (vm), 20 cents for each acre of land in the town that is
2 described as forest croplands under this subchapter.

3 ***b2221/3.117* SECTION 2243h.** 77.06 (1) of the statutes is amended to read:

4 77.06 (1) CUTTING TIMBER REGULATED. No person shall cut any merchantable
5 wood products on any forest croplands where the forest crop taxes are delinquent nor
6 until 30 days after the owner has filed with the department of ~~natural resources~~
7 forestry a notice of intention to cut, specifying by descriptions and the estimated
8 amount of wood products to be removed and the proportion of present volume to be
9 left as growing stock in the area to be cut. The department of ~~natural resources~~
10 forestry may require a bond executed by some surety company licensed in this state
11 or other surety for such amount as may reasonably be required for the payment to
12 the department of ~~natural resources~~ forestry of the severance tax hereinafter
13 provided. The department, after examination of the lands specified, may prescribe
14 the amount of forest products to be removed. Cutting in excess of the amount
15 prescribed shall render the owner liable to double the severance tax prescribed in s.
16 77.06 (5) and subject to cancellation under s. 77.10. Merchantable wood products
17 include all wood products except wood used for fuel by the owner.

18 ***b2221/3.117* SECTION 2243i.** 77.06 (2) of the statutes is amended to read:

19 77.06 (2) APPRAISAL OF TIMBER, ZONES. Each year the department of ~~natural~~
20 ~~resources~~ forestry, at the time and place it shall fix and after such public notice as
21 it deems reasonable, shall hold a public hearing. After the hearing the department
22 shall make and file, open to public inspection, a determination of the reasonable
23 stumpage values of the wood products usually grown in the several towns in which
24 any forest croplands lie. A public hearing under this section shall be held prior to
25 August 1 of each year and the determination of stumpage values made by the

1 department of ~~natural resources~~ forestry shall take effect on November 1 of that year.
2 If the department of ~~natural resources~~ forestry finds there is a material variance in
3 the stumpage values in the different localities, it may fix separate zones and
4 determine the values for each zone.

5 ***b2221/3.117* SECTION 2243j.** 77.06 (3) of the statutes is amended to read:

6 77.06 (3) REVALUATION. As to any locality or zone in which the department of
7 ~~natural resources~~ forestry deems there has been no material variance from the
8 preceding year in stumpage values, it may omit to make any new valuation in any
9 year, in which event the last preceding valuation shall continue in force until
10 changed in a succeeding year.

11 ***b2221/3.117* SECTION 2243k.** 77.06 (4) of the statutes is amended to read:

12 77.06 (4) CUTTING REPORTED. Within 30 days after completion of cutting on any
13 land description, but not more than one year after filing of the notice of intention to
14 cut, the owner shall transmit to the department of ~~natural resources~~ forestry on
15 forms provided by the department a written statement of the products so cut,
16 specifying the variety of wood, kind of product, and quantity of each variety and kind
17 as shown by the scale or measurement thereof made on the ground as cut, skidded,
18 loaded, delivered, or by tree scale certified by a qualified forester when stumpage is
19 sold by tree measurement. The department of ~~natural resources~~ forestry may accept
20 such reports as sufficient evidence of the facts, or may either with or without hearing
21 and notice of time and place thereof to such owner, investigate and determine the fact
22 of the quantity of each variety and kind of product so cut during said periods
23 preceding such reports.

24 ***b2221/3.117* SECTION 2243L.** 77.06 (5) of the statutes is amended to read:

1 77.06 (5) TAX LEVY ON RIGHT TO CUT TIMBER. The department of ~~natural resources~~
2 forestry shall assess and levy against the owner a severance tax on the right to cut
3 and remove wood products covered by reports under this section, at the rate of 10%
4 of the value of the wood products based upon the stumpage value then in force. Upon
5 making the assessment, the department of ~~natural resources~~ forestry shall mail a
6 duplicate of the certificate by registered mail to the owner who made the report of
7 cutting at the owner's last-known post-office address. The tax assessed is due and
8 payable to the department of ~~natural resources~~ forestry on the last day of the next
9 calendar month after mailing the certificate. The proceeds of the tax shall be paid
10 into the forestry ~~account of the conservation~~ fund for distribution under s. 77.07 (3).

11 ***b2221/3.117* SECTION 2243m.** 77.07 (2) of the statutes is amended to read:

12 77.07 (2) PENALTY, COLLECTIONS. If any severance tax remain unpaid for 30 days
13 after it becomes due, there shall then be added a penalty of 10%, and such tax and
14 penalty shall thereafter draw interest at the rate of one per cent per month until paid.
15 At the expiration of said 30 days the department of ~~natural resources~~ forestry shall
16 report to the attorney general any unpaid severance tax, adding said penalty, and the
17 attorney general shall thereupon proceed to collect the same with penalty and
18 interest by suit against the owner and by attachment or other legal means to enforce
19 the lien and by action on the bond mentioned in s. 77.06 (1), or by any or all such
20 means.

21 ***b2221/3.117* SECTION 2243n.** 77.08 of the statutes is amended to read:

22 **77.08 Supplemental severance tax.** At any time within one year after any
23 cutting should have been reported, the department of ~~natural resources~~ forestry
24 after due notice to the owner and opportunity to be heard, and on evidence duly made
25 a matter of record, may determine whether the quantity of wood products cut from

1 any such land, did in fact substantially exceed the amount on which the severance
2 tax theretofore levied was based, and if so shall assess a supplemental severance tax
3 which, in all respects, shall have the same force and effect as the former severance
4 tax, except only it shall not be a lien on any property the title of which has passed
5 to a purchaser for value without notice.

6 ***b2221/3.117* SECTION 2243p.** 77.09 (1) of the statutes is amended to read:

7 77.09 (1) Any person who fails to report or shall intentionally make any false
8 statement or report to the department of ~~natural resources~~ forestry required by s.
9 77.06 shall forfeit not more than \$1,000. An action under this section shall not be
10 a bar to a cancellation of entry and order of withdrawal under s. 77.10.

11 ***b2221/3.117* SECTION 2243q.** 77.10 (1) (a) of the statutes is amended to read:

12 77.10 (1) (a) The department of ~~natural resources~~ forestry shall on the
13 application of the department of revenue or the owner of any forest croplands or the
14 town board of the town in which said lands lie and may on its own motion at any time
15 cause an investigation to be made and hearing to be had as to whether any forest
16 croplands shall continue under this subchapter. If on such hearing after due notice
17 to and opportunity to be heard by the department of revenue, the town and the owner,
18 the department of ~~natural resources~~ forestry finds that any such lands are not
19 meeting the requirements set forth in s. 77.02 or that the owner has made use of the
20 land for anything other than forestry or has failed to practice sound forestry on the
21 land, the department of ~~natural resources~~ forestry shall cancel the entry of such
22 description and issue an order of withdrawal, and the owner shall be liable for the
23 tax and penalty under sub. (2). Copies of the order of withdrawal specifying the
24 description shall be filed by the department of ~~natural resources~~ forestry with all
25 officers designated to receive copies of the order of entry and withdrawal and this

1 subchapter shall not thereafter apply to the lands withdrawn, except s. 77.07 so far
2 as it may be needed to collect any previously levied severance or supplemental
3 severance tax. If the owner shall not repay the amounts on or before the last day of
4 February next succeeding the return of such lands to the general property tax roll
5 as provided in sub. (4), the department of ~~natural resources~~ forestry shall certify to
6 the county treasurer the descriptions and the amounts due, and the county treasurer
7 shall sell such lands as delinquent as described in s. 77.04 (2). Whenever any county
8 clerk has certified to the taking of tax deed under s. 77.04 (2) the department of
9 ~~natural resources~~ forestry shall issue an order of withdrawal as to the lands covered
10 in such tax deed. Such order may also be issued when examination of tax records
11 reveals prolonged delinquency and noncompliance with the requirements of s. 77.04
12 (2).

13 *b2221/3.117* SECTION 2243r. 77.10 (1) (b) of the statutes is amended to read:

14 77.10 (1) (b) Whenever any owner of forest croplands conveys such land the
15 owner shall, within 10 days of the date of the deed, file with the department of
16 ~~natural resources~~ forestry on forms prepared by the department a transfer of
17 ownership signed by the owner and an acceptance of transfer signed by the grantee
18 certifying that the grantee intends to continue the practice of forestry on such land.
19 The department of ~~natural resources~~ forestry shall immediately issue a notice of
20 transfer to all officers designated to receive copies of orders of entry and withdrawal.
21 Whenever a purchaser of forest croplands declines to certify his or her intention to
22 continue the practice of forestry thereon, such action shall constitute cause for
23 cancellation of entry under par. (a) without hearing.

24 *b2221/3.117* SECTION 2243s. 77.10 (2) (a) 1. of the statutes is amended to
25 read:

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

11 ***b2221/3.117* SECTION 2243t.** 77.10 (2) (a) 2. of the statutes is amended to
12 read:

13 77.10 (2) (a) 2. The amount of the tax shall be determined by the department
14 of revenue and furnished to the department of ~~natural resources~~ forestry, which shall
15 determine the exact amount of payment. When the tax rate or assessed value ratio
16 of the current year has not been determined the rate of the preceding tax year may
17 be used. On receiving such payment the department of ~~natural resources~~ forestry
18 shall issue an order of withdrawal and file copies thereof with the department of
19 revenue, the supervisor of equalization and the clerk of the town, and shall record
20 the order with the register of deeds of the county, in which the land lies. The land
21 shall then cease to be forest croplands.

22 ***b2221/3.117* SECTION 2243u.** 77.10 (2) (b) of the statutes is amended to read:

23 77.10 (2) (b) Upon receipt of any taxes under this section by the state, the
24 department of ~~natural resources~~ forestry shall first deduct all moneys paid by the
25 state on account of the lands under s. 77.05 with interest on the moneys computed

1 according to the rule of partial payments at the rate of interest paid under par. (a)
2 by the person withdrawing such lands. The department shall within 20 days remit
3 the balance to the town treasurer who shall pay 20% to the county treasurer and
4 retain the remainder.

5 ***b2221/3.117* SECTION 2243v.** 77.10 (4) of the statutes is amended to read:

6 77.10 (4) TAXATION AFTER WITHDRAWAL. When any description ceases to be a part
7 of the forest croplands, by virtue of any order of withdrawal issued by the department
8 of ~~natural resources~~ forestry, taxes thereafter levied thereon shall be payable and
9 collectible as if such description had never been under this subchapter.

10 ***b2221/3.117* SECTION 2243w.** 77.11 of the statutes is amended to read:

11 **77.11 Accounts of department of ~~natural resources~~ forestry.** The
12 department of ~~natural resources~~ forestry shall keep a set of forest croplands books
13 in which shall always appear as to each description in each town containing any
14 forest croplands, the amount of taxes paid by the state to the town and received by
15 the state from the owner. All tax payments shall be paid out of and receipts credited
16 to the forestry ~~account of the conservation~~ fund.

17 ***b2221/3.117* SECTION 2243x.** 77.13 (1) of the statutes is amended to read:

18 77.13 (1) On and after July 20, 1985, no person may petition the department
19 of ~~natural resources~~ forestry requesting it to approve any land as forest croplands
20 under this subchapter.

21 ***b2221/3.117* SECTION 2243y.** 77.13 (2) of the statutes is amended to read:

22 77.13 (2) On and after January 1, 1986, the department of natural resources
23 forestry may not act on any petition requesting the designation of land as forest
24 croplands, issue any order entering land as forest croplands or enter into a renewal
25 of any forest croplands contract under this subchapter.

1 ***b2221/3.117* SECTION 2243z.** 77.14 of the statutes is amended to read:

2 **77.14 Forest croplands information, protection, appropriation.** The
3 department of ~~natural resources~~ forestry shall publish and distribute information
4 regarding the method of taxation of forest croplands under this subchapter, and may
5 employ a fire warden in charge of fire prevention in forest croplands. All actual and
6 necessary expenses incurred by the department of ~~natural resources~~ forestry or by
7 the department of revenue in the performance of their duties under this subchapter
8 shall be paid from the appropriation made in s. ~~20.370 (1) (mu)~~ 20.375 (2) (q) upon
9 certification by the department incurring such expenses.

10 ***b2221/3.117* SECTION 2243zm.** 77.16 (1) of the statutes is amended to read:

11 **77.16 (1)** In this section “department” means the department of ~~natural~~
12 ~~resources~~ forestry.”

13 ***b1806/1.1* 1101.** Page 843, line 6: delete lines 6 to 14.

14 ***b0944/1.1* 1102.** Page 847, line 2: after that line insert:

15 ***b0944/1.1* “SECTION 2245dm.** 77.524 of the statutes is created to read:

16 **77.524 Seller and 3rd-party liability. (1)** In this subsection:

17 (a) “Certified automated system” means software that is certified jointly by the
18 states that are signatories to the agreement, as defined in s. 77.65 (2) (a), and that
19 is used to calculate the sales tax and use tax imposed under this subchapter and
20 subch. V on a transaction by each appropriate jurisdiction, to determine the amount
21 of tax to remit to the appropriate state, and to maintain a record of the transaction.

22 (b) “Certified service provider” means an agent that is certified jointly by the
23 states that are signatories to the agreement, as defined in s. 77.65 (2) (a), and that

1 performs all of a seller's sales tax and use tax functions related to the seller's retail
2 sales.

3 (c) "Seller" has the meaning given in s. 77.65 (2) (e).

4 (2) A certified service provider is the agent of the seller with whom the certified
5 service provider has contracted and is liable for the sales and use taxes that are due
6 the state on all sales transactions that the provider processes for a seller, except as
7 provided in sub. (3).

8 (3) A seller that contracts with a certified service provider is not liable for sales
9 and use taxes that are due the state on transactions that the provider processed,
10 unless the seller has misrepresented the type of items that the seller sells or has
11 committed fraud. The seller is subject to an audit on transactions that the certified
12 service provider processed only if there is probable cause to believe that the seller has
13 committed fraud or made a material misrepresentation. The seller is subject to an
14 audit on transactions that the certified service provider does not process. The states
15 that are signatories to the agreement, as defined in s. 77.65 (2) (a), may jointly check
16 the seller's business system and review the seller's business procedures to determine
17 if the certified service provider's system is functioning properly and to determine the
18 extent to which the seller's transactions are being processed by the certified service
19 provider.

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

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

6 ***b0944/1.2* 1103.** Page 847, line 15: after that line insert:

7 ***b0944/1.2* “SECTION 2246p.** 77.65 of the statutes is created to read:

8 **77.65 Uniform sales and use tax administration.** (1) SHORT TITLE. This
9 section shall be known as the “Uniform Sales and Use Tax Administration Act.”

10 (2) DEFINITIONS. In this section:

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

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

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

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

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

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

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

20 (3) DEPARTMENT AUTHORITY. The department may enter into the agreement to
21 simplify and modernize sales tax and use tax administration in order to
22 substantially reduce the tax compliance burden for all sellers and for all types of
23 commerce. The department may act jointly with other states that are signatories to
24 the agreement to establish standards for the certification of a certified service

1 provider and certified automated system and to establish performance standards for
2 multistate sellers. The department may promulgate rules to administer this section,
3 may procure jointly with other states that are signatories to the agreement goods and
4 services in furtherance of the agreement, and may take other actions reasonably
5 required to implement this section. The secretary of revenue or the secretary's
6 designee may represent this state before the states that are signatories to the
7 agreement.

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

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

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

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

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

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

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

22 (g) Provide that the state shall not use a seller's registration with the central
23 electronic registration system under par. (f), and the subsequent collection and
24 remittance of sales and use taxes in the states that are signatories to the agreement,

1 to determine whether the seller has sufficient connection with the state for the
2 purpose of imposing any tax.

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

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

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

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

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

14 (m) Certify compliance with the agreement before entering into the agreement
15 and maintain compliance with the agreement.

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

19 (o) Appoint, with the states that are signatories to the agreement, an advisory
20 council to consult with in administering the agreement. The advisory council shall
21 consist of private sector representatives and representatives from states that are not
22 signatories to the agreement.

23 (5) COOPERATING STATES. The agreement entered into under this section is an
24 accord among cooperating states to further their governmental functions and
25 provides a mechanism among the cooperating states to establish and maintain a

1 cooperative, simplified system for the application and administration of sales and
2 use taxes that are imposed by each state that is a signatory to the agreement.

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

7 (b) No person shall have any cause of action or defense under the agreement
8 or because of the department entering into the agreement. No person may challenge
9 any action or inaction by any department, agency, other instrumentality of this state,
10 or any political subdivision of this state on the ground that the action or inaction is
11 inconsistent with the agreement.

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

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

18 *b1351/1.1* **1104.** Page 847, line 15: after that line insert:

19 *b1351/1.1* “SECTION 2246n. 77.54 (46) of the statutes is created to read:

20 77.54 (46) The gross receipts from the sale of and the storage, use, or other
21 consumption of the U.S. flag or the state flag. This subsection does not apply to a
22 representation of the U.S. flag or the state flag.”

23 *b2137/1.1* **1105.** Page 847, line 15: after that line insert: 47

24 *b2137/1.1* “SECTION 2246md. 77.54 (46) of the statutes is created to read:

#1 / X

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

b2221/3.118 **1106.** Page 848, line 9: after that line insert:

b2221/3.118 “SECTION 2247c. 77.81 (1) of the statutes is amended to read:
77.81 (1) “Department” means the department of ~~natural resources~~ forestry.”.

b2221/3.119 **1107.** Page 848, line 25: after that line insert:

b2221/3.119 “SECTION 2247pg. 77.82 (2) (intro.) of the statutes is amended
to read:

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

b2221/3.119 SECTION 2247q. 77.82 (4) of the statutes is amended to read:

✓
X

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

10 ***b2221/3.119* SECTION 2247r.** 77.82 (4m) (bn) of the statutes is amended to
11 read:

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

16 ***b2221/3.120* 1108.** Page 849, line 3: after that line insert:

17 ***b2221/3.120* "SECTION 2247tg.** 77.84 (3) (b) of the statutes is amended to
18 read:

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

1 (3) if the property is sold by the county. The amount shall be credited to the
2 conservation forestry fund.

3 ***b2221/3.120* SECTION 2247tj.** 77.85 of the statutes is amended to read:

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

8 ***b2221/3.120* SECTION 2247tk.** 77.87 (3) of the statutes is amended to read:

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

14 ***b2221/3.120* SECTION 2247tm.** 77.88 (2) (d) of the statutes is amended to
15 read:

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

22 ***b2221/3.120* SECTION 2247tn.** 77.88 (7) of the statutes is amended to read:

23 **77.88 (7) PAYMENT; DELINQUENCY.** A tax under sub. (5) is due and payable to the
24 department on the last day of the month following the effective date of the
25 withdrawal order. Amounts received shall be credited to the conservation forestry

1 fund. If the owner of the land fails to pay the tax, the department shall certify to the
2 taxation district clerk the amount due. The taxation district clerk shall enter the
3 delinquent amount on the property tax roll as a special charge.

4 ***b2221/3.120* SECTION 2247tp.** 77.89 (1) of the statutes is amended to read:

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

9 ***b2221/3.120* SECTION 2247tr.** 77.89 (3) of the statutes is amended to read:

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

17 ***b2221/3.120* SECTION 2247tt.** 77.91 (4) of the statutes is amended to read:

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

21 ***b2221/3.120* SECTION 2247tu.** 77.91 (5) of the statutes is amended to read:

22 77.91 (5) RECORDING. Each register of deeds who receives notice of an order
23 under this subchapter shall record the action as provided under s. 59.43 (1). The
24 department shall pay the register of deeds the fee specified under s. 59.43 (2) (ag) 1.
25 from the appropriation under s. ~~20.370 (1) (er)~~ 20.375 (2) (qr). If the amount in the

1 appropriation under s. ~~20.370 (1) (er)~~ 20.375 (2) (qr) in any fiscal year is insufficient
2 to pay the full amount required under this subsection in that fiscal year, the
3 department shall pay the balance from the appropriation under s. ~~20.370 (1) (mu)~~
4 20.375 (2) (q).”

5 *b0941/1.3* **1109.** Page 850, line 2: delete the material beginning with that
6 line and ending on page 851, line 15.

7 *b0947/2.1* **1110.** Page 852, line 11: after that line insert:

8 *b0947/2.1* *SECTION 2258d. 79.01 (1) of the statutes is amended to read:

9 79.01 (1) There is established an account in the general fund entitled the
10 “Expenditure Restraint Program Account”- Account.” There shall be appropriated
11 to that account \$25,000,000 in 1991, in 1992, and in 1993; \$42,000,000 in 1994;
12 \$48,000,000 in each year beginning in 1995 and ending in 1999 and; \$57,000,000 in
13 the year 2000 and in the year 2001; \$57,570,000 in 2002; and \$58,145,700 in 2003
14 and in each year thereafter.

15 *b0947/2.1* SECTION 2280m. 79.03 (3c) (f) of the statutes is amended to read:

16 79.03 (3c) (f) *Distribution amount.* If the total amounts calculated under pars.
17 (c) to (e) exceed the total amount to be distributed under this subsection, the amount
18 paid to each eligible municipality shall be paid on a prorated basis. The total amount
19 to be distributed under this subsection from s. 20.835 (1) (b) is \$10,000,000 beginning
20 in 1996 and ending in 1999 and; \$11,000,000 in the year 2000 and in the year 2001;
21 \$11,110,000 in 2002; and \$11,221,100 in 2003 and in each year thereafter.

22 *b0947/2.1* SECTION 2281d. 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 2001, 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 2002, the total amounts to be distributed under ss. 79.03, 79.04, and
9 79.06 from s. 20.835 (1) (d) are \$769,092,800 to municipalities and \$170,671,600 to
10 counties. In 2003 and subsequent years, the total amounts to be distributed under
11 ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) are \$776,783,700 to municipalities
12 and \$172,378,300 to counties.

13 ***b0947/2.1* SECTION 2281e.** 79.03 (5) of the statutes is created to read:

14 79.03 (5) (a) In 2002 and 2003, each municipality shall receive a shared
15 revenue payment under this section that is equal to the amount of the payment it
16 received in the previous year, multiplied by 101%. In 2004 and in subsequent years,
17 each municipality shall receive a shared revenue payment under this section that is
18 equal to the amount of the payment it received in 2003.

19 (b) The department of revenue shall use the population amounts it used to
20 determine the November 2000, shared revenue payments to municipalities to
21 calculate corrections to such payments in 2001, as provided under s. 79.08. The
22 department of revenue shall use the population amounts it used to estimate
23 payments under s. 79.015 in September 2000, to calculate actual and corrected 2001
24 shared revenue payments to municipalities.”

1 ***b2150/2.9* 1111.** Page 852, line 11: after that line insert:

2 ***b2150/2.9* "SECTION 2255m.** 79.03 (3) (b) 3. of the statutes is amended to
3 read:

4 79.03 (3) (b) 3. "Full valuation" means the full value of property that is exempt
5 under s. 70.11 (39) and (39m) as determined under s. 79.095 (3) plus the full value
6 of all taxable property for the preceding year as equalized for state tax purposes,
7 except that for municipalities the value of real estate assessed under s. 70.995 is
8 excluded. Value increments under s. 66.1105 plus the full value of property that is
9 exempt under s. 70.11 (39) and (39m) that would otherwise be part of a value
10 increment are included for municipalities but excluded for counties. Environmental
11 remediation value increments under s. 66.1106 are included for municipalities and
12 counties that create the environmental remediation tax incremental district and are
13 excluded for units of government that do not create the district. If property that had
14 been assessed under s. 70.995 and that has a value exceeding 10% of a municipality's
15 value is assessed under s. 70.10, 30% of that property's full value is included in "full
16 valuation" for purposes of the shared revenue payments in the year after the
17 assessment under s. 70.10, 65% of that property's full value is included in "full
18 valuation" for purposes of the shared revenue payments in the year 2 years after the
19 assessment under s. 70.10 and 100% of that property's full value is included in "full
20 valuation" for purposes of subsequent shared revenue payments."

21 ***b0947/2.2* 1112.** Page 854, line 3: after that line insert:

22 ***b0947/2.2* "SECTION 2285d.** 79.058 (3) (c) of the statutes is amended to read:
23 79.058 (3) (c) In the year 2000 and ~~subsequent years~~ in 2001, \$20,763,800.

24 ***b0947/2.2* SECTION 2285e.** 79.058 (3) (d) of the statutes is created to read:

1 79.058 (3) (d) In 2002, \$20,971,400.

2 ***b0947/2.2* SECTION 2285f.** 79.085 (3) (e) of the statutes is created to read:
3 79.085 (3) (e) In 2003 and subsequent years, \$21,181,100.”.

4 ***b1071/2.1* 1113.** Page 854, line 3: after that line insert:

5 ***b1071/2.1* “SECTION 2285m.** 79.05 (2) (c) of the statutes is amended to read:
6 79.05 (2) (c) Its municipal budget,; exclusive of principal and interest on
7 long-term debt and exclusive of ~~payments of the~~ revenue sharing payments under
8 s. 66.0305 and recycling fee payments under s. 289.645,; for the year of the statement
9 under s. 79.015 increased over its municipal budget as adjusted under sub. (6),;
10 exclusive of principal and interest on long-term debt and exclusive of ~~payments of~~
11 ~~the~~ revenue sharing payments under s. 66.0305 and recycling fee payments under
12 s. 289.645,; for the year before that year by less than the sum of the inflation factor
13 and the valuation factor, rounded to the nearest 0.10%.”.

14 ***b2150/2.10* 1114.** Page 854, line 3: after that line insert:

15 ***b2150/2.10* “SECTION 2291m.** 79.095 (2) (a) of the statutes is amended to
16 read:

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

20 ***b2150/2.10* SECTION 2291n.** 79.095 (3) of the statutes is amended to read:

21 79.095 (3) REVIEW BY DEPARTMENT. The department shall adjust each rate
22 reported under sub. (2) (b) to a full-value rate. The department shall review and
23 correct the information submitted under sub. (2) (a), shall determine the full value
24 of all of the ~~computers~~ property reported under sub. (2) (a) and of all the ~~computers~~

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

9 ***b2150/2.10* SECTION 2291p.** 79.095 (4) of the statutes is amended to read:

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

18 ***b2209/1.1* 1115.** Page 854, line 3: after that line insert:

19 ***b2209/1.1* “SECTION 2287.** 79.06 (2) (b) of the statutes is amended to read:

20 79.06 (2) (b) If the payments to a municipality or county, except any county in
21 which there are no cities or villages, or any county created in the year 1846 or 1847,
22 with a population in the year 1990 greater than 16,000 but less than 17,000, as
23 determined by the 1990 federal decennial census, in any year exceed its combined
24 payments under this section and s. 79.03, excluding payments under s. 79.03 (3c),

1 in the previous year by more than the maximum allowable increase, the excess shall
2 be withheld to fund minimum payments in that year under sub. (1) (c).”

3 ***b1571/1.4* 1116.** Page 856, line 3: after that line insert:

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

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

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

16 81.01 (3) (b) The town board, by resolution, submits to the electors of the town
17 as a referendum at a general or special town election the question of exceeding the
18 \$10,000 limit set under this subsection. A copy of the resolution shall be filed as
19 provided in s. 8.37. The board shall abide by the majority vote of the electors of the
20 town on the question. The question shall read as follows:

21 Shall the town of --- ... spend \$--- \$.... over the annual limit of \$10,000 the
22 product of \$5,000 multiplied by the miles of highway under the jurisdiction of the
23 town measured by the most recent highway mileage for the town, as determined

1 under section 86.302 of the Wisconsin Statutes, for the construction, maintenance,
2 and repair of its highways and bridges?

3 FOR SPENDING AGAINST SPENDING .

4 *b2007/2.7* **1117.** Page 856, line 3: after that line insert:

5 *b2007/2.7* “SECTION 2294m. 84.001 (1r) of the statutes is created to read:

6 84.001 (1r) “Intelligent transportation system” means a specialized computer
7 system or other electronic, information processing, communication, or technical
8 system, including roadway detector loops, closed circuit television, permanent
9 variable message signs, or ramp meters, that is used to improve the efficiency or
10 safety of a surface transportation system.”.

11 *b2136/1.3* **1118.** Page 856, line 3: after that line insert:

12 *b2136/1.3* “SECTION 2294ec. 79.10 (10) (bm) of the statutes is renumbered
13 79.10 (10) (bm) 1. and amended to read:

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

1 ***b2136/1.3* SECTION 2294ee.** 79.10 (10) (bm) 2. of the statutes is created to
2 read:

3 79.10 (10) (bm) 2. A person who may apply for a credit under subd. 1. but who
4 does not timely apply for the credit under subd. 1. may apply to the department of
5 revenue no later than October 1 following the issuance of the person's property tax
6 bill. Subject to review by the department, the department shall compute the amount
7 of the credit; issue a check to the person in the amount of the credit; and notify the
8 treasurer of the county in which the person's property is located or the treasurer of
9 the taxation district in which the person's property is located, if the taxation district
10 collects taxes under s. 74.87. The treasurer shall enter the person's property on the
11 next tax roll as property that qualifies for a lottery and gaming credit. Claims made
12 under this subdivision become invalid when claims made under par. (a) become
13 invalid.

14 ***b2136/1.3* SECTION 2294eg.** 79.10 (10) (bn) of the statutes is renumbered
15 79.10 (10) (bn) 1. and amended to read:

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

1 ***b2136/1.3* SECTION 2294eh.** 79.10 (10) (bn) 2. of the statutes is created to
2 read:

3 79.10 (10) (bn) 2. A person who is eligible for a credit under subd. 1. but whose
4 property tax bill does not reflect the credit may claim the credit by applying to the
5 treasurer of the taxation district in which the property is located for the credit by
6 January 31 following the issuance of the person's property tax bill. Claims made
7 after January 31, but no later than October 1 following the issuance of the person's
8 property tax bill, shall be made to the department of revenue. Paragraph (bm), as
9 it applies to processing claims made under that paragraph, applies to processing
10 claims made under this subdivision, except that a claim that is made under this
11 subdivision is valid for the year in which the person took possession of the
12 transferred property under subd. 1.”.

13 ***b2221/3.121* 1119.** Page 856, line 3: after that line insert:

14 ***b2221/3.121* “SECTION 2294j.** 80.05 (2) (b) of the statutes is amended to read:
15 80.05 (2) (b) Give notice by registered mail to the department of natural
16 resources, to the department of forestry and to the county land conservation
17 committee in each county through which the highway may pass.

18 ***b2221/3.121* SECTION 2294m.** 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~~ secretary of natural resources ~~by serving~~
23 ~~a copy upon the secretary of natural resources~~ and to the secretary of forestry either
24 by registered mail or personally. If the board appoints a committee to act, the notice

1 shall state the fact and the notice shall be signed by the commissioners, otherwise
2 by the chairperson of the board.

3 ***b2221/3.121* SECTION 2294p.** 84.01 (17) of the statutes is amended to read:

4 84.01 (17) IMPROVEMENTS FOR NEXT 6 YEARS. In each odd-numbered year, the
5 department of transportation shall determine, as far as possible, what
6 improvements will be made during the following 6-year period, and shall notify the
7 county clerks prior to February 1 of each even-numbered year, as to the
8 improvements in their respective counties. Such notice shall also be given to the
9 department of natural resources, to the department of forestry and to the
10 department of agriculture, trade and consumer protection.”.

11 ***b1518/2.1* 1120.** Page 857, line 13: after that line insert:

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

13 84.01 (34) STILLWATER BRIDGE PROJECT. (a) Not later than April 1, 2002, the
14 department shall develop and submit to the joint committee on finance a proposal
15 specifying the amount of anticipated expenditures to be made by the department for
16 mitigation in connection with the Stillwater Bridge project across the St. Croix River
17 between Houlton in St. Croix County and Stillwater, Minnesota.

18 (b) If, after submission of the proposal under par. (a), the department
19 determines that it will exceed the amount of anticipated expenditures specified in
20 the proposal under par. (a), the department shall submit to the joint committee on
21 finance a proposal for the additional amount of anticipated expenditures for
22 mitigation in connection with the project.”.

23 ***b0844/2.1* 1121.** Page 858, line 25: after that line insert:

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

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

12 ***b2008/1.1* 1122.** Page 858, line 25: after that line insert:

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

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

18 ***b2005/1.13* 1123.** Page 859, line 10: delete “reconstruction” and
19 substitute “rehabilitation”.

20 ***b2005/1.14* 1124.** Page 859, line 22: after that line insert:

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

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

5 *b2005/1.15* **1125.** Page 859, line 23: after "86.255," insert "any southeast
6 Wisconsin freeway rehabilitation projects, including".

7 *b2005/1.16* **1126.** Page 859, line 24: delete "project" and substitute
8 "project,".

9 *b2005/1.17* **1127.** Page 860, line 7: on lines 7 and 13, delete
10 "reconstruction" and substitute "rehabilitation".

11 *b2010/1.1* **1128.** Page 861, line 17: after that line insert:

12 "(7fg) The Marquette interchange reconstruction project shall include an exit
13 at the intersection of Plankinton Avenue and I 794. Notwithstanding ss. 84.29 (6)
14 and 84.295 (7), the department shall keep an exit at Plankinton Avenue open for
15 travel during the Marquette interchange reconstruction project.

16 (7fm) Construction work on the Marquette interchange reconstruction project
17 shall be performed on a 24-hour basis.

18 (7fr) 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."

FIX COMPONENT
L →

23 *b2165/1.2* **1129.** Page 861, line ¹⁸ ~~17~~: ^{before} after that line insert:

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

#2 X

FIX COMPONENT

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 *b2221/3.122* **1130.** Page 861, line 17: after that line insert:

13 *b2221/3.122* "SECTION 2304g. 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 and to the secretary of forestry
 23 either by registered mail or personally. Whenever the department decides to thus
 24 change more than 2 1/2 miles of the system the change shall not be effective until the

18 before

#3 X

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

12 ***b1421/1.1* 1131.** Page 861, line 19: delete the material beginning with that
13 line and ending with page 864, line 2.

14 ***b2011/2.2* 1132.** Page 865, line 2: after “(5w),” insert “shall award a grant
15 of \$2,500,000 under s. 86.31 (3s),”.

16 ***b2011/2.3* 1133.** Page 865, line 3: delete “\$5,000,000” and substitute
17 “\$2,500,000”.

18 ***b2011/2.4* 1134.** Page 865, line 7: after “(a)” insert “or s. 86.31 (3s)”.

19 ***b0957/1.9* 1135.** Page 865, line 20: after that line insert:

20 ***b0957/1.9*** **SECTION 2307h.** 84.075 (1) of the statutes is amended to read:
21 84.075 (1) In purchasing services under s. 84.01 (13), in awarding construction
22 contracts under s. 84.06, and in contracting with private contractors and agencies
23 under s. 84.07, the department of transportation shall attempt to ensure that 5% of
24 the total amount expended in each fiscal year is paid to contractors, subcontractors,

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

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

7 84.075 (2) The contractor shall report to the department of transportation any
8 amount of the contract paid to subcontractors and vendors ~~which that~~ are minority
9 businesses certified by the department of commerce under s. 560.036 (2).

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

11 84.075 (3) The department of transportation shall at least semiannually, or
12 more often if required by the department of administration, report to the department
13 of administration the total amount of money it has paid to contractors,
14 subcontractors, and vendors ~~which that~~ are minority businesses under ss. 84.01 (13),
15 84.06, and 84.07 and the number of contacts with minority businesses in connection
16 with proposed purchases and contracts. In its reports, the department of
17 transportation shall include only amounts paid to businesses certified by the
18 department of commerce under s. 560.036 (2) as minority businesses.

19 *b0957/1.9* SECTION 2307jk. 84.076 (1) (c) of the statutes is amended to read:

20 84.076 (1) (c) "Minority business" ~~has the meaning given under s. 560.036 (1)~~
21 (e) 1 means a business that is certified by the department of commerce under s.
22 560.036 (2).".

23 *b1416/1.1* **1136.** Page 865, line 20: after that line insert:

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

1 84.04 (4) Notwithstanding sub. (2), after the effective date of this subsection
2 [revisor inserts date], the department may not construct any rest area along or
3 in close proximity with a state trunk highway at a location that is within a radius
4 of 5 miles from an exit from the highway that provides access to motorist services
5 described under s. 86.195 (3). This subsection does not apply to any rest area that
6 is located no more than 5 miles from the border of this state or to any rest area that
7 may be located near the village of Belmont in Lafayette County.”.

8 ***b1489/2.1* 1137.** Page 865, line 20: after that line insert:

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

10 **84.072 Unified disadvantaged business certification program. (1)**

11 DEFINITIONS. In this section:

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

14 (am) “Certifying authority” means the department or, if authorized under sub.
15 (5m), a municipality or county.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 ***h1489/2.1* 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 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 ***b2007/2.8* 1138.** Page 865, line 20: after that line insert:

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

13 84.06 (1) DEFINITIONS. In this section, “improvement” or “highway
14 improvement” includes construction, reconstruction, rehabilitation, and ~~the~~
15 ~~activities, operations and processes incidental to building, fabricating, or bettering~~
16 ~~a highway, public mass transportation system or street, but not maintenance. The~~
17 ~~terms do not include the installation, replacement, rehabilitation, or maintenance~~
18 ~~of highway signs, traffic control signals, highway lighting, pavement markings, or~~
19 ~~intelligent transportation systems, unless incidental to building, fabricating, or~~
20 bettering a highway or street.

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

22 84.07 (1) STATE EXPENSE; WHEN DONE BY COUNTY OR MUNICIPALITY. The state trunk
23 highway system shall be maintained by the state at state expense. The department
24 shall prescribe by rule specifications for such maintenance and may contract with

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

21 *b2213/2.3* **1139.** Page 865, line 20: after that line insert:

22 *b2213/2.3* “SECTION 2307cf. 84.09 (9) of the statutes is created to read:

23 84.09 (9) Subsections (5), (5m), and (6) do not apply to residual state property

24 subject to s. 20.9145.

1 ***b2213/2.3* SECTION 2307cg.** 84.09 (9) of the statutes, as created by 2001
2 Wisconsin Act (this act), is repealed.”.

3 ***b1302/2.1* 1140.** Page 866, line 2: after that line insert:

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

5 **84.1040 Donald K. “Deke” Slayton Memorial Highway.** (1) The
6 department shall designate and, subject to sub. (2), mark STH 27 in Monroe County
7 commencing at Sparta and proceeding southerly to Cashton as the “Donald K. ‘Deke’
8 Slayton Memorial Highway” as a living memorial to and in honor of Donald K. “Deke”
9 Slayton, who brought credit to this state and, in particular, Monroe County for his
10 contribution to this country’s space program as one of the 7 original astronauts and
11 as a participant in the first joint United States–Soviet space mission.

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

19 ***b2009/1.1* 1141.** Page 868, line 2: after that line insert:

20 ***b2009/1.1* “SECTION 2308r.** 84.30 (10m) of the statutes is renumbered 84.30
21 (10m) (intro.) and amended to read:

22 **84.30 (10m) ANNUAL PERMIT FEE REQUIREMENT.** (intro.) The department may
23 promulgate a rule requiring persons specified in the rule to pay annual permit fees
24 for signs. If the department establishes an annual permit fee under this subsection,

1 failure to pay the fee within 2 months after the date on which payment is due is
2 evidence that the sign has been abandoned for the purposes of s. TRANS 201.10 (2)
3 (f), Wis. Adm. Code. This subsection does not apply to any of the following:

4 *b2009/1.1* **SECTION 2308s.** 84.30 (10m) (a) and (b) of the statutes are created
5 to read:

6 84.30 (10m) (a) An off-premises advertising sign that is owned by a religious
7 organization.

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

10 *b2221/3.123* **1142.** Page 868, line 2: after that line insert:

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

12 84.28 (1) Moneys from the appropriation under s. ~~20.370 (7) (mc)~~ 20.375 (3) (b)
13 may be expended for the renovation, marking and maintenance of a town or county
14 highway located within the boundaries of any ~~state park, state forest or other~~
15 ~~property under the jurisdiction of the department of natural resources, other than~~
16 a southern state forest. Moneys from the appropriation under s. 20.370 (7) (mc) may
17 be expended for the renovation, marking and maintenance of a town or county
18 highway located within the boundaries of any state park or any southern state forest,
19 in the lower Wisconsin state riverway, as defined in s. 30.40 (15), or on other property
20 under the jurisdiction of the department of natural resources. Outside the lower
21 Wisconsin state riverway, as defined in s. 30.40 (15), or outside the boundaries of
22 these parks, forests or other property under the jurisdiction of the department of
23 natural resources, moneys from the appropriation under s. 20.370 (7) (mc) may be
24 expended for the renovation, marking and maintenance of roads which the

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

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

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

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

17 *b1491/1.2* **1143.** Page 868, line 24: after that line insert:

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

19 **85.027 Highway corridor planning grant program. (1)** In this section:

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

FIX COMPONENT

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

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

9 *b2006/2.1* **1144.** Page 868, line 25: after that line insert:

10 *b2006/2.1* "SECTION 2311g. 85.061 (3) (b) of the statutes is renumbered
11 85.061 (3) (b) 1. and amended to read:

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

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

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

24 *b0845/3.26* **1145.** Page 868, line 25: delete that line.

869 1 before

#4 X ✓

1 ***b1484/1.2* 1146.** Page 870, line 22: after that line insert:

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

3 85.12 (5) Beginning with fiscal year 2001–02, from the appropriations under
4 s. 20.395 (5) (dk) of moneys received by the department from the department and
5 under s. 20.395 (5) (dq), the amount provided by the department in any fiscal year
6 for the statewide public safety radio management program under this section may
7 not exceed 50% of the costs of the statewide public safety radio management program
8 or \$138,000, whichever is less.”.

9 ***b2003/3.1* 1147.** Page 873, line 18: after that line insert:

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

11 **85.205 (title) Prohibited expenditures and construction for light rail.**

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

14 85.205 (1) Notwithstanding ss. 85.022, 85.062 and 85.063, the department may
15 not encumber or expend any federal funds received under P.L. 102–240, section 1045,
16 or P.L. 105–277, section 373, or state funds for any purpose related to a light rail mass
17 transit system. This section on or after the effective date of this subsection

18 [revisor inserts date]. This subsection does not apply to any light rail mass transit
19 system that is being constructed on October 29, 1999. This ~~section~~ subsection does
20 not apply to any funds expended or activity related to a mass transit system that is
21 done under the memorandum of agreement concerning USH 12 between Middleton
22 and Lake Delton, Wisconsin, that was executed by the governor, the secretary of
23 transportation, the secretary of natural resources, the county executive of Dane
24 County, the administrative coordinator of Sauk County, and others, and that became

1 effective on April 22, 1999. This ~~section~~ subsection does not apply after
2 June 30, ~~2001~~ 2002.

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

4 85.205 (2) A light rail mass transit system may not be constructed in
5 Milwaukee County after the effective date of this subsection [revisor inserts date],
6 unless the Milwaukee County board authorizes construction of the light rail mass
7 transit system by resolution and the resolution is ratified by the electors of
8 Milwaukee County at a referendum held at the next general election.”.

9 *b0751/2.3* **1148.** Page 878, line 10: after that line insert:

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

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

14 *b2153/1.1* **1149.** Page 878, line 23: after that line insert:

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

16 86.03 (5m) TREES AND OTHER VEGETATION BLOCKING VIEW OF BUSINESS OR SIGN.

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

18 (b) Notwithstanding any other provision of this section, if any vegetation
19 located in the right-of-way of any highway under the jurisdiction of the department
20 prevents the operator of a vehicle traveling on a highway at the posted speed limit
21 from viewing for 6 uninterrupted seconds a business premises located adjacent to the
22 highway right-of-way, a sign located on a business premises adjacent to the highway
23 right-of-way that advertises the business to motorists on the adjacent highway, or
24 any sign erected under this chapter or s. 84.30 that is permitted to be located in or

1 adjacent to the highway right-of-way, any person who maintains a majority
2 ownership interest in the business adjacent to the highway right-of-way or in any
3 business advertised on a sign identified in this paragraph may trim or remove any
4 obstructing vegetation located in the highway right-of-way if all of the following
5 requirements are met:

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

7 2. The person pays for the cost of trimming or removing the obstructing
8 vegetation, including the cost of cleanup and disposal, and for replacing any removed
9 vegetation, including the cost of purchasing and planting the replacement
10 vegetation.

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

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

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

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