

1 **SECTION 1627.** 73.09 (5) of the statutes is amended to read:

2 73.09 (5) **EXAMINATIONS.** As provided in subs. (1) and (2), the department of
3 revenue, assisted by the division of merit recruitment and selection in the
4 department of employment relations office of state human resources management,
5 shall prepare and administer examinations for each level of certification. Persons
6 applying for an examination under this subsection shall submit a \$20 examination
7 fee with their application. Certification shall be granted to each person who passes
8 the examination for that level.

9 **SECTION 1628.** 73.10 (6) of the statutes is amended to read:

10 73.10 (6) The department may establish a scale of charges for audits,
11 inspections, and other services rendered by the department in connection with
12 financial records or procedures of towns, villages, cities, counties, and all other local
13 public bodies, boards, commissions, departments, or agencies. Upon the completion
14 of such work or, at the department's discretion, during work in progress, the
15 department shall transmit to the clerk of the town, village, city, county, or other local
16 public body, board, commission, department, or agency a statement of such charges.
17 Duplicates of the statements shall be filed in the ~~offices~~ office of the ~~state treasurer~~
18 secretary of administration. Within 60 days after the receipt of the above statement
19 of charges, it shall be audited as other claims against towns, villages, cities, counties,
20 and other local public bodies, boards, commissions, departments, or agencies are
21 audited, and it shall be paid into the state treasury and credited to the appropriation
22 under s. 20.566 (2) (gi). Past due accounts of towns, villages, cities, counties, and all
23 other local public bodies, boards, commissions, departments, or agencies shall be
24 certified on or before the 4th Monday of August of each year and included in the next
25 apportionment of state special charges to local units of government.

1 **SECTION 1628d.** 74.09 (3) (b) 1. of the statutes is amended to read:

2 74.09 (3) (b) 1. For real property, the estimated fair market value of the land,
3 except agricultural land, as defined in s. 70.32 (2) (c) ~~1. 1g.~~, and the assessed value
4 of the land and the estimated fair market value and assessed value of the
5 improvements.

6 **SECTION 1628e.** 74.09 (3) (b) 2. of the statutes is amended to read:

7 74.09 (3) (b) 2. For all property, the total estimated fair market value, except
8 that the estimated fair market value of agricultural land, as defined in s. 70.32 (2)
9 (c) ~~1. 1g.~~, shall be excluded, and the total assessed value.

10 **SECTION 1629.** 74.25 (1) (a) 5. of the statutes is amended to read:

11 74.25 (1) (a) 5. Pay to the ~~state treasurer~~ secretary of administration all
12 collections of occupational taxes on mink farms, 30% of collections of occupational
13 taxes on iron ore concentrates, and 10% of collections of occupational taxes on coal
14 docks.

15 **SECTION 1630.** 74.27 of the statutes is amended to read:

16 **74.27 March settlement between counties and the state.** On or before
17 March 15, the county treasurer shall send to the ~~state treasurer~~ secretary of
18 administration the state's proportionate shares of taxes under ss. 74.23 (1) (b) and
19 74.25 (1) (b) 1. and 2.

20 **SECTION 1631.** 74.30 (1) (e) of the statutes is amended to read:

21 74.30 (1) (e) Pay to the ~~state treasurer~~ secretary of administration all
22 collections of occupational taxes on mink farms, 30% of collections of occupational
23 taxes on iron ore concentrates, and 10% of collections of occupational taxes on coal
24 docks.

25 **SECTION 1632.** 74.30 (1m) of the statutes is amended to read:

1 74.30 (1m) MARCH SETTLEMENT BETWEEN COUNTIES AND THE STATE. On or before
2 March 15, the county treasurer shall send to the ~~state treasurer~~ secretary of
3 administration the state's proportionate shares of taxes under sub. (1) (i) and (j).

4 **SECTION 1632d.** 74.485 (1) of the statutes is amended to read:

5 74.485 (1) DEFINITION. In this section, "agricultural land" has the meaning
6 given in s. 70.32 (2) (c) ~~1.~~ 1g.

7 **SECTION 1632e.** 74.485 (4) (a) of the statutes is amended to read:

8 74.485 (4) (a) A person who owns land that has been assessed as agricultural
9 land under s. 70.32 (2r) and who converts the land's use so that the land is not eligible
10 to be assessed as agricultural land under s. 70.32 (2r) is not subject to a penalty under
11 sub. (2) if the converted land may be assessed as ~~swamp or waste~~ undeveloped under
12 s. 70.32 (2) (a) 5., as agricultural forest under s. 70.32 (2) (a) 5m., as productive forest
13 land under s. 70.32 (2) (a) 6., or as other under s. 70.32 (2) (a) 7. or if the amount of
14 the penalty determined under sub. (2) represents less than \$25 for each acre of
15 converted land.

16 **SECTION 1632m.** 74.57 (3) of the statutes is repealed.

17 **SECTION 1632n.** 74.57 (3m) of the statutes is created to read:

18 74.57 (3m) CERTIFICATE TRANSFERABLE. The county may sell, assign, or
19 otherwise transfer a tax certificate. If a tax certificate is redeemed after the
20 certificate is sold, assigned, or otherwise transferred, the county shall submit the
21 redemption proceeds to the person to whom the certificate was sold, assigned, or
22 otherwise transferred.

23 **SECTION 1632p.** 74.63 (1) of the statutes is amended to read:

24 74.63 (1) The tax certificate, or, if the county has sold, assigned, or otherwise
25 transferred the tax certificate, a copy of the tax certificate.

1 **SECTION 1634.** 76.13 (2) of the statutes is amended to read:

2 76.13 (2) Every tax roll upon completion shall be delivered to the state
3 ~~treasurer and a copy of the tax roll filed with the~~ secretary of administration. The
4 department shall notify, by certified mail, all companies listed on the tax roll of the
5 amount of tax due, which shall be paid to the department. The payment dates
6 provided for in sub. (2a) shall apply. The payment of one-fourth of the tax of any
7 company may, if the company has brought an action in the Dane County circuit court
8 under s. 76.08, be made without delinquent interest as provided in s. 76.14 any time
9 prior to the date upon which the appeal becomes final, but any part of the tax
10 ultimately required to be paid shall bear interest from the original due date to the
11 date the appeal became final at the rate of 12% per year and at 1.5% per month
12 thereafter until paid. The taxes extended against any company after the same
13 become due, with interest, shall be a lien upon all the property of the company prior
14 to all other liens, claims, and demands whatsoever, except as provided in ss. 292.31
15 (8) (i) and 292.81, which lien may be enforced in an action in the name of the state
16 in any court of competent jurisdiction against the property of the company within the
17 state as an entirety.

18 **SECTION 1635.** 76.13 (3) of the statutes is amended to read:

19 76.13 (3) If the Dane County circuit court, after such roll is delivered to the
20 ~~state treasurer~~ secretary of administration, increases or decreases the assessment
21 of any company, the department shall immediately redetermine the tax of the
22 company on the basis of the revised assessment, and shall certify and deliver the
23 revised assessment to the ~~state treasurer~~ secretary of administration as a revision
24 of the tax roll. If the amount of tax upon the assessment as determined by the court
25 is less than the amount paid by the company, the ~~excess shall be refunded~~ secretary

1 of administration shall refund the excess to the company with interest at the rate of
2 9% per year ~~upon the certification of the redetermined tax and for that purpose the~~
3 ~~secretary of administration, upon the certification and delivery of the revised tax roll,~~
4 ~~shall draw a warrant upon the state treasurer for the amount to be so refunded.~~ If
5 the amount of the tax upon the assessment as determined by the court is in excess
6 of the amount of the tax as determined by the department, interest shall be paid on
7 the additional amount at the rate of 12% per year from the date of entry of judgment
8 to the date the judgment becomes final, and at 1.5% per month thereafter until paid.

9 **SECTION 1636.** 76.15 (2) of the statutes is amended to read:

10 76.15 (2) The power to reassess the property of any company defined in s. 76.02
11 and the general property of the state, and to redetermine the average rate of
12 taxation, may be exercised under sub. (1) as often as may be necessary until the
13 amount of taxes legally due from any such company for any year under ss. 76.01 to
14 76.26 has been finally and definitely determined. Whenever any sum or part thereof,
15 levied upon any property subject to taxation under ss. 76.01 to 76.26 so set aside has
16 been paid and not refunded, the payment so made shall be applied upon the
17 reassessment upon the property, and the reassessment of taxes to that extent shall
18 be deemed to be satisfied. When the tax roll on the reassessment is completed and
19 delivered to the ~~state treasurer~~ secretary of administration, the department shall
20 immediately notify by certified mail each of the several companies taxed to pay the
21 amount of the taxes extended on the tax roll within 30 days.

22 **SECTION 1637.** 76.22 (3) of the statutes is amended to read:

23 76.22 (3) The ~~state treasurer~~ secretary of administration for and in the name
24 of the state may bid at the sale and the state may become the purchaser of the

1 property of any such company under a judgment for its sale for taxes, interest, and
2 costs.

3 **SECTION 1638.** 76.24 (1) of the statutes is amended to read:

4 76.24 (1) All taxes collected from companies defined in s. 76.02 under this
5 subchapter shall be transmitted by the department to the ~~state treasurer~~ secretary
6 of administration and become a part of the general fund for the use of the state,
7 except that taxes paid into the state treasury by any air carrier or railroad company
8 shall be deposited in the transportation fund.

9 **SECTION 1640.** 76.28 (4) (b) of the statutes is amended to read:

10 76.28 (4) (b) In the case of overpayments of license fees by any light, heat and
11 power company under par. (a), the department shall certify the overpayments to the
12 department of administration, which shall audit the amount of the overpayments
13 and the ~~state treasurer~~ secretary of administration shall pay the amounts
14 determined by means of the audit. All refunds of license fees under this subsection
15 shall bear interest at the annual rate of 9% from the date of the original payment to
16 the date when the refund is made. The time for making additional levies of license
17 fees or claims for refunds of excess license fees paid, in respect to any year, shall be
18 limited to 4 years after the time the report for such year was filed.

19 **SECTION 1642.** 76.39 (4) (d) of the statutes is amended to read:

20 76.39 (4) (d) All refunds shall be certified by the department to the department
21 of administration which shall audit the amount of the refunds and the ~~state~~
22 ~~treasurer~~ secretary of administration shall pay the amount, together with interest
23 at the rate of 9% per year from the date payment was made. All additional taxes shall
24 bear interest at the rate of 12% per year from the time they should have been paid
25 to the date upon which the additional taxes shall become delinquent if unpaid.

1 **SECTION 1643.** 76.48 (3) of the statutes is amended to read:

2 76.48 (3) On or before May 1 in each year, the department of revenue shall
3 compute and assess the license fees provided for in sub. (1r) and certify the amounts
4 due to the state treasurer and file a duplicate thereof with the department secretary
5 of administration. The department shall notify each electric cooperative of the
6 amount of the license fees so assessed. The fees shall become delinquent if not paid
7 when due and when delinquent shall be subject to interest at the rate of 1.5% per
8 month on the amount of license fee until paid. The interest shall be collected by the
9 department and, upon collection, forwarded to the state treasurer secretary of
10 administration and retained by the state. The payment dates provided for in sub.
11 (3a) shall apply.

12 **SECTION 1644.** 76.48 (5) of the statutes is amended to read:

13 76.48 (5) Additional assessments may be made, if notice of such assessment is
14 given, within 4 years of the date the annual return was filed, but if no return was
15 filed, or if the return filed was incorrect and was filed with intent to defeat or evade
16 the tax, an additional assessment may be made at any time upon the discovery of
17 gross revenues by the department. Refunds may be made if a claim for the refund
18 is filed in writing with the department within 4 years of the date the annual return
19 was filed. Refunds shall bear interest at the rate of 9% per year and shall be certified
20 by the department to the secretary of administration who shall audit the amounts
21 of such overpayments and ~~the state treasurer shall~~ pay the amount audited.
22 Additional assessments shall bear interest at the rate of 12% per year from the time
23 they should have been paid to the date upon which they shall become delinquent if
24 unpaid.

25 **SECTION 1646d.** 77.04 (2) of the statutes is amended to read:

1 77.04 (2) TAX PER ACRE; PAYMENT; PENALTY. The “acreage share” shall be
2 computed at the rate of 10 cents per acre on all lands entered prior to 1972. On all
3 lands entered after December 31, 1971, the “acreage share” shall be computed every
4 10 years to the nearest cent by the department of revenue at the rate of 20 cents per
5 acre multiplied by a ratio using the equalized value of the combined residential,
6 commercial, manufacturing, agricultural, ~~swamp, or waste~~ undeveloped,
7 agricultural forest, and productive forest land classes under s. 70.32 (2) within the
8 state in 1972 as the denominator, and using equalized value for these combined land
9 classes in 1982 and every 10th year thereafter as the numerator. All owners shall
10 pay to the taxation district treasurer the acreage share on each description on or
11 before January 31. If the acreage share is not paid when due to the taxation district
12 treasurer it shall be subject to interest and penalty as provided under ss. 74.11 (11),
13 74.12 (10) and 74.47. These lands shall be returned as delinquent and a tax
14 certificate under subch. VII of ch. 74 shall be issued on them. After 2 years from the
15 date of the issuance of a tax certificate, the county clerk shall promptly take a tax
16 deed under ch. 75. On taking such deed the county clerk shall certify that fact and
17 specify the descriptions to the department of natural resources.

18 **SECTION 1647.** 77.14 of the statutes is amended to read:

19 **77.14 Forest croplands information, protection, appropriation.** The
20 department of natural resources shall publish and distribute information regarding
21 the method of taxation of forest croplands under this subchapter, and may employ
22 a fire warden in charge of fire prevention in forest croplands. All actual and
23 necessary expenses incurred by the department of natural resources or by the
24 department of revenue in the performance of their duties under this subchapter shall

1 be paid from the appropriation made in s. 20.370 (1) ~~(mu)~~ (mv) upon certification by
2 the department incurring such expenses.

3 **SECTION 1647m.** 77.52 (2) (a) 1. of the statutes is amended to read:

4 77.52 (2) (a) 1. The furnishing of rooms or lodging to transients by hotelkeepers,
5 motel operators and other persons furnishing accommodations that are available to
6 the public, irrespective of whether membership is required for use of the
7 accommodations, ~~if the use of the rooms or lodging is not fixed at the time of sale as~~
8 ~~to the starting day or the lodging unit.~~ In this subdivision, “transient” means any
9 person residing for a continuous period of less than one month in a hotel, motel or
10 other furnished accommodations available to the public. In this subdivision, “hotel”
11 or “motel” means a building or group of buildings in which the public may obtain
12 accommodations for a consideration, including, without limitation, such
13 establishments as inns, motels, tourist homes, tourist houses or courts, lodging
14 houses, rooming houses, summer camps, apartment hotels, resort lodges and cabins
15 and any other building or group of buildings in which accommodations are available
16 to the public, except accommodations, including mobile homes as defined in s.
17 66.0435 (1) (d), rented for a continuous period of more than one month and
18 accommodations furnished by any hospitals, sanatoriums, or nursing homes, or by
19 corporations or associations organized and operated exclusively for religious,
20 charitable or educational purposes provided that no part of the net earnings of such
21 corporations and associations inures to the benefit of any private shareholder or
22 individual. In this subdivision, “one month” means a calendar month or 30 days,
23 whichever is less, counting the first day of the rental and not counting the last day
24 of the rental.

25 **SECTION 1649.** 77.59 (7) of the statutes is amended to read:

1 77.59 (7) If the department believes that the collection of any tax imposed by
2 this subchapter will be jeopardized by delay, it shall notify the person determined to
3 owe the tax of its intention to proceed under s. 71.91 (5) for collection of the amount
4 determined to be owing, including penalties and interest. Such notice shall be by
5 certified or registered mail or by personal service and the warrant of the department
6 shall not issue if the person, within 10 days after such notice furnishes a bond in such
7 amount not exceeding double the amount determined to be owing and with such
8 sureties as the department approves, conditioned upon the payment of so much of
9 the taxes, interest, and penalties as shall finally be determined to be due. Nothing
10 in this subsection shall affect the review of determinations of tax as provided in this
11 subchapter and any amounts collected under this subsection shall be deposited with
12 the ~~state treasurer~~ secretary of administration and disbursed after final
13 determination of the taxes as are amounts deposited under ss. 71.89 (1) and 71.90
14 (2).

15 **SECTION 1650m.** 77.635 of the statutes is created to read:

16 **77.635 Determination of tax receipts related to motor vehicles.**

17 Beginning on July 1, 2005, and on each July 1 thereafter, the department of revenue
18 shall determine the total amount of the taxes imposed under ss. 77.52 and 77.53 that
19 is paid to the department of revenue and to the department of transportation in the
20 immediately preceding calendar year on the sale or use of new motor vehicles.
21 Annually on July 1, 20% of the total amount determined under this section shall be
22 transferred from s. 20.855 (4) (fn) to the transportation fund.

23 **SECTION 1651.** 77.66 of the statutes is created to read:

24 **77.66 Certification for collection of sales and use tax.** The secretary of
25 revenue shall determine and periodically certify to the secretary of administration

1 the names of persons, and affiliates, as defined in s. 16.70 (1b), of persons, who make
2 sales of tangible personal property and taxable services that are subject to the taxes
3 imposed under this subchapter but who are not registered to collect and remit such
4 taxes to the department or, if registered, do not collect and remit such taxes.

5 **SECTION 1652.** 77.91 (4) of the statutes is amended to read:

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

9 **SECTION 1653.** 77.91 (5) of the statutes is amended to read:

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

17 **SECTION 1653d.** 79.01 (2d) of the statutes is amended to read:

18 79.01 (2d) There is established an account in the general fund entitled the
19 “County and Municipal Aid Account.”

20 **SECTION 1653e.** 79.01 (2e) of the statutes is created to read:

21 79.01 (2e) There is established an account in the general fund entitled the
22 “Municipal Aid Account.”

23 **SECTION 1653f.** 79.01 (2f) of the statutes is created to read:

24 79.01 (2f) There is established an account in the general fund entitled the
25 “Municipal Aid Distribution Account.”

1 SECTION 1654. 79.015 of the statutes is amended to read:

2 79.015 Statement of estimated payments. The department of revenue, on
3 or before September 15 of each year, shall provide to each municipality and county
4 a statement of estimated payments to be made in the next calendar year to the
5 municipality or county under ss. 79.03, 79.035, ~~79.036~~, 79.04, 79.043, 79.044, 79.045,
6 79.05, 79.058, and 79.06.

7 SECTION 1655. 79.02 (2) (b) of the statutes is amended to read:

8 79.02 (2) (b) Subject to s. 59.605 (4), payments in July shall equal 15% of the
9 municipality's or county's estimated payments under ss. 79.03, 79.035, ~~79.036~~, 79.04,
10 79.043, 79.044, 79.045, 79.058, and 79.06 and 100% of the municipality's estimated
11 payments under s. 79.05.

12 SECTION 1656. 79.02 (3) of the statutes is amended to read:

13 79.02 (3) (a) Subject to s. 59.605 (4), payments to each municipality and county
14 in November shall equal that municipality's or county's entitlement to ~~shared~~
15 ~~revenues~~ under ss. 79.03, 79.035, ~~79.036~~, 79.04, 79.043, 79.044, 79.045, 79.05,
16 79.058, and 79.06 for the current year, minus the amount distributed to the
17 municipality or county in July.

18 (b) In November 2002, the amount of the payments to each municipality and
19 county under ss. 79.03, 79.04, 79.05, 79.058, and 79.06 to be paid from the
20 appropriation account under s. 20.855 (4) (rb) shall be the amount of such payments
21 to the municipality or county multiplied by the quotient of an amount equal to the
22 moneys available, as determined by the department of administration, from the
23 appropriation account under s. 20.855 (4) (rb) divided by \$826,068,930.

24 SECTION 1657. 79.02 (3) (c) of the statutes is created to read:

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1 79.02 (3) (c) In November 2003, the total amount of the payments to each
2 municipality and county under ss. 79.03, 79.04, and 79.06 to be paid from the
3 appropriation account under s. 20.835 (1) (t) shall equal \$230,000,000 and shall be
4 applied to the payments in the manner determined by the department of revenue.

5 **SECTION 1657d.** 79.02 (3) (cm) 1. of the statutes is created to read:

6 79.02 (3) (cm) 1. In November 2003, the total amount of the payments under
7 ss. 79.03, 79.04, and 79.06 to each county and municipality shall be reduced by an
8 amount equal to the amount of supplements paid from the appropriation under s.
9 20.435 (4) (b) that the county or municipality received for the fiscal year in which a
10 payment is made under this section, as determined under s. 49.45 (51). JK

11 **SECTION 1657m.** 79.02 (3) (cm) 2. of the statutes is created to read:

12 79.02 (3) (cm) 2. In November 2003, the total amount of the payments to each
13 municipality ^{and county} under ss. 79.03, 79.04, and 79.06 to be paid from the appropriation
14 account under s. 20.835 (1) (u) shall equal \$17,600,000 and shall be applied to the
15 payments in the manner determined by the department of revenue.

16 **SECTION 1658.** 79.02 (3) (d) of the statutes is created to read:

17 79.02 (3) (d) 1. In November 2004, the total amount of the payments to each
18 municipality under ss. 79.043, 79.044, and 79.045 to be paid from the appropriation
19 account under s. 20.835 (1) (t) shall equal \$170,000,000 and shall be applied to the
20 payments in the manner determined by the department of revenue.

21 2. In November 2004, the total amount of the payments to each municipality
22 under ss. 79.043, 79.044, and 79.045 to be paid from the appropriation account under
23 s. 20.835 (1) (u) shall equal \$20,000,000 and shall be applied to the payments in the
24 manner determined by the department of revenue.

25 **SECTION 1658d.** 79.02 (3) (e) of the statutes is created to read:

1 79.02 (3) (e) For the distribution in 2004 and subsequent years, the total
2 amount of the November payments to each county and municipality under ss. 79.035,
3 79.043, 79.044, ~~and~~ 79.045 ^{and 79.046} shall be reduced by an amount equal to the amount of JK
4 supplements paid from the appropriation under s. 20.435 (4) (b) that the county or
5 municipality received for the fiscal year in which a payment is made under this
6 section, as determined under s. 49.45 (51).

7 **SECTION 1659.** 79.03 (3) (a) of the statutes is amended to read:

8 79.03 (3) (a) The amount in the shared revenue account for municipalities and
9 the amount in the shared revenue account for counties, less the payments under sub.
10 (2) and s. 79.04, and, for the distribution in 2003, the amount appropriated under s.
11 20.835 (1) (m), (t), and (u), shall be allocated to each municipality and county
12 respectively in proportion to its entitlement. In this paragraph, “entitlement” means
13 the product of aidable revenues and tax base weight.

14 **SECTION 1659d.** 79.03 (3c) (b) 2. of the statutes is amended to read:

15 79.03 (3c) (b) 2. For the year before the year in which the statement under s.
16 79.015 is provided, the municipality levies property taxes for municipal purposes at
17 a rate of at least one mill per dollar of full value under s. 70.57, or, with regard to
18 payments in 2003, if the full valuation of property in the municipality is less than
19 \$10,000,000, the municipality levies property taxes for municipal purposes at a rate
20 of at least 0.85 mill per dollar of full value under s. 70.57.

21 **SECTION 1659m.** 79.03 (3c) (f) of the statutes is amended to read:

22 79.03 (3c) (f) *Distribution amount.* If the total amounts calculated under pars.
23 (c) to (e) exceed the total amount to be distributed under this subsection, the amount
24 paid to each eligible municipality shall be paid on a prorated basis. The total amount
25 to be distributed under this subsection from s. 20.835 (1) (b) is \$10,000,000 beginning

1 in 1996 and ending in 1999; and \$11,000,000 in the year 2000 and in the year 2001.
2 The total amount to be distributed under this subsection from ss. 20.835 (1) (b) and
3 20.855 (4) (rb) in 2002 is \$11,110,000 and the total amount to be distributed under
4 this subsection from s. 20.835 (1) (b) in 2003 is \$11,221,100 less the reductions under

5 ~~s. 79.034.~~ s. 79.02(3)(c)3

6 **SECTION 1660.** 79.03 (4) of the statutes is amended to read:

7 79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04, and
8 79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be
9 distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) is \$885,961,300.
10 In 1993, the total amount to be distributed under ss. 79.03, 79.04, and 79.06 from s.
11 20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this
12 section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to JK
13 municipalities and \$168,981,800 to counties. Beginning in 1995 and ending in 2001,
14 the total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835
15 (1) (d) are \$761,478,000 to municipalities and \$168,981,800 to counties. In 2002, the
16 total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from ss. 20.835 (1)
17 (d) and 20.855 (4) (rb) are \$769,092,800 to municipalities and \$170,671,600 to
18 counties. In 2003, the total amounts to be distributed under ss. 79.03, 79.04, and
19 79.06 from s. 20.835 (1) (d), (m), (t), and (u) are \$776,783,700 to municipalities, less
20 the reductions under s. 79.025 (3) (cm), and \$172,378,300 to counties, less the
21 reductions under s. 79.025 (3) (cm). (c)3.

22 **SECTION 1661.** ~~79.034~~ of the statutes is created to read:

23 **79.034 Reductions.** In 2003, after the total amount of the payments to each
24 county and municipality under ss. 79.03, 79.04, 79.058, and 79.06 has been
25 determined, the department of revenue shall reduce the total amount of such

1 payments to each county and municipality by subtracting from such payments an
 2 amount based on the county's or municipality's population, as determined by the
 3 department, so that the total amount of the reduction to all such payments in 2003
 4 is \$10,000,000, except that the reduction applied to any county's or municipality's
 5 payments shall not exceed the amount of the payments distributed to the county or
 6 municipality under ss. 79.03, 79.04, 79.058, and 79.06 in 2003.

7 SECTION 1662b. 79.035 (title) of the statutes is amended to read:

8 79.035 (title) **County and municipal aid.**

9 SECTION 1662d. 79.035 (1) of the statutes is amended to read:

10 79.035 (1) ~~Subject to reductions under s. 79.036 (3) 79.02 (3) (e),~~ ^{strike} ~~in~~ ^{by} 2004 and
 11 subsequent years, each county and municipality shall receive a payment from the
 12 county and municipal aid account in an amount determined under sub. (2). JK

13 SECTION 1663b. 79.035 (2) (a) 1. of the statutes is amended to read:

14 79.035 (2) (a) 1. ~~For~~ Except as provided under 79.02 (3) (e), for the distribution
 15 in 2004, each county and municipality will receive a payment that is equal to the
 16 amount of the payments the county or municipality would have received in 2003
 17 under ss. 79.03, 79.058, and 79.06, if not for the reductions under s. 79.02 (3) (e) (c)
 18 1. less the amount of the reduction under subd. 2.

19 SECTION 1664b. 79.035 (2) (a) 2. of the statutes is amended to read:

20 79.035 (2) (a) 2. The department of revenue shall reduce the amount of the
 21 payments to be distributed to each county and municipality, as determined under
 22 subd. 1., by subtracting from such payments an amount based on the county's or
 23 municipality's population, as determined by the department, so that the total
 24 amount of the reduction to all such payments in 2004 is \$40,000,000 \$20,000,000,
 25 except that the reduction applied to any county's or municipality's payment shall not

1 exceed the amount of the payments specified under subd. 1. distributed to the county
2 ~~or municipality~~ in 2003.

3 **SECTION 1666b.** 79.035 (2) (b) of the statutes is amended to read:

4 79.035 (2) (b) ~~For~~ Except as provided under s. 79.02 (3) (e), for the distribution
5 in 2005 and subsequent years, each county ~~and municipality~~ shall receive a payment
6 under this section that is equal to the amount of the payment determined for the
7 county ~~or municipality~~ under par. (a) in 2004 ~~prior to the reductions under s. 79.036.~~

8 **SECTION 1667.** 79.036 of the statutes is repealed.

9 **SECTION 1668.** 79.04 (1) (a) of the statutes is amended to read:

10 79.04 (1) (a) An amount from the shared revenue account or, for the
11 distribution in 2003, from the appropriation under s. 20.835 (1) (t) determined by
12 multiplying by 3 mills in the case of a town, and 6 mills in the case of a city or village,
13 the first \$125,000,000 of the amount shown in the account, plus leased property, of
14 each public utility except qualified wholesale electric companies, as defined in s.
15 76.28 (1) (gm), on December 31 of the preceding year for either “production plant,
16 exclusive of land” and “general structures”, or “work in progress” for production
17 plants and general structures under construction, in the case of light, heat and power
18 companies, electric cooperatives or municipal electric companies, for all property
19 within a municipality in accordance with the system of accounts established by the
20 public service commission or rural electrification administration, less depreciation
21 thereon as determined by the department of revenue and less the value of treatment
22 plant and pollution abatement equipment, as defined under s. 70.11 (21) (a), as
23 determined by the department of revenue plus an amount from the shared revenue
24 account or, for the distribution in 2003, from the appropriation under s. 20.835 (1)
25 (t) determined by multiplying by 3 mills in the case of a town, and 6 mills in the case

1 of a city or village, of the first \$125,000,000 of the total original cost of production
2 plant, general structures and work-in-progress less depreciation, land and
3 approved waste treatment facilities of each qualified wholesale electric company, as
4 defined in s. 76.28 (1) (gm), as reported to the department of revenue of all property
5 within the municipality. The total of amounts, as depreciated, from the accounts of
6 all public utilities for the same production plant is also limited to not more than
7 \$125,000,000. The amount distributable to a municipality in any year shall not
8 exceed \$300 times the population of the municipality.

9 **SECTION 1669.** 79.04 (2) (a) of the statutes is amended to read:

10 79.04 (2) (a) Annually, the department of administration, upon certification by
11 the department of revenue, shall distribute from the shared revenue account or, for
12 the distribution in 2003, from the appropriation under s. 20.835 (1) (t) to any county
13 having within its boundaries a production plant or a general structure, including
14 production plants and general structures under construction, used by a light, heat
15 or power company assessed under s. 76.28 (2) or 76.29 (2), except property described
16 in s. 66.0813 unless the production plant is owned or operated by a local
17 governmental unit that is located outside of the municipality in which the production
18 plant is located, or by an electric cooperative assessed under ss. 76.07 and 76.48,
19 respectively, or by a municipal electric company under s. 66.0825 an amount
20 determined by multiplying by 6 mills in the case of property in a town and by 3 mills
21 in the case of property in a city or village the first \$125,000,000 of the amount shown
22 in the account, plus leased property, of each public utility except qualified wholesale
23 electric companies, as defined in s. 76.28 (1) (gm), on December 31 of the preceding
24 year for either “production plant, exclusive of land” and “general structures”, or
25 “work in progress” for production plants and general structures under construction,

1 in the case of light, heat and power companies, electric cooperatives or municipal
2 electric companies, for all property within the municipality in accordance with the
3 system of accounts established by the public service commission or rural
4 electrification administration, less depreciation thereon as determined by the
5 department of revenue and less the value of treatment plant and pollution
6 abatement equipment, as defined under s. 70.11 (21) (a), as determined by the
7 department of revenue plus an amount from the shared revenue account or, for the
8 distribution in 2003, from the appropriation under s. 20.835 (1) (t) determined by
9 multiplying by 6 mills in the case of property in a town, and 3 mills in the case of
10 property in a city or village, of the total original cost of production plant, general
11 structures and work-in-progress less depreciation, land and approved waste
12 treatment facilities of each qualified wholesale electric company, as defined in s.
13 76.28 (1) (gm), as reported to the department of revenue of all property within the
14 municipality. The total of amounts, as depreciated, from the accounts of all public
15 utilities for the same production plant is also limited to not more than \$125,000,000.
16 The amount distributable to a county in any year shall not exceed \$100 times the
17 population of the county.

18 **SECTION 1669d.** 79.043 of the statutes is created to read:

19 **79.043 Municipal aid for basic public services.** (1) DEFINITIONS. In this
20 section:

21 (a) “Actual per capita conservation, development, and library cost” means a
22 municipality’s actual expenditures, net of any related revenues, incurred in 2001 for
23 operations and capital outlays related to conservation, development, and library
24 services, as determined by the department of revenue, based on the financial reports
25 required under s. 73.10 (2) and recorded in the governmental and proprietary fund

1 types, divided by the municipality's 2002 population, except that "actual per capita
2 conservation, development, and library cost" may not be less than zero.

3 (b) "Actual per capita public safety cost" means a municipality's actual
4 expenditures, net of any related revenues, incurred in 2001 for operations and
5 capital outlays related to public safety services, as determined by the department of
6 revenue, based on the financial reports required under s. 73.10 (2) and recorded in
7 the governmental and proprietary fund types, divided by the municipality's 2002
8 population, except that "actual per capita public safety cost" may not be less than
9 zero.

10 (c) "Adjusted per capita conservation, development, and library cost" means the
11 sum of a municipality's primary per capita conservation, development, and library
12 cost and the municipality's secondary per capita conservation, development, and
13 library cost.

14 (d) "Adjusted per capita public safety cost" means the sum of a municipality's
15 primary per capita public safety cost and the municipality's secondary per capita
16 public safety cost.

17 (e) "Aidable costs" means an amount calculated as follows:

18 1. Add a municipality's adjusted per capita public safety cost to the
19 municipality's adjusted per capita conservation, development, and library cost.

20 2. Multiply the result under subd. 1. by the municipality's 2002 population.

21 3. Multiply the result under subd. 2. by the municipality's poverty factor.

22 (f) "Average per capita conservation, development, and library cost" means the
23 total 2001 conservation, development, and library expenditures, net of any related
24 revenues, for all municipalities that are eligible to receive a payment under this
25 section, divided by the total 2002 population for all municipalities that are eligible

1 to receive a payment under this section and that reported 2001 conservation,
2 development, and library expenditures.

3 (g) “Average per capita public safety cost” means the total 2001 public safety
4 expenditures, net of any related revenues, for all municipalities that are eligible to
5 receive a payment under this section, divided by the total 2002 population for all
6 municipalities that are eligible to receive a payment under this section and that
7 reported 2001 public safety expenditures.

8 (h) “Per capita full value” means the quotient of the 2002 equalized value of the
9 property of a municipality, excluding the incremental value in tax increment
10 districts, divided by the municipality’s population in 2002.

11 (i) Notwithstanding s. 79.005 (2), “population” means the number of persons
12 residing in a municipality, as determined by the department of administration under
13 s. 16.96.

14 (j) “Poverty factor” means:

15 1. For municipalities that had a 2002 population of 50,000 or more, an amount
16 determined by dividing the percentage of the municipality’s population with an
17 income at or below the poverty level, as determined in the 2000 federal decennial
18 census, by a percentage equal to the product of 1.3 multiplied by the percentage of
19 the state’s population with an income at or below the poverty level, as determined
20 in the 2000 federal decennial census, except that a poverty factor determined under
21 this subdivision shall be no less than 1.0 and no more than 1.35.

22 2. For municipalities that had a 2002 population less than 50,000, 1.0.

23 (k) “Primary per capita conservation, development, and library cost” means a
24 municipality’s actual per capita conservation, development, and library cost, not to

1 exceed an amount equal to one-half of the average per capita conservation,
2 development, and library cost, multiplied by 1.5.

3 (L) “Primary per capita public safety cost” means a municipality’s actual per
4 capita public safety cost, not to exceed an amount equal to one-half of the average
5 per capita public safety cost, multiplied by 1.5.

6 (m) “Secondary per capita conservation, development, and library cost” means
7 a municipality’s actual per capita conservation, development, and library cost in
8 excess of an amount equal to one-half of the average per capita conservation,
9 development, and library cost, but not to exceed an amount equal to the average per
10 capita conservation, development, and library cost, multiplied by 0.5.

11 (n) “Secondary per capita public safety cost” means a municipality’s actual per
12 capita public safety cost in excess of an amount equal to one-half of the average per
13 capita public safety cost, but not to exceed an amount equal to the average per capita
14 public safety cost, multiplied by 0.5.

15 (o) “Sharing factor” means 1.0, minus the quotient of a municipality’s per capita
16 full value divided by the standard value, except that if the quotient of a
17 municipality’s per capita full value divided by the standard value is greater than 1.0,
18 the sharing factor is zero.

19 (p) “Standard value” means the per capita value that results in the distribution
20 of the entire funding level.

21 (2) ELIGIBILITY. Except as provided in sub. (3), in 2004 and in 2005, a
22 municipality is eligible for a payment under this section if the municipality is
23 incorporated and had a population in 2002 of at least 2,500 or the municipality is
24 unincorporated and had a population in 2002 of at least 5,000.

1 (3) EXCEPTIONS. A municipality shall not receive a payment under this section
2 if the sum of the municipality's actual per capita public safety cost for 2001 and the
3 municipality's actual per capita conservation, development, and library cost for 2001
4 is less than \$50.

5 (4) PAYMENTS. Except as provided under s. 79.02 (3) (e), each municipality that
6 is eligible to receive a payment under this section shall receive a payment in 2004
7 and in 2005 that is equal to the greater of the municipality's population in 2002
8 multiplied by \$23 or the municipality's aidable costs multiplied by the municipality's
9 sharing factor.

10 (5) MINIMUM PAYMENT. (a) If the payment to any municipality under sub. (4),
11 excluding any reduction under s. 79.02 (3) (e), in any year is less than 88.5% of the
12 combined payments to the municipality under ss. 79.03 and 79.06 in 2003, excluding
13 any reductions under s. 79.02 (3) ⁰³ ~~(cm) 1.~~ and excluding payments under s. 79.04, the
14 municipality has an aids deficiency. The amount of the aids deficiency is the amount
15 by which 88.5% of the combined payments to the municipality under ss. 79.03 and
16 79.06 in 2003, excluding any reductions under s. 79.02 (3) ~~(cm) 1.~~ ^{(c) 3} and excluding
17 payments under s. 79.04, exceeds the payment under sub. (4), excluding any
18 reduction under s. 79.02 (3) (e), to the municipality in the current year.

19 (b) A municipality that has an aids deficiency shall receive a payment from the
20 amounts withheld under sub. (6) equal to its aids deficiency for that year.

21 (6) MAXIMUM PAYMENT. (a) In this subsection, "maximum allowable increase"
22 in any year means a percentage such that the sum for all municipalities in the year
23 of the excess of payments under sub. (4), excluding any reduction under s. 79.02 (3)
24 (e), over the payments as limited by the maximum allowable increase, is equal to the
25 sum of the aids deficiency under sub. (5) in that year.

1 (b) If the payment to any municipality under sub. (4), excluding any reduction
2 under s. 79.02 (3) (e), in any year exceeds the combined payments to the municipality
3 under ss. 79.03 and 79.06 in 2003, excluding any reductions under s. 79.02 (3) (c) ~~(am)~~ (c)
4 ³ and excluding payments under s. 79.04, by more than the maximum allowable
5 increase, the excess shall be withheld to fund the minimum payments in that year
6 under sub. (5) (b). VK

7 (7) DISTRIBUTIONS. (a) In 2004, the total amount to be distributed to
8 municipalities under sub. (4) from the municipal aid account and s. 20.835 (1) (t) and
9 (u) is \$567,957,200.

10 (b) In 2005, the total amount to be distributed to municipalities under sub. (4)
11 from the municipal aid account is \$567,957,200.

12 (c) Beginning in 2006, no municipality may receive a payment under this
13 section.

14 **SECTION 1669e.** 79.044 of the statutes is created to read:

15 **79.044 Expenditure restraint supplemental aid. (1) DEFINITIONS.** In this
16 section:

17 (a) "Full value" has the meaning given in s. 79.05 (1) (a).

18 (b) "Inflation factor" has the meaning given in s. 79.05 (1) (am).

19 (c) "Municipal budget" has the meaning given in s. 79.05 (1) (b).

20 (d) "Property tax levy rate" has the meaning given in s. 79.05 (1) (c).

21 (e) "Valuation factor" has the meaning given in s. 79.05 (1) (d).

22 (2) **ELIGIBILITY.** A municipality is eligible for a payment under sub. (3) if it
23 fulfills all of the following requirements:

24 (a) It is eligible for a payment under s. 79.043.

25 (b) Its property tax levy rate for 2002 is greater than 8 mills.

1 (c) Its municipal budget, exclusive of principal and interest on long-term debt
2 and exclusive of revenue sharing payments under s. 66.0305 and recycling fee
3 payments under s. 289.645, for 2002 increased over its municipal budget, exclusive
4 of principal and interest on long-term debt and exclusive of revenue sharing
5 payments under s. 66.0305 and recycling fee payments under s. 289.645, for 2001 by
6 less than the sum of the inflation factor and the valuation factor, both as used to
7 determine eligibility for a payment under s. 79.05 in 2003, rounded to the nearest
8 0.10%.

9 (3) PAYMENTS. Except as provided under s. 79.02 (3) (e), in 2004 and in 2005,
10 each municipality that qualifies under sub. (2) shall receive a payment calculated as
11 follows:

12 (a) Subtract 8 mills from the municipality's property tax levy rate for 2002.

13 (b) Multiply the amount under par. (a) by the municipality's 2001 full value.

14 (c) Divide the amount under par. (b) by the total of the amounts under par. (b)
15 for all municipalities that qualify.

16 (d) Multiply the amount under par. (c) by \$10,000,000.

17 (4) MINIMUM PAYMENT. (a) If the combined payments to any municipality under
18 sub. (3) and s. 79.043, excluding any reduction under s. 79.02 (3) (e), in any year is
19 less than 90% of the combined payments to the municipality under ss. 79.03 and
20 79.06 in 2003, excluding any reductions under s. 79.02 (3) ~~(cm) 1~~ ^{(c) 3} and excluding
21 payments under s. 79.04, the municipality has an aids deficiency. The amount of the
22 aids deficiency is the amount by which 90% of the combined payments to the
23 municipality under ss. 79.03 and 79.06 in 2003, excluding any reductions under s.
24 79.02 (3) ~~(cm) 1~~ ^{(c) 3} and excluding payments under s. 79.04, exceeds the combined

1 payments under sub. (3) and s. 79.043, excluding any reduction under s. 79.02 (3) (e),
2 to the municipality in the current year.

3 (b) A municipality that has an aids deficiency shall receive a payment from the
4 amounts withheld under sub. (5) equal to its aids deficiency for that year.

5 (5) MAXIMUM PAYMENT. (a) In this subsection, “maximum allowable increase”
6 in any year means a percentage such that the sum for all municipalities in the year
7 of the excess of the combined payments under sub. (3) and s. 79.043, excluding any
8 reduction under s. 79.02 (3) (e), over the payments as limited by the maximum
9 allowable increase, is equal to the sum of the aids deficiencies under sub. (4) in that
10 year.

11 (b) If the combined payments to any municipality under sub. (3) and s. 79.043,
12 excluding any reduction under s. 79.02 (3) (e), in any year exceed the combined
13 payments to the municipality under ss. 79.03 and 79.06 in 2003, excluding any
14 reductions under s. 79.02 (3) ~~(c)~~ ^{(c) 73} and excluding payments under s. 79.04, by more
15 than the maximum allowable increase, the excess shall be withheld to fund the
16 minimum payments in that year under sub. (4) (b). vle

17 (6) DISTRIBUTIONS. (a) Beginning in 2004 and ending with the distribution in
18 2005, the total amount to be distributed each year to municipalities under sub. (4)
19 from the municipal aid account is \$10,000,000.

20 (b) Beginning in 2006, no municipality may receive a payment under this
21 section.

22 SECTION 1669f. 79.045 of the statutes is created to read:

23 79.045 Small municipalities state aid. (1) DEFINITIONS. In this section:

24 (a) “Actual per capita conservation, development, and library cost” has the
25 meaning given in s. 79.043 (1) (a).

1 (b) "Actual per capita public safety cost" has the meaning given in s. 79.043 (1)

2 (b).

3 (c) Notwithstanding s. 79.005 (2), "population" means the number of persons
4 residing in a municipality, as determined by the department of administration under
5 s. 16.96.

6 (2) ELIGIBILITY. In 2004 and in 2005, a municipality is eligible for a payment
7 under this section if the municipality is incorporated and had a population in 2002
8 of less than 2,500; the municipality is unincorporated and had a population in 2002
9 of less than 5,000; or the sum of the municipality's actual per capita public safety cost
10 for 2001 and the municipality's actual per capita conservation, development, and
11 library cost for 2001 is less than \$50.

12 (3) PAYMENTS. Except as provided under s. 79.02 (3) (e), each municipality that
13 is eligible to receive a payment under this section shall receive a payment in 2004
14 and in 2005 that is equal to the combined payments to the municipality under ss.
15 79.03 and 79.06 in 2003, excluding any reductions under s. 79.02 (3) ~~(c) 1~~ and
16 excluding payments under s. 79.04, multiplied by a percentage that results in the
17 distribution of the entire funding level. (c) 3
JK

18 (4) DISTRIBUTIONS. (a) Beginning in 2004 and ending with the distribution in
19 2005, the total amount to be distributed each year to municipalities under sub. (3)
20 from the municipal aid account is \$125,145,000.

21 (b) Beginning in 2006, no municipality may receive a payment under this
22 section.

23 SECTION 1669g. 79.046 of the statutes is created to read:

24 **79.046 Municipal aid distribution.** Beginning in 2006, the amount to be
25 distributed to municipalities is \$703,102,200.

*Except as provided under
79.02(3)(e)*

1 SECTION 1670. 79.058 (3) (e) of the statutes is amended to read:

2 79.058 (3) (e) In 2003, \$21,181,100, less the reductions under s. 79.02 (3) (cm)

3 40 (c) 3

4 SECTION 1670b. 79.10 (7r) of the statutes is repealed.

5 SECTION 1670d. 79.10 (10) (a) of the statutes is amended to read:

6 79.10 (10) (a) Beginning with property taxes levied in 1999, the owner of a
7 principal dwelling may claim the credit under sub. (9) (bm) by applying for the credit
8 on a form prescribed by the department of revenue. A claimant shall attest that, as
9 of the certification date, the claimant is an owner of property and that such property
10 is used by the owner in the manner specified under sub. (1) (dm). The certification
11 date is January 1 of the year in which the property taxes are levied. The claimant
12 shall file the application for the lottery and gaming credit with the treasurer of the
13 county in which the property is located or, if the property is located in a city that
14 collects taxes under s. 74.87, with the treasurer of the city in which the property is
15 located. Subject to review by the department of revenue, a treasurer who receives
16 a completed application shall direct that the property described in the application be
17 identified on the next tax roll as property for which the owner is entitled to receive
18 a lottery and gaming credit. A claim that is made under this paragraph is valid for
19 5 years as long as the property is eligible for the credit under sub. (9) (bm).

20 SECTION 1670dm. 79.10 (10) (b) of the statutes is amended to read:

21 79.10 (10) (b) A person who becomes eligible for a credit under sub. (9) (bm) may
22 claim the credit by filing an application, on a form prescribed by the department of
23 revenue, with the treasurer of the county in which the property is located or, if the
24 property is located in a city that collects taxes under s. 74.87, with the treasurer of
25 the city in which the property is located. Claims made under this paragraph become

1 ~~invalid when claims made under par. (a) become invalid~~ are valid for as long as the
2 property is eligible for the credit under sub. (9) (bm).

3 **SECTION 1670dp.** 79.10 (10) (bm) of the statutes is amended to read:

4 79.10 (10) (bm) 1. A person who is eligible for a credit under sub. (9) (bm) but
5 whose property tax bill does not reflect the credit may claim the credit by applying
6 to the treasurer of the taxation district in which the property is located for the credit
7 under par. (a) by January 31 following the issuance of the person's property tax bill.
8 The treasurer shall compute the amount of the credit; subtract the amount of the
9 credit from the person's property tax bill; notify the person of the reduced amount of
10 the property taxes due; issue a refund to the person if the person has paid the
11 property taxes in full; and enter the person's property on the next tax roll as property
12 that qualifies for a lottery and gaming credit. Claims made under this subdivision
13 ~~become invalid when claims made under par. (a) become invalid~~ are valid for as long
14 as the property is eligible for the credit under sub. (9) (bm).

15 2. A person who may apply for a credit under subd. 1. but who does not timely
16 apply for the credit under subd. 1. may apply to the department of revenue no later
17 than October 1 following the issuance of the person's property tax bill. Subject to
18 review by the department, the department shall compute the amount of the credit;
19 issue a check to the person in the amount of the credit; and notify the treasurer of
20 the county in which the person's property is located or the treasurer of the taxation
21 district in which the person's property is located, if the taxation district collects taxes
22 under s. 74.87. The treasurer shall enter the person's property on the next tax roll
23 as property that qualifies for a lottery and gaming credit. Claims made under this
24 subdivision ~~become invalid when claims made under par. (a) become invalid~~ are valid
25 for as long as the property is eligible for the credit under sub. (9) (bm).

1 **SECTION 1670dr.** 79.10 (10) (bn) of the statutes is amended to read:

2 79.10 (10) (bn) 1. If a person who owns and uses property as specified under
3 sub. (1) (dm), as of the certification date under par. (a), transfers the property after
4 the certification date, the transferee may apply to the treasurer of the county in
5 which the property is located or, if the property is located in a city that collects taxes
6 under s. 74.87, to the treasurer of the city in which the property is located for the
7 credit under sub. (9) (bm) on a form prescribed by the department of revenue. The
8 transferee shall attest that, to the transferee's knowledge, the transferor used the
9 property in the manner specified under sub. (1) (dm) as of the certification date under
10 par. (a). A claim that is made under this subdivision is valid for ~~the year in which~~
11 ~~the property is transferred~~ as long as the property is eligible for the credit under sub.
12 (9) (bm).

13 2. A person who is eligible for a credit under subd. 1. but whose property tax
14 bill does not reflect the credit may claim the credit by applying to the treasurer of the
15 taxation district in which the property is located for the credit by January 31
16 following the issuance of the person's property tax bill. Claims made after January
17 31, but no later than October 1 following the issuance of the person's property tax bill,
18 shall be made to the department of revenue. Paragraph (bm), as it applies to
19 processing claims made under that paragraph, applies to processing claims made
20 under this subdivision, ~~except that a claim that is made under this subdivision is~~
21 ~~valid for the year in which the person took possession of the transferred property~~
22 ~~under subd. 1.~~

23 **SECTION 1670dt.** 79.10 (10) (f) of the statutes is created to read:

24 79.10 (10) (f) 1. Each county and city that administers the credit under sub. (9)
25 (bm) shall implement a procedure to periodically verify the eligibility of properties

1 for which a credit is claimed. In 2004, and every 5th year thereafter, each county and
2 city that administers the credit under sub. (9) (bm) shall file a report with the
3 department of revenue, in the manner and at the time prescribed by the department
4 of revenue, that describes the procedures that the county or city uses to verify the
5 credits claimed under this subsection and evaluates the efficacy of such procedures.

6 2. On or before January 31, 2005, and every 5th year thereafter, the department
7 of revenue shall submit a report to the joint committee on finance that summarizes
8 the procedures described in the reports filed under subd. 1. A report submitted under
9 this subdivision shall include a recommendation as to whether the process for
10 certifying credits claimed under this subsection should continue unchanged or be
11 modified to increase compliance with the constitution.

12 **SECTION 1670f.** 79.10 (11) (b) of the statutes is amended to read:

13 79.10 (11) (b) Before October 16, the department of administration shall
14 determine the total funds available for distribution under the lottery and gaming
15 credit in the following year and shall inform the joint committee on finance of that
16 total. Total funds available for distribution shall be all moneys projected to be
17 transferred to the lottery fund under ss. 20.455 (2) (g) and 20.505 (8) (am), (g) and
18 (jm) and all existing and projected lottery proceeds and interest for the fiscal year of
19 the distribution, less the amount estimated to be expended under ss. 20.455 (2) (r),
20 20.566 (2) (r), and 20.835 (2) (q) and ~~(3) (r)~~ and less the required reserve under s.
21 20.003 (5). The joint committee on finance may revise the total amount to be
22 distributed if it does so at a meeting that takes place before November 1. If the joint
23 committee on finance does not schedule a meeting to take place before November 1,
24 the total determined by the department of administration shall be the total amount
25 estimated to be distributed under the lottery and gaming credit in the following year.

1 **SECTION 1670m.** 84.013 (2) (a) of the statutes is amended to read:

2 84.013 (2) (a) Subject to ss. 84.555 and 86.255, major highway projects shall
3 be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and
4 20.866 (2) (ur) to ~~(uum)~~ (uur).

5 **SECTION 1671.** 84.013 (2) (b) of the statutes is amended to read:

6 84.013 (2) (b) Except as provided in ss. 84.014, 84.03 (3), and 84.555, and
7 subject to s. 86.255, reconditioning, reconstruction and resurfacing of highways shall
8 be funded from the appropriations under ~~s. ss.~~ 20.395 (3) (cq) to (cx) and 20.866 (2)
9 (uut).

10 **SECTION 1671d.** 84.013 (3) (zd) of the statutes is created to read:

11 84.013 (3) (zd) USH 14 from approximately 2 miles west of Westby to 1.5 miles
12 south of Viroqua in Vernon County.

13 **SECTION 1671h.** 84.013 (3) (zh) of the statutes is created to read:

14 84.013 (3) (zh) USH 18 from Main Street in the city of Prairie du Chien to STH
15 60 in the town of Bridgeport in Crawford County.

16 **SECTION 1671p.** 84.013 (3) (zp) of the statutes is created to read:

17 84.013 (3) (zp) USH 41 from 0.5 miles south of STH 26 to 0.5 miles north of
18 Breezewood Lane in the city of Neenah in Winnebago County.

19 **SECTION 1671t.** 84.013 (3) (zt) of the statutes is created to read:

20 84.013 (3) (zt) USH 41 from Orange Lane in the town of Lawrence, one mile
21 south of CTH “F” to CTH “M” in Brown County.

22 **SECTION 1672c.** 84.014 (3m) of the statutes is created to read:

23 84.014 (3m) (a) Beginning in fiscal year 2003–04, and in each fiscal year
24 thereafter until the end of fiscal year 2010–11, from the amounts appropriated under
25 s. 20.395 (3) (cr) or (cy) or both, the department shall allocate a total of at least

1 \$49,350,000 in each fiscal year, or the total unencumbered balance of both
2 appropriations at the beginning of the fiscal year for each fiscal year, whichever is
3 less, for southeast Wisconsin freeway rehabilitation projects other than the
4 Marquette interchange reconstruction project. The department shall allocate the
5 full amount under this paragraph in each fiscal year, and any amount allocated
6 under this paragraph that remains unencumbered at the end of the fiscal year shall
7 be added to the allocation under this paragraph for the subsequent fiscal year, and
8 shall not otherwise affect the subsequent fiscal year's allocation under this
9 paragraph.

10 (b) Notwithstanding par. (a), the department may, in any fiscal year, reallocate
11 funds for purposes of the Marquette interchange reconstruction project that were,
12 for the same fiscal year, previously allocated under par. (a) for southeast Wisconsin
13 freeway rehabilitation projects other than the Marquette interchange
14 reconstruction project if all of the following apply:

15 1. The department did not reduce under this paragraph, in the preceding fiscal
16 year, the allocation under par. (a) for southeast Wisconsin freeway rehabilitation
17 projects other than the Marquette interchange reconstruction project.

18 2. The department has submitted to the joint committee on finance a request
19 to reallocate funds under this paragraph and the request is approved, or modified
20 and approved, under par. (d).

21 (c) If funds are reallocated in any fiscal year under par. (b), in the subsequent
22 fiscal year, the department shall, from funds that otherwise would have been
23 allocated to the Marquette interchange reconstruction project, increase the
24 allocation under par. (a) for the subsequent fiscal year for southeast Wisconsin
25 freeway rehabilitation projects other than the Marquette interchange

1 reconstruction project by an amount equal to the amount reallocated to the
2 Marquette interchange reconstruction project under par. (b) in the preceding fiscal
3 year.

4 (d) If the department submits a request under par. (b) 2., and the
5 cochairpersons of the joint committee on finance do not notify the department within
6 14 working days after the date of the submittal that the committee has scheduled a
7 meeting for the purpose of reviewing the request, the request is considered approved
8 for purposes of par. (b) 2. and the department may take the action specified in the
9 request. If, within 14 working days after the date of the submittal, the
10 cochairpersons of the committee notify the department that the committee has
11 scheduled a meeting for the purpose of reviewing the request, the department may
12 not take the action specified in the request until it is approved by the committee, as
13 submitted or as modified.

14 **SECTION 1672g.** 84.014 (4) of the statutes is renumbered 84.014 (4) (a).

15 **SECTION 1672h.** 84.014 (4) (b) of the statutes is created to read:

16 84.014 (4) (b) If the Marquette interchange reconstruction project is funded
17 under s. 84.555 (1m) with the proceeds of general obligation bonds issued under s.
18 20.866 (2) (uum), in each fiscal year in which bond obligations are outstanding, the
19 department shall, to the maximum extent possible, transfer funds allocated for the
20 Marquette interchange reconstruction project under s. 20.395 (3) (cr) to the
21 appropriation account under s. 20.395 (6) (at) for the payment, in that fiscal year, of
22 principal and interest costs incurred in financing the project with bonds issued under
23 s. 20.866 (2) (uum).

24 **SECTION 1672i.** 84.014 (4) (c) of the statutes is created to read:

1 84.014 (4) (c) Beginning in fiscal year 2003–04, and in each fiscal year
2 thereafter until the end of fiscal year 2010–11, the department may submit to the
3 joint committee on finance a request to transfer funds, other than federal funds
4 specifically allotted by act of Congress for the Marquette interchange reconstruction
5 project, that are allocated under s. 20.395 (3) (cy) to the Marquette interchange
6 reconstruction project or that are appropriated under s. 20.395 (3) (cy) and
7 unallocated, from the appropriation account under s. 20.395 (3) (cy) to the
8 appropriation account under s. 20.395 (3) (bx) or (cx), and to transfer an equal
9 amount of segregated revenue funds from the appropriation account under s. 20.395
10 (3) (bq) or (cq) to the appropriation account under s. 20.395 (6) (at), for the payment
11 of principal and interest costs incurred in financing the Marquette interchange
12 reconstruction project by the issuance of bonds under s. 20.866 (2) (uum). If the
13 department submits a request under this paragraph and the cochairpersons of the
14 joint committee on finance do not notify the department within 14 working days after
15 the date of the submittal that the committee has scheduled a meeting for the purpose
16 of reviewing the request, the department may take the action specified in the
17 request. If, within 14 working days after the date of the submittal, the
18 cochairpersons of the committee notify the department that the committee has
19 scheduled a meeting for the purpose of reviewing the request, the department may
20 not take the action specified in the request until it is approved by the committee, as
21 submitted or as modified.

22 **SECTION 1674.** 84.03 (3) (title), (a) and (b) of the statutes are amended to read:

23 84.03 (3) (title) WEST CANAL STREET RECONSTRUCTION AND EXTENSION PROJECT.

24 (a) Subject to par. (b), the department shall, from the appropriations under s. 20.395
25 (3) (cr) and (cy), award a grant of \$5,000,000 from the amounts allocated for the

1 Marquette interchange reconstruction project under 2001 Wisconsin Act 16, section
2 9152 (5w), shall award a grant of \$2,500,000 under s. 86.31 (3s), and shall award
3 grants totaling \$2,500,000 from the appropriation under s. 20.395 (3) (ck), to the city
4 of Milwaukee for reconstruction of West Canal Street and extension of West Canal
5 Street to USH 41 at Miller Park in the city of Milwaukee to serve as a transportation
6 corridor for the purpose of mitigating traffic associated with the reconstruction of the
7 Marquette interchange.

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

11 **SECTION 1675.** 84.04 (3) of the statutes is repealed.

12 **SECTION 1681.** 84.07 (5) of the statutes is repealed.

13 **SECTION 1684.** 84.09 (5) of the statutes is amended to read:

14 84.09 (5) Subject to the approval of the governor, the department may sell at
15 public or private sale property of whatever nature owned by the state and under the
16 jurisdiction of the department when the department determines that the property
17 is no longer necessary for the state's use for highway purposes and, if real property,
18 the real property is not the subject of a petition under s. ~~16.375~~ 560.9810 (2). The
19 department shall present to the governor a full and complete report of the property
20 to be sold, the reason for the sale, and the minimum price for which the same should
21 be sold, together with an application for the governor's approval of the sale. The
22 governor shall thereupon make such investigation as he or she may deem necessary
23 and approve or disapprove the application. Upon such approval and receipt of the
24 full purchase price, the department shall by appropriate deed or other instrument
25 transfer the property to the purchaser. The approval of the governor is not required

1 for public or private sale of property having a fair market value at the time of sale
2 of not more than \$3,000, for the transfer of surplus state real property to the
3 department of administration under s. 16.375 560.9810 or for the transfer of surplus
4 state personal property to the department of tourism under sub. (5s). The funds
5 derived from sales under this subsection shall be deposited in the transportation
6 fund, and the expense incurred by the department in connection with the sale shall
7 be paid from such fund.

8 **SECTION 1685.** 84.09 (5r) of the statutes is amended to read:

9 84.09 (5r) In lieu of the sale or conveyance of property under sub. (5) or (5m),
10 the department may, subject to the approval of the governor, donate real property
11 that is adjacent to the veterans memorial site located at The Highground in Clark
12 County and owned by the state and under the jurisdiction of the department to the
13 Wisconsin Vietnam Veterans Memorial Project, Inc., for the purpose of the veterans
14 memorial site located at The Highground in Clark County for the purpose of a
15 memorial hall specified in s. 70.11 (9). The department may donate property under
16 this subsection only when the department determines that the property is no longer
17 necessary for the state's use for highway purposes and is not the subject of a petition
18 under s. 16.375 560.9810 (2) and is transferred with a restriction that the donee may
19 not subsequently transfer the real property to any person except to this state, which
20 shall not be charged for any improvements thereon. Such restriction shall be
21 recorded in the office of the register of deeds in the county in which the property is
22 located. The department shall present to the governor a full and complete report of
23 the property to be donated, the reason for the donation, and the minimum price for
24 which the property could likely be sold under sub. (5), together with an application
25 for the governor's approval of the donation. The governor shall thereupon make such

1 investigation as he or she considers necessary and approve or disapprove the
2 application. Upon such approval, the department shall by appropriate deed or other
3 instrument transfer the property to the donee. The approval of the governor is not
4 required for donation of property having a fair market value at the time of donation
5 of not more than \$3,000. Any expense incurred by the department in connection with
6 the donation shall be paid from the transportation fund.

7 **SECTION 1686.** 84.11 (4) of the statutes is amended to read:

8 84.11 (4) FINDING, DETERMINATION, AND ORDER. After such hearing the
9 department shall make such investigation as it considers necessary in order to make
10 a decision in the matter. If the department finds that the construction is necessary
11 it shall determine the location of the project and whether the project is eligible for
12 construction under this section. The department shall also determine the character
13 and kind of bridge most suitable for such location and estimate separately the cost
14 of the bridge portion and the entire project. The department shall make its finding,
15 determination, and order, in writing, and file a certified copy thereof with the clerk
16 of each county, city, village, and town in which any portion of the bridge project will
17 be located and also with the secretary of state and the ~~state treasurer~~ secretary of
18 administration. The determination of the location of the project made by the
19 department and set forth in its finding, determination, and order, shall be conclusive
20 as to such location and shall constitute full authority for laying out new streets or
21 highways or for any relocations of highways made necessary for the construction of
22 the project and for acquirement of any lands necessary for such streets or highways,
23 relocation or construction. The estimate of cost made by the department shall be
24 conclusive insofar as cost may determine eligibility of construction under this
25 section.