

1 **SECTION 1687.** 84.12 (4) of the statutes is amended to read:

2 84.12 (4) FINDING, DETERMINATION, AND ORDER. If the department finds that the
3 construction is necessary, and that provision has been made or will be made by the
4 adjoining state or its subdivisions to bear its or their portions of the cost of the project,
5 the department, in cooperation with the state highway department of the adjoining
6 state, shall determine the location thereof, the character and kind of bridge and other
7 construction most suitable at such location, estimate the cost of the project, and
8 determine the respective portions of the estimated cost to be paid by each state and
9 its subdivisions. In the case of projects eligible to construction under sub. (1) (a) the
10 department shall further determine the respective portions of the cost to be paid by
11 this state and by its subdivisions which are required to pay portions of the cost. The
12 department, after such hearing, investigation, and negotiations, shall make its
13 finding, determination, and order in writing and file a certified copy thereof with the
14 clerk of each county, city, village, or town in this state in which any part of the bridge
15 project will be located, with the secretary of state, and the ~~state treasurer~~ secretary
16 of administration and with the state highway department of the adjoining state. The
17 determination of the location set forth in the finding, determination, and order of the
18 department shall be conclusive as to such location and shall constitute full authority
19 for laying out new streets or highways or for any relocations of the highways made
20 necessary for the construction of the project and for acquiring lands necessary for
21 such streets or highways, relocation or construction.

22 **SECTION 1694f.** 84.555 (1m) of the statutes is created to read:

23 84.555 (1m) Notwithstanding sub. (1) and ss. 84.51 and 84.59, the Marquette
24 interchange reconstruction project under s. 84.014 may be funded with the proceeds

1 of general obligation bonds issued under s. 20.866 (2) (uum) if all of the following
2 conditions are satisfied:

3 (a) Funds allocated under s. 20.395 (3) (cr) and (cy), other than funds
4 transferred under s. 84.014 (4) (b) or (c), for the Marquette interchange
5 reconstruction project for the fiscal year in which the bonds are issued are not
6 sufficient to meet expenditure obligations for the project in that fiscal year and the
7 bond issuance results in an amount of bond proceeds in that fiscal year that does not
8 exceed the difference between the expenditure obligations for the project in that
9 fiscal year and the amount of funds allocated under s. 20.395 (3) (cr) and (cy), other
10 than funds transferred under s. 84.014 (4) (b) or (c), for the project for that fiscal year.

11 (b) No payment of principal and interest on the bonds is required after June
12 30, 2009.

13 (c) The department has expended or encumbered all funds allocated under s.
14 20.395 (3) (cr) and (cy), other than funds transferred under s. 84.014 (4) (b) or (c), for
15 the Marquette interchange reconstruction project for the fiscal year in which the
16 bonds are issued, has maximized the use of any other state or federal funds available
17 for the project in that fiscal year, and has exhausted other viable options for funding
18 expenditure obligations for the project in that fiscal year by means other than the
19 issuance of bonds under s. 20.866 (2) (uum).

20 **SECTION 1694m.** 84.557 of the statutes is created to read:

21 **84.557 General obligation bonding for major highway and**
22 **rehabilitation projects.** (1) Notwithstanding ss. 84.51, 84.53, 84.555, and 84.59,
23 major highway projects, as defined under s. 84.013 (1) (a), for the purposes of ss. 84.06
24 and 84.09, may be funded with the proceeds of general obligation bonds issued under
25 s. 20.866 (2) (uur).

1 (2) Notwithstanding ss. 84.51, 84.53, 84.555, and 84.59, state highway
2 rehabilitation projects for the purposes specified in s. 20.395 (3) (cq), may be funded
3 with the proceeds of general obligation bonds issued under s. 20.866 (2) (uut).

4 **SECTION 1696.** 84.59 (2) of the statutes is renumbered 84.59 (2) (a).

5 **SECTION 1697.** 84.59 (2) (b) of the statutes is created to read:

6 84.59 (2) (b) The department may, under s. 18.562, deposit in a separate and
7 distinct special fund outside the state treasury, in an account maintained by a
8 trustee, revenues derived under ss. 341.09 (2) (d), (2m) (a) 1., (4), and (7), 341.14 (2),
9 (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (a) and (b), (2),
10 and (2m), 341.17 (8), 341.19 (1) (a), 341.25, 341.255 (1), (2) (a), (b), and (c), (4), and
11 (5), 341.26 (1), (2), (2m) (am) and (b), (3), (3m), (4), (5), and (7), 341.264 (1), 341.265
12 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.30 (3), 341.305 (3), 341.308 (3),
13 341.36 (1) and (1m), 341.51 (2), and 342.14, except s. 342.14 (1r). The revenues
14 deposited are the trustee's revenues in accordance with the agreement between this
15 state and the trustee or in accordance with the resolution pledging the revenues to
16 the repayment of revenue obligations issued under this section. Revenue obligations
17 issued for the purposes specified in sub. (1) and for the repayment of which revenues
18 are deposited under this paragraph are special fund obligations, as defined in s.
19 18.52 (7), issued for special fund programs, as defined in s. 18.52 (8).

20 **SECTION 1698.** 84.59 (3) of the statutes is amended to read:

21 84.59 (3) The secretary may pledge revenues received or to be received in the
22 any fund established in under sub. (2) to secure revenue obligations issued under this
23 section. The pledge shall provide for the transfer to this state of all pledged revenues,
24 including any interest earned on the revenues, which are in excess of the amounts
25 required to be paid under s. 20.395 (6) (as). The pledge shall provide that the

1 transfers be made at least twice yearly, that the transferred amounts be deposited
2 in the transportation fund and that the transferred amounts are free of any prior
3 pledge.

4 **SECTION 1699.** 84.59 (6) of the statutes is amended to read:

5 84.59 (6) The building commission may contract revenue obligations when it
6 reasonably appears to the building commission that all obligations incurred under
7 this section can be fully paid from moneys received or anticipated and pledged to be
8 received on a timely basis. Except as provided in this subsection, the principal
9 amount of revenue obligations issued under this section may not exceed
10 ~~\$1,753,067,500~~ \$2,095,583,900, excluding any obligations that have been defeased
11 under a cash optimization program administered by the building commission, to be
12 used for transportation facilities under s. 84.01 (28) and major highway projects for
13 the purposes under ss. 84.06 and 84.09. In addition to the foregoing limit on principal
14 amount, the building commission may contract revenue obligations under this
15 section as the building commission determines is desirable to refund outstanding
16 revenue obligations contracted under this section and to pay expenses associated
17 with revenue obligations contracted under this section.

18 **SECTION 1701m.** 85.027 of the statutes is created to read:

19 **85.027 Traffic marking enhancement grants. (1) ADMINISTRATION.** Subject
20 to 2003 Wisconsin Act (this act), section 9153 (4q), the department shall
21 administer a program to provide grants to local units of government for the
22 installation of traffic marking enhancements with the intent of improving visibility
23 for elderly drivers and pedestrians. The enhancements may include pavement
24 markings for center lines, lane lines, edge lines, lane-use arrows, and cross walks
25 that are brighter or more reflective than the markings that are typically used, traffic

1 signs with enhanced reflectivity and with larger letters than are typically used,
2 redundant street name signs in advance of intersections, and overhead mounted
3 street name signs at major intersections.

4 (2) GRANTS. (a) A local unit of government that is awarded a grant under this
5 section shall contribute matching funds equal to at least 25% of the total estimated
6 cost of the project for which moneys are awarded under this section.

7 (b) The department shall award grants annually to at least one project in each
8 of the following:

- 9 1. An urban area.
- 10 2. A suburban area.
- 11 3. A rural area.

12 (c) The department shall consider the following in awarding a grant for a
13 proposed project:

- 14 1. The crash history of the proposed project area.
- 15 2. The prevalence of older drivers and pedestrians in the area of the proposed
16 project.

17 3. The extent to which the proposed improvements would produce
18 demonstrable benefits.

19 4. Whether a project is proposed cooperatively by more than one local unit of
20 government and coordinates improvements on highways in more than one
21 jurisdiction. The department shall favor cooperative projects.

22 5. The geographic distribution of all of the projects that are awarded grants.
23 The department shall distribute projects throughout the state.

24 (d) The department shall award grants under this section from the
25 appropriation under s. 20.395 (2) (fg).

1 **SECTION 1702.** 85.062 (1) (c) of the statutes is created to read:

2 85.062 (1) (c) Initial construction or expansion of a commuter rail transit
3 system. In this paragraph, “commuter rail” has the meaning given in s. 85.064 (1)
4 (a).

5 **SECTION 1703.** 85.064 of the statutes is created to read:

6 **85.064 Commuter rail transit system development. (1)** In this section:

7 (a) “Commuter rail” means rail passenger service, operating primarily on a
8 dedicated right-of-way on existing railroad tracks used for rail freight service or
9 intercity rail passenger service between and within metropolitan and suburban
10 areas, connecting these areas with large business or urban centers in this state or
11 another. Commuter rail usually operates during peak travel times with limited stops
12 and in conjunction with other transit modes as part of a regional transit system.
13 “Commuter rail” does not include rail passenger service provided by a light rail
14 transit system.

15 (b) “Political subdivision” means any city, village, town, county, transit
16 commission organized under s. 59.58 (2) or 66.1021 or recognized under s. 66.0301,
17 or regional transportation authority organized under s. 59.58 (6) within this state.

18 (2) (a) The department shall administer a commuter rail transit system
19 development grant program. From the appropriations under s. 20.395 (1) (dq), (dv),
20 and (dx), the department may award grants to political subdivisions for preliminary
21 engineering related to the development or extension of commuter rail transit
22 systems in this state.

23 (b) Upon completion of a planning study to the satisfaction of the department,
24 any political subdivision may apply to the department for a grant for the purpose

1 specified in par. (a). No grant may be awarded under this section for a project unless
2 the project meets the eligibility criteria established by the department under sub. (3).

3 (c) The amount of a grant awarded under this section shall be limited to an
4 amount equal to 50% of the portion of the project cost in excess of the federal aid
5 funding for the project or 25% of the total project cost, whichever is less.

6 (3) The department shall prescribe the form, nature, and extent of information
7 that shall be contained in applications for grants under this section and shall
8 establish criteria for evaluating applications and determining eligibility for the
9 award of grants under this section.

10 (4) No grant may be awarded under this section for any project related to the
11 planning, initial construction, or expansion of a light rail transit system.

12 **SECTION 1704.** 85.09 (2) (a) of the statutes is amended to read:

13 85.09 (2) (a) The department of transportation shall have the first right to
14 acquire, for present or future transportation or recreational purposes, any
15 property used in operating a railroad or railway, including land and rails, ties,
16 switches, trestles, bridges, and the like located ~~thereon, which on that property, that~~
17 has been abandoned. The department of transportation may, in connection with
18 abandoned rail property, assign this right to a state agency, the board of regents of
19 the University of Wisconsin System, any county or municipality, or any transit
20 commission. Acquisition by the department of transportation may be by gift,
21 purchase, or condemnation in accordance with the procedure under s. 32.05. In
22 addition to its property management authority under s. 85.15, the department of
23 transportation may lease and collect rents and fees for any use of rail property
24 pending discharge of the department's duty to convey property that is not necessary
25 for a public purpose. ~~In exercising its property management authority, the~~

1 department of transportation, to the greatest extent practicable, shall encourage and
2 utilize the Wisconsin conservation corps for appropriate projects. No person owning
3 abandoned rail property, including any person to whom ownership reverts upon
4 abandonment, may convey or dispose of any abandoned rail property without first
5 obtaining a written release from the department of transportation indicating that
6 the first right of acquisition under this subsection will not be exercised or assigned.
7 No railroad or railway may convey any rail property prior to abandonment if the rail
8 property is part of a rail line shown on the railroad's system map as in the process
9 of abandonment, expected to be abandoned, or under study for possible
10 abandonment unless the conveyance or disposal is for the purpose of providing
11 continued rail service under another company or agency. Any conveyance made
12 without obtaining such release is void. The first right of acquisition of the
13 department of transportation under this subsection does not apply to any rail
14 property declared by the department to be abandoned before January 1, 1977. The
15 department of transportation may acquire any abandoned rail property under this
16 section regardless of the date of its abandonment.

17 **SECTION 1705.** 85.09 (4i) of the statutes is amended to read:

18 85.09 (4i) DISPOSAL OF RAIL PROPERTY. The department shall sell at public or
19 private sale rail property acquired under sub. (4) when the department determines
20 that the rail property is not necessary for a public purpose and, if real property, the
21 real property is not the subject of a petition under s. ~~16.375~~ 560.9810 (2). Upon
22 receipt of the full purchase price, the department shall, by appropriate deed or other
23 instrument, transfer the rail property to the purchaser. The funds derived from sales
24 under this subsection shall be deposited in the transportation fund, and the expense

1 incurred by the department in connection with the sale shall be paid from the
2 appropriation under s. 20.395 (2) (bq).

3 **SECTION 1706.** 85.12 (3) of the statutes is amended to read:

4 85.12 (3) The department may contract with any local governmental unit, as
5 defined in s. ~~22.01~~ 16.97 (7), to provide that local governmental unit with services
6 under this section.

7 **SECTION 1707.** 85.14 (1) (b) of the statutes is amended to read:

8 85.14 (1) (b) Except for charges associated with a contract under par. (c), the
9 department shall pay to the ~~state treasurer~~ secretary of administration the amount
10 of charges associated with the use of credit cards under par. (a) that are assessed to
11 the department.

12 **SECTION 1708.** 85.14 (2) of the statutes is amended to read:

13 85.14 (2) The department shall certify to the ~~state treasurer~~ secretary of
14 administration the amount of charges associated with the use of credit cards that is
15 assessed to the department on deposits accepted under s. 345.26 (3) (a) by state
16 traffic patrol officers and state motor vehicle inspectors, and the ~~state treasurer~~
17 secretary of administration shall pay the charges from moneys under s. 59.25 (3) (j)
18 and (k) that are reserved for payment of the charges under s. ~~14.58 (21)~~ 20.907 (5)
19 (e) 12e.

20 **SECTION 1709.** 85.20 (4m) (a) 6. cm. of the statutes is amended to read:

21 85.20 (4m) (a) 6. cm. ~~For aid payable for calendar years 2000 and 2001, from~~
22 ~~the appropriation under s. 20.395 (1) (ht), the department shall pay \$53,555,600 to~~
23 ~~the eligible applicant that pays the local contribution required under par. (b) 1. for~~
24 ~~an urban mass transit system that has annual operating expenses in excess of~~
25 ~~\$80,000,000. For aid payable for calendar year 2002, from the appropriation under~~

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

12 **SECTION 1710.** 85.20 (4m) (a) 6. d. of the statutes is amended to read:

13 85.20 (4m) (a) 6. d. ~~For aid payable for calendar years 2000 and 2001, from the~~
14 ~~appropriation under s. 20.395 (1) (hu), the department shall pay \$14,297,600 to the~~
15 ~~eligible applicant that pays the local contribution required under par. (b) 1. for an~~
16 ~~urban mass transit system that has annual operating expenses in excess of~~
17 ~~\$20,000,000 but less than \$80,000,000. For aid payable for calendar year 2002, from~~
18 ~~the appropriation under s. 20.395 (1) (hu), the department shall pay \$14,869,500 to~~
19 ~~the eligible applicant that pays the local contribution required under par. (b) 1. for~~
20 ~~an urban mass transit system that has annual operating expenses in excess of~~
21 ~~\$20,000,000 but less than \$80,000,000. ~~Beginning with~~ For aid payable for calendar~~
22 ~~year 2003 and for each calendar year thereafter, from the appropriation under s.~~
23 ~~20.395 (1) (hu), the department shall pay \$15,166,900 to the eligible applicant that~~
24 ~~pays the local contribution required under par. (b) 1. for an urban mass transit~~
25 ~~system that has annual operating expenses in excess of \$20,000,000 but less than~~

1 \$80,000,000. If the eligible applicant that receives aid under this subd. 6. d. is served
2 by more than one urban mass transit system, the eligible applicant may allocate the
3 aid between the urban mass transit systems in any manner the eligible applicant
4 considers desirable.

5 **SECTION 1711.** 85.20 (4m) (a) 7. a. of the statutes is amended to read:

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

17 **SECTION 1712.** 85.20 (4m) (a) 7. b. of the statutes is amended to read:

18 85.20 (4m) (a) 7. b. For the purpose of making allocations under subd. 7. a., the
19 amounts for aids are ~~\$19,804,200 in calendar years 2000 and 2001, \$20,596,400 in~~
20 ~~calendar year 2002, and \$21,008,300~~ \$21,008,300 in calendar year 2003, and
21 \$21,757,600 in calendar year 2004 and in each calendar year thereafter. These
22 amounts, to the extent practicable, shall be used to determine the uniform
23 percentage in the particular calendar year.

24 **SECTION 1713.** 85.20 (4m) (a) 8. a. of the statutes is amended to read:

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

11 **SECTION 1714.** 85.20 (4m) (a) 8. b. of the statutes is amended to read:

12 85.20 (4m) (a) 8. b. For the purpose of making allocations under subd. 8. a., the
13 amounts for aids are ~~\$5,349,100 in calendar years 2000 and 2001, \$5,563,100 in~~
14 ~~calendar year 2002, and \$5,674,400~~ \$5,674,400 in calendar year 2003, and
15 \$4,925,100 in calendar year 2004 and in each calendar year thereafter. These
16 amounts, to the extent practicable, shall be used to determine the uniform
17 percentage in the particular calendar year.

18 **SECTION 1715.** 85.55 of the statutes is amended to read:

19 **85.55 Safe-ride grant program.** The department may award grants to any
20 county or municipality or to any nonprofit corporation, as defined in s. ~~46.93 (1m) (e)~~
21 66.0129 (6) (b), to cover the costs of transporting persons suspected of having a
22 prohibited alcohol concentration, as defined in s. 340.01 (46m), from any premises
23 licensed under ch. 125 to sell alcohol beverages to their places of residence. The
24 amount of a grant under this section may not exceed 50% of the costs necessary to
25 provide the service. The liability of a provider of a safe-ride program to persons

1 transported under the program is limited to the amounts required for an automobile
2 liability policy under s. 344.15 (1). Grants awarded under this section shall be paid
3 from the appropriation under s. 20.395 (5) (ek).

4 **SECTION 1719.** 86.30 (2) (a) 1. of the statutes is amended to read:

5 86.30 (2) (a) 1. Except as provided in pars. (b), (d) and (dm), ~~sub. (10)~~ and s.
6 86.303, the amount of transportation aids payable by the department to each county
7 shall be the aids amount calculated under subd. 2. and to each municipality shall be
8 the aids amount calculated under subd. 2. or 3., whichever is greater. If the amounts
9 calculated for a municipality under subd. 2. or 3. are the same, transportation aids
10 to that municipality shall be paid under subd. 2.

11 **SECTION 1720.** 86.30 (2) (a) 3. of the statutes is amended to read:

12 86.30 (2) (a) 3. For each mile of road or street under the jurisdiction of a
13 municipality as determined under s. 86.302, the mileage aid payment shall be \$1,704
14 ~~in calendar year 2001~~, \$1,755 in calendar year 2002, and \$1,825 in calendar year
15 2003 and thereafter.

16 **SECTION 1721.** 86.30 (9) (b) of the statutes is amended to read:

17 86.30 (9) (b) For the purpose of calculating and distributing aids under sub. (2),
18 the amounts for aids to counties are ~~\$84,059,500 in calendar years 2000 and 2001~~,
19 \$86,581,300 in calendar year 2002, and \$90,044,600 in calendar year 2003 and
20 thereafter. These amounts, to the extent practicable, shall be used to determine the
21 statewide county average cost-sharing percentage in the particular calendar year.

22 **SECTION 1722.** 86.30 (9) (c) of the statutes is amended to read:

23 86.30 (9) (c) For the purpose of calculating and distributing aids under sub. (2),
24 the amounts for aids to municipalities are ~~\$264,461,500 in calendar years 2000 and~~
25 2001, \$272,395,300 in calendar year 2002, and \$283,291,100 in calendar year 2003

1 and thereafter. These amounts, to the extent practicable, shall be used to determine
2 the statewide municipal average cost-sharing percentage in the particular calendar
3 year.

4 **SECTION 1723.** 86.30 (10) of the statutes is repealed.

5 **SECTION 1723m.** 86.31 (2) (e) of the statutes is amended to read:

6 86.31 (2) (e) The department of transportation may not require as a condition
7 of reimbursement that the design and construction of any improvement with eligible
8 costs totaling \$50,000 \$65,000 or less be certified by a registered professional
9 engineer.

10 **SECTION 1724.** 86.31 (3s) of the statutes is amended to read:

11 86.31 (3s) WEST CANAL STREET RECONSTRUCTION AND EXTENSION.

12 Notwithstanding limitations on the amount and use of aids provided under this
13 section, or on eligibility requirements for receiving aids under this section, and
14 subject to s. 84.03 (3) (b), the department shall award a grant of \$2,500,000 to the city
15 of Milwaukee for the purpose purposes specified under s. 84.03 (3) (a).
16 Notwithstanding subs. (3) (b), (3g), (3m), and (3r), payment of the grant under this
17 subsection shall be made from the appropriation under s. 20.395 (2) (fr) before
18 making any other allocation of funds under subs. (3) (b), (3g), (3m), and (3r), and the
19 allocation of funds under subs. (3) (b), (3g), (3m), and (3r) shall be reduced
20 proportionately to reflect the amount of the grant made under this subsection. This
21 subsection does not apply after December 31, 2005.

22 **SECTION 1725.** 87.07 (4) of the statutes is amended to read:

23 87.07 (4) BENEFITS AND COSTS DECISIVE. If the aggregate of the amounts
24 collectible, as thus found by the department, exceeds the estimated cost of
25 construction of the improvement, the department shall order that the work of

1 constructing such improvement proceed. If such aggregate amount collectible is less
2 than the estimated cost of such improvement, the department shall enter an order
3 dismissing the petition, unless the difference between said aggregate amounts be
4 deposited in cash with the ~~state treasurer~~ secretary of administration within one
5 year. Such deposit may be made by any person or any public or private corporation.
6 Upon the making of such deposit, the department shall enter a further order that the
7 work of constructing the improvement proceed.

8 **SECTION 1726.** 87.11 (2) of the statutes is amended to read:

9 87.11 (2) But should the total cost, as ascertained and certified by the flood
10 control board after the letting of the contracts, in the manner hereinabove set forth,
11 exceed the total amount found by the department to be collectible under s. 87.09, all
12 contracts for the construction of the work shall be null and void. At the expiration
13 of one year after such certification, any moneys held by the ~~state treasurer~~ secretary
14 of administration on account of the project shall be refunded to the persons by whom
15 they were paid to ~~such treasurer~~ the secretary of administration; and funds in the
16 hands of the flood control board shall be refunded to the public corporation by which
17 they were paid to such board; any funds held by any town, village, or city, having been
18 collected by special assessments against property benefited, shall be refunded to the
19 owners of such property; any funds raised by any public corporation by the issuance
20 of bonds on account of such proposed improvements shall constitute a fund for the
21 retirement or payment of such bonds; and any fund held by any public corporation,
22 having been raised otherwise than by special assessments or bond issues, shall be
23 available for the general purposes of such public corporation. Provided, however,
24 that if within one year after the last mentioned certification of the flood control board
25 there shall be deposited with the treasurer of said board a sum equal to the difference

1 between the aggregate cost of constructing the improvement as estimated by the
2 department and the aggregate cost thereof as determined and certified by the flood
3 control board after the letting of the contracts, said board shall proceed to relet the
4 contracts for the construction of the improvement and to complete the same unless
5 the aggregate of such new contract prices, together with the department's estimate
6 of the cost of acquiring lands and of overhead expenses and of the first 18 months'
7 operation and maintenance, shall again exceed the amount found by the department
8 to be collectible under s. 87.09. The deposit herein referred to may be made by any
9 person or any public or private corporation.

10 **SECTION 1727.** 87.13 of the statutes is amended to read:

11 **87.13 Disbursements by board.** All sums which shall be deposited with the
12 ~~state treasurer~~ secretary of administration under s. 87.07 (4) for the construction of
13 the improvement shall be paid by said ~~treasurer~~ the secretary of administration to
14 the flood control board upon requisitions from said board. If any moneys, other than
15 those for operation and maintenance during the first 18 months, remain unexpended
16 in the hands of the flood control board or subject to their requisition after the
17 completion of the construction of the improvement, and if the funds for construction
18 of the improvement shall have been in part raised through voluntary contributions
19 under s. 87.07 (4) or 87.11 (2), the amounts thus contributed, or such proportion
20 thereof as the funds remaining in the hands of the board or subject to its requisition
21 will pay, shall be returned to the persons or corporations who made such voluntary
22 contributions, in proportion to the amounts contributed by them.

23 **SECTION 1731.** 91.19 (6s) (a) (intro.) of the statutes is amended to read:

24 91.19 (6s) (a) (intro.) The department may release from a farmland
25 preservation agreement any land acquired or to be acquired by ~~a local unit of~~

1 government a school board or the governing body of a municipality, as defined in s.
2 ~~106.215 (1) (e)~~ 281.59 (1) (c), for public improvements or structures, including
3 highway improvements, if all of the following occur:

4 **SECTION 1731ec.** 91.19 (7) of the statutes is amended to read:

5 91.19 (7) ~~Whenever~~ Subject to sub. (14), whenever a farmland preservation
6 agreement is relinquished under sub. (2) or (6t) or all or part of the land is released
7 from a farmland preservation agreement under sub. (2) or (6p) or a transition area
8 agreement is relinquished under sub. (2) or, subject to subs. (12) and (13), a transition
9 area agreement is relinquished under sub. (1) or (1m), the department shall cause
10 to be prepared and recorded a lien against the property formerly subject to the
11 agreement for the total amount of all credits received by all owners of such lands
12 under subch. IX of ch. 71 during the last 10 years that the land was eligible for such
13 credit, plus interest at the rate of 9.3% per year compounded annually on the credits
14 received from the time the credits were received until the lien is paid for farmland
15 preservation agreements relinquished under sub. (6t) and 6% per year compounded
16 annually on the credits received from the time the credits were received until the lien
17 is paid for other agreements. No interest shall be compounded for any period during
18 which the farmland is subject to a subsequent farmland preservation agreement or
19 transition area agreement or is zoned for exclusive agricultural use under an
20 ordinance certified under subch. V.

21 **SECTION 1731eg.** 91.19 (8) of the statutes is amended to read:

22 91.19 (8) Subject to subs. (12) ~~and~~, (13), and (14), upon the relinquishment of
23 a farmland preservation agreement under sub. (1) or (1m), the department shall
24 cause to be prepared and recorded a lien against the property formerly subject to the
25 farmland preservation agreement for the total amount of the credits received by all

1 owners thereof under subch. IX of ch. 71 during the last 10 years that the land was
2 eligible for such credit, plus 6% interest per year compounded from the time of
3 relinquishment. No interest shall be compounded for any period during which the
4 farmland is subject to a subsequent farmland preservation agreement or transition
5 area agreement or is zoned for exclusive agricultural use under an ordinance
6 certified under subch. V.

7 **SECTION 1731ek.** 91.19 (14) of the statutes is created to read:

8 91.19 (14) No lien under this section may be recorded after the effective date
9 of this subsection [revisor inserts date].

10 **SECTION 1731em.** 91.25 of the statutes is created to read:

11 **91.25 Phaseout of agreements.** The department may not enter into, or
12 extend, an agreement under this subchapter after the effective date of this section
13 [revisor inserts date].

14 **SECTION 1731g.** 91.37 (1) to (5) of the statutes are amended to read:

15 91.37 (1) If Subject to sub. (7), if the owner withdraws during the term of an
16 agreement under this subchapter, the lien shall apply to the amount of all credit
17 under subch. IX of ch. 71 received for the period the land was subject to the
18 agreement plus 6% interest per year compounded annually from the time the credit
19 was received until it is paid.

20 (2) If Subject to sub. (7), if at the end of an agreement under this subchapter,
21 the owner does not apply for a renewal under s. 91.39 or an agreement under subch.
22 II, the lien shall apply, without interest, to the credit received under subch. IX of ch.
23 71 for the last 2 years the land was eligible for such credit if the land is not subject
24 to a certified exclusive agricultural use zoning ordinance under subch. V and either
25 the county in which the land is located has not adopted a certified agricultural

1 preservation plan, or, if such a plan is adopted, the farmland would not be eligible
2 for an agreement under the terms of the plan.

3 (3) If Subject to sub. (7), if at the end of an agreement under this subchapter,
4 the owner does not apply for a renewal under s. 91.39 or an agreement under subch.
5 II, although the land is eligible for an agreement under subch. II and is not subject
6 to a certified exclusive agricultural use zoning ordinance under subch. V, the lien
7 shall apply to all credit received during the period the land was subject to an
8 agreement under this subchapter, plus 6% interest per year compounded from the
9 time of expiration.

10 (4) If Subject to sub. (7), if at the end of an agreement under this subchapter,
11 the farmland is not eligible for an agreement under subch. II because s. 91.11 (2), (3)
12 or (4) is applicable, the lien shall apply, without interest, to the credit received under
13 subch. IX of ch. 71 for the last 2 years the land was eligible for such credit. If after
14 the expiration of an agreement the land or any portion of the land is zoned for
15 exclusive agricultural use under an ordinance certified under subch. V, all or any
16 portion of a lien filed under this subsection against such land shall be discharged.
17 The discharge of a lien under this subsection does not affect the calculation of any
18 subsequent lien under s. 91.77 (2).

19 (5) If Subject to sub. (7), if at the end of an agreement under this subchapter,
20 the owner does not apply for a renewal under s. 91.39 or an agreement under subch.
21 II and only a portion of the land subject to the agreement is eligible for an agreement
22 under subch. II, the lien shall be calculated under sub. (2) or (4) on that part of the
23 land which is ineligible and under sub. (3) on that part which is eligible.

24 **SECTION 1731gm.** 91.37 (7) of the statutes is created to read:

1 91.37 (7) No lien under this section may be recorded after the effective date of
2 this subsection [revisor inserts date].

3 **SECTION 1731j.** 91.71 of the statutes is amended to read:

4 **91.71 Purpose.** The purpose of this subchapter is to specify the minimum
5 requirements for zoning ordinances designating certain lands for exclusively
6 agricultural use, ~~allowing the owners of such lands to claim the farmland~~
7 ~~preservation credit permitted under subch. IX of ch. 71.~~

8 **SECTION 1731L.** 91.77 (2) of the statutes is amended to read:

9 91.77 (2) Land which is rezoned under this section shall be subject to the lien
10 provided under s. 91.19 (8) to (10) for the amount of tax credits paid on the land
11 rezoned, except that no lien under this subsection may be recorded after the effective
12 date of this subsection [revisor inserts date]. If the rezoning occurs solely as a
13 result of action initiated by a governmental unit, any lien required under s. 91.19 (8)
14 to (10) shall be paid by the governmental unit initiating the action.

15 **SECTION 1731n.** 91.79 of the statutes is amended to read:

16 **91.79 Conditional uses; lien.** Any land zoned under this subchapter which
17 is granted a special exception or conditional use permit for a use which is not an
18 agricultural use shall be subject to the lien provided under s. 91.19 (8) to (10) for the
19 amount of tax credits paid on the land granted such a permit, except that no lien
20 under this section may be recorded after the effective date of this section [revisor
21 inserts date].

22 **SECTION 1739g.** 93.23 (1) (a) 1. (intro.) of the statutes is amended to read:

23 93.23 (1) (a) 1. (intro.) To each county, and any organized agricultural society,
24 association, or board in the state that complies with the requirements of this section,
25 ~~95% of the first \$8,000 actually paid in net premiums and 70% of all net premiums~~

1 ~~paid in excess of \$8,000~~ 50% of the amount actually paid in net premiums in the
2 junior division at its annual fair upon livestock, articles of production, educational
3 exhibits, agricultural implements and tools, domestic manufactures, mechanical
4 implements, and productions, but not more than \$10,000 per fair, subject to all of the
5 following:

6 **SECTION 1740.** 93.31 of the statutes is amended to read:

7 **93.31 Livestock breeders association.** The secretary of the Wisconsin
8 livestock breeders association shall on and after July 1 of each year make a report
9 to the department, signed by the president, treasurer, and secretary of the
10 association, setting forth in detail the receipts and disbursements of the association
11 for the preceding fiscal year in such form and detail together with such other
12 information as the department may require. On receipt of such reports, if the
13 department is satisfied that the business of the association has been efficiently
14 conducted during the preceding fiscal year and in the interest of and for the
15 promotion of the special agricultural interests of the state and for the purpose for
16 which the association was organized and if the final statement shows that all the
17 receipts together with the state aid have been accounted for and disbursed for the
18 proper and necessary purposes of the association, and in accordance with the laws
19 of the state, then the department shall file a certificate with the department
20 secretary of administration and it shall draw its warrant and the state treasurer he
21 or she shall pay to the treasurer of the association the amount of the appropriations
22 made available for the association by s. 20.115 (4) (a) for the conduct of junior
23 livestock shows and other livestock educational programs. The association may
24 upon application to the state purchasing agent, upon such terms as he or she may
25 require, obtain printing for the association under the state contract.

1 **SECTION 1741.** 93.55 (2) of the statutes is amended to read:

2 **93.55 (2) COLLECTION GRANTS.** The department may award a grant to a county
3 for a chemical and container collection program. A grant under this subsection shall
4 fund all or a part of the cost of a program. Costs eligible for funding include the cost
5 of establishing a collection site for chemicals and chemical containers, the cost of
6 transporting chemical containers to a dealer or distributor for refill and reuse or to
7 a hazardous waste facility, as defined in s. 291.01 (8), and costs associated with the
8 proper use and handling and disposal or recycling of chemicals and chemical
9 containers. Grants shall be paid from the appropriation under s. 20.115 (7) ~~(v)~~ (va).

10 **SECTION 1742.** 93.70 of the statutes is renumbered 93.70 (1).

11 **SECTION 1743.** 93.70 (2) of the statutes is created to read:

12 **93.70 (2)** The department may not make a payment under sub. (1) to a person
13 whose name appears on the statewide support lien docket under s. 49.854 (2) (b),
14 unless the person provides to the department a payment agreement that has been
15 approved by the county child support agency under s. 59.53 (5) and that is consistent
16 with rules promulgated under s. 49.858 (2) (a).

17 **SECTION 1745.** 94.64 (4) (a) 5. of the statutes is amended to read:

18 **94.64 (4) (a) 5.** An agricultural chemical cleanup surcharge of ~~38~~ 63 cents per
19 ton on all fertilizer that the person sells or distributes in this state ~~after June 30,~~
20 ~~1999~~, unless the department establishes a lower surcharge under s. 94.73 (15).

21 **SECTION 1745d.** 94.64 (4) (c) 4. of the statutes is amended to read:

22 **94.64 (4) (c) 4.** The department shall deposit the fee under par. (a) 4. in the
23 ~~environmental~~ agricultural management fund ~~for environmental management.~~

24 **SECTION 1745i.** 94.65 (6) (a) 4. of the statutes is amended to read:

1 94.65 (6) (a) 4. Annually by March 31, pay to the department a groundwater
2 fee of 10 cents for each ton of soil or plant additive distributed, as described in the
3 tonnage report filed under subd. 1. The minimum groundwater fee is \$1 for 10 tons
4 or less. ~~All groundwater fees shall be credited to the environmental fund for~~
5 ~~environmental management.~~

6 **SECTION 1745L.** 94.65 (6) (c) of the statutes is amended to read:

7 94.65 (6) (c) The department shall deposit fees collected under pars. (a) 1. and
8 4. and (b) and subs. (2) (a) and (3) (b) in the agrichemical management fund.

9 **SECTION 1746.** 94.681 (1) (cm) of the statutes is created to read:

10 94.681 (1) (cm) “Payment period” means the 12 months ending on September
11 30 of the calendar year for which a license is sought under s. 94.68.

12 **SECTION 1747.** 94.681 (2) of the statutes is repealed and recreated to read:

13 94.681 (2) ANNUAL LICENSE FEE. An applicant for a license under s. 94.68 shall
14 pay an annual license fee for each pesticide product that the applicant sells or
15 distributes for use in this state. The amount of the fee is based on sales of pesticide
16 products during the payment period. An applicant shall pay an estimated fee before
17 the start of each license year as provided in sub. (3s) (a) and shall make a fee
18 adjustment payment before the end of the license year if required under sub. (3s) (b).
19 Except as provided in sub. (5) or (6), the fee for each pesticide product is as follows:

20 (a) For each household pesticide product:

21 1. If the applicant sells less than \$25,000 of the product during the payment
22 period for use in this state, \$265.

23 2. If the applicant sells at least \$25,000 but less than \$75,000 of the product
24 during the payment period for use in this state, \$750.

1 3. If the applicant sells at least \$75,000 of the product during the payment
2 period for use in this state, \$1,500.

3 (b) For each industrial pesticide product:

4 1. If the applicant sells less than \$25,000 of the product during the payment
5 period for use in this state, \$315.

6 2. If the applicant sells at least \$25,000 but less than \$75,000 of the product
7 during the payment period for use in this state, \$860.

8 3. If the applicant sells at least \$75,000 of that product during the payment
9 period for use in this state, \$3,060.

10 (c) For each nonhousehold pesticide product:

11 1. If the applicant sells less than \$25,000 of that product during the payment
12 period for use in this state, \$320.

13 2. If the applicant sells at least \$25,000 but less than \$75,000 of the product
14 during the payment period for use in this state, \$890.

15 3. If the applicant sells at least \$75,000 of the product during the payment
16 period for use in this state, \$3,060 plus 0.2% of the gross revenues from sales of the
17 product during the payment period for use in this state.

18 **SECTION 1748.** 94.681 (3) of the statutes is amended to read:

19 94.681 (3) NONHOUSEHOLD PESTICIDES; CLEANUP SURCHARGE. ~~Except for the~~
20 ~~license years that begin on January 1, 1999, and January 1, 2000, an~~ An applicant
21 for a license under s. 94.68 shall pay an agricultural chemical cleanup surcharge for
22 each nonhousehold pesticide product that the applicant sells or distributes for use
23 in this state. The amount of the surcharge is based on sales of nonhousehold
24 pesticide products during the payment period. An applicant shall pay an estimated
25 surcharge before the start of each license year as provided in sub. (3s) (a) and shall

1 make a surcharge adjustment payment before the end of the license year if required
2 by sub. (3s) (b). Except as provided in sub. (6) or under s. 94.73 (15), the amount of
3 the surcharge is as follows:

4 (a) If the applicant sold sells less than \$25,000 of the product during the
5 preceding year payment period for use in this state, \$5.

6 (b) If the applicant sold sells at least \$25,000 but less than \$75,000 of that
7 product during the preceding year payment period for use in this state, \$170.

8 (c) If the applicant sold sells at least \$75,000 of that product during the
9 preceding year payment period for use in this state, an amount equal to 1.1% of gross
10 revenues from sales of the product during the preceding year payment period for use
11 in this state.

12 **SECTION 1749.** 94.681 (3m) of the statutes is amended to read:

13 94.681 (3m) WOOD PRESERVATIVES; CLEANUP SURCHARGE. An applicant for a
14 license under s. 94.68 shall pay an environmental cleanup surcharge for each
15 pesticide product that is not a household pesticide and is solely labeled for use on
16 wood and contains pentachlorophenol or coal tar creosote that the applicant sells or
17 distributes in this state. The amount of the surcharge is based on sales of pesticide
18 products that are not household pesticides and are solely labeled for use on wood and
19 contain pentachlorophenol or coal tar creosote during the payment period. An
20 applicant shall pay an estimated surcharge before the start of each license year as
21 provided in sub. (3s) (a) and shall make a surcharge adjustment payment before the
22 end of the license year if required by sub. (3s) (b). Except as provided in sub. (6), the
23 amount of the surcharge is as follows:

24 (a) If the applicant sold sells less than \$25,000 of the product during the
25 preceding year payment period for use in this state, \$5.

1 (b) If the applicant ~~sold~~ sells at least \$25,000 but less than \$75,000 of that
2 product during the ~~preceeding year~~ payment period for use in this state, \$170.

3 (c) If the applicant ~~sold~~ sells at least \$75,000 of that product during the
4 ~~preceeding year~~ payment period for use in this state, an amount equal to 1.1% of gross
5 revenues from sales of the product during the ~~preceeding year~~ payment period for use
6 in this state.

7 **SECTION 1750.** 94.681 (3s) of the statutes is created to read:

8 94.681 (3s) PAYMENT OF FEES AND SURCHARGES. (a) Before the start of a license
9 year, an applicant shall estimate the gross revenues that the applicant will receive
10 from sales of each pesticide product during the payment period that ends during the
11 year for which a license is sought under s. 94.68 and shall pay the amounts under
12 subs. (2), (3), and (3m) based on that estimate. At least 15 days before beginning to
13 sell a new pesticide product in this state, a licensee shall estimate the gross revenues
14 that the applicant will receive from sales of that pesticide product during the
15 payment period in which the licensee begins to sell the pesticide product and shall
16 pay the amounts under subs. (2), (3), and (3m) based on that estimate.

17 (b) Before the end of a license year, a licensee shall report to the department
18 the gross revenues that the licensee received from sales of each pesticide product
19 during the payment period that ended during the license year, as required under s.
20 94.68 (2) (a) 2., and shall reconcile the estimated payment made under par. (a) with
21 the amounts actually due under subs. (2), (3), and (3m) as follows:

22 1. If the amount due based on actual sales is greater than the amount paid
23 based on estimated sales, the licensee shall pay the additional amount due.

1 2. If the amount due based on actual sales is less than the amount paid based
2 on estimated sales, the licensee may request the department to reimburse the
3 licensee for the amount of the overpayment.

4 3. If the amount due based on actual sales equals the amount paid based on
5 estimated sales, no action is required.

6 (c) 1. Except as provided in subd. 2., if a licensee's total payment due under par.
7 (b) is more than 20% of the total amount paid under par. (a), the licensee shall pay
8 a penalty equal to 20% of the total amount due under par. (b). The penalty under this
9 subdivision is in addition to any late filing fee under s. 93.21 (5).

10 2. Subdivision 1. does not apply to a licensee if the licensee's payments under
11 par. (a) are based on estimates of gross revenues from sales for each pesticide product
12 that equal at least 90% of the licensee's gross revenues from sales of the pesticide
13 product during the preceding year.

14 **SECTION 1750c.** 94.681 (4) of the statutes is amended to read:

15 94.681 (4) ~~PRIMARY PRODUCERS; WELL-COMPENSATION FEE.~~ A primary producer
16 applying for a license under s. 94.68 shall pay a well compensation primary producer
17 fee of \$150.

18 **SECTION 1750e.** 94.681 (7) (a) (intro.) of the statutes is renumbered 94.681 (7)
19 (a) and amended to read:

20 94.681 (7) (a) *License fees.* The department shall deposit all license fees
21 collected under subs. (2), (5) and (6) (a) 3. in the agrichemical management fund
22 except as follows:

23 **SECTION 1750f.** 94.681 (7) (a) 1. of the statutes is repealed.

24 **SECTION 1750g.** 94.681 (7) (a) 2. of the statutes is repealed.

25 **SECTION 1750j.** 94.681 (7) (bm) of the statutes is amended to read:

1 94.681 (7) (bm) *Wood preservatives; cleanups surcharge*. The department shall
2 deposit the surcharges collected under subs. (3m) and (6) (a) 5. in the ~~environmental~~
3 agricultural management fund for environmental management.

4 **SECTION 1750L.** 94.681 (7) (c) of the statutes is amended to read:

5 94.681 (7) (c) *Well-compensation Primary producer fee*. The department shall
6 deposit the ~~well-compensation primary producer~~ fees collected under sub. (4) in the
7 ~~environmental agricultural management fund for environmental management~~.

8 **SECTION 1754.** 94.73 (6) (b) of the statutes is amended to read:

9 94.73 (6) (b) Except as provided in pars. (c) and (e), the department shall
10 reimburse a responsible person an amount equal to ~~80%~~ 75% of the corrective action
11 costs incurred for each discharge site that are greater than \$3,000 and less than
12 \$400,000.

13 **SECTION 1755.** 94.73 (6) (c) (intro.) of the statutes is amended to read:

14 94.73 (6) (c) (intro.) Except as provided in par. (e), the department shall
15 reimburse a responsible person an amount equal to ~~80%~~ 75% of the corrective action
16 costs incurred for each discharge site that are greater than \$7,500 and less than
17 \$400,000 if any of the following applies:

18 **SECTION 1755q.** 94.73 (12m) of the statutes is amended to read:

19 94.73 (12m) **SAMPLE COLLECTION AND ANALYSIS.** For the purpose of investigating
20 a discharge or exercising its authority under this section, the department may collect
21 and analyze samples of plants, soil, surface water, groundwater and other material
22 at a site if the department determines that probable cause exists to believe that a
23 discharge has occurred at the site and determines that sufficient funds are available
24 in the agricultural chemical cleanup fund to pay a claim that may result from the

1 discharge or that there is reason to believe that the discharge poses a significant risk
2 to human health.

3 **SECTION 1756.** 94.73 (15) (a) of the statutes is amended to read:

4 94.73 (15) (a) The department may, by rule, reduce any of the surcharges in ss.
5 94.64 (3r) (b) and (4) (a) 5., 94.681 (3), 94.685 (3) (a) 2., 94.703 (3) (a) 2., and 94.704
6 (3) (a) 2. below the amounts specified in those provisions. The department shall
7 adjust surcharge amounts as necessary to maintain a balance in the agricultural
8 chemical cleanup fund at the end of each fiscal year of at least ~~\$2,000,000~~ but not
9 more than ~~\$5,000,000~~ \$2,500,000, but may not increase a surcharge amount over the
10 amount specified in s. 94.64 (3r) (b) or (4) (a) 5., 94.681 (3), 94.685 (3) (a) 2., 94.703
11 (3) (a) 2., or 94.704 (3) (a) 2.

12 **SECTION 1757.** 97.24 (4) (a) of the statutes is amended to read:

13 97.24 (4) (a) Regulation of the production, processing and distribution of milk
14 and fluid milk products under minimum sanitary requirements which are uniform
15 throughout this state and the United States is essential for the protection of
16 consumers and the economic well-being of the dairy industry, and is therefore a
17 matter of statewide concern; however, nothing in this section shall impair or abridge
18 the power of any municipality or county to regulate milk or fluid milk products under
19 sanitary requirements and standards which are in reasonable accord with those
20 established under this section or the power to impose reasonable license permit and
21 inspection fees which combined shall not exceed the cost of necessary inspection. A
22 municipality or county may not impose any fee for its inspection of milk producers,
23 dairy plant facilities or dairy products which are under the inspection supervision
24 of another governmental unit within or without the state with a valid certification
25 rating made or approved by the department of health and family services. No

1 governmental unit may impose or collect a fee directly from the producer. A license
2 or permit fee not to exceed \$25 annually may be imposed on milk distributors
3 licensed under s. 97.22 and on dairy plants under the inspection supervision of
4 another governmental unit which are engaged in the distribution of milk within a
5 municipality or county.

6 **SECTION 1758.** 97.24 (4) (b) of the statutes is amended to read:

7 97.24 (4) (b) No sanitary requirement or standard established under this
8 section or contained in any ordinance may prohibit the sale of milk or fluid milk
9 products which are produced and processed under laws or rules of any governmental
10 unit, within or without this state, which are substantially equivalent to the
11 requirements of the rules promulgated under this section, and which are enforced
12 with equal effectiveness, as determined by a milk sanitation rating made or
13 approved by the department of ~~health and family services~~, under rules promulgated
14 under this section.

15 **SECTION 1812.** 100.261 (2) of the statutes is amended to read:

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

22 **SECTION 1813.** 100.261 (3) (a) of the statutes is amended to read:

23 100.261 (3) (a) The clerk of court shall collect and transmit the consumer
24 protection assessment amounts to the county treasurer under s. 59.40 (2) (m). The

1 county treasurer shall then make payment to the ~~state treasurer~~ secretary of
2 administration under s. 59.25 (3) (f) 2.

3 **SECTION 1815.** 100.261 (3) (b) of the statutes is amended to read:

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

8 **SECTION 1815d.** 100.261 (3) (c) of the statutes is amended to read:

9 100.261 (3) (c) The amount credited to the appropriation account under s.
10 20.115 (1) (jb) may not exceed ~~\$185,000~~ \$375,000 in each fiscal year.

11 **SECTION 1817d.** 100.261 (4) of the statutes is created to read:

12 100.261 (4) (a) For each fiscal year, beginning with fiscal year 2003–04, the
13 department of agriculture, trade and consumer protection shall determine the total
14 amount of all assessments that were not imposed by a court as required under sub.
15 (1) during that fiscal year in court actions that were commenced on or after the
16 effective date of this paragraph [revisor inserts date], by the department of justice
17 under ch. 100. The department of agriculture, trade and consumer protection shall
18 make this determination before the August 1 immediately following the fiscal year

19 (b) 1. Before the September 1 immediately following the August 1 deadline
20 under par. (a), the secretary of administration shall transfer from any of the
21 department of justice's sum certain, general purpose revenue state operations
22 appropriations, or from any combination of those appropriations, to the
23 appropriation account under s. 20.115 (1) (km) a total amount equal to the amount
24 determined by the department of agriculture, trade and consumer protection under
25 par. (a), subject to subd. 2.

1 2. If the sum of the amounts credited to the appropriation accounts under s.
2 20.115 (1) (jb) and (km) exceeds \$375,000 in any fiscal year, the secretary of
3 administration shall lapse the amount exceeding \$375,000 in that fiscal year from
4 the appropriation account under s. 20.115 (1) (km) to the general fund.

5 **SECTION 1835.** 101.055 (8) (b) of the statutes is amended to read:

6 101.055 (8) (b) ~~A state employee who believes that he or she has been~~
7 ~~discharged or otherwise discriminated against by a public employer in violation of~~
8 ~~par. (ar) may file a complaint with the personnel commission alleging discrimination~~
9 ~~or discharge, within 30 days after the employee received knowledge of the~~
10 ~~discrimination or discharge. A public employee other than a state employee who~~
11 ~~believes that he or she has been discharged or otherwise discriminated against by~~
12 ~~a public employer in violation of par. (ar) may file a complaint with the division of~~
13 ~~equal rights alleging discrimination or discharge, within 30 days after the employee~~
14 ~~received knowledge of the discrimination or discharge.~~

15 **SECTION 1836.** 101.055 (8) (c) of the statutes is amended to read:

16 101.055 (8) (c) Upon receipt of a complaint, the ~~personnel commission or the~~
17 ~~division of equal rights, whichever is applicable, shall, except as provided in s. 230.45~~
18 ~~(1m), investigate the complaint and determine whether there is probable cause to~~
19 ~~believe that a violation of par. (ar) has occurred. If the personnel commission or the~~
20 ~~division of equal rights finds probable cause it shall attempt to resolve the complaint~~
21 ~~by conference, conciliation or persuasion. If the complaint is not resolved, the~~
22 ~~personnel commission or the division of equal rights shall hold a hearing on the~~
23 ~~complaint within 60 days after receipt of the complaint unless both parties to the~~
24 ~~proceeding agree otherwise. Within 30 days after the close of the hearing, the~~
25 ~~personnel commission or the division of equal rights shall issue its decision. If the~~

1 ~~personnel commission or the~~ division of equal rights determines that a violation of
2 par. (ar) has occurred, it shall order appropriate relief for the employee, including
3 restoration of the employee to his or her former position with back pay, and shall
4 order any action necessary to ensure that no further discrimination occurs. If the
5 ~~personnel commission or the~~ division of equal rights determines that there has been
6 no violation of par. (ar), it shall issue an order dismissing the complaint.

7 **SECTION 1837.** 101.055 (8) (d) of the statutes is amended to read:

8 101.055 (8) (d) Orders of the ~~personnel commission and the~~ division of equal
9 rights under this subsection are subject to judicial review under ch. 227.

10 **SECTION 1839.** 101.143 (9m) (g) 2. of the statutes is amended to read:

11 101.143 (9m) (g) 2. Revenue obligations issued under this subsection may not
12 exceed \$342,000,000 \$436,000,000 in principal amount, excluding any obligations
13 that have been defeased under a cash optimization program administered by the
14 building commission. In addition to this limit on principal amount, the building
15 commission may contract revenue obligations under this subsection as the building
16 commission determines is desirable to fund or refund outstanding revenue
17 obligations, to pay issuance or administrative expenses, to make deposits to reserve
18 funds, or to pay accrued or capitalized interest.

19 **SECTION 1841.** 101.563 (2) (a) of the statutes is amended to read:

20 101.563 (2) (a) *Payments from calendar year 2000 dues.* Notwithstanding s.
21 101.573 (3) (a), the department shall pay every city, village, and town that is entitled
22 to payment under sub. (1) (a) the amount to which that city, village, or town would
23 have been entitled to receive on or before August 1, 2001, had the city, village, or town
24 been eligible to receive a payment on that date. The department shall calculate the
25 amount due under this paragraph as if every city, village, and town maintaining a

1 fire department was eligible to receive a payment on that date. By the date on which
2 the department provides a certification or recertification to the ~~state treasurer~~
3 secretary of administration under par. (b) 1., the department shall certify to the state
4 ~~treasurer~~ secretary of administration the amount to be paid to each city, village, and
5 town under this paragraph. On or before August 1, 2002, the ~~state treasurer~~
6 secretary of administration shall pay the amount certified by the department under
7 this paragraph to each such city, village, and town. The ~~state treasurer~~ secretary of
8 administration may combine any payment due under this paragraph with any
9 amount due to be paid on or before August 1, 2002, to the same city, village, or town
10 under par. (b) 1.

11 **SECTION 1842.** 101.563 (2) (b) 1. of the statutes is amended to read:

12 101.563 (2) (b) 1. 'Payments from calendar year 2001 dues.' Notwithstanding
13 s. ~~101.575~~ 101.573 (3) (a), by the 30th day following July 30, 2002, the department
14 shall compile the fire department dues paid by all insurers under s. 601.93 and the
15 dues paid by the state fire fund under s. 101.573 (1) and funds remaining under s.
16 101.573 (3) (b), subtract the total amount due to be paid under par. (a), withhold 0.5%,
17 and certify to the ~~state treasurer~~ secretary of administration the proper amount to
18 be paid from the appropriation under s. 20.143 (3) (L) to each city, village, and town
19 entitled to a proportionate share of fire department dues as provided under sub. (1)
20 (b) and s. 101.575. If the department has previously certified an amount to the ~~state~~
21 ~~treasurer~~ secretary of administration under s. ~~101.57~~ 101.573 (3) (a) during calendar
22 year 2002, the department shall recertify the amount in the manner provided under
23 this subdivision. On or before August 1, 2002, the ~~state treasurer~~ secretary of
24 administration shall pay the amounts certified or recertified by the department
25 under this subdivision to each city, village, and town entitled to a proportionate share

1 of fire department dues as provided under sub. (1) and s. 101.575. The state
2 ~~treasurer~~ secretary of administration may combine any payment due under this
3 subdivision with any amount due to be paid on or before August 1, 2002, to the same
4 city, village, or town under par. (a).

5 **SECTION 1843.** 101.563 (2) (b) 2. of the statutes is amended to read:

6 101.563 (2) (b) 2. 'Payments from dues for calendar years 2002 to 2004.'
7 Notwithstanding s. 101.573 (3) (a) and except as otherwise provided in this
8 subdivision, on or before May 1 in each year, the department shall compile the fire
9 department dues paid by all insurers under s. 601.93 and the dues paid by the state
10 fire fund under s. 101.573 (1) and funds remaining under s. 101.573 (3) (b), withhold
11 0.5% and certify to the ~~state treasurer~~ secretary of administration the proper amount
12 to be paid from the appropriation under s. 20.143 (3) (L) to each city, village, and town
13 entitled to a proportionate share of fire department dues as provided under sub. (1)
14 (b) and s. 101.575. Annually, on or before August 1, the ~~state treasurer~~ secretary of
15 administration shall pay the amounts certified by the department to each such city,
16 village, and town. This paragraph applies only to payment of a proportionate share
17 of fire department dues collected for calendar years 2002 to 2004.

18 **SECTION 1844.** 101.563 (2) (b) 3. of the statutes is amended to read:

19 101.563 (2) (b) 3. The amounts withheld under subds. 1. and 2. shall be
20 disbursed to correct errors of the department or the commissioner of insurance. The
21 department shall certify to the ~~state treasurer~~ secretary of administration the
22 amount that must be disbursed to correct an error and the ~~state treasurer~~ secretary
23 of administration shall pay the amount to the specified city, village, or town. The
24 balance of the amount withheld in a calendar year under subds. subd. 1. or 2., as
25 applicable, which is not disbursed under this subdivision shall be included in the

1 total compiled by the department under subd. 2. for the next calendar year, except
2 that amounts withheld under subd. 2. from fire department dues collected for
3 calendar year 2004 that are not disbursed under this subdivision shall be included
4 in the total compiled by the department under s. 101.573 (3) (a) for the next calendar
5 year. If errors in payments exceed the amount withheld, adjustments shall be made
6 in the distribution for the next year.

7 **SECTION 1845.** 101.573 (1) of the statutes is amended to read:

8 101.573 (1) The department shall include in the compilation and certification
9 of fire department dues under sub. (3) 2% of the premiums paid to the state fire fund
10 for the insurance of any public property, other than state property. The department
11 shall notify the ~~state treasurer~~ secretary of administration of the amount certified
12 under this subsection and the ~~state treasurer~~ secretary of administration shall
13 charge the amount to the state fire fund.

14 **SECTION 1846.** 101.573 (3) (a) of the statutes is amended to read:

15 101.573 (3) (a) On or before May 1 in each year, the department shall compile
16 the fire department dues paid by all insurers under s. 601.93 and the dues paid by
17 the state fire fund under sub. (1) and funds remaining under par. (b), withhold .5%
18 and certify to the ~~state treasurer~~ secretary of administration the proper amount to
19 be paid from the appropriation under s. 20.143 (3) (L) to each city, village, or town
20 entitled to fire department dues under s. 101.575. Annually, on or before August 1,
21 the ~~state treasurer~~ secretary of administration shall pay the amounts certified by the
22 department to the cities, villages and towns eligible under s. 101.575.

23 **SECTION 1847.** 101.573 (3) (b) of the statutes is amended to read:

24 101.573 (3) (b) The amount withheld under par. (a) shall be disbursed to correct
25 errors of the department or the commissioner of insurance or for payments to cities,

1 villages, or towns which are first determined to be eligible for payments under par.
2 (a) after May 1. The department shall certify to the ~~state treasurer~~ secretary of
3 administration, as near as is practical, the amount which would have been payable
4 to the municipality if payment had been properly disbursed under par. (a) on or prior
5 to May 1, except the amount payable to any municipality first eligible after May 1
6 shall be reduced by 1.5% for each month or portion of a month which expires after
7 May 1 and prior to the eligibility determination. The ~~state treasurer~~ secretary of
8 administration shall pay the amount certified to the city, village, or town. The
9 balance of the amount withheld in a calendar year under par. (a) which is not
10 disbursed under this paragraph shall be included in the total compiled by the
11 department under par. (a) for the next calendar year. If errors in payments exceed
12 the amount set aside for error payments, adjustments shall be made in the
13 distribution for the next year.

14 **SECTION 1848.** 101.573 (4) of the statutes is amended to read:

15 101.573 (4) The department shall transmit to the treasurer of each city, village,
16 and town entitled to fire department dues, a statement of the amount of dues payable
17 to it, and the commissioner of insurance shall furnish to the ~~state treasurer~~ secretary
18 of administration, upon request, a list of the insurers paying dues under s. 601.93
19 and the amount paid by each.

20 **SECTION 1850.** 102.28 (7) (a) of the statutes is amended to read:

21 102.28 (7) (a) If an employer who is currently or was formerly exempted by
22 written order of the department under sub. (2) is unable to pay an award, judgment
23 is rendered in accordance with s. 102.20 against that employer, and execution is
24 levied and returned unsatisfied in whole or in part, payments for the employer's
25 liability shall be made from the fund established under sub. (8). If a currently or

1 formerly exempted employer files for bankruptcy and not less than 60 days after that
2 filing the department has reason to believe that compensation payments due are not
3 being paid, the department in its discretion may make payment for the employer's
4 liability from the fund established under sub. (8). The ~~state treasurer~~ secretary of
5 administration shall proceed to recover such payments from the employer or the
6 employer's receiver or trustee in bankruptcy, and may commence an action or
7 proceeding or file a claim therefor. The attorney general shall appear on behalf of
8 the ~~state treasurer~~ secretary of administration in any such action or proceeding. All
9 moneys recovered in any such action or proceeding shall be paid into the fund
10 established under sub. (8).

11 **SECTION 1851.** 102.63 of the statutes is amended to read:

12 **102.63 Refunds by state.** Whenever the department shall certify to the ~~state~~
13 ~~treasurer~~ secretary of administration that excess payment has been made under s.
14 102.59 or under s. 102.49 (5) either because of mistake or otherwise, the ~~state~~
15 ~~treasurer~~ secretary of administration shall within 5 days after receipt of such
16 certificate draw an order against the fund in the state treasury into which such
17 excess was paid, reimbursing such payor of such excess payment, together with
18 interest actually earned thereon if the excess payment has been on deposit for at
19 least 6 months.

20 **SECTION 1853.** 102.85 (4) (c) of the statutes is amended to read:

21 102.85 (4) (c) If any deposit is made for an offense to which this section applies,
22 the person making the deposit shall also deposit a sufficient amount to include the
23 uninsured employer assessment prescribed in this section. If the deposit is forfeited,
24 the amount of the uninsured employer assessment shall be transmitted to the state

1 ~~treasurer~~ secretary of administration under par. (d). If the deposit is returned, the
2 uninsured employer assessment shall also be returned.

3 **SECTION 1854.** 102.85 (4) (d) of the statutes is amended to read:

4 102.85 (4) (d) The clerk of the court shall collect and transmit to the county
5 treasurer the uninsured employer assessment and other amounts required under s.
6 59.40 (2) (m). The county treasurer shall then make payment to the ~~state treasurer~~
7 secretary of administration as provided in s. 59.25 (3) (f) 2. The ~~state treasurer~~
8 secretary of administration shall deposit the amount of the uninsured employer
9 assessment, together with any interest thereon, in the uninsured employers fund as
10 provided in s. 102.80 (1).

11 **SECTION 1855.** 103.10 (12) (a) of the statutes is repealed.

12 **SECTION 1858.** 106.01 (11) of the statutes is repealed.

13 **SECTION 1859.** 106.09 (4) of the statutes is repealed.

14 **SECTION 1860.** 106.09 (5) of the statutes is amended to read:

15 106.09 (5) The department is authorized and directed to cooperate with the
16 U.S. employment service in the administration of ~~said act and in carrying out all~~
17 ~~agreements made thereunder~~ its functions.

18 **SECTION 1861.** 106.09 (6) of the statutes is repealed.

19 **SECTION 1862d.** 106.12 (title) of the statutes is repealed.

20 **SECTION 1863d.** 106.12 (1) of the statutes is repealed.

21 **SECTION 1865d.** 106.12 (2) of the statutes is renumbered 106.12 and amended
22 to read:

23 **106.12 Employment and education program administration.** The ~~board~~
24 department shall plan, coordinate, administer, and implement the youth
25 apprenticeship, ~~school-to-work and work-based learning programs~~ program under

1 s. 106.13 (1) and such other employment and education programs as the governor
2 may by executive order assign to the ~~board~~ department. Notwithstanding any
3 limitations placed on the use of state employment and education funds under this
4 section or s. 106.13 or under an executive order assigning an employment and
5 education program to the ~~board~~ department, the ~~board~~ department may issue a
6 general or special order waiving any of those limitations on finding that the waiver
7 will promote the coordination of employment and education services.

8 **SECTION 1866d.** 106.12 (3) of the statutes is repealed.

9 **SECTION 1867d.** 106.12 (4) of the statutes is renumbered 38.40 (4r) and
10 amended to read:

11 38.40 (4r) PUBLICATIONS AND SEMINARS. The board may provide publications and
12 seminars relating to the employment and education programs administered by the
13 board and may establish a schedule of fees for those publications and seminars. Fees
14 established under this subsection for publications and seminars provided by the
15 board may not exceed the actual cost incurred in providing those publications and
16 seminars. The fees collected under this subsection shall be credited to the
17 appropriation account under s. ~~20.445 (7)~~ 20.292 (1) (ga).

18 **SECTION 1867t.** 106.13 (title) of the statutes is amended to read:

19 **106.13 (title) Youth apprenticeship, ~~school-to-work and work-based~~**
20 **learning programs program.**

21 **SECTION 1868d.** 106.13 (1) (intro.) of the statutes is renumbered 106.13 (1) and
22 amended to read:

23 106.13 (1) The ~~board~~ department shall provide ~~all of the following: a youth~~
24 apprenticeship program that includes the grant programs under subs. (3m) and (4).

25 **SECTION 1868m.** 106.13 (1) (a) of the statutes is repealed.