

1 *-0444/P2.13* SECTION 2534. 85.015 of the statutes is amended to read:

2 **85.015 Transportation assistance contracts.** All contracts entered into
3 under this chapter to provide financial assistance in the areas of railroads, urban
4 mass transit, specialized transportation, and harbors are subject to ss. 16.528,
5 16.752, and 16.753, 16.771, and 16.871 but are exempt from ss. 16.70 to 16.75, 16.755
6 to 16.77, 16.78 to 16.82, 16.85 to 16.87, and 16.875 to 16.89.

7 *-0004/1.3* SECTION 2535. 85.029 of the statutes is created to read:

8 **85.029 Safe routes to school program. (1)** In this section:

9 (a) "Local governmental unit" has the meaning given in s. 59.72 (1) (c).

10 (b) "Political subdivision" has the meaning given in s. 85.026 (1) (a).

11 (c) "State agency" has the meaning given in s. 20.001 (1).

12 (d) "Indian tribe" has the meaning given in s. 139.30 (5).

13 **(2)** The department may administer a safe routes to school program to award
14 grants of assistance as provided in subs. (3) and (4). The department may award to
15 the same recipient grants under both subs. (3) and (4).

16 **(3)** The department may award grants under this section to any political
17 subdivision or state agency for infrastructure-related projects, as described in P.L.
18 109-59, section 1404 (f) (1).

19 **(4)** The department may award grants under this section to any state agency,
20 county, local governmental unit, Indian tribe, or private nonprofit organization for
21 noninfrastructure-related activities, as described in P.L. 109-59, section 1404 (f) (2).

22 **(5)** If the department establishes a program under this section, the program
23 shall be consistent with P.L. 109-59, section 1404, and any regulation adopted under
24 P.L. 109-59, section 1404.

1 (6) The department shall award any grant under this section from the
2 appropriations under s. 20.395 (2) (qv) and (qx).

3 *-1470/1.4* SECTION 2536. 85.037 of the statutes is amended to read:

4 **85.037 Certification of fees collected.** Annually, no later than October 1,
5 the secretary of transportation shall certify to the secretary of administration the
6 amount of fees collected under s. 342.14 (3m) during the previous fiscal year, for the
7 purpose of determining the amounts to be transferred under s. 20.855 (4) (f) (rm)
8 during the current fiscal year.

9 *-0050/1.1* SECTION 2537. 85.061 (3) (a) 1. of the statutes is amended to read:

10 85.061 (3) (a) 1. Capital costs related to Amtrak service extension routes or
11 other rail service routes between the cities of Milwaukee and Madison ~~and~~, between
12 the cities of Milwaukee and Green Bay, between the cities of Milwaukee and Chicago,
13 and between the cities of Madison and La Crosse. Any route between the cities of
14 Milwaukee and Green Bay funded under the program shall provide service to
15 population centers along the route in a manner that makes the route most
16 economically feasible.

17 *-1278/3.12* SECTION 2538. 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. 560.9810 (2). Upon receipt of
22 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
25 incurred by the department in connection with the sale shall be paid from the

1 appropriation under s. 20.395 (2) (bq). This subsection does not apply to real
2 property that is sold under s. 16.848.

3 ***-0984/1.1* SECTION 2539.** 85.20 (4m) (a) 6. cm. of the statutes is amended to
4 read:

5 ~~85.20 (4m) (a) 6. cm. For aid payable for calendar years 2004 and 2005, from~~
6 ~~the appropriation under s. 20.395 (1) (ht), the department shall pay \$56,811,800 to~~
7 ~~the eligible applicant that pays the local contribution required under par. (b) 1. for~~
8 ~~an urban mass transit system that has annual operating expenses in excess of~~
9 ~~\$80,000,000. From the appropriation under s. 20.395 (1) (ht), the department shall~~
10 ~~pay \$57,948,000 for aid payable for calendar year 2006, and \$59,107,000 for aid~~
11 ~~payable for calendar year 2007, \$60,289,100 for aid payable for calendar year 2008,~~
12 ~~and \$61,494,900 for aid payable for calendar year 2009 and thereafter, to the eligible~~
13 ~~applicant that pays the local contribution required under par. (b) 1. for an urban~~
14 ~~mass transit system that has annual operating expenses in excess of \$80,000,000.~~
15 ~~If the eligible applicant that receives aid under this subd. 6. cm. is served by more~~
16 ~~than one urban mass transit system, the eligible applicant may allocate the aid~~
17 ~~between the urban mass transit systems in any manner the eligible applicant~~
18 ~~considers desirable.~~

19 ***-0984/1.2* SECTION 2540.** 85.20 (4m) (a) 6. d. of the statutes is amended to
20 read:

21 ~~85.20 (4m) (a) 6. d. For aid payable for calendar years 2004 and 2005, from the~~
22 ~~appropriation under s. 20.395 (1) (hu), the department shall pay \$15,166,900 to the~~
23 ~~eligible applicant that pays the local contribution required under par. (b) 1. for an~~
24 ~~urban mass transit system that has annual operating expenses in excess of~~
25 ~~\$20,000,000 but less than \$80,000,000. From the appropriation under s. 20.395 (1)~~

1 (hu), the department shall pay \$15,470,200 for aid payable for calendar year 2006,
2 and \$15,779,600 for aid payable for calendar year 2007, \$16,095,200 for aid payable
3 for calendar year 2008, and \$16,417,100 for aid payable for calendar year 2009 and
4 thereafter, to the eligible applicant that pays the local contribution required under
5 par. (b) 1. for an urban mass transit system that has annual operating expenses in
6 excess of \$20,000,000 but less than \$80,000,000. If the eligible applicant that
7 receives aid under this subd. 6. d. is served by more than one urban mass transit
8 system, the eligible applicant may allocate the aid between the urban mass transit
9 systems in any manner the eligible applicant considers desirable.

10 ***-0984/1.3* SECTION 2541.** 85.20 (4m) (a) 7. b. of the statutes is amended to
11 read:

12 85.20 (4m) (a) 7. b. For the purpose of making allocations under subd. 7. a., the
13 amounts for aids are ~~\$21,757,600 in calendar years 2004 and 2005, \$22,192,800 in~~
14 ~~calendar year 2006, and \$22,636,700 in calendar year 2007,~~ \$23,089,100 in calendar
15 year 2008, and \$23,551,200 in calendar year 2009 and thereafter. These amounts,
16 to the extent practicable, shall be used to determine the uniform percentage in the
17 particular calendar year.

18 ***-0984/1.4* SECTION 2542.** 85.20 (4m) (a) 8. b. of the statutes is amended to
19 read:

20 85.20 (4m) (a) 8. b. For the purpose of making allocations under subd. 8. a., the
21 amounts for aids are ~~\$4,925,100 in calendar years 2004 and 2005, \$5,023,600 in~~
22 ~~calendar year 2006, and \$5,124,100 in calendar year 2007,~~ \$5,225,600 in calendar
23 year 2008, and \$5,331,100 in calendar year 2009 and thereafter. These amounts, to
24 the extent practicable, shall be used to determine the uniform percentage in the
25 particular calendar year.

1 ***-1261/5.707*** ***-1267/P1.222*** SECTION 2543. 85.24 (4) (b) of the statutes is
2 amended to read:

3 85.24 (4) (b) Paragraph (a) does not prohibit the disclosure of the information
4 to the extent necessary to administer the ride-sharing program nor, if requested
5 under s. 49.22 (2m), does it prohibit disclosure of the name or address of a person or
6 of his or her employer to the department of ~~workforce development~~ children and
7 families or a county child support agency under s. 59.53 (5).

8 ***-1261/5.708*** ***-1267/P1.223*** SECTION 2544. 85.24 (4) (c) of the statutes is
9 amended to read:

10 85.24 (4) (c) Any person who willfully discloses or who, under false pretenses,
11 willfully requests or obtains information in violation of par. (a) may be required to
12 forfeit not more than \$500 for each violation. This paragraph does not apply to
13 information disclosed, requested or obtained to the extent necessary to administer
14 the ride-sharing program or, if requested under s. 49.22 (2m), to the department of
15 ~~workforce development~~ children and families or a county child support agency under
16 s. 59.53 (5).

17 ***-0728/6.327*** SECTION 2545. 86.195 (3) (b) 3. of the statutes is amended to
18 read:

19 86.195 (3) (b) 3. Fifty percent of the ~~gross receipts~~ sales price, as defined in s.
20 77.51 (15b), of the business are from meal, food, the sale of food product and beverage
21 sales and food ingredients, as defined in s. 77.51 (3t), that are taxable under s. 77.54
22 (20) (c) subch. III of ch. 77; and

23 ***-0989/2.1*** SECTION 2546. 86.30 (2) (a) 3. of the statutes is amended to read:

24 86.30 (2) (a) 3. For each mile of road or street under the jurisdiction of a
25 municipality as determined under s. 86.302, the mileage aid payment shall be \$1,825

1 ~~in calendar years 2004 and 2005~~, \$1,862 in calendar year 2006, and \$1,899 in
2 calendar year 2007, \$1,937 in calendar year 2008, and \$1,976 in calendar year 2009
3 and thereafter.

4 ***-0989/2.2* SECTION 2547.** 86.30 (9) (b) of the statutes is amended to read:

5 86.30 (9) (b) For the purpose of calculating and distributing aids under sub. (2),
6 the amounts for aids to counties are \$90,044,600 ~~in calendar years 2004 and 2005~~,
7 \$91,845,500 in calendar year 2006, and \$93,682,400 in calendar year 2007,
8 \$95,556,000 in calendar year 2008, and \$97,467,100 in calendar year 2009 and
9 thereafter. These amounts, to the extent practicable, shall be used to determine the
10 statewide county average cost-sharing percentage in the particular calendar year.

11 ***-0989/2.3* SECTION 2548.** 86.30 (9) (c) of the statutes is amended to read:

12 86.30 (9) (c) For the purpose of calculating and distributing aids under sub. (2),
13 the amounts for aids to municipalities are \$283,291,100 ~~in calendar years 2004 and~~
14 ~~2005~~, \$288,956,900 in calendar year 2006, and \$294,736,000 in calendar year 2007,
15 \$300,630,700 in calendar year 2008, and \$306,643,300 in calendar year 2009 and
16 thereafter. These amounts, to the extent practicable, shall be used to determine the
17 statewide municipal average cost-sharing percentage in the particular calendar
18 year.

19 ***-0990/2.1* SECTION 2549.** 86.31 (3g) of the statutes is amended to read:

20 86.31 (3g) COUNTY TRUNK HIGHWAY IMPROVEMENTS — DISCRETIONARY GRANTS.
21 From the appropriation under s. 20.395 (2) (ft), the department shall allocate
22 \$5,250,000 in each ~~fiscal year, beginning in fiscal year 2005-06 and in fiscal year~~
23 2006-07, \$5,355,000 in fiscal year 2007-08, and \$5,567,100 in fiscal year 2008-09
24 and each fiscal year thereafter, to fund county trunk highway improvements with

1 eligible costs totaling more than \$250,000. The funding of improvements under this
2 subsection is in addition to the allocation of funds for entitlements under sub. (3).

3 ***-0990/2.2* SECTION 2550.** 86.31 (3m) of the statutes is amended to read:

4 **86.31 (3m) TOWN ROAD IMPROVEMENTS — DISCRETIONARY GRANTS.** From the
5 appropriation under s. 20.395 (2) (ft), the department shall allocate \$750,000 in each
6 fiscal year, beginning in fiscal year 2005-06 and in fiscal year 2006-07, \$765,000 in
7 fiscal year 2007-08, and \$795,300 in fiscal year 2008-09 and each fiscal year
8 thereafter, to fund town road improvements with eligible costs totaling \$100,000 or
9 more. The funding of improvements under this subsection is in addition to the
10 allocation of funds for entitlements under sub. (3).

11 ***-0990/2.3* SECTION 2551.** 86.31 (3r) of the statutes is amended to read:

12 **86.31 (3r) MUNICIPAL STREET IMPROVEMENTS — DISCRETIONARY GRANTS.** From the
13 appropriation under s. 20.395 (2) (ft), the department shall allocate \$1,000,000 in
14 each fiscal year, beginning in fiscal year 2005-06 and in fiscal year 2006-07,
15 \$1,020,000 in fiscal year 2007-08, and \$1,060,400 in fiscal year 2008-09 and each
16 fiscal year thereafter, to fund municipal street improvement projects having total
17 estimated costs of \$250,000 or more. The funding of improvements under this
18 subsection is in addition to the allocation of funds for entitlements under sub. (3).

19 ***-0325/1.11* SECTION 2552.** 88.15 of the statutes is repealed.

20 ***-1465/2.5* SECTION 2553.** 91.06 of the statutes is renumbered 91.06 (1) and
21 amended to read:

22 **91.06 (1) CERTIFICATION BY BOARD.** The Before the effective date of this
23 subsection ... [revisor inserts date], the board shall review farmland preservation
24 plans and exclusive agricultural use zoning ordinances submitted to it under ss.
25 91.61 and 91.78 and shall certify to the appropriate zoning authority whether the

1 plans and ordinances meet the standards of subchs. IV and V, respectively.

2 Certifications may be in whole or in part.

3 ***-1465/2.6* SECTION 2554.** 91.06 (2) and (3) of the statutes are created to read:

4 **91.06 (2) CERTIFICATION OF PLANS.** (a) Beginning on the effective date of this
5 paragraph [revisor inserts date], all of the following apply:

6 1. The department may certify a county farmland preservation plan or revision
7 to a county farmland preservation plan based on the county certification under s.
8 91.61 (2) (d).

9 2. The department may do any of the following before it determines whether
10 to certify a county's farmland preservation plan or revision to a plan:

11 a. Review the plan or revision for compliance with ss. 91.51 to 91.59.

12 b. Review and audit the application for certification under s. 91.61 (2).

13 (b) The department shall grant or deny an application for certification under
14 s. 91.61 (2) in writing no later than the 90th day following receipt of a complete
15 application, unless the county agrees to an extension.

16 (c) The department may grant an application for certification under s. 91.61 (2)
17 subject to conditions specified by the department in its certification decision. The
18 department may revoke the certification if the county does not make the required
19 changes by a deadline specified by the department.

20 (d) For the purposes of this chapter and subch. IX of ch. 71, a certified farmland
21 preservation plan does not include a revision to the plan adopted after the effective
22 date of this paragraph [revisor inserts date], unless the department certifies the
23 revision under par. (b).

24 **(3) CERTIFICATION OF ORDINANCES.** (a) Beginning on the effective date of this
25 paragraph [revisor inserts date], all of the following apply:

1 1. The department may certify an exclusive agricultural use zoning ordinance
2 or revision to an ordinance based on the certification under s. 91.78 (2) (d).

3 2. The department may do any of the following before it determines whether
4 to certify an exclusive agricultural use zoning ordinance or revision to an ordinance:

5 a. Review the ordinance or revision for compliance with ss. 91.75 and 91.77.

6 b. Review and audit the application for certification under s. 91.78 (2).

7 (b) The department shall grant or deny an application for certification under
8 s. 91.78 (2) in writing no later than the 90th day following receipt of a complete
9 application, unless the county, city, village, or town agrees to an extension.

10 (c) The department may grant an application for certification under s. 91.78 (2)
11 subject to conditions specified by the department in its certification decision. The
12 department may revoke the certification if the county, city, village, or town does not
13 make the required changes by a deadline specified by the department.

14 *-1465/2.7* SECTION 2555. 91.13 (8) (fm) of the statutes is amended to read:

15 91.13 (8) (fm) A statement in boldface uppercase type that contains the
16 following language: “UPON RELINQUISHMENT—(WITHDRAWAL OR
17 EXPIRATION) OF FROM THIS AGREEMENT, A PAYBACK OF CREDITS WITH
18 INTEREST PAYMENT TO THE STATE MAY BE REQUIRED.”

19 *-1465/2.8* SECTION 2556. 91.17 (1) of the statutes is amended to read:

20 91.17 (1) Land subject to a farmland preservation agreement may be sold
21 without a lien being filed payment being made under s. 91.19 (7m), subject to the
22 reservation of rights contained in the agreement. The seller shall notify the
23 department of any such transfer. ~~The purchaser shall be liable under any~~
24 ~~subsequent lien under s. 91.19 only for the amount of tax credits paid on that portion~~
25 ~~of the land purchased.~~

1 ***-1465/2.9* SECTION 2557.** 91.17 (2) of the statutes is amended to read:

2 91.17 (2) When the owner of land subject to a farmland preservation agreement
3 dies or is certified by a physician to be totally and permanently disabled, the land
4 may be released from the program under this chapter and shall not be subject to a
5 lien payment under s. 91.19 (8) (7m).

6 ***-1465/2.10* SECTION 2558.** 91.17 (3) of the statutes is repealed.

7 ***-1465/2.11* SECTION 2559.** 91.19 (2) (intro.) of the statutes is amended to
8 read:

9 91.19 (2) (intro.) The Subject to sub. (7m), the department may relinquish the
10 farmland preservation agreement or may release part of the land from a farmland
11 preservation agreement prior to the termination date contained in the instrument
12 as follows:

13 ***-1465/2.12* SECTION 2560.** 91.19 (3) of the statutes is amended to read:

14 91.19 (3) If the request for relinquishment of the farmland preservation
15 agreement or release of part of the land from the agreement is approved by the local
16 governing body having jurisdiction, a copy of the application, along with the
17 comments and recommendations of the reviewing agencies, shall be forwarded to the
18 board department. The board department shall, within 60 days, upon consideration
19 of the factors in sub. (2) (b) and (c) 2., approve or reject the application for
20 relinquishment or release. If the board department approves the application it shall
21 notify the local governing body having jurisdiction and the department of revenue,
22 ~~prepare an instrument under sub. (7) and record it with the register of deeds of the~~
23 ~~county in which the land is located.~~

24 ***-1465/2.13* SECTION 2561.** 91.19 (5) of the statutes is amended to read:

1 91.19 (5) If the application for relinquishment of the agreement or release of
2 part of the land from the agreement is rejected by the local governing body having
3 jurisdiction, the application shall be returned to the applicant with a written
4 statement regarding the reasons for rejection. Within 30 days after receipt of the
5 rejected application, the applicant may appeal the rejection to the board department.
6 The board department shall, within 60 days after the appeal has been received, upon
7 consideration of the factors listed in sub. (2) (b) and (c) 2., approve or reject the
8 request for relinquishment or release. If the board department approves the
9 application it shall notify the local governing body having jurisdiction and the
10 department of revenue, ~~prepare an instrument under sub. (7) and record it with the~~
11 ~~register of deeds of the county in which the land is located.~~

12 *-1465/2.14* SECTION 2562. 91.19 (6p) of the statutes is repealed.

13 *-1465/2.15* SECTION 2563. 91.19 (6s) (a) 1. of the statutes is amended to read:

14 91.19 (6s) (a) 1. An application for release of the land, made by either the owner
15 or the local unit of government, is approved by the local governing body having
16 jurisdiction and the board department under the procedures of subs. (2) to (5).

17 *-1465/2.16* SECTION 2564. 91.19 (6s) (b) of the statutes is amended to read:

18 91.19 (6s) (b) If an owner of land subject to a farmland preservation agreement
19 opposes an application brought by a local unit of government for release of that land,
20 the owner may appeal the approval of that application by the local governing body
21 having jurisdiction to the board department according to the procedures in par. (c).

22 *-1465/2.17* SECTION 2565. 91.19 (6s) (c) of the statutes is amended to read:

23 91.19 (6s) (c) If the application for release of any land from the agreement is
24 approved by the local governing body having jurisdiction, the application shall be
25 returned to the applicant, and a copy of the application to the owner, with a written

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1 statement regarding the reasons for approval. Within 30 days after receipt of a copy
2 of the approved application, the owner may appeal the approval to the board
3 department. The board department shall, within 60 days after the appeal has been
4 received, upon consideration of the factors listed in sub. (2) (b) and (c) 2., approve or
5 reject the request to disapprove the release. If the board department approves the
6 owner's appeal it shall notify the local governing body having jurisdiction.

7 ***-1465/2.18* SECTION 2566.** 91.19 (6s) (d) of the statutes is amended to read:

8 91.19 (6s) (d) The board department may waive its approval authority under
9 this subsection for applications affecting less than 5 acres of land.

10 ***-1465/2.19* SECTION 2567.** 91.19 (6t) of the statutes is amended to read:

11 91.19 (6t) The Subject to sub. (7m), the department shall relinquish from a
12 farmland preservation agreement land that has been subject to a farmland
13 preservation agreement for at least 10 years if the owner of the land so requests.

14 ***-1465/2.20* SECTION 2568.** 91.19 (7) of the statutes is repealed.

15 ***-1465/2.21* SECTION 2569.** 91.19 (7m) of the statutes is created to read:

16 91.19 (7m) (a) Except as provided in par. (b), the department may not
17 relinquish a farmland preservation agreement under sub. (3), (5), or (6t) or release
18 land from a farmland preservation agreement under sub. (3) or (5) until the owner
19 pays to the department \$100 per acre of land that is no longer covered by the
20 farmland preservation agreement.

21 (b) The payment under par. (a) does not apply to land that is zoned exclusively
22 for agricultural use under an ordinance certified under subch. V.

23 ***-1465/2.22* SECTION 2570.** 91.19 (8) to (13) of the statutes are repealed.

24 ***-1465/2.23* SECTION 2571.** 91.21 (1) of the statutes is amended to read:

1 91.21 (1) If the owner or a successor in title of the land upon which a farmland
2 preservation agreement has been recorded under this chapter changes the use of the
3 land to a prohibited use without first acting under ss. 91.17 and 91.19 and the land
4 is not relinquished under s. 91.19 (6p) or (6t), the owner or successor in title may be
5 enjoined by the state, acting through the attorney general, or by the local governing
6 body having jurisdiction, acting through its attorney, and is subject to a civil penalty
7 for actual damages, but in no case to exceed double the value of the land as
8 established at the time the application for the agreement was approved.

9 *-1465/2.24* SECTION 2572. 91.23 of the statutes is amended to read:

10 **91.23 Conversion.** An owner under a farmland preservation agreement may
11 at any time apply for a transition area agreement, and an owner under a transition
12 area agreement may at any time apply for a farmland preservation agreement. If
13 such an application is approved, the prior agreement shall be relinquished without
14 a lien being filed payment being made under s. 91.19 (7m).

15 *-1465/2.25* SECTION 2573. Subchapter III of chapter 91 [precedes 91.31] of
16 the statutes is repealed.

17 *-1465/2.26* SECTION 2574. 91.59 (title) of the statutes is amended to read:

18 **91.59 (title) Coordination; public comment.**

19 *-1465/2.27* SECTION 2575. 91.59 (2m) of the statutes is created to read:

20 91.59 (2m) A county shall make a proposed agricultural preservation plan or
21 revision to a plan available to the public for at least 30 days before the public hearing
22 under s. 59.69 (3) (d) and shall accept comments from the public during that time.

23 *-1465/2.28* SECTION 2576. 91.61 of the statutes is renumbered 91.61 (1) and
24 amended to read:

1 91.61 (1) ~~Upon~~ Before the effective date of this subsection ... [revisor inserts
2 date], upon completion of a county agricultural preservation plans plan described in
3 this subchapter, copies of the plan may be submitted to the board for review and
4 certification under s. 91.06.

5 ***-1465/2.29* SECTION 2577.** 91.61 (2) of the statutes is created to read:

6 91.61 (2) Beginning on the effective date of this subsection ... [revisor inserts
7 date], to apply for certification under s. 91.06 for a county agricultural preservation
8 plan or a revision to the plan, a county shall submit all of the following to the
9 department:

10 (a) A copy of the plan or revision to the plan.

11 (b) A description of how the plan or revision to the plan complies with ss. 91.51
12 to 91.59.

13 (c) Other relevant information required by the department by rule.

14 (d) A statement signed by the county corporation counsel certifying that the
15 plan or revision to the plan complies with ss. 91.51 to 91.59.

16 ***-1465/2.30* SECTION 2578.** 91.75 (6) of the statutes is amended to read:

17 91.75 (6) For purposes of farm consolidation and if permitted by local
18 regulation, farm residences or structures which that existed prior to the adoption of
19 the ordinance may be separated from a larger farm parcel. Farm residences or
20 structures with up to 5 acres of land which that are separated from a larger farm
21 parcel under this section are not subject to the ~~lien under s. 91.19 (8) to (10), as~~
22 payment required in s. 91.77 (2) or 91.79.

23 ***-1465/2.31* SECTION 2579.** 91.77 (2) of the statutes is amended to read:

24 91.77 (2) ~~Land which is rezoned~~ Except as otherwise provided in this
25 subsection, rezoning under this section shall be subject to the lien provided under s.

1 ~~91.19 (8) to (10) for the amount of tax credits paid on the land rezoned~~ may not be
2 completed until the landowner makes a payment of \$100 per acre of land that is
3 rezoned to the county, city, village, or town that approves the petition. If the rezoning
4 occurs solely as a result of action initiated by a governmental unit, ~~any lien required~~
5 ~~under s. 91.19 (8) to (10) other than the county, city, village, or town that approves~~
6 ~~the petition, the payment shall be paid~~ made by the governmental unit initiating the
7 action. If the rezoning occurs solely as a result of action initiated by the county, city,
8 village, or town that approves the petition, that county, city, village, or town shall
9 make the payment to the department.

10 *~~1465/2.32~~* SECTION 2580. 91.78 of the statutes is renumbered 91.78 (1) and
11 amended to read:

12 91.78 (1) Copies Before the effective date of this subsection ... [revisor inserts
13 date], copies of exclusive agricultural zoning ordinances may be submitted to the
14 board for review and certification under s. 91.06.

15 *~~1465/2.33~~* SECTION 2581. 91.78 (2) of the statutes is created to read:

16 91.78 (2) Beginning on the effective date of this subsection ... [revisor inserts
17 date], to apply for certification under s. 91.06 for an exclusive agricultural use zoning
18 ordinance or a revision to the ordinance, a county, city, village, or town shall submit
19 all of the following to the department:

- 20 (a) A copy of the ordinance or revision to the ordinance.
- 21 (b) A description of how the ordinance or revision to the ordinance complies
22 with ss. 91.75 and 91.77.
- 23 (c) Other relevant information required by the department by rule.

1 (d) A statement signed by the chief elected official, as defined in s. 229.821 (3),
2 of, or the attorney for, the county, city, village, or town certifying that the ordinance
3 or revision to the ordinance complies with ss. 91.75 and 91.77.

4 *-1465/2.34* SECTION 2582. 91.79 of the statutes is amended to read:

5 **91.79 Conditional uses; lien payment.** ~~Any land zoned under this~~
6 ~~subchapter which is granted~~ A county, city, village, or town may not grant a special
7 exception or conditional use permit for a use which is not an agricultural use shall
8 be subject to the lien provided under s. 91.19 (8) to (10) for the amount of tax credits
9 paid on the land granted such a permit for land zoned under this subchapter until
10 the landowner pays to the county, city, village, or town \$100 per acre of land for which
11 the special exception or conditional use permit is granted.

12 *-0325/1.12* SECTION 2583. 93.06 (1q) of the statutes is amended to read:

13 93.06 (1q) MARKETING AGRICULTURAL DEVELOPMENT SERVICES. Provide
14 marketing agricultural development services upon request and charge a fee for those
15 services, but the fee may not exceed the department's cost of providing those services.

16 *-1261/5.709* *-1267/P1.224* SECTION 2584. 93.135 (1m) (a) of the statutes
17 is amended to read:

18 93.135 (1m) (a) If an individual who applies for the issuance or renewal of a
19 license, registration, registration certificate or certification specified in sub. (1) does
20 not have a social security number, the department shall require the applicant, as a
21 condition of issuing or renewing the license, registration, registration certificate or
22 certification, to submit a statement made or subscribed under oath or affirmation
23 that the applicant does not have a social security number. The statement shall be
24 in the form prescribed by the department of workforce development children and
25 families.

1 ***-1261/5.710*** ***-1267/P1.225*** SECTION 2585. 93.135 (2) of the statutes is
2 amended to read:

3 93.135 (2) The department of agriculture, trade and consumer protection may
4 not disclose any information received under sub. (1) to any person except to the
5 department of ~~workforce development~~ children and families in accordance with a
6 memorandum of understanding under s. 49.857.

7 ***-1261/5.711*** ***-1267/P1.226*** SECTION 2586. 93.135 (3) of the statutes is
8 amended to read:

9 93.135 (3) The department shall deny an application for the issuance or
10 renewal of a license, registration, registration certificate or certification specified in
11 sub. (1) or shall suspend or restrict a license, registration, registration certificate or
12 certification specified in sub. (1) for failure to make court-ordered payments of child
13 or family support, maintenance, birth expenses, medical expenses or other expenses
14 related to the support of a child or a former spouse or failure to comply, after
15 appropriate notice, with a subpoena or warrant issued by the department of
16 ~~workforce development~~ children and families or a county child support agency under
17 s. 59.53 (5) and relating to paternity or child support proceedings, as required in a
18 memorandum of understanding under s. 49.857.

19 ***-0319/3.2*** SECTION 2587. 93.43 of the statutes is created to read:

20 **93.43 Anaerobic digester research and development.** The department
21 shall provide funding for research and development of anaerobic digesters at farms
22 participating in the discovery farms program of the Wisconsin Agricultural
23 Stewardship Initiative, Inc.

24 ***-1440/2.7*** SECTION 2588. 93.46 (3) of the statutes is repealed.

25 ***-0325/1.13*** SECTION 2589. 93.75 of the statutes is repealed.

1 ***-0325/1.14*** SECTION 2590. 94.695 of the statutes is repealed.

2 ***-0325/1.15*** SECTION 2591. 94.73 (2) (c) of the statutes is amended to read:

3 94.73 (2) (c) The department may issue an order under par. (a) on a summary
4 basis without prior notice or a prior hearing if the department determines that a
5 summary order is necessary to prevent imminent harm to public health or safety or
6 to the environment. If the recipient of a summary order requests a hearing on that
7 order, the department shall hold a hearing within 10 days after it receives the
8 request unless the recipient agrees to a later hearing date. The department is not
9 required to stay enforcement of a summary order issued under this paragraph
10 pending the outcome of the hearing. If the responsible person prevails after a
11 hearing, the department shall reimburse the responsible person from the
12 appropriation under s. 20.115 (7) (e)-~~or~~ (wm) for the corrective action costs incurred
13 as the result of the department's order.

14 ***-0325/1.16*** SECTION 2592. 94.73 (7) (a) of the statutes is amended to read:

15 94.73 (7) (a) The department may make payments to a responsible person who
16 is eligible for reimbursement under sub. (3) if the department has authorized
17 reimbursement to that person under sub. (6). The department shall make payment
18 from the appropriation ~~accounts~~ account under s. 20.115 (7) (e) ~~and~~ (wm), subject to
19 the availability of funds in ~~these~~ that ~~appropriation accounts~~ account. If there are
20 insufficient funds to pay the full amounts authorized under sub. (6) to all eligible
21 responsible persons, the department shall distribute payments in the order in which
22 applications were received, unless the department specifies, by rule, a different order
23 of payment.

24 ***-1381/1.2*** SECTION 2593. 94.74 of the statutes is created to read:

1 **94.74 Prevention of pollution from agricultural chemicals.** (1) In this
2 section, "agricultural chemical" has the meaning given in s. 94.73 (1) (a).

3 (2) The department may provide financial assistance to a business to pay a
4 portion of the costs of capital improvements designed to prevent pollution from
5 agricultural chemicals. Under this section, the department may not provide funding
6 for capital improvements at any site in an amount that exceeds \$500,000 less any
7 amount received under s. 94.73 for the site. The department may not expend more
8 than \$250,000 per fiscal year under this section.

9 *-0323/1.1* SECTION 2594. 94.77 of the statutes is renumbered 94.77 (1) and
10 amended to read:

11 94.77 (1) Any person who violates any provision of this chapter for which a
12 specific penalty is not prescribed shall, or an order issued or rule promulgated under
13 such a provision, may be fined not to exceed \$200 more than \$1,000 for the first
14 offense and may be fined not less than \$500 nor more than \$5,000 or imprisoned in
15 the county jail not to exceed not more than 6 months or both for each subsequent
16 offense.

17 *-0323/1.2* SECTION 2595. 94.77 (2) of the statutes is created to read:

18 94.77 (2) In lieu of the criminal penalty under sub. (1), a person who violates
19 any provision of this chapter for which a specific penalty is not prescribed, or an order
20 issued or rule promulgated under such a provision, may be required to forfeit not less
21 than \$200 nor more than \$5,000 or, for an offense committed within 5 years of an
22 offense for which a penalty has been assessed under this section, may be required to
23 forfeit not less than \$400 nor more than \$10,000.

24 *-0323/1.3* SECTION 2596. 94.77 (3) of the statutes is created to read:

1 94.77 (3) The department may seek an injunction restraining any person from
2 violating this chapter or a rule promulgated under this chapter.

3 ***-0719/2.2* SECTION 2597.** 100.20 (1n) of the statutes is amended to read:

4 100.20 (1n) It is an unfair method of competition or an unfair trade practice
5 for any person to sell cigarettes to consumers in this state in violation of s. 139.345
6 or to sell tobacco products to consumers in this state in violation of s. 139.795.

7 ***-0719/2.3* SECTION 2598.** 100.30 (2) (c) 1. b. of the statutes is amended to
8 read:

9 100.30 (2) (c) 1. b. For every person holding a permit as a bonded direct
10 marketer as defined in s. 139.30 (1d), as a distributor as defined in s. 139.30 (3), or
11 as a multiple retailer as defined in s. 139.30 (8), with respect to that portion of the
12 person's business which involves the purchase and sale of cigarettes "cost to
13 wholesaler" means the cost charged by the cigarette manufacturer, disregarding any
14 manufacturer's discount or any discount under s. 139.32 (5), plus the amount of tax
15 imposed under s. 139.31. Except for a sale at wholesale between wholesalers, a
16 markup to cover a proportionate part of the cost of doing business shall be added to
17 the cost to wholesaler. In the absence of proof of a lesser cost, this markup shall be
18 3% of the cost to wholesaler as set forth in this subd. 1. b.

19 ***-0719/2.4* SECTION 2599.** 100.30 (2) (L) (intro.) of the statutes is amended to
20 read:

21 100.30 (2) (L) (intro.) "Wholesaler" includes every person holding a permit as
22 a bonded direct marketer as defined in s. 139.30 (1d) or as a multiple retailer under
23 s. 139.30 (8) and every person engaged in the business of making sales at wholesale,
24 other than sales of motor vehicle fuel at wholesale, within this state except as follows:

25 ***-0719/2.5* SECTION 2600.** 100.30 (2) (L) 2. of the statutes is amended to read:

1 100.30 (2) (L) 2. In the case of a person holding a permit as a bonded direct
2 marketer as defined in s. 139.30 (1d) or as a multiple retailer as defined in s. 139.30
3 (8), “wholesaler” applies to that portion of the person’s business involving the
4 purchase and sale of cigarettes and to any wholesale portion of that person’s
5 business.

6 *-1272/5.31* SECTION 2601. 100.45 (1) (dm) of the statutes is amended to read:

7 100.45 (1) (dm) “State agency” means any office, department, agency,
8 institution of higher education, association, society or other body in state
9 government created or authorized to be created by the constitution or any law which
10 is entitled to expend moneys appropriated by law, including the legislature and the
11 courts, the Wisconsin Housing and Economic Development Authority, the Bradley
12 Center Sports and Entertainment Corporation, the University of Wisconsin
13 Hospitals and Clinics Authority, the Wisconsin Health and Educational Facilities
14 Authority, the Wisconsin Aerospace Authority, and the Fox River Navigational
15 System Authority, and the Healthy Wisconsin Authority.

16 *-1524/P3.89* SECTION 2602. 101.01 (4) of the statutes is amended to read:

17 101.01 (4) “Employer” means any person, firm, corporation, state, county,
18 town, city, village, school district, sewer district, drainage district, family long-term
19 care district and other public or quasi-public corporations as well as any agent,
20 manager, representative or other person having control or custody of any
21 employment, place of employment or of any employee.

22 *-1261/5.712* *-1267/P1.227* SECTION 2603. 101.02 (20) (e) 1. of the statutes
23 is amended to read:

24 101.02 (20) (e) 1. If an applicant who is an individual does not have a social
25 security number, the applicant, as a condition of applying for or applying to renew

1 a license shall submit a statement made or subscribed under oath or affirmation to
2 the department of commerce that the applicant does not have a social security
3 number. The form of the statement shall be prescribed by the department of
4 workforce development children and families.

5 *-1261/5.713* *-1267/P1.228* SECTION 2604. 101.02 (21) (b) of the statutes
6 is amended to read:

7 101.02 (21) (b) As provided in the memorandum of understanding under s.
8 49.857 and except as provided in par. (e), the department of commerce may not issue
9 or renew a license unless the applicant provides the department of commerce with
10 his or her social security number. The department of commerce may not disclose the
11 social security number except that the department of commerce may disclose the
12 social security number of an applicant for a license under par. (a) or a renewal of a
13 license under par. (a) to the department of workforce development children and
14 families for the sole purpose of administering s. 49.22.

15 *-1261/5.714* *-1267/P1.229* SECTION 2605. 101.02 (21) (c) of the statutes
16 is amended to read:

17 101.02 (21) (c) As provided in the memorandum of understanding under s.
18 49.857, the department may not issue or renew a license if the applicant or licensee
19 is delinquent in making court-ordered payments of child or family support,
20 maintenance, birth expenses, medical expenses or other expenses related to the
21 support of a child or former spouse or if the applicant or licensee fails to comply, after
22 appropriate notice, with a subpoena or warrant issued by the department of
23 workforce development children and families or a county child support agency under
24 s. 59.53 (5) and relating to paternity or child support proceedings.

1 ***-1261/5.715*** ***-1267/P1.230*** SECTION 2606. 101.02 (21) (d) of the statutes
2 is amended to read:

3 101.02 (21) (d) As provided in the memorandum of understanding under s.
4 49.857, the department shall restrict or suspend a license issued by the department
5 if the licensee is delinquent in making court-ordered payments of child or family
6 support, maintenance, birth expenses, medical expenses or other expenses related
7 to the support of a child or former spouse or if the licensee fails to comply, after
8 appropriate notice, with a subpoena or warrant issued by the department of
9 workforce development children and families or a county child support agency under
10 s. 59.53 (5) and relating to paternity or child support proceedings.

11 ***-1261/5.716*** ***-1267/P1.231*** SECTION 2607. 101.02 (21) (e) 1. of the statutes
12 is amended to read:

13 101.02 (21) (e) 1. If an applicant who is an individual does not have a social
14 security number, the applicant, as a condition of applying for or applying to renew
15 a license shall submit a statement made or subscribed under oath or affirmation to
16 the department of commerce that the applicant does not have a social security
17 number. The form of the statement shall be prescribed by the department of
18 workforce development children and families.

19 ***-0311/1.1*** SECTION 2608. 101.09 (5) of the statutes is amended to read:

20 101.09 (5) PENALTIES. Any person who violates this section or any rule or order
21 adopted under this section shall forfeit not less than \$10 nor more than ~~\$1,000~~ \$5,000
22 for each violation. Each violation of this section or any rule or order under this
23 section constitutes a separate offense and each day of continued violation is a
24 separate offense.

25 ***-0313/1.1*** SECTION 2609. 101.143 (1) (gs) of the statutes is amended to read:

SECTION 2609

1 101.143 (1) (gs) "Service provider" means a consultant, testing laboratory,
2 monitoring well installer, soil boring contractor, other contractor, lender or any other
3 person who provides a product or service for which a claim for reimbursement
4 payment has been or will be filed under this section, or a subcontractor of such a
5 person.

6 ***-0313/1.2*** SECTION 2610. 101.143 (2) (em) 1. of the statutes is amended to
7 read:

8 101.143 (2) (em) 1. The department may promulgate rules that specify a fee
9 that must be paid by a service provider as a condition of submitting a bid to conduct
10 an activity under sub. (3) (c) for which a claim for reimbursement payment under this
11 section will be submitted. Any fees collected under the rules shall be deposited into
12 the petroleum inspection fund.

13 ***-0313/1.3*** SECTION 2611. 101.143 (3) (c) (intro.) of the statutes is amended
14 to read:

15 101.143 (3) (c) *Investigations, remedial action plans and remedial action*
16 *activities.* (intro.) Before submitting an application under par. (f), except as provided
17 under par. (g) and sub. (4s), an owner or operator or the person shall do all of the
18 following:

19 ***-0313/1.4*** SECTION 2612. 101.143 (3) (cs) 1. of the statutes is amended to
20 read:

21 101.143 (3) (cs) 1. The department of commerce shall review the remedial
22 action plan for a site that is classified as low or medium risk under s. 101.144 and
23 shall determine the least costly method of complying with par. (c) 3. and with
24 enforcement standards. The department shall notify the owner or operator of its
25 determination of the least costly method and shall notify the owner or operator that

1 reimbursement payment for remedial action under this section is limited to the
2 amount necessary to implement that method.

3 ***-0313/1.5* SECTION 2613.** 101.143 (3) (cs) 2. of the statutes is amended to
4 read:

5 101.143 (3) (cs) 2. The department of natural resources and the department of
6 commerce shall review the remedial action plan for a site that is classified as high
7 risk under s. 101.144 and shall jointly determine the least costly method of
8 complying with par. (c) 3. and with enforcement standards. The departments shall
9 notify the owner or operator of their determination of the least costly method and
10 shall notify the owner or operator that reimbursement payment for remedial action
11 under this section is limited to the amount necessary to implement that method.

12 ***-0313/1.6* SECTION 2614.** 101.143 (4) (a) 1. of the statutes is amended to read:

13 101.143 (4) (a) 1. If the department finds that the claimant meets all of the
14 requirements of this section and any rules promulgated under this section, the
15 department shall issue an award to reimburse a claimant pay for eligible costs
16 incurred because of a petroleum products discharge from a petroleum product
17 storage system or home oil tank system.

18 ***-0313/1.7* SECTION 2615.** 101.143 (4) (a) 2. (intro.) of the statutes is amended
19 to read:

20 101.143 (4) (a) 2. (intro.) The department may not issue an award under this
21 paragraph before all eligible costs have been incurred and written approval is
22 received under sub. (3) (c) 4., except as follows:

23 ***-0313/1.8* SECTION 2616.** 101.143 (4) (a) 2. c. of the statutes is created to read:

24 101.143 (4) (a) 2. c. The department may issue an award before all eligible costs
25 have been incurred as provided under sub. (4s).

1 ***-0313/1.9* SECTION 2617.** 101.143 (4) (cm) of the statutes is amended to read:

2 101.143 (4) (cm) *Usual and customary costs.* The department shall establish
3 a schedule of usual and customary costs for items under par. (b) that are commonly
4 associated with claims under this section. The department shall use that schedule
5 to determine the amount of eligible costs for an occurrence for which a competitive
6 bidding process is not used, except in circumstances under which higher costs must
7 be incurred to comply with sub. (3) (c) 3. and with enforcement standards. For an
8 occurrence for which a competitive bidding process is used, the department may not
9 use the schedule. In the schedule, the department shall specify the maximum
10 number of ~~reimbursable~~ compensable hours for particular tasks and the maximum
11 ~~reimbursable~~ compensable hourly rates for those tasks. The department shall use
12 methods of data collection and analysis that enable the schedule to be revised to
13 reflect changes in actual costs.

14 ***-0313/1.10* SECTION 2618.** 101.143 (4) (e) 1. b. of the statutes is amended to
15 read:

16 101.143 (4) (e) 1. b. Eligible costs, under par. (b), incurred on or after December
17 22, 2001, by the owner or operator of a petroleum product storage system that is not
18 an underground petroleum product storage system if those costs are not
19 ~~reimbursable~~ payable under par. (dm) 1.

20 ***-0313/1.11* SECTION 2619.** 101.143 (4) (e) 1. c. of the statutes is amended to
21 read:

22 101.143 (4) (e) 1. c. Eligible costs, under par. (b), incurred on or after December
23 22, 2001, by the owner or operator of an underground petroleum product storage tank
24 system if those costs are not ~~reimbursable~~ payable under par. (d) 1.

25 ***-0313/1.12* SECTION 2620.** 101.143 (4s) of the statutes is created to read:

1 101.143 (4s) DIRECT PAYMENT OF AWARDS. (a) *Application*. Notwithstanding the
2 requirement in sub. (3) (a) (intro.) that a claim be submitted to reimburse an owner
3 or operator or person owning a home oil tank system for costs that the owner or
4 operator or person incurs and notwithstanding the documentation requirements
5 under sub. (3) (f), the department may authorize an owner or operator or a person
6 owning a home oil tank system to submit a claim to the department for an award to
7 be paid by the department directly to consultants and contractors with whom the
8 department contracts to conduct an investigation to determine the extent of
9 environmental damage caused by a petroleum products discharge from a petroleum
10 product storage system or home oil tank system, prepare a remedial action plan that
11 identifies specific remedial action activities proposed to be conducted, and conduct
12 remedial action activities at the site of the discharge from the petroleum product
13 storage system or home oil tank system.

14 (b) *Approval of application*. If the department determines that an owner or
15 operator or person owning a home oil tank system who submits a claim under par.
16 (a) is eligible under this section, the department may approve the claim; contract
17 with consultants and contractors to conduct the investigation, prepare the remedial
18 action plan, and conduct remedial action activities; and pay the award to the service
19 providers in amounts determined under sub. (4), subject to par. (c). If the department
20 approves a claim under this paragraph, the requirements in sub. (3) (a) 6. to 9. apply
21 to the consultants and contractors, rather than the claimant.

22 (c) *Exclusion from eligible costs*. Eligible costs for an award under par. (b) do
23 not include the costs specified in sub. (4) (b) 15.

24 *-0313/1.13* SECTION 2621. 101.143 (9) (b) of the statutes is amended to read:

1 101.143 (9) (b) The department may inspect any document in the possession
2 of an owner or operator, person owning a home oil tank system or service provider
3 or any other person if the document is relevant to a claim for reimbursement
4 payment under this section.

5 ***-1621/4.113* SECTION 2622.** 101.143 (9m) (e) of the statutes is amended to
6 read:

7 101.143 (9m) (e) The department shall have all other powers necessary and
8 convenient to distribute the special fund revenues and to distribute the proceeds of
9 the revenue obligations in accordance with subch. II of ch. 18 and, if designated a
10 higher education bond, in accordance with subch. IV of ch. 18, and to make payments
11 under an agreement or ancillary arrangement entered into under s. 18.55 (6) with
12 respect to revenue obligations issued under this subsection.

13 ***-1621/4.114* SECTION 2623.** 101.143 (9m) (g) 2. of the statutes is amended to
14 read:

15 101.143 (9m) (g) 2. Revenue obligations issued under this subsection may not
16 exceed \$436,000,000 in principal amount, excluding any obligations that have been
17 defeased under a cash optimization program administered by the building
18 commission. In addition to this limit on principal amount, the building commission
19 may contract revenue obligations under this subsection as the building commission
20 determines is desirable to fund or refund outstanding revenue obligations, to pay
21 issuance or administrative expenses, to make deposits to reserve funds, ~~or~~ to pay
22 accrued or capitalized interest, and to make payments under an agreement or
23 ancillary arrangement entered into under s. 18.55 (6) with respect to revenue
24 obligations issued under this subsection.

25 ***-0311/1.2* SECTION 2624.** 101.143 (10) (a) of the statutes is amended to read:

1 101.143 (10) (a) Any owner or operator, person owning a home oil tank system
2 or service provider who fails to maintain a record as required by rules promulgated
3 under sub. (9) (a) may be required to forfeit not more than ~~\$2,000~~ \$5,000. Each day
4 of continued violation constitutes a separate offense.

5 ***-0313/1.14*** SECTION 2625. 101.143 (10) (b) of the statutes is amended to read:

6 101.143 (10) (b) Any owner or operator, person owning a home oil tank system
7 or service provider who intentionally destroys a document that is relevant to a claim
8 for reimbursement payment under this section is guilty of a Class G felony.

9 ***-0313/1.15*** SECTION 2626. 101.143 (11) (e) of the statutes is amended to read:

10 101.143 (11) (e) The charges by service providers other than engineering
11 consultants for services for which reimbursement payment is provided under this
12 section, including excavating, hauling, laboratory testing and landfill disposal.

13 ***-0314/1.3*** SECTION 2627. 101.1435 of the statutes is created to read:

14 **101.1435 Removal and closure of underground petroleum storage**
15 **tanks. (1)** In this section, "underground petroleum product storage tank system"
16 has the meaning given in s. 101.143 (1) (i).

17 **(2)** The department may contract with a person registered or certified under
18 s. 101.09 (3) to empty, clean, remove, and dispose of an underground petroleum
19 product storage tank system that has not been properly closed and to backfill the
20 excavation if any of the following applies:

21 (a) The department is unable to identify the owner of, or other person
22 responsible for, the underground petroleum product storage tank system.

23 (b) Using the method that the department uses to determine inability to pay
24 under s. 101.143 (4) (ee), the department determines that the owner of the
25 underground petroleum product storage tank system is unable to pay to empty,

1 clean, remove, and dispose of the underground petroleum product storage tank
2 system.

3 (c) The department determines that the owner of the underground petroleum
4 product storage tank system is unwilling to pay to empty, clean, remove, and dispose
5 of the underground petroleum product storage tank system.

6 (3) The department shall pay the costs incurred under sub. (2) from the
7 appropriation under s. 20.143 (3) (v). The department may not pay more than
8 \$250,000 annually under this section.

9 (4) If the department incurs costs under sub. (2), the department shall record
10 a statement of lien with the register of deeds of the county in which the underground
11 petroleum product storage tank system was located. Upon recording the statement
12 of lien, the department has a lien on the property on which the underground
13 petroleum product storage tank system was located in the amount of the costs
14 incurred. The property remains subject to the lien until that amount is paid in full
15 to the department. The department shall deposit payments received under this
16 subsection into the petroleum inspection fund.

17 ***-1272/5.32* SECTION 2628.** 101.177 (1) (d) of the statutes is amended to read:

18 101.177 (1) (d) "State agency" means any office, department, agency,
19 institution of higher education, association, society, or other body in state
20 government created or authorized to be created by the constitution or any law , that
21 is entitled to expend moneys appropriated by law, including the legislature and the
22 courts, the Wisconsin Housing and Economic Development Authority, the Bradley
23 Center Sports and Entertainment Corporation, the University of Wisconsin
24 Hospitals and Clinics Authority, the Wisconsin Aerospace Authority, and the

1 Wisconsin Health and Educational Facilities Authority, and the Healthy Wisconsin
2 Authority, but excluding the Health Insurance Risk-Sharing Plan Authority.

3 ***-1366/1.1* SECTION 2629.** 101.654 (1m) (e) of the statutes is amended to read:
4 101.654 (1m) (e) ~~The continuing education approved by the department under~~
5 ~~par. (b) 1. shall include courses offered by private organizations with whom the~~
6 ~~department contracts under s. 101.657. The department may approve courses that~~
7 are offered by other states.

8 ***-1366/1.2* SECTION 2630.** 101.657 (title) of the statutes is amended to read:

9 **101.657 (title) Education contracts for builders and consumers.**

10 ***-1366/1.3* SECTION 2631.** 101.657 (1) of the statutes is amended to read:

11 101.657 (1) The department ~~shall~~ may contract with a private organization to
12 provide education regarding construction standards and inspection requirements
13 under this subchapter and under rules promulgated under this subchapter to
14 builders of dwellings in this state.

15 ***-1366/1.4* SECTION 2632.** 101.657 (2) of the statutes is repealed.

16 ***-1366/1.5* SECTION 2633.** 101.657 (3) of the statutes is repealed.

17 ***-1366/1.6* SECTION 2634.** 101.657 (4) of the statutes is amended to read:

18 101.657 (4) ~~Each contract under sub. (1), (2), and (3) shall be a separate~~
19 ~~contract. The department is limited for these contracts to contracting only with~~
20 ~~organizations that are~~ may only contract with an organization under this section if
21 the organization is described in section 501 (c) (6) of the Internal Revenue Code and
22 are is exempt from federal income tax under section 501 (a) of the Internal Revenue
23 Code.

24 ***-1366/1.7* SECTION 2635.** 101.657 (5) of the statutes is repealed.

25 ***-1524/P3.90* SECTION 2636.** 102.01 (2) (d) of the statutes is amended to read:

1 102.01 (2) (d) "Municipality" includes a county, city, town, village, school
2 district, sewer district, drainage district and family long-term care district and other
3 public or quasi-public corporations.

4 ***-1524/P3.91* SECTION 2637.** 102.04 (1) (a) of the statutes is amended to read:

5 102.04 (1) (a) The state, each county, city, town, village, school district, sewer
6 district, drainage district, family long-term care district and other public or
7 quasi-public corporations therein.

8 ***-1261/5.717* *-1261/P3.527* SECTION 2638.** 102.27 (2) (a) of the statutes is
9 amended to read:

10 102.27 (2) (a) A benefit under this chapter is assignable under s. 46.10 (14) (e),
11 49.345 (14) (e), 301.12 (14) (e), 767.225 (1) (L), 767.513 (3), or 767.75 (1) or (2m).

12 ***-1313/3.22* SECTION 2639.** 102.29 (8r) of the statutes is amended to read:

13 102.29 (8r) No participant in a food stamp employment and training program
14 under s. ~~49.13~~ 49.79 (9) who, under s. 49.13 (2) (d) 49.79 (9) (a) 5., is provided worker's
15 compensation coverage by the department of health and family services or by a
16 Wisconsin ~~works~~ Works agency, as defined in s. 49.001 (9), or other provider under
17 contract with the department of health and family services or a county department
18 under s. 46.215, 46.22, or 46.23 or tribal governing body to administer the food stamp
19 employment and training program and who makes a claim for compensation under
20 this chapter may make a claim or maintain an action in tort against the employer
21 who provided the employment and training from which the claim arose.

22 ***-0444/P2.14* SECTION 2640.** 102.81 (2) of the statutes is amended to read:

23 102.81 (2) The department may retain an insurance carrier or insurance
24 service organization to process, investigate and pay claims under this section and
25 may obtain excess or stop-loss reinsurance with an insurance carrier authorized to

1 do business in this state in an amount that the secretary determines is necessary for
2 the sound operation of the uninsured employers fund. In cases involving disputed
3 claims, the department may retain an attorney to represent the interests of the
4 uninsured employers fund and to make appearances on behalf of the uninsured
5 employers fund in proceedings under ss. 102.16 to 102.29. Section 20.930 and all
6 provisions of subch. IV of ch. 16, except ss. 16.753 and 16.771, do not apply to an
7 attorney hired under this subsection. The charges for the services retained under
8 this subsection shall be paid from the appropriation under s. 20.445 (1) (rp). The cost
9 of any reinsurance obtained under this subsection shall be paid from the
10 appropriation under s. 20.445 (1) (sm).

11 ***-1524/P3.92* SECTION 2641.** 103.001 (6) of the statutes is amended to read:

12 103.001 (6) "Employer" means any person, firm, corporation, state, county,
13 town, city, village, school district, sewer district, drainage district, family long-term
14 care district and other public or quasi-public corporations as well as any agent,
15 manager, representative or other person having control or custody of any
16 employment, place of employment or of any employee.

17 ***-1261/5.718* *-1261/P3.528* SECTION 2642.** 103.005 (17) of the statutes is
18 repealed.

19 ***-1261/5.719* *-1261/P3.529* SECTION 2643.** 103.005 (18) of the statutes is
20 repealed.

21 ***-1676/2.5* SECTION 2644.** 106.18 of the statutes is created to read:

22 **106.18 Youth programs in 1st class cities.** From the appropriation account
23 under s. 20.445 (1) (kb), the department shall implement and operate youth summer
24 jobs programs in 1st class cities.

25 ***-0550/1.6* SECTION 2645.** 108.20 (2m) of the statutes is amended to read:

1 108.20 (2m) From the moneys not appropriated under s. 20.445 (1) (ge), (gf),
2 (gg), and (gi) which (gd) that are received by the administrative account as interest
3 and penalties under this chapter, the department shall pay the benefits chargeable
4 to the administrative account under s. 108.07 (5) and the interest payable to
5 employers under s. 108.17 (3m), and may expend the remainder to pay interest due
6 on advances to the unemployment reserve fund from the federal unemployment
7 account under title XII of the social security act, 42 USC 1321 to 1324, may to conduct
8 research relating to the condition of the unemployment reserve fund under s. 108.14
9 (6), to administer the unemployment insurance program and federal or state
10 unemployment insurance programs authorized by the governor under s. 16.54, to
11 renovate and modernize unemployment insurance information technology systems,
12 to assist the department of justice in the enforcement of this chapter, to make
13 payments to satisfy a federal audit exception concerning a payment from the fund
14 or any federal aid disallowance involving the unemployment insurance program, or
15 may to make payments to the fund if such action is necessary to obtain a lower
16 interest rate or deferral of interest payments on advances from the federal
17 unemployment account under title XII of the social security act, except that any
18 interest earned pending disbursement of federal employment security grants under
19 s. 20.445 (1) (n) shall be credited to the general fund. Any moneys reverting to the
20 administrative account from the appropriations under s. 20.445 (1) (ge) and (gf) shall
21 be utilized as provided in this subsection.

22 *-0003/3.1* SECTION 2646. 110.09 of the statutes is created to read:

23 **110.09 Background investigations of certain persons.** (1) (a)

24 Notwithstanding ss. 111.321, 111.322, and 111.335, the department of
25 transportation, with the assistance of the department of justice, shall conduct a

1 background investigation of any person who has been selected to fill a position within
2 the division of the department of transportation responsible for issuing operator's
3 licenses and identification cards. This background investigation may include
4 requiring the person to be fingerprinted on 2 fingerprint cards each bearing a
5 complete set of the person's fingerprints, or by other technologies approved by law
6 enforcement agencies. The department of justice shall submit any such fingerprint
7 cards to the federal bureau of investigation for the purposes of verifying the identity
8 of the person fingerprinted and obtaining records of his or her criminal arrests and
9 convictions.

10 (b) Notwithstanding ss. 111.321, 111.322, and 111.335, at any interval
11 determined appropriate by the department, the department may conduct, in the
12 manner specified in par. (a), additional background investigations of any person for
13 whom an initial background investigation has been conducted under par. (a) and
14 background investigations of other persons employed by the department within the
15 division of the department responsible for issuing operator's licenses and
16 identification cards.

17 (c) The department shall promulgate rules governing confidentiality of
18 information obtained under this subsection.

19 (2) Notwithstanding ss. 111.321, 111.322, and 111.335, the department shall
20 require, as a precondition to allowing access to any information system in which is
21 stored information maintained by the division of the department responsible for
22 issuing operator's licenses and identification cards, that any person to whom access
23 is granted submit to a background investigation as provided in this subsection.
24 Notwithstanding ss. 111.321, 111.322, and 111.335, the department shall require the
25 employer, including any state agency, of any person to whom the information will be

1 made available to conduct the background investigation in a manner prescribed by
2 the department. The department may require, as part of this background
3 investigation, that the person be fingerprinted in the manner described in sub. (1)
4 (a) and that these fingerprints be provided to the department of justice for
5 submission to the federal bureau of investigation for the purposes of verifying the
6 identity of the person fingerprinted and obtaining records of his or her criminal
7 arrests and convictions. Notwithstanding ss. 111.321, 111.322, and 111.335, the
8 department shall require that the employer certify the results of the background
9 investigation and, based upon these results, may deny or restrict access to any
10 information requested. In addition to the initial background investigation required
11 under this subsection, the department may require on a periodic basis subsequent
12 background investigations consistent with this subsection for persons with ongoing
13 access to information. Any cost associated with the requirements under this
14 subsection is the responsibility of the employer. For purposes of this subsection,
15 "employer" includes a self-employed person. The department shall promulgate
16 rules governing background investigations, and confidentiality of information
17 obtained, under this subsection.

18 ***-1372/2.1* SECTION 2647.** 110.20 (7) of the statutes is amended to read:

19 110.20 (7) VOLUNTARY INSPECTIONS. The inspection and maintenance program
20 shall require inspection of any nonexempt vehicle which a person presents for
21 inspection at an inspection station or at any other location where, as established
22 under sub. (8) (bm), the vehicle may be inspected.

23 ***-1372/2.2* SECTION 2648.** 110.20 (8) (title) of the statutes is amended to read:

24 110.20 (8) (title) CONTRACTORS AND OTHER INSPECTION METHODS.