

1 is completed before May 25, 2006, the department may offer for sale or transfer
2 ownership of the property that the department determines is no longer necessary for
3 the state's use for transportation purposes, if the property is not the subject of a
4 petition under s. ~~560.9810~~ 16.310 (2). This disposition process shall take place within
5 24 months of the completion of the transportation project for which the property was
6 acquired. Except as provided in par. (c) 3., the department shall offer limited and
7 general marketable properties at appraised value, as determined by a state-certified
8 or licensed appraiser, for not less than 12 months. If the department does not sell
9 the property at or above its appraised value, the department shall offer the property
10 for sale by means of sealed bids or public auction. For the purposes of this paragraph,
11 a project is completed when final payment is made under the contract for the project.

12 **SECTION 2229.** 84.09 (5r) of the statutes is amended to read:

13 84.09 (5r) In lieu of the sale or conveyance of property under sub. (5) or (5m),
14 the department may, subject to the approval of the governor, donate real property
15 that is adjacent to the veterans memorial site located at The Highground in Clark
16 County and owned by the state and under the jurisdiction of the department to the
17 Wisconsin Vietnam Veterans Memorial Project, Inc., for the purpose of the veterans
18 memorial site located at The Highground in Clark County for the purpose of a
19 memorial hall specified in s. 70.11 (9). The department may donate property under
20 this subsection only when the department determines that the property is no longer
21 necessary for the state's use for transportation purposes and is not the subject of a
22 petition under s. ~~560.9810~~ 16.310 (2) and is transferred with a restriction that the
23 donee may not subsequently transfer the real property to any person except to this
24 state, which shall not be charged for any improvements thereon. Such restriction
25 shall be recorded in the office of the register of deeds in the county in which the

1 property is located. The department shall present to the governor a full and complete
2 report of the property to be donated, the reason for the donation, and the minimum
3 price for which the property could likely be sold under sub. (5), together with an
4 application for the governor's approval of the donation. The governor shall
5 thereupon make such investigation as he or she considers necessary and approve or
6 disapprove the application. Upon such approval, the department shall by
7 appropriate deed or other instrument transfer the property to the donee. The
8 approval of the governor is not required for donation of property having an appraised
9 value at the time of donation of not more than \$15,000. Any expense incurred by the
10 department in connection with the donation shall be paid from the transportation
11 fund.

12 **SECTION 2230.** 84.185 (1) (a) of the statutes is amended to read:

13 84.185 (1) (a) "~~Business~~" ~~has the meaning given in s. 560.60 (2)~~ means a
14 company located in this state, a company that has made a firm commitment to locate
15 a facility in this state, or a group of companies at least 80 percent of which are located
16 in this state.

17 **SECTION 2231.** 84.185 (1) (b) of the statutes is amended to read:

18 84.185 (1) (b) "~~Governing body~~" ~~has the meaning specified in s. 560.60 (6)~~
19 means a county board, city council, village board, town board, regional planning
20 commission or transit commission under s. 59.58 (2) or 66.1021.

21 **SECTION 2232.** 84.185 (1) (ce) of the statutes is amended to read:

22 84.185 (1) (ce) "~~Job~~" ~~has the meaning specified in s. 560.17 (1) (bm)~~ means a
23 position providing full-time equivalent employment. "Job" does not include initial
24 training before an employment position begins.

25 **SECTION 2233g.** 84.28 (1) of the statutes is amended to read:

1 84.28 (1) Moneys from the appropriation under s. 20.370 (7) (mc) may be
2 expended for the renovation, marking and maintenance of a town or county highway
3 located within the boundaries of any state park, state forest or other property under
4 the jurisdiction of the department of natural resources. Moneys from the
5 appropriation under s. 20.370 (7) (mc) may be expended for the renovation, marking
6 and maintenance of a town or county highway located in the lower Wisconsin state
7 riverway as defined in s. 30.40 (15). Outside the lower Wisconsin state riverway as
8 defined in s. 30.40 (15), or outside the boundaries of these parks, forests or property,
9 moneys from the appropriation under s. 20.370 (7) (mc) may be expended for the
10 renovation, marking and maintenance of roads which the department of natural
11 resources certifies are utilized by a substantial number of visitors to state parks,
12 state forests or other property under the jurisdiction of the department of natural
13 resources. The department of natural resources shall authorize expenditures under
14 this subsection. The department of natural resources shall rank projects eligible for
15 assistance under a priority system and funding may be restricted to those projects
16 with highest priority. In ranking projects, the department of natural resources shall
17 consider whether the project is for the renovation, marking, or maintenance of roads
18 used for forestry management on property under the jurisdiction of the department
19 of natural resources.

20 **SECTION 2233m.** 84.30 (5r) of the statutes is created to read:

21 84.30 (5r) SIGNS NONCONFORMING UNDER LOCAL ORDINANCES THAT ARE REALIGNED
22 BECAUSE OF STATE HIGHWAY PROJECTS. (a) In this subsection, “realignment” means
23 relocation on the same site.

1 (b) If a highway project of the department causes the realignment of a sign that
2 does not conform to a local ordinance, the realignment shall not affect the sign's
3 nonconforming status under the ordinance.

4 (c) If in connection with a highway project of the department the department
5 proposes the realignment of a sign that does not conform to a local ordinance, the
6 department shall notify the governing body of the municipality or county where the
7 sign is located and which adopted the ordinance of the sign's proposed realignment.
8 Upon receiving this notice, the governing body may petition the department to
9 acquire the sign and any real property interest of the sign owner. If the department
10 succeeds in condemning the sign, the governing body that made the petition to the
11 department shall pay to the department an amount equal to the condemnation
12 award, less relocation costs for the sign that would have been paid by the department
13 if the sign had been realigned rather than condemned. Notwithstanding s. 86.30 (2)
14 (a) 1. and (b) 1., 1g., and 1r., if the governing body fails to pay this amount, the
15 department may reduce the municipality's or county's general transportation aid
16 payment under s. 86.30 by an equal amount.

17 (d) This subsection does not permit the alteration or movement of a sign that
18 is nonconforming under this section.

19 **SECTION 2234.** 84.555 (1m) of the statutes is amended to read:

20 84.555 (1m) Notwithstanding sub. (1) and ss. 84.51 and 84.59, the proceeds of
21 general obligation bonds issued under s. 20.866 (2) (uum) are allocated for
22 expenditure obligations under s. 84.95 and s. 84.014 and the proceeds of general
23 obligation bonds issued under s. 20.866 (2) (uup) may be used to fund expenditure
24 obligations for the Marquette interchange reconstruction project under s. 84.014
25 and, for the reconstruction of the I 94 north-south corridor, as defined in s. 84.014

1 (5m) (ag) 1., for the reconstruction of the Zoo interchange, as defined in s. 84.014 (5m)
2 (ag) 2., and southeast Wisconsin freeway megaprojects under s. 84.0145.

3 **SECTION 2235.** 84.59 (2) (b) of the statutes is amended to read:

4 84.59 (2) (b) The department may, under s. 18.562, deposit in a separate and
5 distinct special fund outside the state treasury, in an account maintained by a
6 trustee, revenues derived under ss. 341.09 (2) (d), (2m) (a) 1., (4), and (7), 341.14 (2),
7 (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (a) and (b), (2),
8 (2e), and (2m), 341.17 (8), 341.19 (1) (a), 341.25, 341.255 (1), (2) (a), (b), and (c), and
9 (5), 341.26 (1), (2), (2m) (am) and (b), (3), (3m), (4), (5), and (7), 341.264 (1), 341.265
10 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.269 (2) (b), 341.30 (3), 341.305
11 (3), 341.307 (4) (a), 341.308 (3), 341.36 (1) and (1m), 341.51 (2), and 342.14, ~~except~~
12 ~~s. 342.14 (1r)~~, and from any payments received with respect to agreements or
13 ancillary arrangements entered into under s. 18.55 (6) with respect to revenue
14 obligations issued under this section. The revenues deposited are the trustee's
15 revenues in accordance with the agreement between this state and the trustee or in
16 accordance with the resolution pledging the revenues to the repayment of revenue
17 obligations issued under this section. Revenue obligations issued for the purposes
18 specified in sub. (1) and for the repayment of which revenues are deposited under this
19 paragraph are special fund obligations, as defined in s. 18.52 (7), issued for special
20 fund programs, as defined in s. 18.52 (8).

21 **SECTION 2236.** 84.59 (6) of the statutes is amended to read:

22 84.59 (6) The building commission may contract revenue obligations when it
23 reasonably appears to the building commission that all obligations incurred under
24 this section can be fully paid from moneys received or anticipated and pledged to be
25 received on a timely basis. Except as provided in this subsection, the principal

1 amount of revenue obligations issued under this section may not exceed
2 ~~\$3,009,784,200~~ \$3,351,547,300, excluding any obligations that have been defeased
3 under a cash optimization program administered by the building commission, to be
4 used for transportation facilities under s. 84.01 (28) and major highway projects for
5 the purposes under ss. 84.06 and 84.09. In addition to the foregoing limit on principal
6 amount, the building commission may contract revenue obligations under this
7 section as the building commission determines is desirable to refund outstanding
8 revenue obligations contracted under this section, to make payments under
9 agreements or ancillary arrangements entered into under s. 18.55 (6) with respect
10 to revenue obligations issued under this section, and to pay expenses associated with
11 revenue obligations contracted under this section.

12 **SECTION 2237.** 85.05 of the statutes is amended to read:

13 **85.05 Evaluation of proposed major highway projects.** The department
14 by rule shall establish a procedure for numerically evaluating projects considered for
15 enumeration under s. 84.013 (3) as a major highway project. The evaluation
16 procedure may include any criteria that the department considers relevant. The
17 rules shall establish a minimum score that a project shall meet or exceed when
18 evaluated under the procedure established under this section before the department
19 may recommend the project to the transportation projects commission for
20 consideration under s. 13.489 (4). This section does not apply to major highway
21 projects identified in s. 84.013 (3) (ad).

22 **SECTION 2237e.** 85.062 (3) (c) of the statutes is repealed.

23 **SECTION 2237m.** 85.063 (3) (b) 1. of the statutes is amended to read:

24 85.063 (3) (b) 1. Upon completion of a planning study under sub. (2), or, to the
25 satisfaction of the department, of a study under s. 85.022, a political subdivision in

1 a county, ~~or a transit authority created under s. 66.1039~~, that includes the urban area
2 may apply to the department for a grant for property acquisition for an urban rail
3 transit system.

4 **SECTION 2237o.** 85.064 (1) (b) of the statutes is amended to read:

5 85.064 (1) (b) "Political subdivision" means any city, village, town, county, or
6 transit commission organized under s. 59.58 (2) or 66.1021 or recognized under s.
7 66.0301, ~~or transit authority created under s. 66.1039~~ within this state ~~or the~~
8 ~~southeastern regional transit authority under s. 59.58 (7).~~

9 **SECTION 2237p.** 85.08 (4m) (c) (intro.) of the statutes is amended to read:

10 85.08 (4m) (c) *Railroad facilities acquisition grants and loans.* (intro.) The
11 department may make grants to eligible applicants for the purpose of preserving
12 freight rail service through the acquisition of rail property. The grant may be
13 composed of state funds, federal funds, state property, the use of state property, or
14 any combination of state funds, federal funds, state property, and the use of state
15 property. No grant for the acquisition of rail property improvements may exceed 80%
16 of the acquisition cost. No grant for the acquisition of rail property exclusive of rail
17 property improvements may exceed 100% of the acquisition cost. The department
18 shall give priority in awarding grants to those projects for which the applicant agrees
19 to pay greater than 20% of the cost of the acquisition of rail property improvements.

20 A grant may be made to an eligible applicant before or after abandonment of a
21 railroad line as defined in s. 85.09 (3). The department may permit an eligible
22 applicant's share of an increase in the acquisition cost of rail property or rail property
23 improvements to be paid in installments if the increase in acquisition cost is caused
24 by negotiation or litigation. No grant may be made under this paragraph for the
25 acquisition of rail property if the acquisition price exceeds an amount deemed

1 reasonable by the department. If a grant is made to an eligible applicant under this
2 paragraph, the department may award a loan to the eligible applicant for not more
3 than 15% of the acquisition cost. A grant of money or a loan made under this
4 paragraph shall be paid from the appropriation under s. 20.395 (2) (bq), (bu), or (bx)
5 or 20.866 (2) (uw). The department shall administer this program and shall have all
6 powers necessary and convenient to implement this paragraph and par. (d),
7 including the following powers:

8 **SECTION 2237s.** 85.08 (4m) (d) of the statutes is amended to read:

9 85.08 (4m) (d) *Railroad rehabilitation and construction grants and loans.* The
10 department may make grants to eligible applicants for the purpose of rehabilitating
11 or constructing rail property improvements. Construction shall be limited to that
12 which is required to continue rail service on a particular line or to provide alternative
13 rail service when a line has been abandoned. A grant under this paragraph may be
14 composed of state funds, federal funds, state property, the use of state property,
15 technical assistance, or any combination of state funds, federal funds, state property,
16 the use of state property, and technical assistance. The value of a grant may not
17 exceed 80% of the costs of rehabilitation or construction. The department shall give
18 priority in awarding grants to those projects for which the applicant agrees to pay
19 greater than 20% of the costs of rehabilitation or construction. If a grant is made to
20 an eligible applicant under this paragraph, the department may award a loan to the
21 eligible applicant for not more than 15% of the rehabilitation or construction costs.
22 A grant may be made before or after abandonment of a railroad line as defined in s.
23 85.09 (3). A grant or loan made under this paragraph shall be paid from the
24 appropriation under s. 20.395 (2) (bq), (bu), or (bx) or 20.866 (2) (uw).

25 **SECTION 2238.** 85.09 (4i) of the statutes is amended to read:

1 85.09 (4i) DISPOSAL OF RAIL PROPERTY. The department shall sell at public or
2 private sale rail property acquired under sub. (4) when the department determines
3 that the rail property is not necessary for a public purpose and, if real property, the
4 real property is not the subject of a petition under s. ~~560.9810~~ 16.310 (2). Upon
5 receipt of the full purchase price, the department shall, by appropriate deed or other
6 instrument, transfer the rail property to the purchaser. The funds derived from sales
7 under this subsection shall be deposited in the transportation fund, and the expense
8 incurred by the department in connection with the sale shall be paid from the
9 appropriation under s. 20.395 (2) (bq). This subsection does not apply to real
10 property that is sold under s. 16.848.

11 **SECTION 2239.** 85.09 (4m) of the statutes is amended to read:

12 85.09 (4m) RELOCATION PLAN. The department is exempt from s. 32.25 (1) if the
13 department determines that acquiring rail property under this section will not result
14 in any displaced persons as defined in s. 32.19 (2) (e). The department shall file a
15 statement of its determinations with the department of ~~commerce~~ administration.

16 **SECTION 2240m.** 85.095 (2) (b) of the statutes is amended to read:

17 85.095 (2) (b) To establish criteria for evaluating applications for harbor
18 assistance grants in order to provide for the disbursement of grants. In establishing
19 these criteria, the department shall ~~consult with the department of commerce and~~
20 shall give priority to applicants based on the amount of tonnage and waterborne
21 transportation handled in the harbor.

22 **SECTION 2241.** 85.11 of the statutes is repealed.

23 **SECTION 2242.** 85.14 (title) of the statutes is amended to read:

24 **85.14 (title) Payments of fees and deposits by credit card, debit card,**
25 **or other electronic payment mechanism; electronic transactions.**

1 **SECTION 2243.** 85.14 (1) (a) of the statutes is amended to read:

2 85.14 (1) (a) The department may accept payment by credit card, debit card,
3 or any other electronic payment mechanism of ~~a~~ any fee that is required to be paid
4 to the department ~~under ch. 194, 218, 341, 342, 343 or 348~~. The department shall
5 determine which fees may be paid by credit card, debit card, or any other electronic
6 payment mechanism and the manner in which the payments may be made. If the
7 department permits the payment of a fee by credit card, debit card, or any other
8 electronic payment mechanism, the department may charge a convenience fee for
9 each transaction in an amount to be established by rule. The convenience fee shall
10 approximate the cost to the department for providing this service to persons who
11 request it. If the department permits the payment of a fee by credit card, debit card,
12 or any other electronic payment mechanism, the department may charge a service
13 fee of \$2.50 for each transaction until a rule is promulgated under this paragraph.

14 **SECTION 2244.** 85.14 (3) of the statutes is created to read:

15 85.14 (3) The department may establish procedures for conducting any
16 transaction in an electronic format or using an electronic process. Any form
17 prescribed by the department may be prescribed in an automated format to facilitate
18 the department's authority under this subsection.

19 **SECTION 2245.** 85.14 (4) of the statutes is created to read:

20 85.14 (4) The department may promulgate rules requiring a person to pay an
21 additional fee for conducting an in-person, telephone, or paper transaction in lieu
22 of using an electronic filing or submission option when the department has made an
23 electronic filing or submission option available. These rules providing for an
24 additional fee shall not apply to individuals unless the department offered an
25 electronic filing or submission option in connection with a service on the effective

1 date of this subsection [LRB inserts date], and the department charged an
2 additional fee to individuals for electing this option as of that date. These rules may
3 provide for exemptions from the additional fee for designated categories of persons
4 or transactions. The fee authorized under this subsection is in addition to any other
5 fee that may be imposed by the department.

6 **SECTION 2245k.** 85.193 of the statutes is created to read:

7 **85.193 Borrow and material disposal sites for transportation projects.**

8 **(1) DEFINITIONS.** In this section:

9 (a) "Borrow" means soil or a mixture of soil and stone, gravel, or other material
10 suitable for use in the construction of embankments or other similar earthworks
11 constructed as part of a transportation project.

12 (b) "Borrow site" means a site off of the transportation project property from
13 which borrow is excavated for use in a transportation project.

14 (c) "Material disposal site" means a site off of the transportation project
15 property used for the lawful disposal of surplus materials from a transportation
16 project and that is under the direct control of the transportation project contractor
17 or a transportation project subcontractor. "Material disposal site" does not include
18 a private landfill that is not managed by the transportation project contractor or a
19 transportation project subcontractor or a landfill that is owned or directly controlled
20 by a political subdivision.

21 (d) "Political subdivision" means a city, village, town, or county.

22 (e) "Transportation project" means a construction or maintenance project
23 directed and supervised by the department that relates to an airport, railroad,
24 highway, bridge, or other transportation facility and that is subject to an agreement
25 under s. 30.2022.

1 (2) EXEMPTION FROM LOCAL ZONING. No zoning ordinance enacted under s. 59.69,
2 60.61, 60.62, 61.35, or 62.23 may apply to a borrow site or material disposal site if
3 all of the following apply:

4 (a) The owner of the property consents to the establishment of a site on his or
5 her property.

6 (b) The department determines that the site is not a commercial establishment
7 that has a fixed place of business from which the establishment regularly supplies
8 processed or manufactured materials or products.

9 (c) The transportation project contractor assumes sole responsibility for the
10 operation of the site.

11 (d) The site is used solely for the specified transportation project and solely
12 during the period of construction of the specified transportation project.

13 (e) The transportation project contractor or a transportation project
14 subcontractor does not crush, screen, wash, blast, or apply another manufacturing
15 process to mineral aggregate from the borrow site, on or off the borrow site, to
16 produce finished aggregate products.

17 (g) The transportation project contractor complies with all of the following:

18 1. Any applicable noise limit standards for mine and quarry operations
19 established under s. 101.15 (2) (e).

20 2. Any applicable restoration requirements for construction site erosion control
21 established under s. 85.19 (1) and any applicable restoration requirements
22 established under an agreement under s. 30.2022.

23 **SECTION 2246.** 85.20 (4m) (a) 6. cm. of the statutes is amended to read:

24 85.20 (4m) (a) 6. cm. From the appropriation under s. 20.395 (1) (ht), the
25 department shall pay ~~\$63,784,700 for aid payable for calendar year 2008,~~

1 ~~\$65,299,200 for aid payable for calendar year 2009~~, \$66,585,600 for aid payable for
2 calendar year 2010, ~~and \$68,583,200 for aid payable for calendar year 2011, and~~
3 \$61,724,900 for aid payable for calendar year 2012 and thereafter, to the eligible
4 applicant that pays the local contribution required under par. (b) 1. for an urban
5 mass transit system that has annual operating expenses of \$80,000,000 or more. If
6 the eligible applicant that receives aid under this subd. 6. cm. is served by more than
7 one urban mass transit system, the eligible applicant may allocate the aid between
8 the urban mass transit systems in any manner the eligible applicant considers
9 desirable.

10 **SECTION 2248.** 85.20 (4m) (a) 6. d. of the statutes is amended to read:

11 85.20 (4m) (a) 6. d. From the appropriation under s. 20.395 (1) (hu), the
12 department shall pay ~~\$16,754,000 for aid payable for calendar year 2008,~~
13 ~~\$17,158,400 for aid payable for calendar year 2009,~~ \$17,496,400 for aid payable for
14 calendar year 2010, ~~and \$18,021,300 for aid payable for calendar year 2011, and~~
15 \$16,219,200 for aid payable for calendar year 2012 and thereafter, to the eligible
16 applicant that pays the local contribution required under par. (b) 1. for an urban
17 mass transit system that has annual operating expenses in excess of \$20,000,000 but
18 less than \$80,000,000. If the eligible applicant that receives aid under this subd. 6.
19 d. is served by more than one urban mass transit system, the eligible applicant may
20 allocate the aid between the urban mass transit systems in any manner the eligible
21 applicant considers desirable.

22 **SECTION 2252.** 85.20 (4m) (a) 7. b. of the statutes is amended to read:

23 85.20 (4m) (a) 7. b. For the purpose of making allocations under subd. 7. a., the
24 amounts for aids are ~~\$24,034,400 in calendar year 2008,~~ ~~\$24,614,500 in calendar~~
25 ~~year 2009,~~ \$25,099,500 in calendar year 2010, ~~and \$25,852,500 in calendar year~~

1 2011, and \$23,267,200 in calendar year 2012 and thereafter. These amounts, to the
2 extent practicable, shall be used to determine the uniform percentage in the
3 particular calendar year.

4 **SECTION 2254.** 85.20 (4m) (a) 8. b. of the statutes is amended to read:

5 85.20 (4m) (a) 8. b. For the purpose of making allocations under subd. 8. a., the
6 amounts for aids are ~~\$5,440,500 in calendar year 2008, \$5,571,800 in calendar year~~
7 ~~2009~~, \$5,681,600 in calendar year 2010, and \$5,852,200 in calendar year 2011, and
8 \$5,267,000 in calendar year 2012 and thereafter. These amounts, to the extent
9 practicable, shall be used to determine the uniform percentage in the particular
10 calendar year.

11 **SECTION 2255m.** 85.205 of the statutes is created to read:

12 **85.205 Paratransit aids. (1) DEFINITIONS.** In this section:

13 (a) "Eligible applicant" has the meaning given in s. 85.20 (1) (b).

14 (b) "Paratransit service" means comparable transportation service required by
15 the federal Americans with Disabilities Act for individuals with disabilities who are
16 unable to use fixed route transportation services.

17 (c) "Urban mass transit system" has the meaning given in s. 85.20 (1) (L).

18 **(2) ADMINISTRATION.** (a) From the appropriation under s. 20.395 (1) (hq), the
19 department shall provide aid payments to eligible applicants that receive state aid
20 payments under s. 85.20 (4m) and that are served by an urban mass transit system
21 that provides paratransit service to assist those eligible applicants in providing
22 paratransit service.

23 (b) In awarding grants under par. (a), the department shall do all of the
24 following:

1 1. Maximize the level of paratransit service provided by urban mass transit
2 systems serving eligible applicants.

3 2. Give priority to eligible applicants for maintaining paratransit service
4 provided by urban mass transit systems on the effective date of this subdivision
5 [LRB inserts date].

6 **SECTION 2256.** 85.25 (2) (c) 1m. b. of the statutes is amended to read:

7 85.25 (2) (c) 1m. b. It is currently performing a useful business function as
8 defined in s. ~~560.036~~ 16.287 (1) (h).

9 **SECTION 2267x.** 86.25 (4) of the statutes is amended to read:

10 86.25 (4) Sections 61.54, 62.15 and 66.0901 (1) and (2) to (9) shall not apply to
11 funds provided or agreements made pursuant to this section.

12 **SECTION 2268.** 86.30 (2) (a) 3. of the statutes is amended to read:

13 86.30 (2) (a) 3. For each mile of road or street under the jurisdiction of a
14 municipality as determined under s. 86.302, the mileage aid payment shall be ~~\$1,956~~
15 ~~in calendar year 2008, \$2,015 in calendar year 2009, \$2,055 in calendar year 2010,~~
16 and \$2,117 in calendar year 2011 and thereafter.

17 **SECTION 2269.** 86.30 (2) (b) 1. of the statutes is amended to read:

18 86.30 (2) (b) 1. Except as provided under par. (d) and s. 86.303 (5), no
19 municipality whose aid is determined under par. (a) 2. may receive an increase in its
20 annual transportation aid payment in excess of 15% of its last previous calendar year
21 aid payment or a decrease in its annual transportation aid payment in excess of ~~5%~~
22 10 percent of its last previous calendar year transportation aid payment.

23 **SECTION 2270.** 86.30 (2) (b) 1g. of the statutes is amended to read:

24 86.30 (2) (b) 1g. Except as provided under par. (d) and s. 86.303 (5), no
25 municipality whose aid is determined under par. (a) 3. may receive a decrease in its

1 annual transportation aid payment in excess of ~~5%~~ 10 percent of its last previous
2 calendar year transportation aid payment.

3 **SECTION 2271.** 86.30 (2) (b) 1r. of the statutes is amended to read:

4 86.30 (2) (b) 1r. Except as provided under s. 86.303, no county may receive an
5 increase in its annual transportation aid payment in excess of 15% of its last previous
6 calendar year aid payment. Except as provided under par. (dm) and s. 86.303, no
7 county may receive a decrease in its annual transportation aid payment in excess of
8 ~~2%~~ 10 percent of its last previous calendar year transportation aid payment.

9 **SECTION 2271m.** 86.30 (2) (dr) of the statutes is created to read:

10 86.30 (2) (dr) *Aid reduction related to outdoor advertising sign condemnation.*
11 The department may reduce aids paid to a county or municipality under par. (e) as
12 provided in s. 84.30 (5r) (c).

13 **SECTION 2272.** 86.30 (9) (b) of the statutes is amended to read:

14 86.30 (9) (b) For the purpose of calculating and distributing aids under sub. (2),
15 the amounts for aids to counties are ~~\$96,492,900 in calendar year 2008, \$99,387,700~~
16 ~~in calendar year 2009~~, \$101,375,500 in calendar year 2010, and \$104,416,800 in
17 calendar year 2011, and \$94,615,600 in calendar year 2012 and thereafter. These
18 amounts, to the extent practicable, shall be used to determine the statewide county
19 average cost-sharing percentage in the particular calendar year.

20 **SECTION 2273.** 86.30 (9) (c) of the statutes is amended to read:

21 86.30 (9) (c) For the purpose of calculating and distributing aids under sub. (2),
22 the amounts for aids to municipalities are ~~\$303,578,100 in calendar year 2008,~~
23 ~~\$312,685,400 in calendar year 2009~~, \$318,939,100 in calendar year 2010, and
24 ~~\$328,507,300 in calendar year 2011~~, and \$308,904,300 in calendar year 2012 and
25 thereafter. These amounts, to the extent practicable, shall be used to determine the

1 statewide municipal average cost-sharing percentage in the particular calendar
2 year.

3 **SECTION 2278d.** 86.31 (2) (a) of the statutes is amended to read:

4 86.31 (2) (a) The department shall administer a local roads improvement
5 program to accelerate the improvement of seriously deteriorating local roads by
6 reimbursing political subdivisions for improvements. The selection of improvements
7 that may be funded under the program shall be performed by officials of each political
8 subdivision, consistent with par. (h) and the requirements of subs. (3), (3g), (3m), and
9 (3r). The department shall notify each county highway commissioner of any deadline
10 that affects eligibility for reimbursement under the program no later than 15 days
11 before such deadline.

12 **SECTION 2278em.** 86.31 (2) (b) of the statutes is amended to read:

13 86.31 (2) (b) Except as provided in par. (d), improvements for highway
14 construction projects funded under the program shall be under contracts. Such
15 contracts shall be awarded on the basis of competitive bids and shall be awarded to
16 the lowest responsible bidder. If a city or village does not receive a responsible bid
17 for an improvement, the city or village may contract with a county for the
18 improvement. ~~A~~ Subject to s. 59.52 (30), a town may contract with a county for the
19 improvement subject to the criteria and procedures promulgated as rules under sub.
20 (6) (h).

21 **SECTION 2278j.** 86.31 (2) (h) of the statutes is created to read:

22 86.31 (2) (h) A double seal coat project on a town road may be funded under the
23 program if it has a projected life of at least 10 years, similar projects in the same
24 geographic area have performed satisfactorily, and the county highway

1 commissioner of the county in which the project is located approves the project's
2 eligibility for funding.

3 **SECTION 2278m.** 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 ~~\$765,000 in fiscal~~
6 ~~year 2007-08, \$780,300 in fiscal year 2008-09, and \$732,500 in fiscal year 2009-10~~
7 and in fiscal year 2010-11, and \$5,732,500 in fiscal year 2011-12 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 **SECTION 2278o.** 86.31 (6) (h) (intro.) of the statutes is amended to read:

12 86.31 (6) (h) ~~Criteria~~ Subject to s. 59.52 (30), criteria and procedures for
13 contracting with a county for a town road improvement that includes at least all of
14 the following:

15 **SECTION 2279.** 91.04 (2) (j) of the statutes is amended to read:

16 91.04 (2) (j) Rezoning of land out of farmland preservation zoning districts
17 under s. 91.48, ~~including the amounts of conversion fees paid to political subdivisions~~
18 ~~under s. 91.48 (1) (b).~~

19 **SECTION 2280.** 91.48 (1) (intro.) of the statutes is amended to read:

20 91.48 (1) (intro.) A political subdivision with a certified farmland preservation
21 zoning ordinance may rezone land out of a farmland preservation zoning district
22 without having the rezoning certified under s. 91.36, if ~~all of the following apply~~ the
23 political subdivision finds all of the following, after public hearing:

24 **SECTION 2281.** 91.48 (1) (a) (intro.) of the statutes is repealed.

1 **SECTION 2282.** 91.48 (1) (a) 1. to 4. of the statutes are renumbered 91.48 (1) (a)
2 to (d).

3 **SECTION 2283.** 91.48 (1) (b) of the statutes is repealed.

4 **SECTION 2284.** 91.48 (2) (intro.) and (a) of the statutes are consolidated,
5 renumbered 91.48 (2) and amended to read:

6 91.48 (2) A political subdivision shall by March of 1 of each year provide ~~all of~~
7 ~~the following~~ to the department: ~~(a) A~~ a report of the number of acres that the
8 political subdivision has rezoned out of a farmland preservation zoning district
9 under sub. (1) during the previous year and a map that clearly shows the location of
10 those acres.

11 **SECTION 2285.** 91.48 (2) (b) and (c) of the statutes are repealed.

12 **SECTION 2286.** 91.48 (3) of the statutes is amended to read:

13 91.48 (3) A political subdivision that is not a county shall by March 1 of each
14 year submit a copy of the information that it reports to the department under sub.
15 (2) ~~(a) and (b)~~ to the county in which the political subdivision is located.

16 **SECTION 2287.** 91.49 of the statutes is repealed.

17 **SECTION 2292.** 92.07 (15) of the statutes is amended to read:

18 92.07 (15) ADMINISTRATION AND ENFORCEMENT OF ORDINANCES. A land
19 conservation committee may, if authorized by the county board, administer and
20 enforce those provisions of an ordinance enacted under s. 101.65 (1) (a) related to
21 construction site erosion, a zoning ordinance enacted under s. 59.693 or an ordinance
22 enacted under authority granted under s. ~~281.33 (3m)~~ 101.1206.

23 **SECTION 2293.** 93.07 (3) of the statutes is amended to read:

24 93.07 (3) PROMOTION OF AGRICULTURE. To promote the interests of agriculture,
25 dairying, horticulture, manufacturing, commercial fishing and the domestic arts and

1 to advertise Wisconsin and its dairy, food, and agricultural products by conducting
2 campaigns of education throughout the United States and in foreign markets. Such
3 campaigns shall include the distribution of educational and advertising material
4 concerning Wisconsin and its plant, animal, food, and dairy products. The
5 department shall coordinate efforts by the state to advertise and promote
6 agricultural products of this state, with the ~~department of commerce~~ Wisconsin
7 Economic Development Corporation where appropriate. The department shall
8 submit its request and plan for market development program expenditures for each
9 biennium with its biennial budget request. The plan shall include the identification
10 and priority of expenditures for each market development program activity.

11 **SECTION 2294.** 93.07 (18) (b) (intro.) of the statutes is amended to read:

12 93.07 (18) (b) (intro.) In consultation with the ~~department of commerce~~
13 Wisconsin Economic Development Corporation, to do all of the following for each
14 economic development program administered by the department of agriculture,
15 trade and consumer protection:

16 **SECTION 2295.** 93.07 (20) (title) of the statutes is amended to read:

17 93.07 (20) (title) ECONOMIC DEVELOPMENT ASSISTANCE COORDINATION AND
18 REPORTING.

19 **SECTION 2296.** 93.07 (20) of the statutes is renumbered 93.07 (20) (b) and
20 amended to read:

21 93.07 (20) (b) Annually, no later than October 1, to submit to the joint
22 legislative audit committee and to the appropriate standing committees of the
23 legislature under s. 13.172 (3) a comprehensive report assessing economic
24 development programs, as defined in sub. (18) (a), administered by the department.
25 The report shall include all of the information required under s. ~~560.01 (2) (am)~~

1 238.07 (2). The department shall collaborate with the ~~department of commerce~~
2 Wisconsin Economic Development Corporation to make readily accessible to the
3 public on an Internet-based system the information required under this subsection.

4 **SECTION 2297.** 93.07 (20) (a) of the statutes is created to read:

5 93.07 (20) (a) The department shall coordinate any economic development
6 assistance with the Wisconsin Economic Development Corporation.

7 **SECTION 2298.** 93.07 (26) of the statutes is amended to read:

8 93.07 (26) ALTERNATIVE FUEL REFUELING FACILITIES. To pursue ~~in cooperation~~
9 ~~with the office of energy independence~~, the establishment and maintenance of
10 sufficient alternative fuel refueling facilities at public retail outlets to meet the
11 traveling needs of the public.

12 **SECTION 2299.** 93.33 (5) (intro.) of the statutes is amended to read:

13 93.33 (5) ANNUAL REPORT. (intro.) In September of each year, the council shall
14 submit a report to the appropriate standing committees of the legislature as
15 determined by the speaker of the assembly and the president of the senate, under s.
16 13.172 (3), the governor, the secretary of agriculture, trade and consumer protection,
17 the state superintendent of public instruction, the secretary of workforce
18 development, the secretary of natural resources, the ~~secretary of commerce~~ chief
19 executive officer of the Wisconsin Economic Development Corporation, the president
20 of the University of Wisconsin System, the director of the technical college system,
21 the chancellor of the University of Wisconsin-Extension, the chancellor of the
22 University of Wisconsin-Madison, the chancellor of the University of
23 Wisconsin-Platteville, the chancellor of the University of Wisconsin-River Falls,
24 and the chancellor of the University of Wisconsin-Stevens Point. The council shall
25 include all of the following in the report:

1 **SECTION 2299r.** 93.40 (1) (g) of the statutes is amended to read:

2 93.40 (1) (g) Promote the growth of the dairy industry through research,
3 planning, and assistance, including grants and loans to dairy producers.

4 **SECTION 2300.** 93.42 (1) (e) of the statutes is amended to read:

5 93.42 (1) (e) Cooperating with the ~~department of commerce~~ Wisconsin
6 Economic Development Corporation in promoting the state's products through the
7 state's foreign trade offices.

8 **SECTION 2301.** 93.42 (3) of the statutes is repealed.

9 **SECTION 2303.** 93.46 (1) (am) of the statutes is repealed.

10 **SECTION 2305.** 93.46 (2) (d) of the statutes is repealed.

11 **SECTION 2305c.** 93.46 (2) (e) of the statutes is amended to read:

12 93.46 (2) (e) The department may not make a grant under this subsection that
13 exceeds ~~75~~ 67 percent of project costs.

14 **SECTION 2307c.** 93.73 (2) (b) of the statutes is amended to read:

15 93.73 (2) (b) The department, after consultation with the council under sub.
16 (13), shall solicit applications under sub. (3) ~~at least annually.~~ The department shall
17 issue each solicitation in writing and shall publish a notice announcing the
18 solicitation. In soliciting applications, the department may specify the total amount
19 of funds available, application deadlines, application requirements and procedures,
20 preliminary criteria for evaluating applications, and other relevant information.

21 **SECTION 2308.** 93.80 of the statutes is amended to read:

22 **93.80 Arsenic in wood.** The department, jointly with the department of
23 ~~commerce~~ safety and professional services, shall review scientific evidence to
24 determine whether there is a substantial likelihood that wood treated with copper,
25 chromium, and arsenic is harmful to the environment or to human health.

1 **SECTION 2308m.** 94.64 (4) (c) 3. of the statutes is amended to read:

2 94.64 (4) (c) 3. The department shall credit the ~~fee~~ fees collected under par. (a)
3 3. to the appropriation account under s. 20.285 (1) ~~(hm)~~ (k) for the University of
4 Wisconsin-Extension outreach services.

5 **SECTION 2309.** 96.01 (4m) of the statutes is amended to read:

6 96.01 (4m) "Bioenergy feedstock" ~~has the meaning given in s. 16.954 (1) (b)~~
7 means biomass used to produce energy, including transportation fuel, heat, or
8 electricity.

9 **SECTION 2309g.** 97.60 of the statutes is repealed.

10 **SECTION 2310.** 100.14 (2) of the statutes is amended to read:

11 100.14 (2) The ~~secretary of state~~ department of financial institutions shall,
12 upon application of the department of agriculture, trade and consumer protection,
13 record any such label or trademark under ss. 132.01 to 132.11. The department of
14 agriculture, trade and consumer protection shall be entitled to protect such label or
15 trademark under said sections and in any other manner authorized by law.

16 **SECTION 2312.** 100.60 (1) (b) 2. of the statutes is amended to read:

17 100.60 (1) (b) 2. Any other fuel that can substitute for petroleum-based diesel
18 fuel, that is derived from a renewable resource, that meets all of the applicable
19 requirements of the American Society for Testing and Materials for that fuel, and
20 that the department of ~~commerce~~ safety and professional services designates as a
21 diesel-replacement renewable fuel under sub. (7) (a).

22 **SECTION 2313.** 100.60 (1) (c) 2. of the statutes is amended to read:

23 100.60 (1) (c) 2. Any other fuel that can substitute for gasoline, that is derived
24 from a renewable resource, that meets all of the applicable requirements of the
25 American Society for Testing and Materials for that fuel, and that the department

1 of ~~commerce~~ safety and professional services designates as a gasoline-replacement
2 renewable fuel under sub. (7) (b).

3 **SECTION 2314.** 100.60 (3) (a) of the statutes is amended to read:

4 100.60 (3) (a) Annually, beginning in 2011, the department, in cooperation with
5 and with assistance from the department of ~~commerce~~, safety and professional
6 services and the department of revenue, ~~and the office of energy independence~~, shall
7 determine whether the annual goals for sales of renewable fuels in sub. (2) (b) and
8 (c), for the previous year, were met in the state in that year.

9 **SECTION 2315.** 100.60 (6) (a) of the statutes is amended to read:

10 100.60 (6) (a) The department shall consult with the department of ~~commerce~~,
11 safety and professional services and the department of revenue, ~~and the office of~~
12 ~~energy independence~~ to determine if information necessary to make a determination
13 under sub. (3) (a) or an assessment under sub. (4) is being collected by these agencies
14 under laws in effect on June 2, 2010. If the information is not being collected, the
15 department may request the department of ~~commerce~~, safety and professional
16 services and the department of revenue, ~~or the office of energy independence~~ to
17 collect the information if collection by one of these agencies is more cost-effective for
18 state government and less burdensome for the persons subject to the reporting
19 requirements than collection of the information by the department.

20 **SECTION 2316.** 100.60 (7) (title) of the statutes is amended to read:

21 100.60 (7) (title) DEPARTMENT OF ~~COMMERCE~~ SAFETY AND PROFESSIONAL SERVICES
22 AUTHORITY.

23 **SECTION 2317.** 100.60 (7) (a) of the statutes is amended to read:

24 100.60 (7) (a) The department of ~~commerce~~ safety and professional services
25 may promulgate a rule designating a fuel that can substitute for petroleum-based

1 diesel fuel, that is derived from a renewable resource, and that meets all of the
2 applicable requirements of the American Society for Testing and Materials for that
3 fuel as a diesel-replacement renewable fuel for the purposes of this section.

4 **SECTION 2318.** 100.60 (7) (b) of the statutes is amended to read:

5 100.60 (7) (b) The department of ~~commerce~~ safety and professional services
6 may promulgate a rule designating a fuel that can substitute for gasoline, that is
7 derived from a renewable resource, and that meets all of the applicable requirements
8 of the American Society for Testing and Materials for that fuel as a
9 gasoline-replacement renewable fuel for the purposes of this section.

10 **SECTION 2319.** Chapter 101 (title) of the statutes is amended to read:

11 **CHAPTER 101**

12 **DEPARTMENT OF COMMERCE SAFETY AND**
13 **PROFESSIONAL SERVICES — REGULATION OF**
14 **INDUSTRY, BUILDINGS AND SAFETY**

15 **SECTION 2320.** 101.01 (1m) of the statutes is amended to read:

16 101.01 (1m) “Department” means the department of ~~commerce~~ safety and
17 professional services.

18 **SECTION 2321.** 101.01 (14) of the statutes is amended to read:

19 101.01 (14) “Secretary” means the secretary of ~~commerce~~ safety and
20 professional services.

21 **SECTION 2322.** 101.02 (18m) of the statutes is amended to read:

22 101.02 (18m) The department may perform, or contract for the performance
23 of, testing of petroleum products other than testing provided under ch. 168. The
24 department may establish a schedule of fees for such petroleum product testing
25 services. The department shall credit all revenues received from fees established

1 under this subsection to the appropriation account under s. ~~20.143 (3)~~ 20.165 (2) (ga).
2 Revenues from fees established under this subsection may be used by the
3 department to pay for testing costs, including laboratory supplies and equipment
4 amortization, for such products.

5 **SECTION 2323.** 101.02 (20) (a) of the statutes is amended to read:

6 101.02 (20) (a) For purposes of this subsection, “license” means a license,
7 permit, or certificate of certification or registration issued by the department under
8 ss. 101.09 (3) (c), 101.122 (2) (c), ~~101.136~~, 101.143 (2) (g), 101.147, 101.15 (2) (e),
9 101.16 (3g), 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2) or (2m), 101.653,
10 101.73 (5) or (6), 101.82 (1m), (1v), and (2), 101.935, 101.95, 101.951, 101.952,
11 101.985 (1) to (3), 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17,
12 145.175, 145.18, or 167.10 (6m).

13 **SECTION 2324.** 101.02 (20) (b) of the statutes is amended to read:

14 101.02 (20) (b) Except as provided in par. (e), the department of ~~commerce~~
15 safety and professional services may not issue or renew a license unless each
16 applicant who is an individual provides the department of ~~commerce~~ safety and
17 professional services with his or her social security number and each applicant that
18 is not an individual provides the department of ~~commerce~~ safety and professional
19 services with its federal employer identification number. The department of
20 ~~commerce~~ safety and professional services may not disclose the social security
21 number or the federal employer identification number of an applicant for a license
22 or license renewal except to the department of revenue for the sole purpose of
23 requesting certifications under s. 73.0301.

24 **SECTION 2325.** 101.02 (20) (c) of the statutes is amended to read:

1 101.02 (20) (c) The department of ~~commerce~~ safety and professional services
2 may not issue or renew a license if the department of revenue certifies under s.
3 73.0301 that the applicant or licensee is liable for delinquent taxes.

4 **SECTION 2326.** 101.02 (20) (d) of the statutes is amended to read:

5 101.02 (20) (d) The department of ~~commerce~~ safety and professional services
6 shall revoke a license if the department of revenue certifies under s. 73.0301 that the
7 licensee is liable for delinquent taxes.

8 **SECTION 2327.** 101.02 (20) (e) 1. of the statutes is amended to read:

9 101.02 (20) (e) 1. If an applicant who is an individual does not have a social
10 security number, the applicant, as a condition of applying for or applying to renew
11 a license shall submit a statement made or subscribed under oath or affirmation to
12 the department of ~~commerce~~ safety and professional services that the applicant does
13 not have a social security number. The form of the statement shall be prescribed by
14 the department of children and families.

15 **SECTION 2328.** 101.02 (21) (a) of the statutes is amended to read:

16 101.02 (21) (a) In this subsection, "license" means a license, permit, or
17 certificate of certification or registration issued by the department under s. 101.09
18 (3) (c), 101.122 (2) (c), ~~101.136~~, 101.143 (2) (g), 101.147, 101.15 (2) (e), 101.16 (3g),
19 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2), 101.653, 101.73 (5) or (6),
20 101.82 (1m), (1v), and (2), 101.935, 101.95, 101.951, 101.952, 101.985 (1) to (3),
21 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18, or
22 167.10 (6m).

23 **SECTION 2329.** 101.02 (21) (b) of the statutes is amended to read:

24 101.02 (21) (b) As provided in the memorandum of understanding under s.
25 49.857 and except as provided in par. (e), the department of ~~commerce~~ safety and

1 professional services may not issue or renew a license unless the applicant provides
2 the department of ~~commerce~~ safety and professional services with his or her social
3 security number. The department of ~~commerce~~ safety and professional services may
4 not disclose the social security number except that the department of ~~commerce~~
5 safety and professional services may disclose the social security number of an
6 applicant for a license under par. (a) or a renewal of a license under par. (a) to the
7 department of children and families for the sole purpose of administering s. 49.22.

8 **SECTION 2330.** 101.02 (21) (e) 1. of the statutes is amended to read:

9 101.02 (21) (e) 1. If an applicant who is an individual does not have a social
10 security number, the applicant, as a condition of applying for or applying to renew
11 a license shall submit a statement made or subscribed under oath or affirmation to
12 the department of ~~commerce~~ safety and professional services that the applicant does
13 not have a social security number. The form of the statement shall be prescribed by
14 the department of children and families.

15 **SECTION 2330c.** 101.09 (1) (cm) of the statutes is created to read:

16 101.09 (1) (cm) "Secondary containment" means a barrier, approved by the
17 department, that is installed around a storage tank system and that is designed to
18 prevent a leak from a primary tank or piping from contacting the surrounding earth
19 or waters of the state.

20 **SECTION 2330g.** 101.09 (3m) of the statutes is created to read:

21 101.09 (3m) SECONDARY CONTAINMENT REQUIREMENTS. (a) In this subsection,
22 "hazardous substance" means a combustible liquid, a flammable liquid, or a federally
23 regulated hazardous substance.

24 (b) The department may not impose any requirement that specifies that pipe
25 connections at the top of a storage tank and beneath all freestanding pumps and

1 dispensers that routinely contain a hazardous substance be placed within secondary
2 containment sumps, if the pipe connections were installed or in place on or before
3 February 1, 2009. This subsection does not apply after December 31, 2020.

4 **SECTION 2331.** 101.1206 (title) of the statutes is created to read:

5 **101.1206 (title) Erosion control; construction of public buildings and**
6 **buildings that are places of employment.**

7 **SECTION 2333.** 101.136 of the statutes is repealed.

8 **SECTION 2338.** 101.143 (2) (d) of the statutes is amended to read:

9 101.143 (2) (d) The department shall reserve a portion, not to exceed 20%, of
10 the amount annually appropriated under s. ~~20.143 (3)~~ 20.165 (2) (v) for awards under
11 this section to be used to fund emergency remedial action and claims that exceed the
12 amount initially anticipated.

13 **SECTION 2339.** 101.143 (2) (h) (intro.) of the statutes is amended to read:

14 101.143 (2) (h) (intro.) The department of ~~eommer~~ safety and professional
15 services and the department of natural resources, jointly, shall promulgate rules
16 designed to facilitate effective and cost-efficient administration of the program
17 under this section that specify all of the following:

18 **SECTION 2340.** 101.143 (2) (i) (intro.) of the statutes is amended to read:

19 101.143 (2) (i) (intro.) The department of ~~eommeree~~ safety and professional
20 services and the department of natural resources, jointly, shall promulgate rules
21 specifying procedures for evaluating remedial action plans and procedures to be used
22 by employees of the department of ~~eommeree~~ safety and professional services and the
23 department of natural resources while remedial actions are being conducted. The
24 departments shall specify procedures that include all of the following:

25 **SECTION 2341.** 101.143 (2) (j) (intro.) of the statutes is amended to read:

1 101.143 (2) (j) (intro.) The department of ~~commerce~~ safety and professional
2 services and the department of natural resources, jointly, shall promulgate rules
3 specifying all of the following:

4 **SECTION 2342.** 101.143 (2) (k) of the statutes is amended to read:

5 101.143 (2) (k) In promulgating rules under pars. (h) to (j), the department of
6 ~~commerce~~ safety and professional services and the department of natural resources
7 shall attempt to reach an agreement that is consistent with those provisions. If the
8 department of ~~commerce~~ safety and professional services and the department of
9 natural resources are unable to reach an agreement, they shall refer the matters on
10 which they are unable to agree to the secretary of administration for resolution. The
11 secretary of administration shall resolve any matters on which the departments
12 disagree in a manner that is consistent with pars. (h) to (j). The department of
13 ~~commerce~~ safety and professional services and the department of natural resources,
14 jointly, shall promulgate rules incorporating any agreement between the
15 department of ~~commerce~~ safety and professional services and the department of
16 natural resources under this paragraph and any resolution of disagreements
17 between the departments by the secretary of administration under this paragraph.

18 **SECTION 2343.** 101.143 (2) (L) of the statutes is amended to read:

19 101.143 (2) (L) The department may promulgate rules for the assessment and
20 collection of fees to recover its costs for providing approval under sub. (3) (c) 4. and
21 for providing other assistance requested by applicants under this section. Any
22 moneys collected under this paragraph shall be credited to the appropriation account
23 under s. ~~20.143 (3)~~ 20.165 (2) (Lm).

24 **SECTION 2344.** 101.143 (2e) (a) of the statutes is amended to read:

1 101.143 (2e) (a) The department of ~~commerce~~ safety and professional services
2 and the department of natural resources shall attempt to agree on a method, which
3 shall include individualized consideration of the routes for migration of petroleum
4 product contamination at each site, for determining the risk to public health, safety
5 and welfare and to the environment posed by discharges for which the department
6 of ~~commerce~~ safety and professional services receives notification under sub. (3) (a)
7 3.

8 **SECTION 2345.** 101.143 (2e) (b) of the statutes is amended to read:

9 101.143 (2e) (b) If the department of ~~commerce~~ safety and professional services
10 and the department of natural resources are unable to reach an agreement under
11 par. (a), they shall refer the matters on which they are unable to agree to the
12 secretary of administration for resolution. The secretary of administration shall
13 resolve any matters on which the departments disagree in a manner that is
14 consistent with par. (a). The department of ~~commerce~~ safety and professional
15 services and the department of natural resources, jointly, shall promulgate rules
16 incorporating any agreement between the department of ~~commerce~~ safety and
17 professional services and the department of natural resources under par. (a) and any
18 resolution of disagreements between the departments by the secretary of
19 administration under this paragraph.

20 **SECTION 2346.** 101.143 (2e) (c) of the statutes is amended to read:

21 101.143 (2e) (c) The department of natural resources or, if the discharge is
22 covered under s. 101.144 (2) (b), the department of ~~commerce~~ safety and professional
23 services shall apply the method in the rules promulgated under par. (b) to determine
24 the risk posed by a discharge for which the department of ~~commerce~~ safety and
25 professional services receives notification under sub. (3) (a) 3.

1 **SECTION 2347.** 101.143 (2m) of the statutes is amended to read:

2 101.143 **(2m)** INTERDEPARTMENTAL COORDINATION. Whenever the department of
3 ~~commerce~~ safety and professional services receives a notification under sub. (3) (a)
4 3. or the department of natural resources receives a notification of a petroleum
5 product discharge under s. 292.11, the department receiving the notification shall
6 contact the other department and shall schedule a meeting of the owner or operator
7 or person owning a home oil tank system and representatives of both departments.

8 **SECTION 2348.** 101.143 (3) (c) 4. of the statutes is amended to read:

9 101.143 **(3)** (c) 4. Receive written approval from the department of natural
10 resources or, if the discharge is covered under s. 101.144 (2) (b), from the department
11 of ~~commerce~~ safety and professional services that the remedial action activities
12 performed under subd. 3. meet the requirements of s. 292.11.

13 **SECTION 2349.** 101.143 (3) (cm) of the statutes is amended to read:

14 101.143 **(3)** (cm) *Monitoring as remedial action.* An owner or operator or person
15 owning a home oil tank system may, with the approval of the department of natural
16 resources or, if the discharge is covered under s. 101.144 (2) (b), the department of
17 ~~commerce~~ safety and professional services, satisfy the requirements of par. (c) 2. and
18 3. by proposing and implementing monitoring to ensure the effectiveness of natural
19 attenuation of petroleum product contamination.

20 **SECTION 2350.** 101.143 (3) (cp) 1. of the statutes is amended to read:

21 101.143 **(3)** (cp) 1. Except as provided in subds. 2. to 5., if the department of
22 natural resources or, if the site is covered under s. 101.144 (2) (b), the department of
23 ~~commerce~~ safety and professional services estimates that the cost to complete a site
24 investigation, remedial action plan and remedial action for an occurrence exceeds
25 \$60,000, the department of ~~commerce~~ safety and professional services shall

1 implement a competitive public bidding process to obtain information to assist in
2 making the determination under par. (cs).

3 **SECTION 2351.** 101.143 (3) (cp) 2. of the statutes is amended to read:

4 101.143 (3) (cp) 2. The department of ~~commerce~~ safety and professional
5 services or the department of natural resources may waive the requirement under
6 subd. 1. if an enforcement standard is exceeded in groundwater within 1,000 feet of
7 a well operated by a public utility, as defined in s. 196.01 (5), or within 100 feet of any
8 other well used to provide water for human consumption.

9 **SECTION 2352.** 101.143 (3) (cp) 5. of the statutes is amended to read:

10 101.143 (3) (cp) 5. The department of ~~commerce~~ safety and professional
11 services or the department of natural resources may waive the requirement under
12 subd. 1. after providing notice to the other department.

13 **SECTION 2353.** 101.143 (3) (cp) 6. of the statutes is amended to read:

14 101.143 (3) (cp) 6. The department of ~~commerce~~ safety and professional
15 services may disqualify a bid received under subd. 1. if, based on information
16 available to the department and experience with remedial action at other sites, the
17 bid is unlikely to establish an amount to sufficiently fund remedial action that will
18 comply with par. (c) 3. and with enforcement standards.

19 **SECTION 2354.** 101.143 (3) (cp) 7. of the statutes is amended to read:

20 101.143 (3) (cp) 7. The department of ~~commerce~~ safety and professional
21 services may disqualify a person from submitting bids under subd. 1. if, based on past
22 performance of the bidder, the department determines that the person has
23 demonstrated an inability to complete remedial action within established cost limits.

24 **SECTION 2355.** 101.143 (3) (cs) 1. of the statutes is amended to read:

1 101.143 (3) (cs) 1. The department of ~~commerce~~ safety and professional
2 services shall review the remedial action plan for a site that is classified as low or
3 medium risk under s. 101.144 and shall determine the least costly method of
4 complying with par. (c) 3. and with enforcement standards. The department shall
5 notify the owner or operator of its determination of the least costly method and shall
6 notify the owner or operator that reimbursement for remedial action under this
7 section is limited to the amount necessary to implement that method.

8 **SECTION 2356.** 101.143 (3) (cs) 2. of the statutes is amended to read:

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

17 **SECTION 2357.** 101.143 (3) (cs) 3. of the statutes is amended to read:

18 101.143 (3) (cs) 3. In making determinations under subds. 1. and 2., the
19 department of natural resources and the department of ~~commerce~~ safety and
20 professional services shall determine whether natural attenuation will achieve
21 compliance with par. (c) 3. and with enforcement standards.

22 **SECTION 2358.** 101.143 (3) (cs) 4. of the statutes is amended to read:

23 101.143 (3) (cs) 4. The department of ~~commerce~~ safety and professional
24 services may review and modify an amount established under subd. 1. if the
25 department determines that new circumstances, including newly discovered

1 contamination at a site, warrant those actions. The department of ~~commerce~~ safety
2 and professional services and the department of natural resources may review and
3 modify an amount established under subd. 2. if the departments determine that new
4 circumstances, including newly discovered contamination at a site, warrant those
5 actions.

6 **SECTION 2359.** 101.143 (3) (cw) 1. of the statutes is amended to read:

7 101.143 (3) (cw) 1. The department of ~~commerce~~ safety and professional
8 services shall conduct the annual review required under sub. (2) (i) 1. for a site that
9 is classified as low or medium risk under s. 101.144 and shall determine the least
10 costly method of completing remedial action at the site in order to comply with par.
11 (c) 3. and with enforcement standards. The department shall notify the owner or
12 operator of its determination of the least costly method and shall notify the owner
13 or operator that reimbursement under this section for any remedial action conducted
14 after the date of the notice is limited to the amount necessary to implement that
15 method.

16 **SECTION 2360.** 101.143 (3) (cw) 2. of the statutes is amended to read:

17 101.143 (3) (cw) 2. The department of natural resources and the department
18 of ~~commerce~~ safety and professional services shall conduct the annual review
19 required under sub. (2) (i) 1. for a site that is classified as high risk under s. 101.144
20 and shall jointly determine the least costly method of completing remedial action at
21 the site in order to comply with par. (c) 3. and with enforcement standards. The
22 departments shall notify the owner or operator of their determination of the least
23 costly method and shall notify the owner or operator that reimbursement under this
24 section for remedial action conducted after the date of the notice is limited to the
25 amount necessary to implement that method.

1 **SECTION 2361.** 101.143 (3) (cw) 3. of the statutes is amended to read:

2 101.143 (3) (cw) 3. In making determinations under subds. 1. and 2., the
3 department of natural resources and the department of ~~commerce~~ safety and
4 professional services shall determine whether natural attenuation will achieve
5 compliance with par. (c) 3. and with enforcement standards.

6 **SECTION 2362.** 101.143 (3) (cw) 4. of the statutes is amended to read:

7 101.143 (3) (cw) 4. The department of ~~commerce~~ safety and professional
8 services may review and modify an amount established under subd. 1. if the
9 department determines that new circumstances, including newly discovered
10 contamination at a site, warrant those actions. The department of ~~commerce~~ safety
11 and professional services and the department of natural resources may review and
12 modify an amount established under subd. 2. if the departments determine that new
13 circumstances, including newly discovered contamination at a site, warrant those
14 actions.

15 **SECTION 2363.** 101.143 (3) (d) of the statutes is amended to read:

16 101.143 (3) (d) *Final review of remedial action activities.* The department of
17 natural resources or, if the discharge is covered under s. 101.144 (2) (b), the
18 department of ~~commerce~~ safety and professional services shall complete a final
19 review of the remedial action activities within 60 days after the claimant notifies the
20 appropriate department that the remedial action activities are completed.

21 **SECTION 2364.** 101.143 (3) (f) 5. of the statutes is amended to read:

22 101.143 (3) (f) 5. The written approval of the department of natural resources
23 or the department of ~~commerce~~ safety and professional services under par. (c) 4.

24 **SECTION 2365.** 101.143 (3) (g) of the statutes is amended to read:

1 101.143 (3) (g) *Emergency situations*. Notwithstanding pars. (a) 3. and (c) 1.
2 and 2., an owner or operator or the person may submit a claim for an award under
3 sub. (4) after notifying the department under par. (a) 3., without completing an
4 investigation under par. (c) 1. and without preparing a remedial action plan under
5 par. (c) 2. if an emergency existed which made the investigation under par. (c) 1. and
6 the remedial action plan under par. (c) 2. inappropriate and, before conducting
7 remedial action, the owner or operator or person notified the department of
8 commerce safety and professional services and the department of natural resources
9 of the emergency and the department of commerce safety and professional services
10 and the department of natural resources authorized emergency action.

11 **SECTION 2366.** 101.143 (4) (a) 6. of the statutes is amended to read:

12 101.143 (4) (a) 6. In any fiscal year, the department may not award more than
13 5% of the amount appropriated under s. ~~20.143 (3)~~ 20.165 (2) (v) as awards for
14 petroleum product storage systems described in par. (ei).

15 **SECTION 2367.** 101.143 (4) (a) 7. of the statutes is amended to read:

16 101.143 (4) (a) 7. In any fiscal year, the department may not award more than
17 5% of the amount appropriated under s. ~~20.143 (3)~~ 20.165 (2) (v) as awards for
18 petroleum product storage systems that are owned by school districts and that are
19 used for storing heating oil for consumptive use on the premises where stored.

20 **SECTION 2368.** 101.143 (4) (cc) 2. b. of the statutes is amended to read:

21 101.143 (4) (cc) 2. b. An applicant that is engaged in the expansion or
22 redevelopment of brownfields, as defined in s. ~~560.13~~ 238.13 (1) (a), if federal or state
23 financial assistance other than under this section, has been provided for that
24 expansion or redevelopment.

25 **SECTION 2369.** 101.143 (4) (ei) 2m. of the statutes is amended to read:

1 101.143 (4) (ei) 2m. The owner or operator of the farm tank has received a letter
2 or notice from the department of ~~commerce~~ safety and professional services or
3 department of natural resources indicating that the owner or operator must conduct
4 a site investigation or remedial action because of a discharge from the farm tank or
5 an order to conduct such an investigation or remedial action.

6 **SECTION 2370.** 101.143 (4) (es) 1. of the statutes is amended to read:

7 101.143 (4) (es) 1. The department shall issue an award for a claim filed after
8 August 9, 1989, for eligible costs, under par. (b), incurred on or after August 1, 1987,
9 by an owner or operator or a person owning a home oil tank system in investigating
10 the existence of a discharge or investigating the presence of petroleum products in
11 soil or groundwater if the investigation is undertaken at the written direction of the
12 department of ~~commerce~~ safety and professional services or the department of
13 natural resources and no discharge or contamination is found.

14 **SECTION 2371.** 101.144 (3) (b) of the statutes is amended to read:

15 101.144 (3) (b) The department of ~~commerce~~ safety and professional services
16 requests the department of natural resources to take the action or issue the order.

17 **SECTION 2372.** 101.144 (3) (c) of the statutes is amended to read:

18 101.144 (3) (c) The secretary of natural resources approves the action or order
19 in advance after notice to the secretary of ~~commerce~~ safety and professional services.

20 **SECTION 2373.** 101.144 (3g) (a) of the statutes is amended to read:

21 101.144 (3g) (a) If, on December 1, 1999, more than 35% of sites classified
22 under this section, excluding sites that are contaminated by a hazardous substance
23 other than a petroleum product or an additive to a petroleum product, are classified
24 as high-risk sites, the department of ~~commerce~~ safety and professional services and
25 the department of natural resources shall attempt to reach an agreement that

1 specifies standards for determining whether the site of a discharge of a petroleum
2 product from a petroleum storage tank is classified as high risk. The standards shall
3 be designed to classify no more than 35% of those sites as high-risk sites and may
4 not classify all sites at which an enforcement standard is exceeded as high-risk sites.
5 If the department of ~~commerce~~ safety and professional services and the department
6 of natural resources are unable to reach an agreement, they shall refer the matters
7 on which they are unable to agree to the secretary of administration for resolution.
8 The secretary of administration shall resolve any matters on which the departments
9 disagree in a manner that is consistent with this paragraph. The department of
10 ~~commerce~~ safety and professional services shall promulgate rules incorporating any
11 agreement between the department of ~~commerce~~ safety and professional services
12 and the department of natural resources under this paragraph and any resolution
13 of disagreements between the departments by the secretary of administration under
14 this paragraph.

15 **SECTION 2374.** 101.144 (3g) (b) of the statutes is amended to read:

16 101.144 (3g) (b) If, 6 months after rules under par. (a) are in effect, more than
17 35% of the sites classified under this section, excluding sites that are contaminated
18 by a hazardous substance other than a petroleum product or an additive to a
19 petroleum product, are classified as high-risk sites, the department of ~~commerce~~
20 safety and professional services shall revise the rules using the procedure for
21 promulgating the rules in par. (a).

22 **SECTION 2375.** 101.144 (3m) (a) (intro.) of the statutes is amended to read:

23 101.144 (3m) (a) (intro.) The department of ~~commerce~~ safety and professional
24 services and the department of natural resources shall enter into a memorandum of
25 understanding that does all of the following:

1 **SECTION 2376.** 101.144 (3m) (b) of the statutes is amended to read:

2 101.144 **(3m)** (b) The department of ~~commerce~~ safety and professional services
3 and the department of natural resources shall submit a memorandum of
4 understanding under this subsection to the secretary of administration for review.
5 A memorandum of understanding under this subsection does not take effect until it
6 is approved by the secretary of administration.

7 **SECTION 2377.** 101.149 (6) (b) of the statutes is amended to read:

8 101.149 **(6)** (b) The department shall promulgate rules, in consultation with
9 the department of health services, under which the department of ~~commerce~~ safety
10 and professional services shall authorize certified heating, ventilating, and air
11 conditioning inspectors to conduct regular inspections of sealed combustion units, as
12 required under sub. (5) (c), for carbon monoxide emissions in residential buildings
13 other than hotels, tourist rooming houses, and bed and breakfast establishments.
14 The rules shall specify conditions under which it may issue orders as specified under
15 sub. (8) (a). The rules may not require the department of ~~commerce~~ safety and
16 professional services to authorize inspection of sealed combustion units during the
17 period in which the sealed combustion units are covered by a manufacturer's
18 warranty against defects.

19 **SECTION 2378.** 101.149 (8) (a) of the statutes is amended to read:

20 101.149 **(8)** (a) If the department of ~~commerce~~ safety and professional services
21 or the department of health services determines after an inspection of a building
22 under this section or s. 254.74 (1g) that the owner of the building has violated sub.
23 (2) or (3), the respective department shall issue an order requiring the person to
24 correct the violation within 5 days or within such shorter period as the respective
25 department determines is necessary to protect public health and safety. If the person

1 does not correct the violation within the time required, he or she shall forfeit \$50 for
2 each day of violation occurring after the date on which the respective department
3 finds that the violation was not corrected.

4 **SECTION 2378m.** 101.19 (1) (k) of the statutes is amended to read:

5 101.19 (1) (k) Administering subch. VII, except that the department may not
6 charge a fee for an emergency elevator mechanic's license under s. 101.985 (2) (c) or
7 a conveyance operation permit under s. ~~101.983 (2)~~ for a platform lift, stairway chair
8 lift, or any other lift in a private residence.

9 **SECTION 2379.** 101.563 (2) (b) 1. of the statutes is amended to read:

10 101.563 (2) (b) 1. 'Payments from calendar year 2001 dues.' Notwithstanding
11 s. 101.573 (3) (a), by the 30th day following July 30, 2002, the department shall
12 compile the fire department dues paid by all insurers under s. 601.93 and the dues
13 paid by the state fire fund under s. 101.573 (1) and funds remaining under s. 101.573
14 (3) (b), subtract the total amount due to be paid under par. (a), withhold 0.5%, and
15 certify to the secretary of administration the proper amount to be paid from the
16 appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L) to each city, village, and town entitled
17 to a proportionate share of fire department dues as provided under sub. (1) (b) and
18 s. 101.575. If the department has previously certified an amount to the secretary of
19 administration under s. 101.573 (3) (a) during calendar year 2002, the department
20 shall recertify the amount in the manner provided under this subdivision. On or
21 before August 1, 2002, the secretary of administration shall pay the amounts
22 certified or recertified by the department under this subdivision to each city, village,
23 and town entitled to a proportionate share of fire department dues as provided under
24 sub. (1) and s. 101.575. The secretary of administration may combine any payment

1 due under this subdivision with any amount due to be paid on or before August 1,
2 2002, to the same city, village, or town under par. (a).

3 **SECTION 2380.** 101.563 (2) (b) 2. of the statutes is amended to read:

4 101.563 **(2)** (b) 2. 'Payments from dues for calendar years 2002 to 2004.'
5 Notwithstanding s. 101.573 (3) (a) and except as otherwise provided in this
6 subdivision, on or before May 1 in each year, the department shall compile the fire
7 department dues paid by all insurers under s. 601.93 and the dues paid by the state
8 fire fund under s. 101.573 (1) and funds remaining under s. 101.573 (3) (b), withhold
9 0.5% and certify to the secretary of administration the proper amount to be paid from
10 the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L) to each city, village, and town
11 entitled to a proportionate share of fire department dues as provided under sub. (1)
12 (b) and s. 101.575. Annually, on or before August 1, the secretary of administration
13 shall pay the amounts certified by the department to each such city, village, and
14 town. This paragraph applies only to payment of a proportionate share of fire
15 department dues collected for calendar years 2002 to 2004.

16 **SECTION 2381.** 101.573 (3) (a) of the statutes is amended to read:

17 101.573 **(3)** (a) On or before May 1 in each year, the department shall compile
18 the fire department dues paid by all insurers under s. 601.93 and the dues paid by
19 the state fire fund under sub. (1) and funds remaining under par. (b), withhold .5%
20 and certify to the secretary of administration the proper amount to be paid from the
21 appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L) to each city, village, or town entitled
22 to fire department dues under s. 101.575. Annually, on or before August 1, the
23 secretary of administration shall pay the amounts certified by the department to the
24 cities, villages and towns eligible under s. 101.575.

25 **SECTION 2382.** 101.573 (5) of the statutes is amended to read:

1 101.573 (5) The department shall promulgate a rule defining “administrative
2 expenses” for purposes of s. ~~20.143 (3)~~ 20.165 (2) (La).

3 **SECTION 2383.** 101.657 (5) of the statutes is amended to read:

4 101.657 (5) From the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (j), beginning
5 with fiscal year 2005-06, the department shall allocate \$100,000 annually for the
6 contract required under sub. (2) and at least \$600,000 annually for the contract
7 required under sub. (3).

8 **SECTION 2384.** 101.935 (2) (e) of the statutes is amended to read:

9 101.935 (2) (e) Section 254.69 (2), as it applies to an agent for the department
10 of health services in the administration of s. 254.47, applies to an agent for the
11 department of ~~commerce~~ safety and professional services in the administration of
12 this section.

13 **SECTION 2385.** 101.951 (7) (a) of the statutes is amended to read:

14 101.951 (7) (a) The department of ~~commerce~~ safety and professional services
15 may, without notice, deny the application for a license within 60 days after receipt
16 thereof by written notice to the applicant, stating the grounds for the denial. Within
17 30 days after such notice, the applicant may petition the department of
18 administration to conduct a hearing to review the denial, and a hearing shall be
19 scheduled with reasonable promptness. The division of hearings and appeals shall
20 conduct the hearing. This paragraph does not apply to denials of applications for
21 licenses under s. 101.02 (21).

22 **SECTION 2386.** 101.951 (7) (b) of the statutes is amended to read:

23 101.951 (7) (b) No license may be suspended or revoked except after a hearing
24 thereon. The department of ~~commerce~~ safety and professional services shall give the
25 licensee at least 5 days’ notice of the time and place of the hearing. The order

1 suspending or revoking such license shall not be effective until after 10 days' written
2 notice thereof to the licensee, after such hearing has been had; except that the
3 department of ~~commerce~~ safety and professional services, when in its opinion the
4 best interest of the public or the trade demands it, may suspend a license upon not
5 less than 24 hours' notice of hearing and with not less than 24 hours' notice of the
6 suspension of the license. Matters involving suspensions and revocations brought
7 before the department of ~~commerce~~ safety and professional services shall be heard
8 and decided upon by the department of administration. The division of hearings and
9 appeals shall conduct the hearing. This paragraph does not apply to licenses that
10 are suspended or revoked under s. 101.02 (21).

11 **SECTION 2387.** 101.951 (7) (c) of the statutes is amended to read:

12 101.951 (7) (c) The department of ~~commerce~~ safety and professional services
13 may inspect the pertinent books, records, letters and contracts of a licensee. The
14 actual cost of each such examination shall be paid by such licensee so examined
15 within 30 days after demand therefor by the department, and the department may
16 maintain an action for the recovery of such costs in any court of competent
17 jurisdiction.

18 **SECTION 2388.** 101.953 (1) (a) of the statutes is amended to read:

19 101.953 (1) (a) A statement that the manufactured home meets those
20 standards prescribed by law or administrative rule of the department of
21 administration or of the department of ~~commerce~~ safety and professional services
22 that are in effect at the time of the manufacture of the manufactured home.

23 **SECTION 2389.** 101.973 (8) of the statutes is amended to read:

24 101.973 (8) Deposit the moneys received from the fees under sub. (7) in the
25 appropriation under s. ~~20.143 (3)~~ 20.165 (2) (j).

1 **SECTION 2389g.** 101.981 (1) (c) of the statutes is amended to read:

2 101.981 (1) (c) “Conveyance” means an elevator, an escalator, a dumbwaiter,
3 a belt manlift, a moving walkway, a platform lift, ~~a personnel hoist, a material hoist~~
4 and a stairway chair lift, and any other similar device, such as an automated people
5 mover, used to elevate or move people or things, as provided in the rules of the
6 department. “Conveyance” does not include a personnel hoist; a material hoist; a
7 grain elevator; a ski lift or towing device, or; an amusement or thrill ride; or a vertical
8 platform lift, inclined platform lift, or a stairway chair lift that serves an individual
9 residential dwelling unit.

10 **SECTION 2389m.** 101.983 (2) (c) of the statutes is amended to read:

11 101.983 (2) (c) *Inspections.* The department may not issue or renew a permit
12 under this subsection unless the department has received an inspection report for
13 the conveyance issued by an elevator inspector licensed under s. 101.985 (3)
14 indicating that the conveyance complies with this subchapter and any applicable
15 rules promulgated under this subchapter. ~~Upon request of the owner of a private~~
16 ~~residence containing a newly installed platform lift, stairway chair lift, or residential~~
17 ~~lift or of the new owner of a private residence containing a previously installed~~
18 ~~platform lift, stairway chair lift, or residential lift, the department shall inspect the~~
19 ~~lift or equipment for compliance with this subchapter and any applicable rules~~
20 ~~promulgated under this subchapter.~~ This inspection by the department does not
21 exempt the owner from the requirement to ensure that the department receives an
22 inspection report from a licensed elevator inspector. Upon performing this
23 inspection, the department shall give the owner notice of relevant conveyance safety
24 requirements and shall instruct the owner as to the procedure for obtaining periodic
25 inspections and renewing the permit under which the lift or equipment is operated.

1 **SECTION 2389r.** 101.983 (2) (d) of the statutes is amended to read:

2 101.983 (2) (d) *Term and posting requirements.* A permit issued under this
3 subsection has a term of one year, ~~except that a permit applicable to a platform lift,~~
4 ~~stairway chair lift, or residential lift in a private residence is valid until ownership~~
5 ~~of the private residence is transferred, at which time the new owner shall apply for~~
6 ~~renewal of the permit under par. (b).~~ The owner of the building or residence in which
7 a conveyance is located shall display the permit under par. (a) applicable to the
8 conveyance on or in the conveyance or, if applicable, in the machinery room.

9 **SECTION 2390b.** 103.24 of the statutes is amended to read:

10 **103.24 Hours of work.** The department shall determine and fix reasonable
11 hours of employment for minors under 16 years of age in street trades. Except as
12 provided in this section, the department may not fix hours of employment for minors
13 under 16 years of age in street trades that exceed the maximum hours per day and
14 per week specified in s. 103.68 (2) (a) and (b), that exceed the maximum days per
15 week specified in s. 103.68 (2) (c), or that begin earlier or end later than the hours
16 specified in s. 103.68 (2) (d) and (e). The department may not limit the hours of
17 employment for minors 16 years of age or over in street trades or the hours of
18 employment for minors of any age who are engaged in the delivery of newspapers to
19 the consumer.

20 **SECTION 2390c.** 103.49 (1) (br) of the statutes is created to read:

21 103.49 (1) (br) “Multiple-trade project of public works” means a project of
22 public works in which no single trade accounts for 85 percent or more of the total
23 labor cost of the project.

24 **SECTION 2390d.** 103.49 (1) (em) of the statutes is created to read:

1 103.49 (1) (em) “Single-trade project of public works” means a project of public
2 works in which a single trade accounts for 85 percent or more of the total labor cost
3 of the project.

4 **SECTION 2390e.** 103.49 (1m) (intro.) of the statutes is amended to read:

5 103.49 (1m) APPLICABILITY. (intro.) Subject to sub. (3g), this section applies to
6 any project of public works erected, constructed, repaired, remodeled, or demolished
7 for the state or a state agency, ~~other than a highway, street, or bridge construction~~
8 ~~or maintenance project~~, including all of the following:

9 **SECTION 2390ed.** 103.49 (1m) (a) of the statutes is amended to read:

10 103.49 (1m) (a) A project erected, constructed, repaired, remodeled, or
11 demolished by one state agency for another state agency under any contract or under
12 any statute specifically authorizing cooperation between state agencies.

13 **SECTION 2390f.** 103.49 (1m) (b) of the statutes is amended to read:

14 103.49 (1m) (b) A project in which the completed facility is leased, purchased,
15 lease purchased, or otherwise acquired by, or dedicated to, the state in lieu of the
16 state or a state agency contracting for the erection, construction, repair, remodeling,
17 or demolition of the facility.

18 **SECTION 2390h.** 103.49 (2m) (b) (intro.) of the statutes is amended to read:

19 103.49 (2m) (b) (intro.) ~~Notwithstanding par. (a) 1., a~~ A laborer, worker,
20 mechanic, or truck driver who is regularly employed to process, manufacture, pick
21 up, or deliver materials or products from a commercial establishment that has a fixed
22 place of business from which the establishment regularly supplies processed or
23 manufactured materials or products or from a facility that is not dedicated
24 exclusively, or nearly so, to a project of public works that is subject to this section is
25 not entitled to receive the prevailing wage rate determined under sub. (3) or to

1 receive at least 1.5 times his or her hourly basic rate of pay for all hours worked in
2 excess of the prevailing hours of labor unless any of the following applies:

3 **SECTION 2390i.** 103.49 (2m) (b) 1. of the statutes is amended to read:

4 103.49 (2m) (b) 1. The laborer, worker, mechanic, or truck driver is employed
5 to go to the source of mineral aggregate such as sand, gravel, or stone ~~that is to be~~
6 ~~immediately incorporated into the work, and not stockpiled or further transported~~
7 ~~by truck, pick up that mineral aggregate,~~ and deliver that mineral aggregate to the
8 site of a project of public works that is subject to this section by depositing the
9 material ~~substantially in place, directly in final place, from the transporting vehicle~~
10 or through spreaders from the transporting vehicle.

11 **SECTION 2390L.** 103.49 (3) (ar) of the statutes is amended to read:

12 103.49 (3) (ar) In determining prevailing wage rates under par. (a) or (am), the
13 department may not use data from projects that are subject to this section, s. 66.0903,
14 66.0904, 103.50, or 229.8275, or 40 USC 3142 unless the department determines that
15 there is insufficient wage data in the area to determine those prevailing wage rates,
16 in which case the department may use data from projects that are subject to this
17 section, s. 66.0903, ~~66.0904, 103.50, or 229.8275,~~ or 40 USC 3142. In determining
18 prevailing wage rates under par. (a) or (am), the department may not use data from
19 any construction work performed by a state agency or a local governmental unit, as
20 defined in s. 66.0903 (1) (d).

21 **SECTION 2390m.** 103.49 (3g) (a) of the statutes is amended to read:

22 103.49 (3g) (a) A single-trade project of public works for which the estimated
23 project cost of completion is less than \$25,000 \$48,000 or a multiple-trade project of
24 public works for which the estimated project cost of completion is less than \$100,000.

25 **SECTION 2390n.** 103.49 (3g) (b) of the statutes is amended to read:

1 103.49 (3g) (b) ~~A- Work performed on a project of public works in which the~~
2 ~~labor for the project is provided by unpaid volunteers for which the state or the state~~
3 ~~agency contracting for the project is not required to compensate any contractor,~~
4 ~~subcontractor, contractor's or subcontractor's agent, or individual for performing the~~
5 ~~work.~~

6 **SECTION 2390p.** 103.49 (3g) (f) of the statutes is created to read:

7 103.49 (3g) (f) A public highway, street, or bridge project.

8 **SECTION 2390q.** 103.49 (3g) (g) of the statutes is created to read:

9 103.49 (3g) (g) A project of public works involving the erection, construction,
10 repair, remodeling, or demolition of a residential property containing 2 dwelling
11 units or less.

12 **SECTION 2390r.** 103.49 (3g) (h) of the statutes is created to read:

13 103.49 (3g) (h) A road, street, bridge, sanitary sewer, or water main project that
14 is a part of a development in which not less than 90 percent of the lots contain or will
15 contain 2 dwelling units or less, as determined by the local governmental unit at the
16 time of approval of the development, and that, on completion, is acquired by, or
17 dedicated to, the state for ownership or maintenance by the state.

18 **SECTION 2390s.** 103.49 (5) (am) of the statutes is repealed.

19 **SECTION 2390t.** 103.49 (5) (c) of the statutes is amended to read:

20 103.49 (5) (c) If requested by any person, the department shall inspect the
21 payroll records of any contractor, subcontractor, or agent performing work on a
22 project of public works that is subject to this section as provided in this paragraph
23 to ensure compliance with this section. ~~In the case of a request made by a person~~
24 ~~performing the work specified in sub. (2m), if the department finds that the~~
25 ~~contractor, subcontractor, or agent subject to the inspection is in compliance and that~~

1 the request is frivolous, the department shall charge the person making the request
2 the actual cost of the inspection. In the case of a request made by a person not
3 performing the work specified in sub. (2m), if the department finds that the
4 contractor, subcontractor, or agent subject to the inspection is in compliance and that
5 the request is frivolous, the department shall charge the person making the request
6 \$250 or the actual cost of the inspection, whichever is greater. In order to find that
7 a request is frivolous, the department must find that the person making the request
8 made the request in bad faith, solely for the purpose of harassing or maliciously
9 injuring the contractor, subcontractor, or agent subject to the inspection, or that the
10 person making the request knew, or should have known, that there was no
11 reasonable basis for believing that a violation of this section had been committed.
12 On receipt of such a request, the department shall request the contractor,
13 subcontractor, or agent to submit to the department a certified record of the
14 information specified in par. (a), other than personally identifiable information
15 relating to an employee of the contractor, subcontractor, or agent, for no longer than
16 a 4-week period. The department may request a contractor, subcontractor, or agent
17 to submit those records no more than once per calendar quarter for each project of
18 public works on which the contractor, subcontractor, or agent is performing work.
19 The department may not charge a requester a fee for obtaining that information. The
20 department shall make available for public inspection certified records submitted to
21 the department under this paragraph.

22 **SECTION 2390v.** 103.50 (2g) of the statutes is created to read:

23 103.50 (2g) NONAPPLICABILITY. This section does not apply to a single-trade
24 project of public works, as defined in s. 103.49 (1) (em), for which the estimated
25 project cost of completion is less than \$48,000 or a multiple-trade project of public