

1 claimant's certification under s. 235.301 (2) or s. 238.301 (2), 2013 stats., or s. 560.701
2 (2), 2009 stats., and a copy of the claimant's notice of eligibility to receive tax benefits
3 under s. 235.303 (3) or s. 238.303 (3), 2013 stats., or s. 560.703 (3), 2009 stats.

4 ***-1215/P3.318*SECTION 2512.** 76.637 (4) of the statutes is amended to read:

5 76.637 (4) ADMINISTRATION. If an insurer's certification is revoked under s.
6 235.305 or s. 238.305, 2013 stats., or s. 560.705, 2009 stats., or if an insurer becomes
7 ineligible for tax benefits under s. 235.302 or s. 238.302, 2013 stats., or s. 560.702,
8 2009 stats., the insurer may not claim credits under this section for the taxable year
9 that includes the day on which the certification is revoked; the taxable year that
10 includes the day on which the insurer becomes ineligible for tax benefits; or
11 succeeding taxable years and the insurer may not carry over unused credits from
12 previous years to offset the fees imposed under ss. 76.60, 76.63, 76.65, 76.66, or 76.67
13 for the taxable year that includes the day on which certification is revoked; the
14 taxable year that includes the day on which the insurer becomes ineligible for tax
15 benefits; or succeeding taxable years.

16 ***-0997/P4.19*SECTION 2513.** 76.637 (5) of the statutes is created to read:

17 76.637 (5) SUNSET. No credit may be claimed under this section for taxable
18 years beginning after December 31, 2015, except that credits certified by the
19 Forward Wisconsin Development Authority before January 1, 2016, may be claimed
20 for taxable years beginning after December 31, 2015.

21 ***-1215/P3.319*SECTION 2514.** 76.638 (1) of the statutes is amended to read:

22 76.638 (1) DEFINITIONS. In this section, "fund manager" means an investment
23 fund manager certified under s. 235.15 (2) or s. 238.15 (2), 2013 stats., or s. 560.205
24 (2), 2009 stats.

25 ***-1215/P3.320*SECTION 2515.** 76.638 (2) of the statutes is amended to read:

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1 76.638 (2) FILING CLAIMS. For taxable years beginning after December 31, 2008,
2 subject to the limitations provided under this subsection and s. 235.15 or s. 238.15,
3 2013 stats., or s. 560.205, 2009 stats., an insurer may claim as a credit against the
4 fees imposed under s. 76.60, 76.63, 76.65, 76.66, or 76.67, 25 percent of the insurer's
5 investment paid to a fund manager that the fund manager invests in a business
6 certified under s. 235.15 or s. 238.15, 2013 stats., or s. 560.205 (1), 2009 stats.

7 *~~0602/P4.14~~*SECTION 2516. 76.80 (3) of the statutes is amended to read:

8 76.80 (3) "Telecommunications services" means the transmission of voice,
9 video, facsimile or data messages, including telegraph messages, except that
10 "telecommunications services" does not include video service, as defined in s. 66.0420
11 (2) (y), radio, one-way radio paging or transmitting messages incidental to transient
12 occupancy in hotels, as defined in s. ~~254.61(3)~~ 97.01 (7).

13 *~~0310/P4.1~~*SECTION 2517. 77.51 (13) (intro.) of the statutes is amended to
14 read:

15 77.51 (13) (intro.) "~~Retailer~~" Except as provided in sub. (13b), "retailer"
16 includes:

17 *~~0310/P4.2~~*SECTION 2518. 77.51 (13b) of the statutes is created to read:

18 77.51 (13b) (a) In this subsection:

19 1. "Affiliate" means a person that directly or indirectly, through one or more
20 intermediaries, controls or is controlled by, or is under common control with, another
21 person. For purposes of this subdivision, a person controls another person if that
22 person holds at least 50 percent ownership interest in the other person.

23 2. "Distribution facility" means an establishment where tangible personal
24 property is stored and processed for delivery to customers and where no retail sales
25 of the property are made.

1 3. "Third-party seller" means a person who owns tangible personal property
2 or items under s. 77.52 (1) (b), who enters into a contract with a person described in
3 par. (b) for the sale of the tangible personal property or items and who is not an
4 affiliate of the person described in par. (b).

5 (b) Except as provided in par. (c), "retailer" does not include a person, or the
6 person's affiliates, making sales of tangible personal property or items under s. 77.52
7 (1) (b), if all of the following apply:

8 1. The person or any of the person's affiliates operates a distribution facility.

9 2. The person or any of the person's affiliates sells the tangible personal
10 property or items under s. 77.52 (1) (b), on behalf of a 3rd-party seller.

11 3. The 3rd-party seller owns the tangible personal property or items under s.
12 77.52 (1) (b), and is disclosed to the customer as the seller.

13 4. Neither the person nor any affiliate of the person makes any sales for which
14 the customer takes possession of the tangible personal property or items under s.
15 77.52 (1) (b), at a location operated by the person or any of the person's affiliates.

16 (c) Paragraph (b) does not apply to sales at auction; sales of tangible personal
17 property or items under s. 77.52 (1) (b), owned or previously owned by the person
18 operating the distribution facility or by any of the person's affiliates; or the sales of
19 any of the following that are registered or titled, or required to be registered or titled,
20 under the laws of this state, or of the United States:

21 1. Motor vehicles.

22 2. Aircraft.

23 3. Snowmobiles.

24 4. Recreational vehicles, as defined in s. 340.01 (48r).

25 5. Trailers.

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1 6. Semitrailers.

2 7. All-terrain vehicles.

3 8. Utility terrain vehicles.

4 9. Boats.

5 *-1211/P3.1*SECTION 2519. 77.51 (13g) (intro.) of the statutes is amended to
6 read:

7 77.51 (13g) (intro.) Except as provided in sub. (13h), "retailer engaged in
8 business in this state", for purposes of the use tax, means includes any of the
9 following:

10 *-1211/P3.2*SECTION 2520. 77.51 (13g) (a) of the statutes is amended to read:

11 77.51 (13g) (a) Any retailer owning any real property in this state ~~or~~

12 (ab) Any retailer leasing or renting out any tangible personal property, or items
13 or property under s. 77.52 (1) (b) or (c), located in if the lease or rental is sourced to
14 this state or under s. 77.522.

15 (ac) Any retailer maintaining, occupying, or using, permanently or
16 temporarily, directly or indirectly, or through a subsidiary, or an agent, by whatever
17 name called or some other person, an office, place of distribution, sales or sample
18 room or place, warehouse or storage place, or other place of business in this state.

19 *-1211/P3.3*SECTION 2521. 77.51 (13g) (b) of the statutes is amended to read:

20 77.51 (13g) (b) Any retailer having any representative, including a
21 manufacturer's representative, agent, salesperson, canvasser, or solicitor operating
22 in this state under the authority of the retailer or its subsidiary for the purpose of
23 selling, delivering, or the taking of orders for any tangible personal property, or
24 items, property, or goods under s. 77.52 (1) (b), (c), or (d), or taxable services or for the
25 purpose of performing any of the other activities described in this subsection.

1 ***-1211/P3.4*SECTION 2522.** 77.51 (13g) (e) of the statutes is created to read:

2 77.51 (13g) (e) Any person servicing, repairing, or installing equipment or
3 other tangible personal property, or items, property, or goods under s. 77.52 (1) (b),
4 (c), or (d) in this state.

5 ***-1211/P3.5*SECTION 2523.** 77.51 (13g) (f) of the statutes is created to read:

6 77.51 (13g) (f) Any person delivering tangible personal property or items under
7 s. 77.52 (1) (b) into this state in a vehicle operated by the person that sells the
8 property or items that are delivered.

9 ***-1211/P3.6*SECTION 2524.** 77.51 (13g) (g) of the statutes is created to read:

10 77.51 (13g) (g) Any person performing construction activities in this state.

11 ***-1215/P3.321*SECTION 2525.** 77.54 (9a) (a) of the statutes is amended to read:

12 77.54 (9a) (a) This state or any agency thereof, the University of Wisconsin
13 Hospitals and Clinics Authority, the University of Wisconsin System Authority, the
14 Wisconsin Aerospace Authority, the ~~Wisconsin Economic Development Corporation~~
15 Forward Wisconsin Development Authority, and the Fox River Navigational System
16 Authority.

 ****NOTE: This is reconciled s. 77.54 (9a) (a). This SECTION has been affected by
drafts with the following LRB numbers:-0971/P4 and -1215/P2.

17 ***-1253/2.6*SECTION 2526.** 77.59 (5) of the statutes is amended to read:

18 77.59 (5) The department may offset the amount of any refund for a period,
19 together with interest on the refund, against deficiencies for another period, and
20 against penalties and interest on the deficiencies, or against any amount of whatever
21 kind, due and owing on the books of the department from the person who is entitled
22 to the refund. If the refund is to be paid to a buyer, the department may also set off
23 amounts in the manner in which it sets off income tax and franchise tax refunds

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1 under s. 71.93 and may set off amounts for child support or maintenance or both in
2 the manner in which it sets off income taxes under ss. 49.855 and 71.93 (3), (6) and
3 (7). No person has any right to, or interest in, any refund under this chapter until
4 setoff under ss. 49.855, 71.93, and 71.935 has been completed.

5 *~~0971/P5.552~~*SECTION 2527. 77.665 of the statutes is created to read:

6 **77.665 Educational programs.** (1) In fiscal year 2017-18, \$753,533,000 of
7 the taxes collected under this subchapter shall be used to pay the amounts under s.
8 20.285 (1) (a).

9 (2) In fiscal year 2018-19, and in each fiscal year thereafter, the amount of the
10 taxes collected under this subchapter that is used to pay the amounts under s. 20.285
11 (1) (a) is the amount used in the previous fiscal year, adjusted annually on July 1 to
12 reflect any changes in the U.S. consumer price index for all urban consumers, U.S.
13 city average, as determined by the U.S. department of labor, for the 12-month period
14 ending on the preceding December 31.

15 *~~1047/3.1~~*SECTION 2528. 77.86 (1) (b) of the statutes is renumbered 77.86 (1)
16 (b) 1. and amended to read:

17 77.86 (1) (b) 1. Except as provided under sub. (6), an owner who intends to cut
18 merchantable timber on managed forest land shall, at least 30 days before the
19 cutting is to take place, on a form provided by the department, file a notice of intent
20 to cut and, except as provided under subd. 2., request approval of the proposed
21 cutting from the department.

22 *~~1047/3.2~~*SECTION 2529. 77.86 (1) (b) 2. of the statutes is created to read:

23 77.86 (1) (b) 2. An owner who is required under the terms of an approved
24 management plan to cut merchantable timber on managed forest land is not required
25 to obtain approval of the cutting of that timber before the cutting takes place if a

1 cooperating forester authorized under s. 28.05 to assist the state in the harvesting
2 and sale of timber provided the required notice of intent to cut to the department
3 under subd. 1.

4 ***-1047/3.3*SECTION 2530.** 77.86 (3) of the statutes is amended to read:

5 77.86 (3) TIME LIMIT. All cutting specified in the notice under sub. (1) (b) shall
6 be commenced within one year after the date the proposed cutting is approved or, if
7 approval is not required under sub. (1) (b) 2., within one year after the date on which
8 the notice under sub. (1) (b) 1. is filed. The owner shall report to the department the
9 date on which the cutting is commenced.

10 ***-1047/3.4*SECTION 2531.** 77.86 (4) of the statutes is amended to read:

11 77.86 (4) REPORTING. Within 30 days after completion of any cutting approved
12 under this section, the owner shall report to the department, on a form provided by
13 the department, a description of the species of wood, kind of product and the quantity
14 of each species cut as shown by the scale or measurement made on the ground as cut,
15 skidded, loaded or delivered, or by tree scale certified by a forester acceptable to the
16 department if the wood is sold by tree measurement.

17 ***-0801/P2.27*SECTION 2532.** 77.895 (1) (d) of the statutes is amended to read:

18 77.895 (1) (d) "Nonprofit conservation organization" has the meaning given in
19 s. ~~23.0955 (1)~~ 23.09 (20m) (a) 3.

20 ***-1215/P3.322*SECTION 2533.** 79.04 (7) (a) of the statutes is amended to read:

21 79.04 (7) (a) Beginning with payments in 2005, if a production plant, as
22 described in sub. (6) (a), other than a nuclear-powered production plant, is built on
23 the site of, or on a site adjacent to, an existing or decommissioned production plant;
24 or is built on a site purchased by a public utility before January 1, 1980, that was
25 identified in an advance plan as a proposed site for a production plant; or is built on,

1 or on a site adjacent to, brownfields, as defined in s. ~~238.13~~ 235.13 (1) (a) or s. 560.13
2 (1) (a), 2009 stats., after December 31, 2003, and has a name-plate capacity of at
3 least one megawatt, each municipality and county in which such a production plant
4 is located shall receive annually from the public utility account a payment in an
5 amount that is equal to the number of megawatts that represents the production
6 plant's name-plate capacity, multiplied by \$600.

7 ***-1283/P3.1*SECTION 2534.** 79.10 (7m) (a) 1. of the statutes is renumbered
8 79.10 (7m) (a) 1. (intro.) and amended to read:

9 79.10 (7m) (a) 1. (intro.) Except as provided in par. (cm), the amount
10 determined under sub. (4) shall be distributed by the department of administration
11 to the counties on the 4th Monday in July, except as follows:

12 ***-1283/P3.2*SECTION 2535.** 79.10 (7m) (a) 1. a. of the statutes is created to
13 read:

14 79.10 (7m) (a) 1. a. In the 2016-17 fiscal year, the department of administration
15 shall distribute \$853,000,000 on the 4th Monday in July, 2016, related to the 2015
16 property tax levies, and \$105,600,000 on the 4th Monday in June, 2017, related to
17 the 2016 property tax levies.

18 ***-1283/P3.3*SECTION 2536.** 79.10 (7m) (a) 1. b. of the statutes is created to
19 read:

20 79.10 (7m) (a) 1. b. In the 2017-18 fiscal year, and in each fiscal year thereafter,
21 the department of administration shall distribute \$747,400,000 on the 4th Monday
22 in July, related to property taxes levied in the prior calendar year, and \$105,600,000
23 on the following 4th Monday in June, related to property taxes levied in the most
24 recent calendar year.

1 *~~1283/P3.4~~SECTION 2537. 79.10 (7m) (a) 2. of the statutes is amended to
2 read:

3 79.10 (7m) (a) 2. Except as provided in par. (cm), the county treasurer shall
4 settle for the amounts distributed under this paragraph ~~on the 4th Monday in July~~
5 with each municipality and taxing jurisdiction in the county not later than August
6 20. Failure to settle timely under this subdivision subjects the county treasurer to
7 the penalties under s. 74.31.

8 *~~1283/P3.5~~SECTION 2538. 79.10 (7m) (cm) 1. b. of the statutes is amended
9 to read:

10 79.10 (7m) (cm) 1. b. The treasurer of the municipality shall settle for the
11 amounts distributed under pars. (a) 1. and (c) 1. ~~on the 4th Monday in July~~ with the
12 appropriate county treasurer not later than August 15. Failure to settle timely
13 under this subdivision subjects the treasurer of the municipality to the penalties
14 under s. 74.31. On or before August 20, the county treasurer shall settle with each
15 taxing jurisdiction, including towns, villages, and cities, except 1st class cities, in the
16 county.

17 *~~1283/P3.6~~SECTION 2539. 79.10 (7m) (cm) 2. b. of the statutes is amended
18 to read:

19 79.10 (7m) (cm) 2. b. The treasurer of the municipality shall settle for the
20 amounts distributed under pars. (a) 1. and (c) 1. ~~on the 4th Monday in July~~ with the
21 appropriate county treasurer not later than August 15. Failure to settle timely
22 under this subdivision subjects the treasurer of the municipality to the penalties
23 under s. 74.31. On or before August 20, the county treasurer shall settle with each
24 taxing jurisdiction, including towns, villages, and cities, except 1st class cities, in the
25 county.

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1 *-1283/P3.7*SECTION 2540. 79.14 of the statutes is amended to read:

2 **79.14 School levy tax credit.** The appropriation under s. 20.835 (3) (b), for
3 the payments under s. 79.10 (4), is \$319,305,000 in 1994, 1995, and 1996;
4 \$469,305,000 beginning in 1997 and ending in 2006; \$593,050,000 in 2007;
5 \$672,400,000 in 2008; \$747,400,000 in 2009; \$732,550,000 in 2010, 2011, and 2012;
6 and \$747,400,000 in 2013, 2014, and 2015; \$958,600,000 in fiscal year 2016-17; and
7 \$853,000,000 in fiscal year 2017-18 and in each fiscal year thereafter.

8 *-1215/P3.323*SECTION 2541. 84.01 (6m) (b) (intro.) of the statutes is
9 amended to read:

10 84.01 (6m) (b) (intro.) The department, in consultation with the ~~Wisconsin~~
11 ~~Economic Development Corporation~~ Forward Wisconsin Development Authority,
12 shall do all of the following for each economic development program administered by
13 the department:

14 *-1215/P3.324*SECTION 2542. 84.01 (11m) (a) of the statutes is amended to
15 read:

16 84.01 (11m) (a) The department shall coordinate any economic development
17 assistance with the ~~Wisconsin Economic Development Corporation~~ Forward
18 Wisconsin Development Authority.

19 *-1215/P3.325*SECTION 2543. 84.01 (11m) (b) of the statutes is amended to
20 read:

21 84.01 (11m) (b) Annually, no later than October 1, the department shall submit
22 to the joint legislative audit committee and to the appropriate standing committees
23 of the legislature under s. 13.172 (3) a comprehensive report assessing economic
24 development programs, as defined in sub. (6m) (a), administered by the department.
25 The report shall include all of the information required under s. ~~238.07~~ 235.016 (2).

1 The department shall collaborate with the ~~Wisconsin Economic Development~~
2 ~~Corporation~~ Forward Wisconsin Development Authority to make readily accessible
3 to the public on an Internet-based system the information required under this
4 subsection.

5 *~~0841/P2.7~~*SECTION 2544. 84.01 (13) of the statutes is renumbered 84.01 (13)

6 (b) and amended to read:

7 84.01 (13) (b) The department may engage such engineering, consulting,
8 surveying, or other specialized services as it deems advisable. Any engagement of
9 services under this subsection is exempt from ss. 16.70 to 16.75, 16.755 to 16.82, and
10 16.85 to 16.89, but ss. 16.528, 16.752, 16.753, and 16.754 apply to such engagement.
11 Any engagement involving an expenditure of \$3,000 or more shall be by formal
12 contract approved by the governor. The department shall conduct a uniform
13 cost-benefit analysis, ~~as defined in s. 16.70 (3g)~~, of each proposed engagement under
14 this subsection that involves an estimated expenditure of more than \$300,000 in
15 accordance with standards prescribed by rule of the department. The department
16 shall review periodically, and before any renewal, the continued appropriateness of
17 contracting pursuant to each engagement under this subsection that involves an
18 estimated expenditure of more than \$300,000.

19 *~~0841/P2.8~~*SECTION 2545. 84.01 (13) (a) of the statutes is created to read:

20 84.01 (13) (a) In this subsection, "cost-benefit analysis" means a
21 comprehensive study to identify and compare the total cost, quality, technical
22 expertise, and timeliness of a service performed by state employees and resources
23 with the total cost, quality, technical expertise, and timeliness of the same service
24 obtained by means of a contract for contractual services.

25 *~~1262/P1.1~~*SECTION 2546. 84.01 (35) of the statutes is repealed.

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1 *-0391/P4.2*SECTION 2547. 84.01 (36) (d) of the statutes is renumbered 84.01
2 (36) (d) 1. and amended to read:

3 84.01 (36) (d) 1. All Except as provided in subd. 2., all fees received under this
4 subsection shall be deposited in the general fund and credited to the appropriation
5 account under s. 20.395 (3) (eg).

6 *-0391/P4.3*SECTION 2548. 84.01 (36) (d) 2. of the statutes is created to read:
7 84.01 (36) (d) 2. All fees received under this subsection from sponsorship
8 agreements under which the department displays information associated with the
9 sponsor at a passenger railroad station shall be deposited in the transportation fund.

10 *-0743/P1.1*SECTION 2549. 84.013 (3) (ai) of the statutes is repealed.

11 *-0743/P1.2*SECTION 2550. 84.013 (3) (kg) of the statutes is repealed.

12 *-0743/P1.3*SECTION 2551. 84.013 (3) (rm) of the statutes is repealed.

13 *-0743/P1.4*SECTION 2552. 84.013 (3) (tr) of the statutes is repealed.

14 *-0940/P1.1*SECTION 2553. 84.0145 (1) (a) of the statutes is renumbered
15 84.0145 (1) (ap).

16 *-0940/P1.2*SECTION 2554. 84.0145 (1) (ah) of the statutes is created to read:
17 84.0145 (1) (ah) "I 94 east-west project" means the reconstruction of the I 94
18 freeway in Milwaukee County from 70th Street to 16th Street, including all
19 interchanges.

20 *-0741/P2.4*SECTION 2555. 84.0145 (2) of the statutes is amended to read:
21 84.0145 (2) Subject to sub. (3) and s. 86.255, any southeast Wisconsin freeway
22 megaproject may be funded only from the appropriations under ss. 20.395 (3) (aq),
23 (ar), (av), (ax), and (ct) and (4) (jq) and 20.866 (2) (uup) and (uur).

24 *-0940/P1.3*SECTION 2556. 84.0145 (3) (b) 3. of the statutes is created to read:
25 84.0145 (3) (b) 3. The I 94 east-west project.

1 ***-0389/P3.1*SECTION 2557.** 84.06 (1) (a) of the statutes is renumbered 84.06
2 (1) (am).

3 ***-0389/P3.2*SECTION 2558.** 84.06 (1) (ag) of the statutes is created to read:
4 84.06 (1) (ag) "Construction manager" means a person in the business of
5 providing construction services that is also qualified to supervise, manage, or
6 otherwise participate in the engineering, design, or construction work for an
7 improvement project.

8 ***-0389/P3.3*SECTION 2559.** 84.06 (1) (aj) of the statutes is created to read:
9 84.06 (1) (aj) "Construction manager-general contractor contract" means a
10 contract for an improvement project awarded under sub. (2m).

11 ***-0389/P3.4*SECTION 2560.** 84.06 (2) (a) of the statutes is amended to read:
12 84.06 (2) (a) All such highway improvements shall be executed by contract
13 based on bids unless the department finds that another method as provided in sub.
14 (2m), (3), or (4) would be more feasible and advantageous. Bids shall be advertised
15 for in the manner determined by the department. Except as provided in s. 84.075,
16 the contract shall be awarded to the lowest competent and responsible bidder as
17 determined by the department. If the bid of the lowest competent bidder is
18 determined by the department to be in excess of the estimated reasonable value of
19 the work or not in the public interest, all bids may be rejected. The department shall,
20 so far as reasonable, follow uniform methods of advertising for bids and may
21 prescribe and require uniform forms of bids and contracts. Except as provided in par.
22 (b), the secretary shall enter into the contract on behalf of the state. Every such
23 contract is exempted from ss. 16.70 to 16.75, 16.755 to 16.82, 16.87 and 16.89, but
24 ss. 16.528, 16.752, 16.753, and 16.754 apply to the contract. Any such contract
25 involving an expenditure of \$1,000 or more shall not be valid until approved by the

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1 governor. The secretary may require the attorney general to examine any contract
2 and any bond submitted in connection with the contract and report on its sufficiency
3 of form and execution. The bond required by s. 779.14 (1m) is exempt from approval
4 by the governor and shall be subject to approval by the secretary. This subsection
5 also applies to contracts with private contractors based on bids for maintenance
6 under s. 84.07.

7 ***-0389/P3.5*SECTION 2561.** 84.06 (2m) of the statutes is created to read:

8 **84.06 (2m) CONSTRUCTION MANAGER-GENERAL CONTRACTOR PROCESS.** (a) Prior to
9 July 1, 2019, if the department finds that it would be more feasible and
10 advantageous, the department may award a 2-phase construction manager-general
11 contractor contract to a construction manager for preconstruction and construction
12 services for an improvement project.

13 (b) The department may award a construction manager-general contractor
14 contract to a construction manager based on qualifications, experience, best value,
15 or any other combination of factors the department considers appropriate.

16 (c) Before the project design is 90 percent complete, the construction manager
17 shall provide to the department a proposal for the construction manager to construct
18 the project which does all of the following:

19 1. Includes a guaranteed maximum price.

20 2. Certifies that at least 30 percent of the work for the construction phase shall
21 be performed by the construction manager.

22 (d) The department shall obtain an independent cost estimate for the
23 construction of the project.

24 (e) For the construction phase, the department may do any of the following:

1 1. Enter into a construction contract with the construction manager pursuant
2 to a proposal under par. (c).

3 2. Award the construction contract in accordance with sub. (2).

4 (f) The department may utilize a construction manager-general contractor
5 contract for no more than 3 highway improvement projects.

6 *~~0807/P6.230~~*SECTION 2562. 84.075 (1c) (a) of the statutes is amended to
7 read:

8 84.075 (1c) (a) “Disabled veteran-owned business” means a business certified
9 by ~~the department of administration~~ under s. ~~16.283~~ 203.03 (3).

10 *~~0807/P6.231~~*SECTION 2563. 84.075 (1c) (b) of the statutes is amended to
11 read:

12 84.075 (1c) (b) “Minority business” means a business certified by ~~the~~
13 ~~department of administration~~ under s. ~~16.287~~ 203.07 (2).

14 *~~0807/P6.232~~*SECTION 2564. 84.076 (1) (c) of the statutes is amended to read:

15 84.076 (1) (c) “Minority business” has the meaning given under s. ~~16.287~~ 203.07
16 (1) (e) 1.

17 *~~0807/P6.233~~*SECTION 2565. 84.076 (1) (d) of the statutes is amended to
18 read:

19 84.076 (1) (d) “Minority group member” has the meaning given under s. ~~16.287~~
20 203.07 (1) (f).

21 *~~0967/P1.1~~*SECTION 2566. 84.185 (2) (b) 5. of the statutes is amended to read:

22 84.185 (2) (b) 5. Whether the political subdivision will contribute, from funds
23 not provided by this state, not less than ~~50%~~ 20 percent of the cost of the
24 improvement.

25 *~~0967/P1.2~~*SECTION 2567. 84.185 (3) (a) 1. of the statutes is amended to read:

1 84.185 (3) (a) 1. ~~50%~~ Eighty percent of the anticipated cost of the improvement.

2 *~~0967/P1.3~~*SECTION 2568. 84.185 (3) (b) 3. a. of the statutes is amended to
3 read:

4 84.185 (3) (b) 3. a. The grant ceiling determined under par. (a) is based on ~~50%~~
5 80 percent of the anticipated cost of the improvement and would result in a grant
6 exceeding \$1 million.

7 *~~0967/P1.4~~*SECTION 2569. 84.185 (6m) of the statutes is amended to read:

8 84.185 (6m) ADMINISTRATION. From the appropriations under s. 20.395 (2) (iq),
9 (iv) and (ix), upon the approval of the secretary under sub. (2), the department may
10 make improvements to or provide other assistance for the improvement of a
11 transportation facility under sub. (1) (d) 1. to 3. or provide other assistance for the
12 improvement of a transportation facility under sub. (1) (d) 4. or 5. The department
13 may make loans from the appropriations under s. 20.395 (2) (iq) and (iw) for the
14 improvement of a transportation facility. The state share of costs for the
15 improvement of a transportation facility, including any loans made under this
16 subsection for the improvement of the transportation facility, may not exceed ~~50%~~
17 80 percent of the cost of the improvement.

18 *~~0971/P5.553~~*SECTION 2570. 84.27 of the statutes is amended to read:

19 **84.27 Institution roads.** The department may administer a program to
20 improve highways forming convenient connections between the University of
21 Wisconsin System Authority and state charitable or penal institutions, and the state
22 trunk highway system, or to construct roadways under or over state trunk highways
23 that pass through the grounds thereof, or to construct and maintain all drives and
24 roadways on such grounds or the grounds of the state capitol. Within the limitations
25 and for the purposes of this section, work may be performed by or under the

1 supervision or authority of the department, upon the request for such work filed by
2 the board of regents of the University of Wisconsin System Authority or the state
3 boards, commissions, departments or officers, respectively, as to such work in
4 connection with the institution controlled by them. The cost of any work under this
5 section shall be the responsibility of the board of regents of the University of
6 Wisconsin System Authority or the state boards, commissions, departments or
7 officers involved.

8 ***-0741/P2.5*SECTION 2571.** 84.59 (1) of the statutes is amended to read:

9 84.59 (1) Transportation facilities under s. 84.01 (28) ~~and~~, major highway
10 projects as defined under s. 84.013 (1) (a) for the purposes under ss. 84.06 and 84.09,
11 and southeast Wisconsin freeway megaprojects enumerated under s. 84.0145 (3) (b)
12 may be funded with the proceeds of revenue obligations issued subject to and in
13 accordance with subch. II of ch. 18.

14 ***-0742/P2.4*SECTION 2572.** 84.59 (2) (b) of the statutes is amended to read:

15 84.59 (2) (b) The department may, under s. 18.562, deposit in a separate and
16 distinct special fund outside the state treasury, in an account maintained by a
17 trustee, revenues derived under ss. 341.09 (2) (d), (2m) (a) 1., (4), and (7), 341.14 (2),
18 (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (a) and (b), (2),
19 (2e), and (2m), 341.17 (8), 341.19 (1), 341.25, 341.255 (1), (2) (a), (b), and (c), and (5),
20 341.26 (1), (2), (2m) (am) and (b), (3), (3m), (4), (5), and (7), 341.264 (1), 341.265 (1),
21 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.269 (2) (b), 341.30 (3), 341.305 (3),
22 341.307 (4) (a), 341.308 (3), 341.36 (1) and (1m), 341.51 (2), and 342.14 ~~and~~, one-half
23 of revenues collected under s. 78.01, and revenues from any payments received with
24 respect to agreements or ancillary arrangements entered into under s. 18.55 (6) with
25 respect to revenue obligations issued under this section. The revenues deposited are

1 the trustee's revenues in accordance with the agreement between this state and the
2 trustee or in accordance with the resolution pledging the revenues to the repayment
3 of revenue obligations issued under this section. Revenue obligations issued for the
4 purposes specified in sub. (1) and for the repayment of which revenues are deposited
5 under this paragraph are special fund obligations, as defined in s. 18.52 (7), issued
6 for special fund programs, as defined in s. 18.52 (8).

7 ***-0741/P2.6*SECTION 2573.** 84.59 (6) of the statutes is amended to read:

8 84.59 (6) The building commission may contract revenue obligations when it
9 reasonably appears to the building commission that all obligations incurred under
10 this section can be fully paid from moneys received or anticipated and pledged to be
11 received on a timely basis. Except as provided in this subsection, the principal
12 amount of revenue obligations issued under this section may not exceed
13 ~~\$3,768,059,300~~ \$4,779,086,300, excluding any obligations that have been defeased
14 under a cash optimization program administered by the building commission, to be
15 used for transportation facilities under s. 84.01 (28) and, major highway projects for
16 the purposes under ss. 84.06 and 84.09, and southeast Wisconsin freeway
17 megaprojects enumerated under s. 84.0145 (3) (b). In addition to the foregoing limit
18 on principal amount, the building commission may contract revenue obligations
19 under this section as the building commission determines is desirable to refund
20 outstanding revenue obligations contracted under this section, to make payments
21 under agreements or ancillary arrangements entered into under s. 18.55 (6) with
22 respect to revenue obligations issued under this section, and to pay expenses
23 associated with revenue obligations contracted under this section.

****NOTE: This is reconciled s. 84.59 (6). This SECTION has been affected by drafts
with the following LRB numbers: -0741/P1 and -0938/P2.

1 ***-1263/P2.1***SECTION 2574. 85.0205 (1m) of the statutes is created to read:

2 85.0205 (1m) The department may not expend state moneys on elements of a
3 highway improvement project that the department determines are primarily related
4 to the aesthetic preferences of communities adjacent to the project, generally known
5 as community sensitive solutions.

6 ***-0745/P4.3***SECTION 2575. 85.066 of the statutes is created to read:

7 **85.066 Transit safety oversight program. (1) DEFINITION.** In this section,
8 “fixed guideway transit system” means a public transportation system being
9 designed, engineered, constructed, or operated that is intended to operate upon a
10 fixed guideway, including a railway, and that is not subject to regulation by the
11 federal railroad administration.

12 **(2) PROGRAM AND FUNDING.** The department shall develop and administer a
13 transit safety oversight program. Under the program, the department may oversee,
14 enforce, investigate, and audit all safety aspects of fixed guideway transit systems.

15 ***-0971/P5.554***SECTION 2576. 85.09 (2) (a) of the statutes is amended to read:

16 85.09 (2) (a) The department of transportation shall have the first right to
17 acquire, for present or future transportational or recreational purposes, any
18 property used in operating a railroad or railway, including land and rails, ties,
19 switches, trestles, bridges, and the like located on that property, that has been
20 abandoned. The department of transportation may, in connection with abandoned
21 rail property, assign this right to a state agency, the board of regents of the University
22 of Wisconsin System Authority, any county or municipality, or any transit
23 commission. Acquisition by the department of transportation may be by gift,
24 purchase, or condemnation in accordance with the procedure under s. 32.05. In
25 addition to its property management authority under s. 85.15, the department of

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1 transportation may, subject to any prior action under s. 13.48 (14) (am) or 16.848 (1),
 2 lease and collect rents and fees for any use of rail property pending discharge of the
 3 department's duty to convey property that is not necessary for a public purpose. No
 4 person owning abandoned rail property, including any person to whom ownership
 5 reverts upon abandonment, may convey or dispose of any abandoned rail property
 6 without first obtaining a written release from the department of transportation
 7 indicating that the first right of acquisition under this subsection will not be
 8 exercised or assigned. No railroad or railway may convey any rail property prior to
 9 abandonment if the rail property is part of a rail line shown on the railroad's system
 10 map as in the process of abandonment, expected to be abandoned, or under study for
 11 possible abandonment unless the conveyance or disposal is for the purpose of
 12 providing continued rail service under another company or agency. Any conveyance
 13 made without obtaining such release is void. The first right of acquisition of the
 14 department of transportation under this subsection does not apply to any rail
 15 property declared by the department to be abandoned before January 1, 1977. The
 16 department of transportation may acquire any abandoned rail property under this
 17 section regardless of the date of its abandonment.

18 *~~0867/P2.26~~*SECTION 2577. 85.09 (4m) of the statutes is amended to read:

19 85.09 (4m) RELOCATION PLAN. The department is exempt from s. 32.25 (1) if the
 20 department determines that acquiring rail property under this section will not result
 21 in any displaced persons as defined in s. 32.19 (2) (e). The department shall file a
 22 statement of its determinations with the ~~department of administration~~ public
 23 service commission.

24 *~~0038/P3.2~~*SECTION 2578. 85.22 (title) of the statutes is amended to read:

1 **85.22 (title) ~~Capital assistance program for specialized~~ Specialized**
2 **transportation program.**

3 *~~0038/P3.3~~*SECTION 2579. 85.22 (1) of the statutes is amended to read:

4 85.22 (1) PURPOSE. The purpose of this section is to promote the general public
5 health and welfare by providing ~~capital~~ assistance to eligible applicants providing
6 transportation services to elderly seniors and ~~disabled persons~~ individuals with
7 disabilities.

8 *~~0038/P3.4~~*SECTION 2580. 85.22 (2) (ag) of the statutes is renumbered 85.22
9 (2) (bm) and amended to read:

10 85.22 (2) (bm) "~~Disabled person~~ Individual with a disability" means any
11 individual who, because of any temporary or permanent physical or mental condition
12 or institutional residence is unable without special facilities or special planning or
13 design to use available transportation facilities and services as effectively as persons
14 who are not so affected.

15 *~~0038/P3.5~~*SECTION 2581. 85.22 (2) (am) (intro.) of the statutes is
16 renumbered 85.22 (2) (am) and amended to read:

17 85.22 (2) (am) "Eligible applicant" means any applicant that meets eligibility
18 requirements for federal assistance under 49 USC 5310 (a) ~~and is one of the~~
19 ~~following.~~

20 *~~0038/P3.6~~*SECTION 2582. 85.22 (2) (am) 1. of the statutes is repealed.

21 *~~0038/P3.7~~*SECTION 2583. 85.22 (2) (am) 2. of the statutes is repealed.

22 *~~0038/P3.8~~*SECTION 2584. 85.22 (2) (b) of the statutes is repealed.

23 *~~0038/P3.9~~*SECTION 2585. 85.22 (2) (d) of the statutes is created to read:

24 85.22 (2) (d) "Senior" means any individual age 65 or older.

25 *~~0038/P3.10~~*SECTION 2586. 85.22 (3) (a) of the statutes is amended to read:

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1 85.22 (3) (a) To receive and review annually applications for aid under this
2 section and to prescribe the form, nature, and extent of information which shall be
3 contained in applications. Each applicant shall indicate whether the transportation
4 services it provides or proposes to provide conflict with any transportation services
5 being assisted under s. 85.21.

6 *-0038/P3.11*SECTION 2587. 85.22 (3) (c) of the statutes is amended to read:

7 85.22 (3) (c) To make and execute agreements with eligible applicants to
8 provide for the undertaking of transportation services to elderly seniors or disabled
9 persons individuals with disabilities.

10 *-0038/P3.12*SECTION 2588. 85.22 (3) (g) of the statutes is amended to read:

11 85.22 (3) (g) To establish an annual application cycle for the program.

12 *-0038/P3.13*SECTION 2589. 85.22 (3) (h) of the statutes is amended to read:

13 85.22 (3) (h) To establish, by rule, standards for the coordination of
14 transportation services to elderly seniors and disabled persons ~~for purposes of s.~~
15 ~~85.22 (2) (am) 2. b~~ individuals with disabilities. These standards may require
16 certification by a local public body that any application for aid under this section
17 shall be consistent with the recommendations of a local coordinating committee on
18 transportation that has membership which is, in the department's judgment,
19 sufficient to provide for adequate coordination of services available in the applicable
20 area.

21 *-0038/P3.14*SECTION 2590. 85.22 (4) (a) (intro.) of the statutes is
22 renumbered 85.22 (4) and amended to read:

23 85.22 (4) Commencing with the highest ranked application and to the extent
24 that state and federal moneys are available, the department shall offer to each
25 eligible applicant an amount of state aid such that the sum of federal and state aid

1 received by an applicant does not exceed ~~any of the following:~~ the funding limitations
2 defined in 49 USC 5310.

3 *~~0038/P3.15~~*SECTION 2591. 85.22 (4) (a) 1. of the statutes is repealed.

4 *~~0038/P3.16~~*SECTION 2592. 85.22 (4) (a) 2. of the statutes is repealed.

5 *~~0038/P3.17~~*SECTION 2593. 85.22 (4) (b) of the statutes is repealed.

6 *~~1215/P3.326~~*SECTION 2594. 85.25 (2) (a) of the statutes is amended to read:

7 85.25 (2) (a) "Business development organization" means the Forward
8 Wisconsin Housing and Economic Development Authority created under s. ~~234.02~~
9 ~~235.011~~ or any private organization that prepares business and loan plans for and
10 provides other financial, management, and technical assistance to disadvantaged
11 businesses.

12 *~~0807/P6.234~~*SECTION 2595. 85.25 (2) (c) 1m. b. of the statutes is amended
13 to read:

14 85.25 (2) (c) 1m. b. It is currently performing a useful business function as
15 defined in s. ~~16.287~~ 203.07 (1) (h).

16 *~~1093/P1.3~~*SECTION 2596. 85.53 of the statutes is renumbered 51.49, and
17 51.49 (3), as renumbered, is amended to read:

18 51.49 (3) ~~Grants under this section shall be paid from the appropriation under~~
19 ~~s. 20.395 (5) (j).~~ The amount of a grant under this section may not exceed 80% of
20 the amount expended by an eligible applicant for services related to the program.

21 *~~0602/P4.15~~*SECTION 2597. 87.305 (1) (intro.) of the statutes is amended to
22 read:

23 87.305 (1) DEPARTMENT APPROVAL. (intro.) Notwithstanding s. 87.30 or any rule
24 promulgated, order issued or ordinance adopted under that section, the department
25 shall authorize the connection of a sanitary sewer line from the sewerage treatment

1 plant in the city of Prairie du Chien and connection of the public water system of the
2 city of Prairie du Chien to the railroad depot and the Dousman hotel on St. Feriolo
3 island and shall authorize historic use of the Dousman hotel as a hotel, as defined
4 under s. ~~254.61 (3)~~ 97.01 (7), if all of the following conditions are met:

5 *~~1053/P2.7~~*SECTION 2598. 89.02 (3d) of the statutes is created to read:

6 89.02 (3d) "Department" means the department of agriculture, trade and
7 consumer protection.

8 *~~1053/P2.8~~*SECTION 2599. 89.063 of the statutes is created to read:

9 **89.063 Fees.** The department shall determine by rule the fees for each initial
10 license, certification, and permit issued under ss. 89.06 and 89.072, and, if
11 applicable, for renewal of the license, certification, or permit, including late fees,
12 based on the department's administrative and enforcement costs under this chapter.

13 *~~1053/P2.9~~*SECTION 2600. 89.085 of the statutes is created to read:

14 **89.085 Unauthorized practice.** (1) The department may conduct
15 investigations, hold hearings, and make findings as to whether a person has engaged
16 in a practice or used a title without a credential required under this chapter.

17 (2) If, after holding a public hearing, the department determines that a person
18 has engaged in a practice or used a title without a required credential, the
19 department may issue a special order enjoining the person from continuing the
20 practice or use of the title.

21 (3) In lieu of holding a public hearing, if the department has reason to believe
22 that a person has engaged in a practice or used a title without a required credential,
23 the department may petition the circuit court for a temporary restraining order or
24 an injunction as provided in ch. 813.

1 (4) (a) Any person who violates a special order issued under sub. (2) may be
2 required to forfeit not more than \$10,000 for each offense. Each day of continued
3 violation constitutes a separate offense. The attorney general or any district
4 attorney may commence an action in the name of the state to recover a forfeiture
5 under this paragraph.

6 (b) Any person who violates a temporary restraining order or an injunction
7 issued by a court upon a petition under sub. (3) may be fined not less than \$25 nor
8 more than \$5,000 or imprisoned for not more than one year in the county jail or both.

9 *-1191/P2.57*SECTION 2601. 91.04 (intro.) of the statutes is amended to read:

10 **91.04 Department to report.** (intro.) At least once every 2 years, beginning
11 not later than December 31, 2011, the department shall submit a farmland
12 preservation report to the ~~board~~ secretary of agriculture, trade and consumer
13 protection and provide copies of the report to the department of revenue and the
14 department of administration. The department shall prepare the report in
15 cooperation with the department of revenue and shall include all of the following in
16 the report:

17 *-0971/P5.555*SECTION 2602. 92.025 (4) of the statutes is amended to read:

18 92.025 (4) INTERIM GOAL; STATE-RUN FARMS. The soil erosion rate on individual
19 cropland fields of farms owned or leased by the University of Wisconsin System
20 Authority or any ~~other~~ department or agency of state government does not exceed the
21 tolerable soil erosion level on or after July 1, 1990.

22 *-0971/P5.556*SECTION 2603. 92.04 (2) (g) of the statutes is amended to read:

23 92.04 (2) (g) *Advise the University of Wisconsin System Authority.* The board
24 shall advise the University of Wisconsin System Authority annually on needed
25 research and educational programs relating to soil and water conservation.

1 ***-0971/P5.557***SECTION 2604. 92.05 (3) (d) of the statutes is amended to read:

2 92.05 (3) (d) *Advise University of Wisconsin System Authority.* The department
3 shall advise the University of Wisconsin System Authority annually on developing
4 research and educational programs relating to soil and water conservation.

5 ***-0971/P5.558***SECTION 2605. 92.07 (5) of the statutes is amended to read:

6 92.07 (5) EDUCATIONAL AND OTHER PROGRAMS. Each land conservation
7 committee may encourage research and educational, informational and public
8 service programs, advise the University of Wisconsin System Authority on
9 educational needs and assist the University of Wisconsin System Authority and the
10 department in implementing educational programs under ss. ~~36.25 (7)~~, 59.56 (3) and
11 92.05.

12 ***-1191/P2.58***SECTION 2606. 93.02 of the statutes is amended to read:

13 **93.02 Staff.** The secretary shall appoint all staff necessary for the carrying out
14 of the duties of the department, all of whom shall be under the classified service
15 except the deputy secretary, the assistant deputy secretary, and, subject to s. 230.08
16 (4) (a), the administrators of divisions. ~~Each such deputy secretary, assistant deputy~~
17 ~~secretary, or administrator shall be appointed by the secretary with the approval of~~
18 ~~the board.~~

19 ***-0602/P4.16***SECTION 2607. 93.06 (14) of the statutes is created to read:

20 93.06 (14) COOPERATION AND COLLABORATIVE AGREEMENTS. Promote cooperation
21 and formal collaborative agreements among any of the following with regard to
22 enforcement of the laws and regulations administered by the department, planning,
23 priority setting, information and data sharing, reporting, resource allocation,
24 funding, service delivery, and jurisdiction:

25 (a) This state.

1 (b) Local health departments.

2 (c) Federally recognized American Indian tribes or bands located in this state.

3 (d) The federal Indian health service.

4 ***-1215/P3.327*SECTION 2608.** 93.07 (3) of the statutes is amended to read:

5 93.07 (3) PROMOTION OF AGRICULTURE. To promote the interests of agriculture,
6 dairying, horticulture, manufacturing, commercial fishing and the domestic arts and
7 to advertise Wisconsin and its dairy, food, and agricultural products by conducting
8 campaigns of education throughout the United States and in foreign markets. Such
9 campaigns shall include the distribution of educational and advertising material
10 concerning Wisconsin and its plant, animal, food, and dairy products. The
11 department shall coordinate efforts by the state to advertise and promote
12 agricultural products of this state, with the ~~Wisconsin Economic Development~~
13 ~~Corporation~~ Forward Wisconsin Development Authority where appropriate. The
14 department shall submit its request and plan for market development program
15 expenditures for each biennium with its biennial budget request. The plan shall
16 include the identification and priority of expenditures for each market development
17 program activity.

18 ***-0971/P5.559*SECTION 2609.** 93.07 (5) of the statutes is amended to read:

19 93.07 (5) ~~ADVICE TO UNIVERSITY OF WISCONSIN SYSTEM~~ SYSTEM AUTHORITY. To give
20 advice to the state superintendent of public instruction as to the courses in
21 agricultural economics to be given in the University of Wisconsin System Authority.

22 ***-1215/P3.328*SECTION 2610.** 93.07 (18) (b) (intro.) of the statutes is amended
23 to read:

24 93.07 (18) (b) (intro.) In consultation with the ~~Wisconsin Economic~~
25 ~~Development Corporation~~ Forward Wisconsin Development Authority, to do all of

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1 the following for each economic development program administered by the
2 department of agriculture, trade and consumer protection:

3 ***-1215/P3.329*SECTION 2611.** 93.07 (20) (a) of the statutes is amended to read:

4 93.07 (20) (a) The department shall coordinate any economic development
5 assistance with the ~~Wisconsin Economic Development Corporation~~ Forward
6 Wisconsin Development Authority.

7 ***-1215/P3.330*SECTION 2612.** 93.07 (20) (b) of the statutes is amended to read:

8 93.07 (20) (b) Annually, no later than October 1, to submit to the joint
9 legislative audit committee and to the appropriate standing committees of the
10 legislature under s. 13.172 (3) a comprehensive report assessing economic
11 development programs, as defined in sub. (18) (a), administered by the department.
12 The report shall include all of the information required under s. ~~238.07~~ 235.016 (2).
13 The department shall collaborate with the ~~Wisconsin Economic Development~~
14 ~~Corporation~~ Forward Wisconsin Development Authority to make readily accessible
15 to the public on an Internet-based system the information required under this
16 subsection.

17 ***-0602/P4.17*SECTION 2613.** 93.07 (24) (e) of the statutes is created to read:

18 93.07 (24) (e) To enforce the laws for the sanitary care of campgrounds and
19 camping resorts, recreational and educational camps, public swimming pools, hotels,
20 tourist rooming houses, vending machine commissaries, vending machines, and
21 other persons or entities subject to regulation by the department.

22 ***-1053/P2.10*SECTION 2614.** 93.135 (1) (a) of the statutes is renumbered
23 93.135 (1) (ag).

24 ***-1053/P2.11*SECTION 2615.** 93.135 (1) (ab) of the statutes is created to read:

25 93.135 (1) (ab) A license, certification, or permit under ch. 89.

1 ***-1062/P1.1***SECTION 2616. 93.135 (1) (km) of the statutes is amended to read:
2 93.135 (1) (km) A license under s. 97.21 ~~(2)~~ or (3).

3 ***-0602/P4.18***SECTION 2617. 93.135 (1) (ng) of the statutes is created to read:
4 93.135 (1) (ng) A certificate under s. 97.33.

5 ***-0602/P4.19***SECTION 2618. 93.135 (1) (nt) of the statutes is created to read:
6 93.135 (1) (nt) A license under s. 97.605 (1) or 97.67 (1) or (2m).

7 ***-1053/P2.12***SECTION 2619. 93.20 (1) of the statutes is amended to read:

8 93.20 (1) DEFINITION. In this section, “action” means an action that is
9 commenced in court by, or on behalf of, the department of agriculture, trade and
10 consumer protection to enforce chs. 88, 89, 91 to 100, or 126.

11 ***-1053/P2.13***SECTION 2620. 93.22 (1) of the statutes is amended to read:

12 93.22 (1) In cases arising under chs. 88, 89, and 93 to 100, the department may
13 be represented by its attorney.

14 ***-1053/P2.14***SECTION 2621. 93.22 (2) of the statutes is amended to read:

15 93.22 (2) The department may, with the approval of the governor, appoint
16 special counsel to prosecute or assist in the prosecution of any case arising under chs.
17 88, 89, and 93 to 100. The cost of such special counsel shall be charged to the
18 appropriation for the department.

19 ***-1053/P2.15***SECTION 2622. 93.22 (3) of the statutes is amended to read:

20 93.22 (3) In any criminal or civil action under chs. 88, 89, and 93 to 100, any
21 exception, exemption, proviso, excuse, or qualification contained in any of said
22 chapters, or in any order, standard, or regulation thereunder, may be proved by the
23 defendant, but need not be specified or negated in the information or complaint,
24 and, if so specified or negated, no proof in relation to the matters so specified or
25 negated, shall be required of the plaintiff.

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1 ***-0971/P5.560***SECTION 2623. 93.33 (4s) (c) of the statutes is amended to read:

2 93.33 (4s) (c) Each of the individuals specified in s. 15.137 (2) (a) 8. and the
3 chancellor of the University of Wisconsin–Extension, jointly or individually, shall
4 annually prepare a review of agricultural education programs in the University of
5 Wisconsin System, with input from or review by the University of Wisconsin System
6 ~~administration~~ Authority.

create a.r. [Vix] (use on p.1654)

7 ***-1215/P3.331***SECTION 2624. 93.33 (5) (intro.) of the statutes is amended to
8 read:

9 93.33 (5) ANNUAL REPORT. (intro.) In September of each year, the council shall
10 submit a report to the appropriate standing committees of the legislature as
11 determined by the speaker of the assembly and the president of the senate, under s.
12 13.172 (3), the governor, the secretary of agriculture, trade and consumer protection,
13 the state superintendent of public instruction, the secretary of workforce
14 development, the secretary of natural resources, the chief executive officer of the
15 ~~Wisconsin Economic Development Corporation~~ Forward Wisconsin Development
16 Authority, the president of the University of Wisconsin System, the director of the
17 technical college system, the chancellor of the University of Wisconsin–Extension,
18 the chancellor of the University of Wisconsin–Madison, the chancellor of the
19 University of Wisconsin–Platteville, the chancellor of the University of
20 Wisconsin–River Falls, and the chancellor of the University of Wisconsin–Stevens
21 Point. The council shall include all of the following in the report:

22 ***-0971/P5.561***SECTION 2625. 93.33 (5) (intro.) of the statutes, as affected by
23 2015 Wisconsin Act (this act), is amended to read:

24 93.33 (5) ANNUAL REPORT. (intro.) In September of each year, the council shall
25 submit a report to the appropriate standing committees of the legislature as

1 determined by the speaker of the assembly and the president of the senate, under s.
2 13.172 (3), the governor, the secretary of agriculture, trade and consumer protection,
3 the state superintendent of public instruction, the secretary of workforce
4 development, the secretary of natural resources, the chief executive officer of the
5 Forward Wisconsin Development Authority, the president of the University of
6 Wisconsin System Authority, the director of the technical college system, the
7 chancellor of the University of Wisconsin–Extension, the chancellor of the
8 University of Wisconsin–Madison, the chancellor of the University of
9 Wisconsin–Platteville, the chancellor of the University of Wisconsin–River Falls,
10 and the chancellor of the University of Wisconsin–Stevens Point. The council shall
11 include all of the following in the report:

****NOTE: This is reconciled s. 93.33 (5) (intro.). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0971/P4 and LRB-1215/P2.

12 ***-1215/P3.332*SECTION 2626.** 93.42 (5) of the statutes is amended to read:
13 93.42 (5) Cooperating with the ~~Wisconsin Economic Development Corporation~~
14 Forward Wisconsin Development Authority in promoting the state's products
15 through the state's foreign trade offices.

16 ***-0971/P5.562*SECTION 2627.** 93.46 (1m) (a) 2. of the statutes is amended to
17 read:

18 93.46 (1m) (a) 2. Coordinating the aquaculture activities of the department
19 with the aquaculture activities of the department of natural resources and the
20 University of Wisconsin System Authority.

21 ***-0971/P5.563*SECTION 2628.** 93.46 (1m) (a) 3. of the statutes is amended to
22 read:

SECTION 2628

1 93.46 (1m) (a) 3. Conducting meetings on a quarterly basis between
2 representatives of the department, the department of natural resources and the
3 University of Wisconsin System Authority to exchange information regarding the
4 progress of their efforts to promote commercial aquaculture in this state.

5 *~~0971/P5.564~~*SECTION 2629. 93.46 (1m) (c) of the statutes is amended to
6 read:

7 93.46 (1m) (c) The University of Wisconsin System ~~shall~~ Authority may, in
8 cooperation with the commercial aquaculture industry, conduct applied and on-site
9 research, outreach activities and on-site demonstrations relating to commercial
10 aquaculture in this state.

11 *~~1228/P2.2~~*SECTION 2630. 93.59 of the statutes is created to read:

12 **93.59 Producer led watershed protection grants.** (1) The department
13 shall make grants for nonpoint source pollution abatement activities conducted with
14 the assistance of producer led groups that comply with sub. (2). The department
15 shall make a grant directly to the producer led group, except that, if the group is not
16 a legal entity, the department may only make the grant to a legal entity on behalf of
17 the group.

18 (2) The department may provide a grant under sub. (1) if all of the following
19 apply:

20 (a) The producer led group includes at least 5 agricultural producers each of
21 whom operates an eligible farm, as defined in s. 91.86 (1), in one watershed. The
22 group may include additional agricultural producers who are not required to be
23 operators of eligible farms.

24 (b) The group is formed through a memorandum of understanding with the
25 collaborating entity under par. (c).

1 (c) The group collaborates with at least one of the following:

2 1. The department.

3 2. The department of natural resources.

4 3. A county land conservation committee.

5 4. The University of Wisconsin–Extension or the Discovery Farms program of
6 the University of Wisconsin–Extension.

7 5. A nonprofit conservation organization.

8 (d) The group assists agricultural producers in the watershed under par. (a) to
9 voluntarily conduct nonpoint source water pollution abatement activities.

10 (3) A producer led group that receives, or on whose behalf a legal entity
11 receives, a grant under this section shall annually file a report with the department
12 describing the activities conducted with the grant and the impact of those activities
13 on water quality in the watershed under sub. (2) (a).

14 (4) The department may promulgate rules that do all of the following:

15 (a) Define “legal entity” for the purposes of this section.

16 (b) Specify the application process for a grant under this section.

17 (c) Specify activities that may be conducted using a grant under this section.

18 *-0971/P5.565*SECTION 2631. 94.64 (4) (a) 2. of the statutes is repealed.

19 *-0971/P5.566*SECTION 2632. 94.64 (4) (a) 3. of the statutes is repealed.

20 *-0971/P5.567*SECTION 2633. 94.64 (4) (c) 2. of the statutes is repealed.

21 *-0971/P5.568*SECTION 2634. 94.64 (4) (c) 3. of the statutes is repealed.

22 *-0971/P5.569*SECTION 2635. 94.64 (8m) of the statutes is repealed.

23 *-0971/P5.570*SECTION 2636. 94.65 (6) (a) 3. of the statutes is repealed.

24 *-1053/P2.16*SECTION 2637. 94.67 (33m) of the statutes is amended to read:

1 94.67 (33m) “Veterinarian” means an individual who is licensed as a
2 veterinarian under ch. 453 89.

3 *~~1053/P2.17~~*SECTION 2638. 94.67 (33t) of the statutes is amended to read:

4 94.67 (33t) “Veterinary technician” means an individual who is certified as a
5 veterinary technician under ch. 453 89.

6 *~~1053/P2.18~~*SECTION 2639. 95.21 (1) (e) of the statutes is amended to read:

7 95.21 (1) (e) “Veterinarian” has the meaning designated under s. 453.02 89.02
8 (7).

9 *~~1053/P2.19~~*SECTION 2640. 95.21 (1) (em) of the statutes is amended to read:

10 95.21 (1) (em) “Veterinary technician” has the meaning designated under s.
11 ~~453.02~~ 89.02 (12).

12 *~~1053/P2.20~~*SECTION 2641. 95.21 (2) (a) of the statutes is amended to read:

13 95.21 (2) (a) *Requirement for vaccination.* Except as provided in s. 174.054 or
14 sub. (9) (d), the owner of a dog shall have the dog vaccinated against rabies by a
15 veterinarian or, if a veterinarian is physically present at the location the vaccine is
16 administered, by a veterinary technician, pursuant to s. ~~453.05~~ 89.05 (2) (d), at no
17 later than 5 months of age and revaccinated within one year after the initial
18 vaccination. If the owner obtains the dog or brings the dog into this state after the
19 dog has reached 5 months of age, the owner shall have the dog vaccinated against
20 rabies within 30 days after the dog is obtained or brought into the state unless the
21 dog has been vaccinated as evidenced by a current certificate of rabies vaccination
22 from this state or another state. The owner of a dog shall have the dog revaccinated
23 against rabies by a veterinarian or, if a veterinarian is physically present at the
24 location the vaccine is administered, by a veterinary technician, pursuant to s.
25 ~~453.05~~ 89.05 (2) (d), before the date that the immunization expires as stated on the

1 certificate of vaccination or, if no date is specified, within 3 years after the previous
2 vaccination.

3 ***-0602/P4.20*SECTION 2642.** Chapter 97 (title) of the statutes is amended to
4 read:

5 **CHAPTER 97**
6 **FOOD REGULATION, LODGING, AND**
7 **RECREATION**

8 ***-0602/P4.21*SECTION 2643.** Subchapter I (title) of chapter 97 [precedes
9 97.01] of the statutes is created to read:

10 **CHAPTER 97**
11 **SUBCHAPTER I**
12 **DEFINITIONS**

13 ***-0602/P4.22*SECTION 2644.** 97.01 (1) of the statutes is renumbered 97.01
14 (1r).

15 ***-0602/P4.23*SECTION 2645.** Subchapter II (title) of chapter 97 [precedes
16 97.02] of the statutes is created to read:

17 **CHAPTER 97**
18 **SUBCHAPTER II**
19 **FOOD SAFETY AND REGULATION**

20 ***-0602/P4.24*SECTION 2646.** 97.12 (1) of the statutes is amended to read:
21 97.12 (1) For the purpose of enforcing this chapter, the department and its
22 agents may, at reasonable hours, enter and inspect any premises for which a license
23 is required under this chapter or any farm, factory, warehouse, building, room,
24 establishment or place at or in which foods are manufactured, processed, packed,
25 packaged, stored or held for sale, and may enter any vehicle, including a vehicle used

1 to transport or hold foods in commerce. The department and its agents may also
2 secure samples or specimens, including samples or specimens of food and any
3 product or substance that may affect food, examine and copy relevant documents and
4 records, and obtain photographic and other evidence needed to enforce this chapter
5 or a rule promulgated under this chapter. The department shall examine any
6 samples secured and shall conduct other inspections and examinations needed to
7 determine whether there is a violation of this chapter. The department shall pay or
8 offer to pay the market value of samples taken.

9 *~~0602/P4.25~~*SECTION 2647. 97.12 (5) of the statutes is created to read:

10 97.12 (5) Any person who fails to comply with an order issued under this
11 chapter may be required to forfeit \$50 for each day of noncompliance.

12 *~~0602/P4.26~~*SECTION 2648. 97.18 (5m) of the statutes is repealed.

13 *~~0602/P4.27~~*SECTION 2649. 97.20 (2) (e) 2. of the statutes is amended to read:

14 97.20 (2) (e) 2. The retail preparation and processing of meals for sale directly
15 to consumers or through vending machines, if the preparation and processing is
16 covered under a ~~restaurant permit or other permit~~ license issued under s. ~~254.64~~
17 97.605.

18 *~~1062/P1.2~~*SECTION 2650. 97.21 (2) (a) of the statutes is repealed.

19 *~~1062/P1.3~~*SECTION 2651. 97.21 (2) (b) (title) of the statutes is repealed.

20 *~~1062/P1.4~~*SECTION 2652. 97.21 (2) (b) of the statutes is renumbered 97.21
21 (2) and amended to read:

22 97.21 (2) BULK MILK TANKER; ~~LICENSE~~; GRADE A PERMIT. No person may operate
23 a bulk milk tanker to transport milk or fluid milk products in bulk for sale or
24 distribution as grade A milk or grade A milk products without a valid grade A bulk
25 milk tanker permit issued annually by the department or an equivalent regulatory

1 agency in another state for that bulk milk tanker. A grade A bulk milk tanker permit
2 is not transferable between persons or bulk milk tankers. ~~A permit may be issued~~
3 ~~in the form of an endorsement on a bulk milk tanker license under par. (a).~~ An
4 application for a permit shall be made on a form provided by the department, ~~and~~
5 ~~may be included with a license application under par. (a).~~ ~~The.~~ An applicant shall
6 include with an application for a permit proof that the bulk milk tanker has passed
7 an inspection conducted within the preceding year by the department or an
8 individual certified by the department to conduct bulk milk tanker inspections.
9 Except as provided in sub. (4), the department may not charge a fee for a grade A bulk
10 milk tanker permit issued under this paragraph.

11 *~~1062/P1.5~~**SECTION 2653.** 97.21 (4) (a) of the statutes is amended to read:

12 97.21 (4) (a) *License fee.* An applicant for a ~~bulk milk tanker or~~ milk distributor
13 license shall pay the license fee specified under sub. (4m).

14 *~~1062/P1.6~~**SECTION 2654.** 97.21 (4) (b) of the statutes is amended to read:

15 97.21 (4) (b) *Reinspection fee.* If the department reinspects a bulk milk tanker
16 or the vehicle or facilities of a milk distributor because the department finds a
17 violation of this chapter or rules promulgated under this chapter, the department
18 shall charge the bulk milk tanker operator or milk distributor the reinspection fee
19 specified under sub. (4m). The reinspection fee is payable when the reinspection is
20 completed, and is due upon written demand from the department. The department
21 may issue a demand for payment when it issues a license permit renewal application
22 to the bulk milk tanker operator or a license renewal application to the milk
23 distributor.

24 *~~1062/P1.7~~**SECTION 2655.** 97.21 (4) (c) of the statutes is amended to read:

SECTION 2655

1 97.21 (4) (c) *Surcharge for operating without a license.* An applicant for a bulk
2 ~~milk tanker operator or~~ milk distributor license shall pay a license fee surcharge of
3 \$100 or twice the amount of the annual license fee specified under sub. (4m),
4 whichever is less, if the department determines that, within one year prior to
5 submitting the license application, the applicant operated without a license ~~or grade~~
6 ~~A permit~~ in violation of this section. Payment of this license fee surcharge does not
7 relieve the applicant of any other civil or criminal liability ~~which~~ that results from
8 a violation of sub. (2) ~~or~~ (3), but does not constitute evidence of any violation of law.

9 *~~-1062/P1.8~~*SECTION 2656. 97.21 (4m) (intro.) of the statutes is renumbered
10 97.21 (4m) and amended to read:

11 97.21 (4m) FEE AMOUNTS. ~~Unless otherwise established by~~ The department
12 ~~rule,~~ shall establish the fees required under sub. (4) (a) and (b) ~~are:~~ by rule.

13 *~~-1062/P1.9~~*SECTION 2657. 97.21 (4m) (a) of the statutes is repealed.

14 *~~-1062/P1.10~~*SECTION 2658. 97.21 (4m) (b) of the statutes is repealed.

15 *~~-1062/P1.11~~*SECTION 2659. 97.21 (5) of the statutes is amended to read:

16 97.21 (5) LICENSING AND PERMITTING CONTINGENT ON PAYMENT OF FEES. The
17 department may not issue or renew a grade A bulk milk tanker permit or milk
18 distributor license unless the permit or license applicant pays all fees ~~which~~ that are
19 due and payable by the applicant under sub. (4), as set forth in a statement from the
20 department. The department shall refund a fee paid under protest if the department
21 determines that the fee was not due and payable as a condition of permitting or
22 licensing under this section.

23 *~~-0602/P4.28~~*SECTION 2660. 97.25 (3) of the statutes is amended to read:

24 97.25 (3) RULES. The department shall promulgate rules authorizing the
25 operator of a dairy plant licensed under s. 97.20, or a retail food establishment

1 licensed under s. 97.30 ~~or a restaurant with a permit under s. 254.64~~ who complies
2 with the rules to place upon the label of a dairy product the statement
3 "Farmer-certified rBGH free." or an equivalent statement that is not false or
4 misleading. The statement shall be based upon affidavits from milk producers
5 stating that the milk producers do not use synthetic bovine growth hormone for the
6 production of milk.

7 ~~*-0602/P4.29*~~SECTION 2661. 97.27 (1) (b) 3. of the statutes is amended to read:

8 97.27 (1) (b) 3. A retail food establishment, ~~restaurant~~ or other retail facility
9 at which food is stored on a temporary basis incidental to retail preparation or sale.

10 ~~*-0602/P4.30*~~SECTION 2662. 97.29 (1) (c) of the statutes is amended to read:

11 97.29 (1) (c) "Bottling establishment" means any place where drinking water,
12 soda water beverage or alcohol beverage is manufactured or bottled for sale.
13 "Bottling establishment" does not include a retail establishment engaged in the
14 preparation and sale of beverages under a license issued under s. 125.26 or 125.51
15 or a ~~restaurant permit license issued under s. 97.30 for a restaurant~~ or other permit
16 license issued under s. ~~254.64~~ 97.605.

17 ~~*-0602/P4.31*~~SECTION 2663. 97.29 (1) (g) 3. of the statutes is amended to read:

18 97.29 (1) (g) 3. The retail preparation and processing of meals for sale directly
19 to consumers or through vending machines if the preparation and processing is
20 covered under a ~~restaurant permit or other permit license~~ issued under s. ~~254.64~~
21 97.605.

22 ~~*-0602/P4.32*~~SECTION 2664. 97.29 (1) (h) of the statutes is amended to read:

23 97.29 (1) (h) "Food processing plant" means any place where food processing
24 is conducted. "Food processing plant" does not include any establishment subject to
25 the requirements of s. 97.30 ~~or any restaurant or other~~ an establishment holding a

SECTION 2664

1 permit license under s. ~~254.64~~ 97.605, to the extent that the activities of that
2 establishment are covered by s. 97.30 or the permit license under s. ~~254.64~~ 97.605.

3 *~~0602/P4.33~~*SECTION 2665. 97.30 (1) (c) of the statutes is amended to read:

4 97.30 (1) (c) "Retail food establishment" means a permanent or mobile food
5 processing facility where food processing is conducted primarily for direct retail sale
6 to consumers at the facility, a mobile facility from which potentially hazardous food
7 is sold to consumers at retail or a permanent facility from which food is sold to
8 consumers at retail, whether or not that facility sells potentially hazardous food or
9 is engaged in food processing. "Retail food establishment" ~~does not include~~ includes
10 a restaurant or ~~other establishment~~ temporary restaurant, but does not include an
11 establishment holding a permit license under s. ~~254.64~~ 97.605, to the extent that the
12 activities of the establishment are covered by that permit license.

13 *~~0602/P4.34~~*SECTION 2666. 97.30 (2) (b) 1. c. of the statutes is amended to
14 read:

15 97.30 (2) (b) 1. c. A retail food establishment which is exempted from licensing
16 by the department by rule. If ~~a restaurant or other~~ an establishment for which a
17 permit license has been issued under s. ~~254.64~~ 97.605 is incidentally engaged in
18 operating a retail food establishment at the same location, the department may
19 exempt by rule the ~~restaurant or~~ establishment from licensing under this section.
20 ~~Rules under this subd. 1. c. shall conform to a memorandum of understanding~~
21 ~~between the department and the department of health services, under which the~~
22 ~~department of health services agrees to inspect the retail food establishment~~
23 ~~operations on behalf of the department.~~

24 *~~0602/P4.35~~*SECTION 2667. 97.30 (2) (c) of the statutes is created to read:

1 97.30 (2) (c) *Pre-licensing inspection.* The department or an agent city or
2 county may not issue a license for a new retail food establishment until it inspects
3 the new retail food establishment for compliance with this section and rules
4 promulgated under this section. A licensed retail food establishment is not
5 considered a new retail food establishment under this paragraph solely because of
6 a change in ownership, or solely because of alterations in the retail food
7 establishment.

8 *~~0602/P4.36~~*SECTION 2668. 97.30 (3m) (intro.) of the statutes is amended to
9 read:

10 97.30 (3m) FEE AMOUNTS. (intro.) The department shall specify by rule the
11 amount of the fees under sub. (3) for a restaurant. Unless otherwise required by
12 department rule, the fees required under sub. (3) for a retail food establishment other
13 than a restaurant are:

14 *~~0602/P4.37~~*SECTION 2669. 97.30 (3m) (a) (intro.) of the statutes is amended
15 to read:

16 97.30 (3m) (a) (intro.) For a retail food establishment, other than a restaurant,
17 that has annual food sales of \$25,000 or more but less than \$1,000,000 and that
18 processes potentially hazardous food, the following amounts:

19 *~~0602/P4.38~~*SECTION 2670. 97.30 (3m) (b) (intro.) of the statutes is amended
20 to read:

21 97.30 (3m) (b) (intro.) For a retail food establishment, other than a restaurant,
22 that has annual food sales of \$1,000,000 or more and that processes potentially
23 hazardous food, the following amounts:

24 *~~0602/P4.39~~*SECTION 2671. 97.30 (3m) (c) (intro.) of the statutes is amended
25 to read:

1 97.30 (3m) (c) (intro.) For a retail food establishment, other than a restaurant,
2 that has annual food sales of \$25,000 or more and that is engaged in food processing,
3 but that does not process potentially hazardous food, the following amounts:

4 *-0602/P4.40*SECTION 2672. 97.30 (3m) (cm) of the statutes is amended to
5 read:

6 97.30 (3m) (cm) For a retail food establishment, other than a restaurant, that
7 has annual food sales of less than \$25,000 and that is engaged in food processing, an
8 annual license fee of \$40 and a reinspection fee of \$40.

9 *-0602/P4.41*SECTION 2673. 97.30 (3m) (d) of the statutes is amended to read:

10 97.30 (3m) (d) For a retail food establishment, other than a restaurant, that
11 is not engaged in food processing, an annual license fee of \$20 and a reinspection fee
12 of \$50.

13 *-0602/P4.42*SECTION 2674. 97.41 (1m) of the statutes is amended to read:

14 97.41 (1m) In the administration of this chapter, the department may enter
15 into a written agreement with a local health department, if the jurisdictional area
16 of the local health department has a population greater than 5,000, which designates
17 the local health department as the agent of the department of agriculture, trade and
18 consumer protection for issuing licenses to and making investigations or inspections
19 of retail food establishments, as defined in s. 97.30 (1) (c). When the designation is
20 made, no license other than the license issued by the local health department under
21 this section may be required by the department of agriculture, trade and consumer
22 protection or the local health department for the same operations. The department
23 of agriculture, trade and consumer protection shall ~~coordinate~~ oversee the
24 designation of agents under this section ~~with the department of health services to~~
25 ensure that, to the extent feasible, the same local health department is granted agent

1 status under this section and under s. ~~254.69 (2)~~ 97.615 (2). Except as otherwise
2 provided by the department of agriculture, trade and consumer protection, a local
3 health department granted agent status shall regulate all types of establishments
4 for which this subsection permits the department of agriculture, trade and consumer
5 protection to delegate regulatory authority.

6 *~~0602/P4.43~~*SECTION 2675. 97.41 (4) (a) of the statutes is amended to read:

7 97.41 (4) (a) Except as provided in par. (b), a local health department granted
8 agent status under this section shall establish and collect the license fee for retail
9 food establishments, as defined in s. 97.30 (1) (c). The local health department may
10 establish separate fees for ~~preinspections~~ pre-licensing inspections of new
11 establishments, for ~~preinspections~~ pre-licensing inspections of existing
12 establishments for which a person intends to be the new operator or for the issuance
13 of duplicate licenses. No fee may exceed the local health department's reasonable
14 costs of issuing licenses to, making investigations and inspections of, and providing
15 education, training and technical assistance to the establishments, plus the state fee
16 established under sub. (5). A local health department which is granted agent status
17 under this section or under s. ~~254.69~~, 97.615 may issue a single license and establish
18 and collect a single fee which authorizes the operation on the same premises of more
19 than one type of establishment with respect to which it is granted agent status under
20 this section or under s. ~~254.69 (2)~~ 97.615 (2).

21 *~~0602/P4.44~~*SECTION 2676. 97.42 (3) (em) of the statutes is amended to read:

22 97.42 (3) (em) *Slaughter of farm-raised deer*. The requirements of pars. (a) and
23 (b) do not apply to the slaughter of a farm-raised deer if its meat food products are
24 not sold by a person holding a restaurant permit under s. ~~254.64~~ or by an operator
25 of a retail food establishment, as defined under s. 97.30 (1) (c). The operator of an

1 establishment in which farm-raised deer, their carcasses or their meat food products
 2 are examined and inspected under this subsection shall pay the department for the
 3 cost of the department's examination and inspection.

4 ***-0602/P4.45*SECTION 2677.** Subchapter III (title) of chapter 97 [precedes
 5 97.603] of the statutes is created to read:

6 **CHAPTER 97**

7 **SUBCHAPTER III**

8 **LODGING AND VENDING MACHINES**

9 ***-0602/P4.46*SECTION 2678.** Subchapter IV (title) of chapter 97 [precedes
 10 97.67] of the statutes is created to read:

11 **CHAPTER 97**

12 **SUBCHAPTER IV**

13 **RECREATIONAL SANITATION**

14 ***-0602/P4.47*SECTION 2679.** Subchapter V (title) of chapter 97 [precedes
 15 97.70] of the statutes is created to read:

16 **CHAPTER 97**

17 **SUBCHAPTER V**

18 **GENERAL PROVISIONS**

19 ***-0602/P4.48*SECTION 2680.** 97.70 of the statutes is created to read:

20 **97.70 Authority of department of safety and professional services.**
 21 Nothing in this chapter affects the authority of the department of safety and
 22 professional services relative to places of employment, elevators, boilers, fire
 23 escapes, fire protection, or the construction of public buildings.

24 ***-0602/P4.49*SECTION 2681.** 97.703 of the statutes is created to read:

1 **97.703 Joint employment.** The department and the department of safety
2 and professional services may employ experts, inspectors, or other assistants jointly.

3 ***-1191/P2.59*SECTION 2682.** 100.207 (6) (em) 2. of the statutes is amended to
4 read:

5 100.207 (6) (em) 2. The department shall submit the recommendations under
6 subd. 1., if any, to the legislature as part of the report required under s. 227.19 (2)
7 and to the board of agriculture, trade and consumer protection.

8 ***-0602/P4.50*SECTION 2683.** 100.36 of the statutes is amended to read:

9 **100.36 Frauds; substitute for butter; advertisement.** No person may use
10 the word “butter” in any way in connection or association with the sale or exposure
11 for sale or advertisement of any substance designed to be used as a substitute for
12 butter. No person may use terms such as “cream”, “creamery” or “dairy”, or the name
13 or representation of any breed of dairy cattle, or any combination of such words and
14 representation, or any other words or symbols or combinations thereof commonly
15 used in the sale of butter unless at least 40% of the substitute is butterfat. If the term
16 “butter” is used in connection with the name of any such product, it shall be qualified
17 so as to distinguish it from butter as defined in s. 97.01 (1) (1r).

18 ***-1215/P3.333*SECTION 2684.** 100.45 (1) (dm) of the statutes is amended to
19 read:

20 100.45 (1) (dm) “State agency” means any office, department, agency,
21 institution of higher education, association, society, or other body in state
22 government created or authorized to be created by the constitution or any law which
23 is entitled to expend moneys appropriated by law, including the legislature and the
24 courts, ~~the Wisconsin Housing and Economic Development Authority,~~ the Bradley
25 Center Sports and Entertainment Corporation, the University of Wisconsin

1 Hospitals and Clinics Authority, the University of Wisconsin System Authority, the
2 Wisconsin Health and Educational Facilities Authority, the Wisconsin Aerospace
3 Authority, the ~~Wisconsin Economic Development Corporation~~ Forward Wisconsin
4 Development Authority, and the Fox River Navigational System Authority.

***NOTE: This is reconciled s. 100.45 (1) (dm). This SECTION has been affected by
drafts with the following LRB numbers: -0971/P4 and -1215/P2.

5 ***-0807/P6.235*SECTION 2685.** 100.67 of the statutes is created to read:

6 **100.67 Private trade, business, technical, and other schools. (1)**

7 DEFINITIONS. In this section, unless the context clearly requires otherwise:

8 (b) "Course" has the meaning given in s. 440.52 (1) (b).

9 (c) "Course of instruction" has the meaning given in s. 440.52 (1) (c).

10 (d) "Person" has the meaning given in s. 440.52 (1) (d).

11 (e) "School" has the meaning given in s. 440.52 (1) (e).

12 **(2) RESPONSIBILITIES.** The department shall protect the general public by
13 investigating complaints and potential violations related to this section and s.
14 440.52.

15 **(3) RULE-MAKING POWER.** The department may promulgate rules and establish
16 standards necessary to administer this section.

17 ***-1461/P2.225*SECTION 2686.** 101.01 (4) of the statutes is amended to read:

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

1 *~~0807/P6.236~~*SECTION 2687. 101.02 (20) (b) of the statutes is amended to
2 read:

3 101.02 (20) (b) Except as provided in par. (e), the department of ~~safety and~~
4 ~~professional services~~ may not issue or renew a license unless each applicant who is
5 an individual provides the department of ~~safety and professional services~~ with his
6 or her social security number and each applicant that is not an individual provides
7 the department of ~~safety and professional services~~ with its federal employer
8 identification number. The department of ~~safety and professional services~~ may not
9 disclose the social security number or the federal employer identification number of
10 an applicant for a license or license renewal except to the department of revenue for
11 the sole purpose of requesting certifications under s. 73.0301 and to the department
12 of workforce development for the sole purpose of requesting certifications under s.
13 108.227.

14 *~~0807/P6.237~~*SECTION 2688. 101.02 (20) (c) of the statutes is amended to
15 read:

16 101.02 (20) (c) The department of ~~safety and professional services~~ may not
17 issue or renew a license if the department of revenue certifies under s. 73.0301 that
18 the applicant or licensee is liable for delinquent taxes or if the department of
19 workforce development certifies under s. 108.227 that the applicant or licensee is
20 liable for delinquent unemployment insurance contributions.

21 *~~0807/P6.238~~*SECTION 2689. 101.02 (20) (d) of the statutes is amended to
22 read:

23 101.02 (20) (d) The department of ~~safety and professional services~~ shall revoke
24 a license if the department of revenue certifies under s. 73.0301 that the licensee is
25 liable for delinquent taxes or if the department of workforce development certifies

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1 under s. 108.227 that the licensee is liable for delinquent unemployment insurance
2 contributions.

3 ***-0807/P6.239*SECTION 2690.** 101.02 (20) (e) 1. of the statutes is amended to
4 read:

5 101.02 (20) (e) 1. If an applicant who is an individual does not have a social
6 security number, the applicant, as a condition of applying for or applying to renew
7 a license shall submit a statement made or subscribed under oath or affirmation to
8 the department of safety and professional services that the applicant does not have
9 a social security number. The form of the statement shall be prescribed by the
10 department of children and families.

11 ***-0807/P6.240*SECTION 2691.** 101.02 (21) (b) of the statutes is amended to
12 read:

13 101.02 (21) (b) As provided in the memorandum of understanding under s.
14 49.857 and except as provided in par. (e), the department of safety and professional
15 services may not issue or renew a license unless the applicant provides the
16 department of safety and professional services with his or her social security number.
17 The department of safety and professional services may not disclose the social
18 security number except that the department of safety and professional services may
19 disclose the social security number of an applicant for a license under par. (a) or a
20 renewal of a license under par. (a) to the department of children and families for the
21 sole purpose of administering s. 49.22.

22 ***-0807/P6.241*SECTION 2692.** 101.02 (21) (e) 1. of the statutes is amended to
23 read:

24 101.02 (21) (e) 1. If an applicant who is an individual does not have a social
25 security number, the applicant, as a condition of applying for or applying to renew

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

5 *-0602/P4.51*SECTION 2693. 101.05 (2) of the statutes is amended to read:

6 101.05 (2) A bed and breakfast establishment, as defined under s. ~~254.61 (1)~~
7 97.01 (1g), is not subject to building codes adopted by the department under this
8 subchapter.

9 *-0807/P6.242*SECTION 2694. 101.12 (1) (intro.) of the statutes is amended to
10 read:

11 101.12 (1) (intro.) Except for plans that are reviewed by the department of
12 health services under ss. 50.02 (2) (b) and, 50.025, 50.36 (2), or 50.92 (3m), the
13 department shall require the submission of essential drawings, calculations and
14 specifications for public buildings, public structures and places of employment
15 including the following components:

16 *-0602/P4.52*SECTION 2695. 101.123 (1) (bn) 1. of the statutes is amended to
17 read:

18 101.123 (1) (bn) 1. A bed and breakfast establishment, as defined in s. ~~254.61~~
19 ~~(1)~~ 97.01 (1g).

20 *-0602/P4.53*SECTION 2696. 101.123 (1) (bn) 2. of the statutes is amended to
21 read:

22 101.123 (1) (bn) 2. A hotel, as defined in s. ~~254.61 (3)~~ 97.01 (7).

23 *-0602/P4.54*SECTION 2697. 101.123 (1) (bn) 3. of the statutes is amended to
24 read:

1 101.123 (1) (bn) 3. A tourist rooming house, as defined in s. ~~254.61 (6)~~ 97.01
2 (15k).

3 ***-0602/P4.55*SECTION 2698.** 101.123 (1) (f) of the statutes is amended to read:

4 101.123 (1) (f) "Restaurant" ~~means an establishment as defined~~ has the
5 meaning given in s. 254.61 (5) 97.01 (14g).

6 ***-0971/P5.571*SECTION 2699.** 101.123 (2) (d) 4. of the statutes is amended to
7 read:

8 101.123 (2) (d) 4. A location that is 25 feet or less from a residence hall or
9 dormitory that ~~is owned or operated by~~ the state leases to the Board of Regents of the
10 University of Wisconsin System Authority.

11 ***-0602/P4.56*SECTION 2700.** 101.128 (1) (c) of the statutes is amended to read:

12 101.128 (1) (c) "Hotel" has the meaning given in s. ~~254.61 (3)~~ 97.01 (7).

13 ***-0602/P4.57*SECTION 2701.** 101.128 (1) (e) of the statutes is amended to read:

14 101.128 (1) (e) "Restaurant" has the meaning given in s. ~~254.61 (5)~~ 97.01 (14g).

15 ***-0971/P5.572*SECTION 2702.** 101.14 (4) (b) 3. a. of the statutes is amended
16 to read:

17 101.14 (4) (b) 3. a. Every residence hall and dormitory over 60 feet in height,
18 the initial construction of which was begun before April 26, 2000, that ~~is owned or~~
19 ~~operated by~~ the state leases to the board of regents of the University of Wisconsin
20 System Authority to contain an automatic fire sprinkler system on each floor by
21 January 1, 2006.

22 ***-0971/P5.573*SECTION 2703.** 101.14 (4) (b) 3. b. of the statutes is amended
23 to read:

24 101.14 (4) (b) 3. b. Every residence hall and dormitory, the initial construction
25 of which is begun on or after April 26, 2000, that ~~is owned or operated by~~ the state