

Insert 4-21, p. 1

LFB:.....Mason - Unclassification of LRB Employees

FOR 1997-99 BUDGET NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT,
TO 1997 ASSEMBLY BILL 768

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At the locations indicated, amend the bill as follows:

1. Page 10, line 4: after "loan;" insert "transferring employees at the legislative reference bureau into the unclassified service of the state;"

2. Page 41, line 23: after that line insert:

"SECTION 4g. 13.92 (2) (a) of the statutes is amended to read:

13.92 (2) (a) Employ under the classified service, and, supervise and train the personnel assigned to the chief.

SECTION 4j. 13.92 (3) of the statutes is created to read:

(5) (6) 13.92 (3) TREATMENT OF CERTAIN LEGISLATIVE REFERENCE BUREAU EMPLOYEES.

Notwithstanding s. 230.08 (2) (d) those persons holding positions in the classified service at the legislative reference bureau on the day before the effective date of this animal health laboratories at the department of agriculture, trade and consumer protection

↓

Insert 4-21, p. 2

1 subsection [revisor inserts date], who have achieved permanent status in class
 2 before that date, ^{and who are faculty or academic staff} shall retain, while serving in the unclassified service at the
 3 ^{animal disease diagnostic service} legislative reference bureau, those protections afforded employes in the classified
 4 service under ss. 230.34 (1) (a) and 230.44 (1) (c) relating to demotion, suspension,
 5 discharge, layoff or reduction in base pay. ^{These persons} ~~Such employes~~ shall also have
 6 reinstatement privileges to the classified service as provided under s. 230.33 (1).
 7 ^{The persons} ~~Those employes of the legislative reference bureau~~ holding positions in the classified
 8 service ^{at the animal health laboratories at the department of agriculture, trade and consumer protection} on the day before the effective date of this subsection [revisor inserts date]
 9 who have not achieved permanent status in class in any position at the ^{department of agriculture, trade and consumer protection} legislative
 10 reference bureau on that date are eligible to receive the protections, privileges and
 11 rights preserved under this subsection if they successfully complete service
 12 equivalent to the probationary period required in the classified service for the
 13 position which they hold on that date. end of insert

3. Page 58, line 23: after that line insert:

SECTION ~~54m.~~ 20.923 (6) (gm) of the statutes is created to read:
 20.923 (6) (gm) Legislative reference bureau: all positions other than the
 chief".

4. Page 220, line 4: after that line insert:

"SECTION ~~452m.~~ 230.08 (2) (fc) of the statutes, as created by 1997 Wisconsin
 Act 27, is amended to read:
 230.08 (2) (fc) The chief and personnel of the legislative reference bureau."

5. Page 340, line 14: before that line insert:

"SECTION 0131. Nonstatutory provisions; legislature

1999

LRB-3853 1P2

Nonstat File Sequence: **AAA**

NONSTAT SESSLAW *Insert 5-2, p. 1*

1. In the component bar:

For the action phrase, execute: create → action: → *NS: → nonstat

For the budget action phrase, execute: create → action: → *NS: → 91XX

For a subsection, execute: create → text: → *NS: → sub

For a paragraph, execute: create → text: → *NS: → par

For a subdivision, execute: create → text: → *NS: → subd

For a subdivision paragraph, execute: create → text: → *NS: → subpar

2. Nonstatutory subunits are numbered automatically if "(#1)", "(#a)", etc., is filled in. Below, for the budget, fill in the 9100 department code; and fill in "___" or "()" only if a "frozen" number is needed.

SECTION # [91]. Nonstatutory provisions; ...

(#1) () Initial appointments to animal disease diagnostic service board. Notwithstanding the ^{length of} terms specified in section 15.915 (1) (b) 5. of the statutes, as created by this act, the governor shall appoint the initial members of the board under that provision for the following terms:

(a) One member for ^a term expiring on May 1, 2002.

(b) Two members for ^a term expiring on May 1, 2003.

(c) Two members for terms expiring on May 1, 2004.



1999

Insert 5-2, p. 2

Nonstat File Sequence: **AAA**

LRB -3853 / 1P2

Ret : _____

NONSTAT SESSLAW

1. In the component bar:

For the action phrase, execute: create → action: → *NS: → nonstat

For the budget action phrase, execute: create → action: → *NS: → 91XX

For a subsection, execute: create → text: → *NS: → sub

For a paragraph, execute: create → text: → *NS: → par

For a subdivision, execute: create → text: → *NS: → subd

For a subdivision paragraph, execute: create → text: → *NS: → subpar

2. Nonstatutory subunits are numbered automatically if "(#1)", "(#a)", etc., is filled in. Below, for the budget, fill in the 9100 department code; and fill in "____" or "()" only if a "frozen" number is needed.

SECTION # 91 **]. Nonstatutory provisions; ...**

(#1) () Position decrease; agriculture trade and consumer protection. ^{on July 1, 2000,} the authorized FTE positions for the department of agriculture, trade and consumer protection are decreased by 22 GPR positions funded from the appropriation under section 20.115 (2)(a) of the statute and 36 PR positions funded from the appropriation under section 20.115 (2)(g) of the statute to reflect the transfer of the animal health laboratories to the University of Wisconsin System.



Insert 5-2, p. 3

1 ~~106.13 (4m) (a) After reviewing the recommendations of the governor's council~~
 2 ~~on workforce excellence under s. 106.115 (2) (em), the state superintendent The~~
 3 ~~board may approve an innovative school-to-work program provided by a nonprofit~~
 4 ~~organization for children at risk, as defined in s. 118.153 (1) (a), in a county having~~
 5 ~~a population of 500,000 or more to assist those children at risk in acquiring~~
 6 ~~employability skills and occupational-specific competencies before leaving high~~
 7 ~~school. If the state superintendent board approves a program under this paragraph,~~
 8 ~~the state superintendent board may award a grant, from the appropriation under s.~~
 9 ~~20.255 (3) (ef) 20.445 (7) (ef), to the nonprofit organization providing the program and~~
 10 ~~the nonprofit organization shall use the funds received under the grant to provide~~
 11 ~~the program.~~

12 (b) ~~The state superintendent board shall establish requirements for the~~
 13 ~~operation of the grant program under this subsection. These Notwithstanding sub.~~
 14 ~~(5), those requirements need not be promulgated as rules.~~

15 SECTION 35. 230.08 (2) (e) 6. of the statutes is amended to read:

16 230.08 (2) (e) 6. Workforce development — § 7.

17 SECTION 36. 230.08 (2) (yr) of the statutes is created to read:

18 230.08 (2) (yr) The executive director of the governor's work-based learning
 19 board.

CS

*WPD - create
please create
21 auto refer
"b"*

SECTION 9157. Nonstatutory provisions; workforce development.

GOVERNOR'S WORK-BASED LEARNING BOARD

Transfer of laboratories

22 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
 23 liabilities of the department of *agriculture, trade and consumer protection*
 24 functions of the *animal health laboratories* ~~division of connecting education and work,~~ as determined by the



Insert 5-2, p 4

1 secretary of administration, shall become the assets and liabilities of the governor's

2 ~~work-based learning board~~

University of Wisconsin System

WPO please create another "a"

3 (b) *Employe transfers.* On the effective date of this paragraph, all positions in
4 the department of ~~workforce development~~ that are primarily related to the ~~division~~ *agriculture, trade and consumer protection* *animal health laboratories*

incumbent employees

5 of connecting education and work and the incumbent employes holding those

6 positions, as determined by the secretary of administration, are transferred to the

7 governor's ~~work-based learning board~~

University of Wisconsin System

except for employes to which section 36.58(5) of the statutes, as created by this act, applies

8 (c) *Employe status.* Employes transferred under paragraph (b) have all the
9 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
10 statutes in the ~~governor's work-based learning board~~ that they enjoyed in the

University of Wisconsin System

11 ~~division of connecting education and work in the department of workforce~~
12 ~~development~~ immediately before the transfer. Notwithstanding section 230.28 (4)

department of agriculture, trade and consumer protection

13 of the statutes, no employe so transferred who has attained permanent status in
14 class is required to serve a probationary period.

15 (d) *Tangible personal property.* On the effective date of this paragraph, all
16 tangible personal property, including records, of the department of ~~workforce~~
17 ~~development~~ that is primarily related to the functions of the ~~division of connecting~~

agriculture, trade and consumer protection

animal health laboratories

(stays)

18 ~~education and work~~ as determined by the secretary of administration, is transferred
19 to the ~~governor's work-based learning board~~

University of Wisconsin System

20 (e) *Pending matters.* Any matter pending with the department of ~~workforce~~
21 ~~development~~ on the effective date of this paragraph that is primarily related to the

agriculture, trade and consumer protection

22 ~~division of connecting education and work~~ as determined by the secretary of
23 administration, is transferred to the ~~governor's work-based learning board~~ All

animal health laboratories

University of Wisconsin System

24 materials submitted to or actions taken by the department of ~~workforce development~~

agriculture, trade and

consumer protection

db

Insert 5-2, p 5

1 with respect to the pending matter are considered as having been submitted to or
2 taken by the ~~governor's work-based learning board~~ *University of Wisconsin System*

3 (f) *Contracts*. All contracts entered into by the department of ~~workforce~~ *agriculture, trade and*
4 ~~development~~ in effect on the effective date of this paragraph that are primarily *consumer*
5 related to the functions of the ~~division of connecting education and work~~ *protection*
6 determined by the secretary of administration, remain in effect and are transferred
7 to the ~~governor's work-based learning board~~ *University of Wisconsin System*. The ~~governor's work-based learning~~
8 ~~board~~ *University of Wisconsin System* shall carry out any obligations under those contracts unless modified or
9 rescinded by the ~~governor's work-based learning board~~ *University of Wisconsin System* to the extent allowed under
10 the contract.

11 (g) *Rules and orders*. All rules promulgated by the department of ~~workforce~~ *agriculture, trade*
12 ~~development~~ in effect on the effective date of this paragraph that are primarily *and consumer protection*
13 related to the ~~division of connecting education and work~~ *animal health laboratories* remain in effect until their

14 *animal disease diagnostic service* ✓ specified expiration date or until amended or repealed by the governor's work-based
15 ~~learning board~~ *agriculture, trade and consumer* *protection* ✓
16 *in* effect on the effective date of this paragraph that are primarily related to the ~~division~~
17 ~~of connecting education and work~~ *animal health laboratories*
18 date or until modified or rescinded by the ~~governor's work-based learning board~~ *animal disease diagnostic* *service* ✓

~~SECTION 9257. Appropriation changes, workforce development.~~

20 (1) YOUTH APPRENTICESHIP GRANTS. In the schedule under section 20.005 (3) of
21 the statutes for the appropriation to the department of workforce development under
22 section 20.445 (7) (b) of the statutes, as affected by the acts of 1999, the dollar amount
23 is increased for fiscal year 1999-00 by an amount that is equal to the amount that
24 lapsed to the general fund at the end of the 1998-99 fiscal year from the
25 appropriation account under section 20.115 (1) (am) of the statutes.



1999

Nonstat File Sequence: **DDD**

LRB -3853R2
_____:_____:_____

\$\$\$ CHANGE *Insert 5-2 p. 6*

1. In the component bar:

For the action phrase, execute: create → action: → *NS: → \$change

For the budget action phrase, execute: create → action: → *NS: → 92XX

For the text, execute: create → text: → *NS: → \$change

2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in.. Below, for the budget, fill in the 9200 department code; and fill in "_____" or "()" only if a "frozen" number is needed.

SECTION # [92]. Appropriation changes;....

agriculture, trade and consumer protection

(#1) () *Program revenue transfer*

The unencumbered balance in the appropriation account

~~20.005(3) of the statutes for the appropriation to the~~

~~under section 20.115... (2)(g) of the statutes as affected by the acts of~~

~~1999, the dollar amount is ... creased by \$... for fis~~

~~cal year 1999-00 and the dollar amount is ... creased~~

~~by \$... for fiscal year 2000-01 [to ... crease funding~~

~~for the [purpose] [purposes] for which the appropriation is made] [to ... crease fund-~~

~~ing for~~

on June 30, 1999, is transferred to the appropriation account under section 20.285(1)(j) of the statutes as created by this act

* Use the 2nd alternative if the purpose of the increase or decrease is more limited than the purpose or purposes of the appropriation as currently shown in the text of ch. 20, stats.



1999

Insert 5-2, p.6

LRB - 3853, P2

Nonstat File Sequence: **FFF**

EFFECTIVE DATE

1. In the component bar: For the action phrase, execute: ... create → action: → *NS: → effdate
For the text, execute: create → text: → *NS: → effdateA
2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, fill in " " or "()" only if a "frozen" number is needed.

SECTION # ____ . Effective date.

(#1) () This act takes effect
on

1. In the component bar: For the action phrase, execute: .. create → action: → *NS: → effdateE
For the text, execute: create → text: → *NS: → effdate
2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, fill in " " or "()" only if a "frozen" number is needed.

SECTION # ____ . Effective dates

..... This act takes effect on the day after publication, except as follows:

(#1) () The treatment of
sections 20.285(1), (f), (g), 36.07 and 93.07(15m) and (16)
of the statutes takes effect on July 1, 2000.

and SECTION of this act

1. In the component bar: For the budget action phrase, execute:.. create → action: → *NS: → 94XX
For the text, execute: create → text: → *NS: → effdate
2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, for the budget, fill in the 9400 department code; and fill in "()" only if a "frozen" number is needed.

capture the nonstat subsection titled Transfer of laboratories

SECTION 94

(#1) () The treatment of
sections
of the statutes takes effect on

W.P.O. use auto-reference "b"

Created in insert 5-2, page 3

end of insert



State of Wisconsin
1999 - 2000 LEGISLATURE

Wed 12/15 if possible

LRB-3853/P1 2

RCT:cmh:jf

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Auto-references

Regenerate
↓

1 **AN ACT to repeal** 93.07 (15m) and (16); and **to create** 15.915 (1), 20.285 (1) (f),
2 20.285 (1) (j) and 36.58 of the statutes; **relating to:** animal health testing and
3 diagnosis, creating an animal disease diagnostic service board and making an
4 appropriation.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 **SECTION 1.** 15.915 (1) of the statutes is created to read:

6 15.915 (1) ANIMAL DISEASE DIAGNOSTIC SERVICE BOARD. (a) There is created an
7 animal disease diagnostic service board attached to the University of Wisconsin
8 System under s. 15.03.

9 (b) The animal disease diagnostic service board shall consist of the following
10 members:

1 20.285 (1) (j) *Animal disease diagnostic service; fees.* All moneys received under
2 s. 36.58 (3), *other than from state agencies,* to be used for general program operations of the animal disease
3 diagnostic service.

Insert
3-3 →

4 SECTION 5. 36.58 of the statutes is created to read:

5 **36.58 Animal disease diagnostic service. (1) DUTIES OF THE ANIMAL DISEASE**
6 **DIAGNOSTIC SERVICE BOARD.** The animal disease diagnostic service board shall do all
7 of the following:

8 (a) Prescribe policies for the operation of the animal disease diagnostic service.

9 (b) Develop biennial budget requests for the animal disease diagnostic service.

10 ~~(3m) (c) Upon the recommendation of the chancellor of the University of~~ *Appointment of director after consultation with the animal disease diagnostic service board*

More to
p. 4

11 ~~Wisconsin-Madison~~ *shall* appoint as the director of the animal disease diagnostic service

12 an individual who has received the degree of doctor of veterinary medicine and

13 ~~appoint the other professional staff members of the service.~~

14 (d) In accordance with sub. (3), set fees for services provided by the animal
15 disease diagnostic service.

16 (2) DUTIES OF THE ANIMAL DISEASE DIAGNOSTIC SERVICE. The animal disease
17 diagnostic service shall do all of the following:

18 (a) Operate a laboratory that does all of the following:

19 1. Provides testing and diagnostic services for all types of animals in this state,
20 with emphasis on farm animals.

21 2. Provides the diagnostic services necessary to meet the requirements for
22 accreditation by the American Association of Veterinary Laboratory Diagnosticians.

23 3. Provides the testing and diagnostic services needed by the department of
24 agriculture, trade and consumer protection to discharge the department's
25 responsibilities related to disease control and animal health.

1 (b) Maintain a regional laboratory in the city of Barron.

2 (c) In cooperation with the school of veterinary medicine and the department
3 of agriculture, trade and consumer protection, conduct research and provide field
4 services, consultation services and education concerning animal health.

*Insert from
p. 3*

5 (3) FEES. (a) Except as provided in pars. (b) ^{and (c)} ~~and (c)~~ for each testing or diagnostic
6 service provided by the animal disease diagnostic service, the service shall charge a
7 fee based on the cost of the supplies and equipment needed to perform the service.

8 ~~(b) The animal disease diagnostic service may not charge a fee for any service
9 conducted for the subunit of the department of agriculture, trade and consumer
10 protection that is responsible for animal health or for the subunit of the federal
11 department of agriculture that is responsible for animal health.~~

12 (d) The animal disease diagnostic service board may identify services that are
13 necessary to protect human health and safety for which the animal disease
14 diagnostic service may not charge fees.

15 (e) For a service requested by a person outside of this state, the animal disease
16 diagnostic service may charge a fee that is based on all of the costs of providing the
17 service.

18 (4) SUBMISSION OF BUDGET. Notwithstanding s. 15.03, the board of regents of the
19 University of Wisconsin System shall process and forward to the department of
20 administration all personnel and biennial budget requests of the animal disease
21 diagnostic service board without change.

Insert 4-21 ->

22 SECTION 6. 93.07 (15m) and (16) of the statutes are repealed.

23 SECTION 7. Nonstatutory provision.

(cs)

24 (1) POSITION AUTHORIZATION. The authorized FTE positions for the University
25 of Wisconsin System are increased by ~~120~~ ^{78.0} GPR positions ^{on July 1, 2000} to be funded from the

University of Wisconsin System

1 appropriation under section 20.115 (1) (fj) of the statutes, as created by this act, for
2 the animal disease diagnostic service.

Inset
5-2 →
3

(END)

Minor changes suggested by UW, John Torphy.

✓ Section 1 15.915 b2 -- should read the Chancellor of the UW System or designee

✓ b5 -- Five other members representing persons served by the animal disease diagnostic service, AT LEAST one of whom is a livestock producer and AT LEAST one of whom is a practicing veterinarian.....

✓ Section 2 20.005 (3)-- Need negative for DATCP GPR transfer

3M -- Appointment of Director -- need to say that position is in unclassified service at UW System

5 -- Treatment of certain employees --

Employees need to choose path for discipline appeal UW or Civil Service (not both)
Current represented employees will be moved to unclassified positions @ UW system

Section 8 -- need to designate which positions are unclassified (Section chiefs, DVM's and degreed supervisors. Siroky's answer)

Section 9 (1) change UNENCUMBERED balance to UNEXPENDED balance

Ruth Hieke , staff attorney's suggestions

- ✓ 1. Page 4 Line 23 through Page 5 Line 7. There are no current employees of the department who have achieved permanent status in class and who are academic staff or faculty and who will have certain reinstatement rights and the right to be discharged only for cause. The intention is that any employee of the department who has completed probation in his or her current job, and who is classified as academic staff or faculty after the move to the university, will get the rights.
- ✓ 2. Page 5 Line 7 through Line 15. This appears to say that persons who are serving probation in their current positions will be eligible for the reinstatement and "for cause" termination protections after remaining employed with the university for as long as would have been required to complete probation with the department, but only if the employee has never achieved permanent status in class in any position at the department. I am concerned that if there are any employees who have achieved permanent status in class in a "lower classification" who are now serving a promotional probation in the current job; those employees do not obtain the same protections which are being allowed to others.
- ✓ 3. Page 4 Line 5 through Line 14. After discussing the problems associated with agency fees and current GPR allocations, DOA suggested that the language should revert back as we had it previously. There will be NO charge for DATCP testing as is required by rules and regulations. The GPR funding for salaries is reflective of the public's commitment to detect diseases that may impact t public health and could have a large negative impact on the economy of the state.

Budget number and language.

Here is an explanation of what I think we agreed to with DOA regarding budgeting for the WAHL/WADDS in the legislation—

The current budget and FTE for WAHL are in two appropriations:

s.20.115 (2) (a) includes the following amounts and FTE for the lab (along with other funds for the Division of Health):

1999-00	2000-01
---------	---------

\$	FTE	\$ 500	FTE
\$1,733,750	25.50	\$1,733,750	25.50

s.20.115 (2) (g) is the PR appropriation for the lab:

1999-00		2000-01	
\$	FTE	\$	FTE
\$2,936,700	36.00	\$2,903,700	36.00

37

37

37 Per Ann Roth

1. The legislation should authorize a conversion of funding source for the ~~36~~³⁷ FTE that are currently funded from PR to GPR. The timing for this should be July 1, 2000. Additional GPR should be added to fund the conversions. For 2000-01, the additional amount of GPR should be \$1,227,200.

For the current biennium, PR funds will need to be lapsed to the general fund in 2000-01 to pay for the converted positions. The amount to be lapsed is \$1,227,200 in 2000-01.

2. The legislation should also authorize an additional 18.0 FTE as of July 1, 2000. Funding for the positions will be added this biennium, so that the positions and funding are in the base when the budget is transferred to the UW, but the positions will not begin to be hired until January 1, 2001. Language should be added to require most of the GPR to be lapsed to account for this delayed hiring schedule. GPR funds of \$928,100 should be added for 2000-01. The required GPR lapse should be \$728,100 in 2000-01.

3. The legislation should also increase the expenditure authority for the PR appropriation by \$520,000 in 1999-00 and by \$273,400 PR in 2000-01 to cover additional purchases of equipment and supplies and services.

4. Finally, the legislation should transfer the lab's funding and FTE from the DATCP to the UW effective July 1, 2000.

The net effect of budget changes 1-4 is:

No change to 20.115(2) (a) in 1999-00 and a decrease of \$1,733,750⁵⁰⁰ and 25.5 FTE in 2000-01.

Increase 20.115 (2) (g) by \$520,000 in 1999-00 and decrease it by \$2,903,700 and ~~36.0~~³⁷ FTE in 2000-01.

The GPR appropriation for WADDS at the UW should include:

1999-00		2000-01	
\$	FTE	\$	FTE
\$0	0	\$3,889,100	79.50

80.50

The PR appropriation for WADDS at the UW should include:

1999-00		2000-01	
\$	FTE	\$	FTE
0	0	\$3,177,100	0

Tradewell, Becky

From: Siroky, Clarence J DATCP
Sent: Wednesday, December 22, 1999 12:43 PM
To: Tradewell, Becky
Subject: FW: Oops--Mistake in drafting instructions

-----Original Message-----

From: Roth, Ann B DATCP
Sent: Wednesday, December 22, 1999 12:33 PM
To: Siroky, Clarence J DATCP; Buroker, Susan J; Knapp, Barb H DATCP
Subject: Oops--Mistake in drafting instructions

There is a mistake in the drafting instructions I just sent you--the effective date of the transfer from DATCP to UW should be July 1, 2000.

Ann Roth
Office of Policy and Program Analysis
Dept. of Agriculture, Trade and Consumer Protection
voice:(608)224-5043 fax:(608)224-5034
ann.roth@datcp.state.wi.us

**SUMMARY OF PROPOSED LEGISLATION
WISCONSIN ANIMAL HEALTH LABORATORIES**

- **Create the Wisconsin Animal Disease Diagnostic Service to replace the Wisconsin Animal Health Laboratories.**

Duties: 1) Provide testing and diagnostic services for animals, to meet the requirements for AAVID accreditation and to meet DATCP's needs related to its disease control and animal health responsibilities. 2) Maintain the regional lab in Barron. 3) In cooperation with the SVM and DATCP, conduct research, provide field and consultative services and education concerning animal health.

- **Create an Oversight Board:**

Members: DATCP Secretary, Chancellor - UW Administration, Dean of UW School of Veterinary Medicine, Federal government veterinarian, five lab customers, including at least one veterinarian, at least one livestock producer, and at least one industry representative.

Duties: Prescribe operating policies, develop budget requests, set fees.

- **Transfer the Wisconsin Animal Disease Diagnostic Service from the DATCP to the UW System effective July 1, 2000.**
- **Provide authority to hire up to 18 additional state-funded positions at the laboratories.**
- **For 37 positions currently funded from lab user fees, transfer the funding source from user fees to state funds.**
- **Authorize planning for a new diagnostic services facility for the Madison laboratory.**

1/4/99 Per AWW Roth

DOA can't support Full GPR

UW doesn't do budget for full funding of salaries same as other agencies - that's what she was ~~told~~ by DOA

UW just takes a snap shot

UW also has a diff way of accounting for positions

DOA doesn't want to fund for next biennium

DOA -

Positions on book & there when UW takes its snapshot in October 2000 - whatever it is there associated with pos, that's money you have for next biennium

4 of the PR positions at DATCP are project positions

1/4/2000 Mtg with Dr. Siroky & Sheila Graham

1. Change name to "Veterinary Diagnostic Laboratory".
2. Require that at least one of the 5 other board members represent the animal agriculture industry
3. Not enumerate building, but get planning started. Set process going - see attached
Do redraft as 1/2

The Department of Agriculture, Trade and Consumer Protection is authorized to request funds from the Building Trust Funds for architectural and engineering planning for a new or expanded facility in Madison for the Wisconsin Animal Diagnostic Services. The planning will allow enumeration of the project in the 2001-03 biennium.

1/5 Per Ann Roth:

Need to allow the labs. to continue to charge current fees so enough PR comes in for the lapse.

Per Dr. Sroky - They want some fees to be able to subsidize the costs of other services - total fees = total supplies, services & equipment.

Fri (1/?) a.m.

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

Note

WPO: Please
check auto refs.

Regen

1 AN ACT ~~to repeal~~ 93.07 (15m) and (16); and ~~to create~~ 15.915 (1), 20.285 (1) (f),
 2 20.285 (1) (j), 20.285 (1) (kg) and 36.58 of the statutes; **relating to:** animal
 3 health testing and diagnosis, creating ~~a~~ ^{veterinary} animal disease ^{laboratory} diagnostic service
 4 board and making an appropriation.

Analysis
Attached

Analysis by the Legislative Reference Bureau

~~This is a preliminary draft. An analysis will be provided in a later version.~~

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 SECTION 1. 15.915 (1) of the statutes is created to read:
 6 15.915 (1) ^(veterinary) ANIMAL DISEASE ^(laboratory) DIAGNOSTIC SERVICE BOARD. (a) There is created a
 7 ^{veterinary} animal disease ^{laboratory} diagnostic service board attached to the University of Wisconsin
 8 System under s. 15.03.
 9 (b) The ^{veterinary} animal disease ^{laboratory} diagnostic service board shall consist of the following
 10 members:

SECTION 1

1 1. The secretary of agriculture, trade and consumer protection or his or her
2 designee.

3 2. The ~~president~~ ^{chancellor} of the University of Wisconsin ~~System~~ ^{- Madison} or his or her designee.

4 3. The dean of the school of veterinary medicine or his or her designee.

5 4. A veterinarian employed by the federal government, to serve at the pleasure
6 of the governor.

7 5. Five other members representing persons served by the animal disease
8 ^{veterinary laboratory at least} diagnostic ~~service~~, one of whom is a livestock producer, and one of whom is a
9 practicing veterinarian, appointed for 3-year terms.

10 6. The director of the ^{veterinary laboratory} animal disease diagnostic ~~service~~, who shall serve as a
11 nonvoting member.

at least one of whom represents the animal agriculture industry

12 SECTION 2. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
13 the following amounts for the purposes indicated:

14 1999-00 2000-01

15 20.285 University of Wisconsin system

16 (1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC
17 SERVICE

18 (f) ~~Animal disease~~ ^{Veterinary laboratory} diagnostic ~~service~~

\$3,889,100

19 ~~vice~~

GPR

A

-0-

1

20 SECTION 3. 20.285 (1) (f) of the statutes is created to read:

21 20.285 (1) (f) ^{Ⓢ Veterinary Laboratory} ~~Animal disease~~ diagnostic ~~service~~. The amounts in the schedule

22 for general program operations of the ^{veterinary laboratory} animal disease diagnostic ~~service~~.

23 SECTION 4. 20.285 (1) (j) of the statutes is created to read:

Insert
2-19

Insert
3-1

1 20.285 (1) (j) ~~Animal disease diagnostic service; fees.~~ All moneys received under
 2 s. 36.58 (3), other than from state agencies, ~~to be used~~ for general program operations
 3 of the animal disease diagnostic service.

4 SECTION 5. 20.285 (1) (kg) of the statutes is created to read:
 5 20.285 (1) (kg) ~~Animal disease diagnostic service; state agencies.~~ All moneys
 6 ~~received under s. 36.58 (3), from other state agencies, to be used for general program~~
 7 operations of the ~~animal disease diagnostic service.~~ ^{veterinary laboratory}

8 SECTION 6. 36.58 of the statutes is created to read:
 9 ~~36.58 Animal disease diagnostic service.~~ ^{veterinary laboratory} (1) DUTIES OF THE ANIMAL DISEASE
 10 ~~DIAGNOSTIC SERVICE BOARD.~~ ^{veterinary laboratory} The ~~animal disease diagnostic service~~ board shall do all
 11 of the following:

- 12 (a) Prescribe policies for the operation of the ~~animal disease diagnostic service.~~ ^{veterinary laboratory}
- 13 (b) Develop biennial budget requests for the ~~animal disease diagnostic service.~~ ^{veterinary laboratory}
- 14 (c) In accordance with sub. (3), set fees for services provided by the ~~animal~~
 15 ~~disease diagnostic service.~~ ^{veterinary laboratory}

16 (2) DUTIES OF THE ANIMAL DISEASE ~~DIAGNOSTIC SERVICE.~~ ^{veterinary laboratory} The ~~animal disease~~
 17 ~~diagnostic service~~ shall do all of the following:

- 18 (a) Operate a laboratory that does all of the following:
- 19 1. Provides testing and diagnostic services for all types of animals in this state,
 20 with emphasis on ^{services for} farm animals.
- 21 2. Provides the diagnostic services necessary to meet the requirements for
 22 accreditation by the American Association of Veterinary Laboratory Diagnosticians.
- 23 3. Provides the testing and diagnostic services needed by the department of
 24 agriculture, trade and consumer protection to discharge the department's
 25 responsibilities related to disease control and animal health.

(b) Maintain a regional laboratory in the city of Barron.

(c) In cooperation with the school of veterinary medicine and the department of agriculture, trade and consumer protection, conduct research and provide field services, consultation services and education concerning animal health.

(3) FEES. (a) Except as provided in pars. (b) and (c), for each testing or diagnostic service provided by the animal disease diagnostic service, the service shall charge a fee based on the cost of the supplies and equipment needed to perform the service.

(b) The animal disease diagnostic service board may identify services that are necessary to protect human health and safety for which the animal disease diagnostic service may not charge fees.

(c) For a service requested by a person outside of this state, the animal disease diagnostic service may charge a fee that is based on all of the costs of providing the service.

(3m) APPOINTMENT OF DIRECTOR. After consultation with the animal disease diagnostic service board, the chancellor of the University of Wisconsin-Madison shall appoint an individual who has received the degree of doctor of veterinary medicine as the director of the animal disease diagnostic service.

(4) SUBMISSION OF BUDGET. Notwithstanding s. 15.03, the board of regents of the University of Wisconsin System shall process and forward to the department of administration all personnel and biennial budget requests of the animal disease diagnostic service board without change.

(5) TREATMENT OF CERTAIN EMPLOYEES. (a) Notwithstanding s. 230.08 (2) (d), the persons holding positions in the classified service at the animal health laboratories at the department of agriculture, trade and consumer protection on the day before

Insert 4-8

Insert 4-5 ✓

standard veterinary laboratory laboratory services

veterinary laboratory

veterinary laboratory

veterinary

laboratory

veterinary laboratory

veterinary laboratory

(a)

① the effective date of this ^{paragraph} subsection [revisor inserts date], who have achieved
 ② permanent status in class before that date and who are ^{designated as} faculty or academic staff,
 ③ shall retain, while serving in the unclassified service at the ^{veterinary} animal disease
 ④ diagnostic ^{laboratory} service, those protections afforded employees in the classified service
 5 under ss. 230.34 (1) (a) and 230.44 (1) (c) relating to demotion, suspension, discharge,
 6 layoff or reduction in base pay. These persons shall also have reinstatement,
 7 privileges to the classified service as provided under s. 230.33 (1). ^{Insert 5-7} The persons
 8 holding positions in the classified service at the animal health laboratories at the
 9 department of agriculture, trade and consumer protection on the day before the
 ⑩ effective date of this ^{paragraph} subsection [revisor inserts date], who have not achieved
 ⑪ permanent status in class ~~in the department of agriculture, trade and~~ ^{designated as}
 ⑫ ~~consumer protection~~ on that date are eligible to receive the protections, privileges ^{and who are faculty or academic staff upon their transfer} to the
 13 and rights preserved under this ^{paragraph} subsection if they successfully complete service ^{veterinary} ^{diagnostic}
 14 equivalent to the probationary period required in the classified service for the ^{laboratory}
 15 position ^{that} which they hold on that date.

Insert 5-15 →

SECTION 7. 93.07 (15m) and (16) of the statutes are repealed.

Insert 5-17 →

SECTION 8. ^{V.A.R. (A)} Nonstatutory provision ^(B)

(A) POSITION AUTHORIZATION; UNIVERSITY OF WISCONSIN SYSTEM. The authorized

19 FTE positions for the University of Wisconsin System are increased by ^{60.5} 78.0 GPR
20 positions on July 1, 2000, to be funded from the appropriation under section 20.115

21 (1) (f) of the statutes, as created by this act, for the ^{veterinary} animal disease ^{laboratory} diagnostic service.

22 (B) INITIAL APPOINTMENTS TO ANIMAL DISEASE ^(C) ^{veterinary} ^(D) ^{laboratory} DIAGNOSTIC SERVICE BOARD.

23 Notwithstanding the length of terms specified in section 15.915 (1) (b) 5. of the
24 statutes, as created by this act, the governor shall appoint the initial members of the
25 board under that provision for the following terms:

1 (a) One member for a term expiring on May 1, 2002.

2 (b) Two members for a term expiring on May 1, 2003.

3 (c) Two members for terms expiring on May 1, 2004.

4 ~~(3) POSITION DECREASE; AGRICULTURE TRADE AND CONSUMER PROTECTION. On July~~
5 ~~1, 2000, the authorized FTE positions for the department of agriculture, trade and~~
6 ~~consumer protection are decreased by 22 GPR positions funded from the~~
7 ~~appropriation under section 20.115 (2) (a) of the statutes and 36 PR positions funded~~
8 ~~from the appropriation under section 20.115 (2) (g) of the statutes to reflect the~~
9 ~~transfer of the animal health laboratories to the University of Wisconsin System.~~

10 ~~(4) TRANSFER OF LABORATORIES.~~

11 ~~(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and~~
12 ~~liabilities of the department of agriculture, trade and consumer protection primarily~~
13 ~~related to the functions of the animal health laboratories, as determined by the~~
14 ~~secretary of administration, shall become the assets and liabilities of the University~~
15 ~~of Wisconsin System.~~

16 (b) *Employee transfers.* On the effective date of this paragraph, all incumbent
17 employees holding positions in the department of agriculture, trade and consumer
18 protection that are primarily related to the animal health laboratories are
19 transferred to the University of Wisconsin System.

20 (c) *Employee status.* Employees transferred under paragraph (b), except for
21 employees to which section 36.58 (5) ^{(a) ↓} of the statutes, as created by this act, applies,
22 have all the rights and the same status under subchapter V of chapter 111 and
23 chapter 230 of the statutes in the University of Wisconsin System that they enjoyed
24 in the department of agriculture, trade and consumer protection immediately before
25 the transfer. Notwithstanding section 230.28 (4) [↓] of the statutes, no employe so

1 transferred who has attained permanent status in class is required to serve a
2 probationary period.

3 (d) *Tangible personal property.* On the effective date of this paragraph, all
4 tangible personal property, including records, of the department of agriculture, trade
5 and consumer protection that is primarily related to the functions of the animal
6 health laboratories, as determined by the secretary of administration, is transferred
7 to the University of Wisconsin System.

8 (e) *Pending matters.* Any matter pending with the department of agriculture,
9 trade and consumer protection on the effective date of this paragraph that is
10 primarily related to the animal health laboratories, as determined by the secretary
11 of administration, is transferred to the University of Wisconsin System. All
12 materials submitted to or actions taken by the department of agriculture, trade and
13 consumer protection with respect to the pending matter are considered as having
14 been submitted to or taken by the University of Wisconsin System.

15 (f) *Contracts.* All contracts entered into by the department of agriculture, trade
16 and consumer protection in effect on the effective date of this paragraph that are
17 primarily related to the functions of the animal health laboratories, as determined
18 by the secretary of administration, remain in effect and are transferred to the
19 University of Wisconsin System. The University of Wisconsin System shall carry out
20 any obligations under those contracts unless modified or rescinded by the University
21 of Wisconsin System to the extent allowed under the contract.

22 (g) *Rules and orders.* All rules promulgated by the department of agriculture,
23 trade and consumer protection in effect on the effective date of this paragraph that
24 are primarily related to the animal health laboratories remain in effect until their
25 specified expiration date or until amended or repealed by the ~~governor's work-based~~

SECTION 8

1 ^{veterinary laboratory} animal disease diagnostic ~~service~~ board. All orders issued by the department of
 2 agriculture, trade and consumer protection in effect on the effective date of this
 3 paragraph that are primarily related to the animal health laboratories remain in
 4 effect until their specified expiration date or until modified or rescinded by the
 5 animal disease ^{veterinary laboratory} diagnostic ~~service~~ board.

Insert
F-5 6 ✓

SECTION 9. Appropriation changes; agriculture, trade and consumer protection.

Insert
F-7 ✓

8 (¶) PROGRAM REVENUE TRANSFER. The ~~unnumbered~~ balance in the ²⁰⁰⁰
 9 appropriation account under section 20.115 (2) (g) of the statutes on June 30, 1999,
 10 is transferred to the appropriation account under section 20.285 (1) (j) of the statutes,
 11 as created by this act.

Insert
F-12 ✓

SECTION 10. Effective dates. This act takes effect on the day after publication, except as follows:

14 (1) The treatment of sections 20.285 (1) (f), (j) and (kg), 36.85 and 93.07 (15m)
 15 and (16) of the statutes and SECTION 4 of this act take effect on July 1, 2000.

A.R. ⑥
 A.R. ⑥ (4) and (5) ← A.R. ⑥

(END)

This is an auto ref
 By (4) I'm referring to the #ing in the 1P2.
 The ref. to (5) is to the new nonstat. subsection on fees. - insert 8-5

16

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3853/lins
RCL:cmh:mrc

Analysis insert

Under current law, the department of agriculture, trade and consumer protection (DATCP) operates two laboratories that provide animal health testing and diagnostic services, one in Madison and ^{one} a regional laboratory in the city of Barron. Some of the positions for the laboratories are funded with state general purpose revenue and some are funded with program revenue from fees charged for laboratory services.

This bill transfers the animal health laboratories and their employees to the University of Wisconsin (UW) System on July 1, 2000, and creates a veterinary diagnostic laboratory board (VDLB), attached to the UW system, to oversee the laboratories. The bill authorizes 18 additional positions for the laboratories. Under the bill, all of the positions for the laboratories are funded from state general purpose revenue. The bill requires the laboratories to conduct research and provide field services, consultation services and education concerning animal health, in addition to providing testing and diagnostic services.

The bill authorizes VDLB to set fees for the services provided by the laboratories. The fees must generally be designed to cover the costs of the supplies, services and equipment needed to perform services. The bill prohibits the veterinary diagnostic laboratories from charging fees for services conducted for DATCP's division of animal health.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

1999

File With Statute **20.005 (3)** Schedule

LRB _____/____

\$\$\$ SCHEDULE

Insert 2-19

In the component bar:

For the action phrase, execute: create → action: → ch20

For the table layout, execute: create → <Table> → \$sched

SECTION #. 20.005 (3) (schedule) of the statutes: at the appropriate place,

insert the following amounts for the purposes indicated:

	1999-00	2000-01
20. _____		
.....		
()		
.....		

(j) Veterinary diagnostic
laboratory fees

PR A 0 - 3,177,100

20. _____	
.....	
()	
.....	
()	
.....	

end of insert

20.285(1)(j)^(B) ^(I) = Veterinary diagnostic laboratory; fees.

= The amounts in the schedule for general program operations of the veterinary diagnostic laboratory. All moneys received under s. 36.58(3)^(I), other than from state agencies, shall be credited to this appropriation. (C)

Inset 4-5

~~§~~ (a) Except as provided in pars. (b) to (d), the
veterinary diagnostic laboratory shall charge fees for
testing and diagnostic services that are designed to
^{cover} the costs of supplies, services and equipment needed
by the laboratory to provide ^{testing and diagnostic} services ^{for which it charges fees.}

Insert 4-8



1 ~~(b) Maintain a regional laboratory in the city of Barron.~~

2 ~~(c) In cooperation with the school of veterinary medicine and the department~~
3 ~~of agriculture, trade and consumer protection, conduct research and provide field~~
4 ~~services, consultation services and education concerning animal health.~~

5 ~~(3) FEES. (a) Except as provided in pars. (b) to (d), for each testing or diagnostic~~
6 ~~service provided by the animal disease diagnostic service, the service shall charge a~~
7 ~~fee based on the cost of the supplies and equipment needed to perform the service.~~

*Insert
4-89*

8 ~~(b) The animal disease diagnostic service~~ ^{*veterinary laboratory*} ~~may not charge a fee for any service~~
9 ~~conducted for the subunit of the department of agriculture, trade and consumer~~
10 ~~protection that is responsible for animal health or for the subunit of the federal~~
11 ~~department of agriculture that is responsible for animal health.~~

12 ~~(c) The animal disease diagnostic service board may identify services that are~~
13 ~~necessary to protect human health and safety for which the animal disease~~
14 ~~diagnostic service may not charge fees.~~

15 ~~(d) For a service requested by a person outside of this state, the animal disease~~
16 ~~diagnostic service may charge a fee that is based on all of the costs of providing the~~
17 ~~service.~~

18 ~~(4) SUBMISSION OF BUDGET. Notwithstanding s. 15.03, the board of regents of the~~
19 ~~University of Wisconsin System shall process and forward to the department of~~
20 ~~administration all personnel and biennial budget requests of the animal disease~~
21 ~~diagnostic service board without change.~~

22 ~~SECTION 6. 93.07 (15m) and (16) of the statutes are repealed.~~

23 ~~SECTION 7. Nonstatutory provision.~~

24 ~~(1) POSITION AUTHORIZATION. The authorized FTE positions for the University~~
25 ~~of Wisconsin System are increased by 19.0 GPR positions, to be funded from the~~

Insert 5-7

No
4 IF one of these persons is given an academic
staff appointment for a term, the person has the
right to have the appointment renewed at the end of
the term unless there is just cause for failure to
renew the appointment.

Insert 5-15

¶ (b) IF a person alleges that his or her ^{the} protections, privileges or rights preserved under par. (a) have been violated, the person may seek review using the procedures under s. 36.13(5)^v or ~~s.~~ [§] 36.15(3)^v, as applicable, or ^{under s. 230.44^v} ~~may~~ appeal to the personnel commission, but may not use both procedures.