

1/20 Per Ann Roth - Add language like s. 95.232
for Lab.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3853/3
RCT:cmh&wlj:mrc

Today

r m r

1999 BILL

See pp. 3, 2/06
15/147

regen cut

1 AN ACT to repeal 93.07 (15m) and (16); and to create 15.915 (1), 20.285 (1) (fj),
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 diagnostic laboratory board
4 and making an appropriation.

Analysis by the Legislative Reference Bureau

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 participate in research and in the provision of field services, consultation services and education in cooperation with DATCP and the UW school of veterinary medicine, 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,~~

BILL

~~services and equipment needed to perform services.~~ The bill prohibits the veterinary diagnostic laboratories from charging fees for diagnostic and testing 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.

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

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

2 15.915 (1) VETERINARY DIAGNOSTIC LABORATORY BOARD. (a) There is created a
3 veterinary diagnostic laboratory board attached to the University of Wisconsin
4 System under s. 15.03.

5 (b) The veterinary diagnostic laboratory board shall consist of the following
6 members:

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

9 2. The chancellor of the University of Wisconsin–Madison or his or her
10 designee.

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

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

14 5. Five other members representing persons served by the veterinary
15 diagnostic laboratory, at least one of whom is a livestock producer, at least one of
16 whom represents the animal agriculture industry and at least one of whom is a
17 practicing veterinarian who is a member of the Wisconsin Veterinary Medical
18 Association, appointed for 3-year terms.

BILL

1 6. The director of the veterinary diagnostic laboratory, who shall serve as a
2 nonvoting member.

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

5		1999-00	2000-01
---	--	----------------	----------------

6 **20.285 University of Wisconsin system**

7 (1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC
8 SERVICE

9	(fj) Veterinary diagnostic laboratory	GPR	A	-0-	4,267,100
---	---------------------------------------	-----	---	-----	-----------

10 **SECTION 3.** 20.285 (1) (fj) of the statutes is created to read:

11 20.285 (1) (fj) *Veterinary diagnostic laboratory.* The amounts in the schedule
12 for general program operations of the veterinary diagnostic laboratory.

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

14 20.285 (1) (j) *Veterinary diagnostic laboratory; fees.* All moneys received under
15 s. 36.58 (3), other than from state agencies, to be used for general program operations
16 of the veterinary diagnostic laboratory.

17 **SECTION 5.** 20.285 (1) (kg) of the statutes is created to read:

18 20.285 (1) (kg) *Veterinary diagnostic laboratory; state agencies.* All moneys
19 received from other state agencies on account of the veterinary diagnostic laboratory
20 to be used for general program operations of the veterinary diagnostic laboratory.

21 **SECTION 6.** 36.58 of the statutes is created to read:

22 **36.58 Veterinary diagnostic laboratory. (1) DUTIES OF THE VETERINARY**
23 **DIAGNOSTIC LABORATORY BOARD.** The veterinary diagnostic laboratory board shall do
24 all of the following:

BILL**SECTION 6**

- 1 (a) Prescribe policies for the operation of the veterinary diagnostic laboratory.
2 (b) Develop biennial budget requests for the veterinary diagnostic laboratory.
3 (c) In accordance with sub. (3), set fees for services provided by the veterinary
4 diagnostic laboratory.

5 **(2) DUTIES OF THE VETERINARY DIAGNOSTIC LABORATORY.** The veterinary
6 diagnostic laboratory shall do all of the following:

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

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

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

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

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

16 (c) In cooperation with the school of veterinary medicine and the department
17 of agriculture, trade and consumer protection, participate in research and in the
18 provision of field services, consultation services and education as determined to be
19 appropriate by the veterinary diagnostic laboratory board.

20 **(3) FEES.** (a) Except as provided in pars. (b) and (c), the veterinary diagnostic
21 laboratory shall charge fees for testing and diagnostic services.

22 (b) The veterinary diagnostic laboratory may not charge a fee for any testing
23 or diagnostic service conducted for the subunit of the department of agriculture,
24 trade and consumer protection that is responsible for animal health or for the

BILL

1 subunit of the federal department of agriculture that is responsible for animal
2 health.

3 (c) The veterinary diagnostic laboratory board may identify services that are
4 necessary to protect human health and safety for which the veterinary diagnostic
5 laboratory may not charge fees.

6 (3m) APPOINTMENT OF DIRECTOR. After consultation with the veterinary
7 diagnostic laboratory board, the chancellor of the University of Wisconsin-Madison
8 shall appoint an individual who has received the degree of doctor of veterinary
9 medicine as the director of the veterinary diagnostic laboratory.

10 (4) SUBMISSION OF BUDGET. Notwithstanding s. 15.03, the board of regents of the
11 University of Wisconsin System shall process and forward to the department of
12 administration all personnel and biennial budget requests of the veterinary
13 diagnostic laboratory board without change.

14 (5) TREATMENT OF CERTAIN EMPLOYEES. Notwithstanding ss. 36.09 (1) (i), 36.13
15 and 36.15, when a position at the veterinary diagnostic laboratory is held by ^a person
16 who held a position in the classified service at the animal health laboratories at the
17 department of agriculture, trade and consumer protection on the day before the
18 effective date of this subsection [revisor inserts date], the position may not be
19 designated as a position outside of the classified service without the consent of the
person.

Insert
5-20

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

22 **SECTION 8. Nonstatutory provisions.**

23 (1) FACILITY PLANNING. Notwithstanding section 13.48 (4) of the statutes, the
24 department of agriculture, trade and consumer protection may report a proposed
25 project for the construction or expansion of a facility in Madison for the veterinary

BILL**SECTION 8**

1 diagnostic laboratory to the building commission at any time during the 1999-01
2 fiscal biennium and may request the building commission to allocate moneys from
3 the appropriation under section 20.867 (2) (r) of the statutes for planning for that
4 project.

5 (2) POSITION AUTHORIZATION; UNIVERSITY OF WISCONSIN SYSTEM. The authorized
6 FTE positions for the University of Wisconsin System are increased by 80.5 GPR
7 positions on July 1, 2000, to be funded from the appropriation under section 20.285
8 (1) (f) of the statutes, as created by this act, for the veterinary diagnostic laboratory.

9 (3) INITIAL APPOINTMENTS TO VETERINARY DIAGNOSTIC LABORATORY BOARD.
10 Notwithstanding the length of terms specified in section 15.915 (1) (b) 5. of the
11 statutes, as created by this act, the governor shall appoint the initial members of the
12 board under that provision for the following terms:

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

14 (b) Two members for ^gterms expiring on May 1, 2003.

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

16 (4) TRANSFER OF LABORATORIES.

17 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
18 liabilities of the department of agriculture, trade and consumer protection primarily
19 related to the functions of the animal health laboratories, as determined by the
20 secretary of administration, shall become the assets and liabilities of the University
21 of Wisconsin System.

22 (b) *Employe transfers.* On the effective date of this paragraph, all incumbent
23 employes holding positions in the department of agriculture, trade and consumer
24 protection that are primarily related to the animal health laboratories are
25 transferred to the University of Wisconsin System.

BILL

1 (c) *Employe status.* Employees transferred under paragraph (b) have all the
2 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
3 statutes in the University of Wisconsin System that they enjoyed in the department
4 of agriculture, trade and consumer protection immediately before the transfer.

5 Notwithstanding section 230.28 (4) of the statutes, no employe so transferred who
6 has attained permanent status in class is required to serve a probationary period.

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

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

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

subject to section 36.58 (5) of the statute as created by this act

BILL**SECTION 8**

1 (g) *Rules and orders.* All rules promulgated by the department of agriculture,
2 trade and consumer protection in effect on the effective date of this paragraph that
3 are primarily related to the animal health laboratories remain in effect until their
4 specified expiration date or until amended or repealed by the veterinary diagnostic
5 laboratory board. All orders issued by the department of agriculture, trade and
6 consumer protection in effect on the effective date of this paragraph that are
7 primarily related to the animal health laboratories remain in effect until their
8 specified expiration date or until modified or rescinded by the veterinary diagnostic
9 laboratory board.

10 (5) FEES. Notwithstanding section 36.58 (1) (c) of the statutes, as created by this
11 act, from July 1, 2000, to the day after publication of the 2001-03 biennial budget act
12 or July 1, 2001, whichever is later, the fee charged by the veterinary diagnostic
13 laboratory for a service may be equal to the fee established under section 93.07 (15m)
14 or (16m), 1997 stats., for that service that is in effect on the day before the effective
15 date of this subsection.

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

18 (1) LABORATORY TRANSFER; GENERAL PROGRAM REVENUE DECREASE. In the schedule
19 under section 20.005 (3) of the statutes for the appropriation to the department of
20 agriculture, trade and consumer protection under section 20.115 (2) (a) of the
21 statutes, as affected by the acts of 1999, the dollar amount is decreased by \$1,733,800
22 for fiscal year 2000-01 to reflect the transfer of the animal health laboratories to the
23 University of Wisconsin System and to decrease the authorized FTE positions of the
24 department by 25.5 GPR positions related to the laboratories.

BILL

1 (2) LABORATORY EQUIPMENT AND SUPPLIES AND SERVICES. In the schedule under
2 section 20.005 (3) of the statutes for the appropriation to the department of
3 agriculture, trade and consumer protection under section 20.115 (2) (g) of the
4 statutes, as affected by the acts of 1999, the dollar amount is increased by \$520,000
5 for fiscal year 1999–00 to increase funding for equipment and supplies and services
6 related to the animal health laboratories.

7 (3) LABORATORY TRANSFER; PROGRAM REVENUE DECREASE. In the schedule under
8 section 20.005 (3) of the statutes for the appropriation to the department of
9 agriculture, trade and consumer protection under section 20.115 (2) (g) of the
10 statutes, as affected by the acts of 1999, the dollar amount is decreased by \$2,903,700
11 for fiscal year 2000–01 to reflect the transfer of the animal health laboratories to the
12 University of Wisconsin System and to decrease the authorized FTE positions of the
13 department by 4.0 PR project positions and 33 PR positions related to the
14 laboratories.

15 (4) PROGRAM REVENUE TRANSFER. The balance in the appropriation account
16 under section 20.115 (2) (g) of the statutes on June 30, 2000, is transferred to the
17 appropriation account under section 20.285 (1) (j) of the statutes, as created by this
18 act.

19 (5) UNIVERSITY OF WISCONSIN SYSTEM; GENERAL PURPOSE REVENUE LAPSE. On June
20 30, 2001, \$813,900 is lapsed from the appropriation account under section 20.285 (1)
21 (f) of the statutes, as created by this act, to the general fund.

22 (6) UNIVERSITY OF WISCONSIN SYSTEM; PROGRAM REVENUE LAPSE. On June 30,
23 2001, \$1,519,400 is lapsed from the appropriation account under section 20.285 (1)
24 (j) of the statutes, as created by this act, to the general fund.

Section #. 95.232 of the statutes is amended to read:

(a) ^{From} ⁽⁶⁾ ⁽⁵⁾ ^{(5) - not build} **95.232 Confidentiality of paratuberculosis records.** Any information kept by the ~~department~~ ^{veterinary diagnostic laboratory} that identifies the owners of livestock herds infected, or suspected of being infected, with paratuberculosis is not subject to inspection or copying under s. 19.35 except as the ~~department~~ ^{laboratory} determines is necessary to protect the public health, safety or welfare.

History: 1989 a. 31.

(END OF INSERT)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3853-4
RCT:cmh&wlj:km

Mon (1/24) NOON

YMY

1999 BILL

See p. 7

DNote

repeal
act

- 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 diagnostic laboratory board
4 and making an appropriation.

Analysis by the Legislative Reference Bureau

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 participate in research and in the provision of field services, consultation services and education in cooperation with DATCP and the UW school of veterinary medicine, in addition to providing testing and diagnostic services.

The bill authorizes VDLB to set fees for the services provided by the laboratories. The bill prohibits the veterinary diagnostic laboratories from charging

BILL

fees for diagnostic and testing 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.

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

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

2 15.915 (1) VETERINARY DIAGNOSTIC LABORATORY BOARD. (a) There is created a
3 veterinary diagnostic laboratory board attached to the University of Wisconsin
4 System under s. 15.03.

5 (b) The veterinary diagnostic laboratory board shall consist of the following
6 members:

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

9 2. The chancellor of the University of Wisconsin–Madison or his or her
10 designee.

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

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

14 5. Five other members representing persons served by the veterinary
15 diagnostic laboratory, at least one of whom is a livestock producer, at least one of
16 whom represents the animal agriculture industry and at least one of whom is a
17 practicing veterinarian who is a member of the Wisconsin Veterinary Medical
18 Association, appointed for 3-year terms.

19 6. The director of the veterinary diagnostic laboratory, who shall serve as a
20 nonvoting member.

BILL

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

	1999-00	2000-01
3		
4	20.285 University of Wisconsin system	

5 (1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC
6 SERVICE

7 (fj) Veterinary diagnostic laboratory GPR A -0- 4,267,100

8 **SECTION 3.** 20.285 (1) (fj) of the statutes is created to read:

9 20.285 (1) (fj) *Veterinary diagnostic laboratory.* The amounts in the schedule
10 for general program operations of the veterinary diagnostic laboratory.

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

12 20.285 (1) (j) *Veterinary diagnostic laboratory; fecs.* All moneys received under
13 s. 36.58 (3), other than from state agencies, to be used for general program operations
14 of the veterinary diagnostic laboratory.

15 **SECTION 5.** 20.285 (1) (kg) of the statutes is created to read:

16 20.285 (1) (kg) *Veterinary diagnostic laboratory; state agencies.* All moneys
17 received from other state agencies on account of the veterinary diagnostic laboratory
18 to be used for general program operations of the veterinary diagnostic laboratory.

19 **SECTION 6.** 36.58 of the statutes is created to read:

20 **36.58 Veterinary diagnostic laboratory. (1) DUTIES OF THE VETERINARY**
21 **DIAGNOSTIC LABORATORY BOARD.** The veterinary diagnostic laboratory board shall do
22 all of the following:

23 (a) Prescribe policies for the operation of the veterinary diagnostic laboratory.

24 (b) Develop biennial budget requests for the veterinary diagnostic laboratory.

BILL**SECTION 6**

1 (c) In accordance with sub. (3), set fees for services provided by the veterinary
2 diagnostic laboratory.

3 (2) DUTIES OF THE VETERINARY DIAGNOSTIC LABORATORY. The veterinary
4 diagnostic laboratory shall do all of the following:

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

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

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

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

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

14 (c) In cooperation with the school of veterinary medicine and the department
15 of agriculture, trade and consumer protection, participate in research and in the
16 provision of field services, consultation services and education as determined to be
17 appropriate by the veterinary diagnostic laboratory board.

18 (3) FEES. (a) Except as provided in pars. (b) and (c), the veterinary diagnostic
19 laboratory shall charge fees for testing and diagnostic services.

20 (b) The veterinary diagnostic laboratory may not charge a fee for any testing
21 or diagnostic service conducted for the subunit of the department of agriculture,
22 trade and consumer protection that is responsible for animal health or for the
23 subunit of the federal department of agriculture that is responsible for animal
24 health.

BILL

1 (c) The veterinary diagnostic laboratory board may identify services that are
2 necessary to protect human health and safety for which the veterinary diagnostic
3 laboratory may not charge fees.

4 **(3m) APPOINTMENT OF DIRECTOR.** After consultation with the veterinary
5 diagnostic laboratory board, the chancellor of the University of Wisconsin–Madison
6 shall appoint an individual who has received the degree of doctor of veterinary
7 medicine as the director of the veterinary diagnostic laboratory.

8 **(4) SUBMISSION OF BUDGET.** Notwithstanding s. 15.03, the board of regents of the
9 University of Wisconsin System shall process and forward to the department of
10 administration all personnel and biennial budget requests of the veterinary
11 diagnostic laboratory board without change.

12 **(5) TREATMENT OF CERTAIN EMPLOYEES.** Notwithstanding ss. 36.09 (1) (i), 36.13
13 and 36.15, when a position at the veterinary diagnostic laboratory is held by a person
14 who held a position in the classified service at the animal health laboratories at the
15 department of agriculture, trade and consumer protection on the day before the
16 effective date of this subsection ... [revisor inserts date], the position may not be
17 designated as a position outside of the classified service without the consent of the
18 person.

19 **(6) CONFIDENTIALITY OF PARATUBERCULOSIS RECORDS.** Any information kept by
20 the veterinary diagnostic laboratory that identifies the owners of livestock herds
21 infected, or suspected of being infected, with paratuberculosis is not subject to
22 inspection or copying under s. 19.35 except as the veterinary diagnostic laboratory
23 determines is necessary to protect the public health, safety or welfare.

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

25 **SECTION 8. Nonstatutory provisions.**

BILL**SECTION 8**

1 (1) FACILITY PLANNING. Notwithstanding section 13.48 (4) of the statutes, the
2 department of agriculture, trade and consumer protection may report a proposed
3 project for the construction or expansion of a facility in Madison for the veterinary
4 diagnostic laboratory to the building commission at any time during the 1999–01
5 fiscal biennium and may request the building commission to allocate moneys from
6 the appropriation under section 20.867 (2) (r) of the statutes for planning for that
7 project.

8 (2) POSITION AUTHORIZATION; UNIVERSITY OF WISCONSIN SYSTEM. The authorized
9 FTE positions for the University of Wisconsin System are increased by 80.5 GPR
10 positions on July 1, 2000, to be funded from the appropriation under section 20.285
11 (1) (f) of the statutes, as created by this act, for the veterinary diagnostic laboratory.

12 (3) INITIAL APPOINTMENTS TO VETERINARY DIAGNOSTIC LABORATORY BOARD.
13 Notwithstanding the length of terms specified in section 15.915 (1) (b) 5. of the
14 statutes, as created by this act, the governor shall appoint the initial members of the
15 board under that provision for the following terms:

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

17 (b) Two members for terms expiring on May 1, 2003.

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

19 (4) TRANSFER OF LABORATORIES.

20 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
21 liabilities of the department of agriculture, trade and consumer protection primarily
22 related to the functions of the animal health laboratories, as determined by the
23 secretary of administration, shall become the assets and liabilities of the University
24 of Wisconsin System.

BILL

wpo please create auto-reference "a" (use in insert 7-5)

1 (b) *Employe transfers.* On the effective date of this paragraph, all incumbent
2 employes holding positions in the department of agriculture, trade and consumer
3 protection that are primarily related to the animal health laboratories are
4 transferred to the University of Wisconsin System.

5 (c) *Employe status.* ^{Insert 7-5} Employes transferred under paragraph (b) have all the
6 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
7 statutes in the University of Wisconsin System that they enjoyed in the department
8 of agriculture, trade and consumer protection immediately before the transfer,
9 ~~subject to section 230.28 (5) of the statutes, as created by this act.~~ Notwithstanding
10 section 230.28 (4) of the statutes, no employe so transferred who has attained
11 permanent status in class is required to serve a probationary period.

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

17 (e) *Pending matters.* Any matter pending with the department of agriculture,
18 trade and consumer protection on the effective date of this paragraph that is
19 primarily related to the animal health laboratories, as determined by the secretary
20 of administration, is transferred to the University of Wisconsin System. All
21 materials submitted to or actions taken by the department of agriculture, trade and
22 consumer protection with respect to the pending matter are considered as having
23 been submitted to or taken by the University of Wisconsin System.

24 (f) *Contracts.* All contracts entered into by the department of agriculture, trade
25 and consumer protection in effect on the effective date of this paragraph that are

BILL

1 primarily related to the functions of the animal health laboratories, as determined
2 by the secretary of administration, remain in effect and are transferred to the
3 University of Wisconsin System. The University of Wisconsin System shall carry out
4 any obligations under those contracts unless modified or rescinded by the University
5 of Wisconsin System to the extent allowed under the contract.

6 (g) *Rules and orders.* All rules promulgated by the department of agriculture,
7 trade and consumer protection in effect on the effective date of this paragraph that
8 are primarily related to the animal health laboratories remain in effect until their
9 specified expiration date or until amended or repealed by the veterinary diagnostic
10 laboratory board. All orders issued by the department of agriculture, trade and
11 consumer protection in effect on the effective date of this paragraph that are
12 primarily related to the animal health laboratories remain in effect until their
13 specified expiration date or until modified or rescinded by the veterinary diagnostic
14 laboratory board.

15 (5) FEES. Notwithstanding section 36.58 (1) (c) of the statutes, as created by this
16 act, from July 1, 2000, to the day after publication of the 2001-03 biennial budget act
17 or July 1, 2001, whichever is later, the fee charged by the veterinary diagnostic
18 laboratory for a service may be equal to the fee established under section 93.07 (15m)
19 or (16m), 1997 stats., for that service that is in effect on the day before the effective
20 date of this subsection.

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

23 (1) LABORATORY TRANSFER; GENERAL PROGRAM REVENUE DECREASE. In the schedule
24 under section 20.005 (3) of the statutes for the appropriation to the department of
25 agriculture, trade and consumer protection under section 20.115 (2) (a) of the

BILL

1 statutes, as affected by the acts of 1999, the dollar amount is decreased by \$1,733,800
2 for fiscal year 2000-01 to reflect the transfer of the animal health laboratories to the
3 University of Wisconsin System and to decrease the authorized FTE positions of the
4 department by 25.5 GPR positions related to the laboratories.

5 (2) LABORATORY EQUIPMENT AND SUPPLIES AND SERVICES. In the schedule under
6 section 20.005 (3) of the statutes for the appropriation to the department of
7 agriculture, trade and consumer protection under section 20.115 (2) (g) of the
8 statutes, as affected by the acts of 1999, the dollar amount is increased by \$520,000
9 for fiscal year 1999-00 to increase funding for equipment and supplies and services
10 related to the animal health laboratories.

11 (3) LABORATORY TRANSFER; PROGRAM REVENUE DECREASE. In the schedule under
12 section 20.005 (3) of the statutes for the appropriation to the department of
13 agriculture, trade and consumer protection under section 20.115 (2) (g) of the
14 statutes, as affected by the acts of 1999, the dollar amount is decreased by \$2,903,700
15 for fiscal year 2000-01 to reflect the transfer of the animal health laboratories to the
16 University of Wisconsin System and to decrease the authorized FTE positions of the
17 department by 4.0 PR project positions and 33 PR positions related to the
18 laboratories.

19 (4) PROGRAM REVENUE TRANSFER. The balance in the appropriation account
20 under section 20.115 (2) (g) of the statutes on June 30, 2000, is transferred to the
21 appropriation account under section 20.285 (1) (j) of the statutes, as created by this
22 act.

23 (5) UNIVERSITY OF WISCONSIN SYSTEM; GENERAL PURPOSE REVENUE LAPSE. On June
24 30, 2001, \$813,900 is lapsed from the appropriation account under section 20.285 (1)
25 (fj) of the statutes, as created by this act, to the general fund.

BILL**SECTION 9**

1 (6) UNIVERSITY OF WISCONSIN SYSTEM; PROGRAM REVENUE LAPSE. On June 30,
2 2001, \$1,519,400 is lapsed from the appropriation account under section 20.285 (1)
3 (j) of the statutes, as created by this act, to the general fund.

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

6 (1) The treatment of sections 20.285 (1) (fj), (j) and (kg), 36.58 and 93.07 (15m)
7 and (16) of the statutes and SECTION 8 (4) and (5) of this act take effect on July 1, 2000.

8 **(END)**

ONote

Insert 7-5

(no. 1)

A transfer under part (b) does

agraph
was auto-reference
"a"
created on page 7

not change the rights or status that an employee
enjoyed under subchapter V of chapter 111 and chapter
230 of the statutes ^{in the department of agriculture, trade and consumer protection} immediately before the transfer.

(END OF INSERT)

Note

This redraft only changes the first sentence of subsection (4)(c) of Section 8 of this draft.

The changed language is meant to clarify the intent of that provision: that the transfer does not change an employee's status under the classified service. The language in prior versions of this draft is customarily used in these situations. It is not intended to mean that transferred employees retain their classified rights without regard to anything else that happens to them (e.g., promotion to an unclassified division administrator position), and, as far as I know, it has never been interpreted to mean that.

RET

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3853/4dn
RCT:cmh&wlj:hmh

January 24, 2000

This redraft changes only the first sentence of subsection (4) (c) of Section 8 of this draft. The changed language is meant to clarify the intent of that provision: that the transfer does not change an employe's status under the classified service. The language in prior versions of this draft is customarily used in these situations. It is not intended to mean that transferred employes retain their classified right without regard to anything else that happens to them (e.g., promotion to an unclassified division administrator position), and, as far as I know, it has never been interpreted to mean that.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: Becky.Tradewell@legis.state.wi.us

1/24/00 Ann Roth called & asked
that this be jacketed for Senate with
Sen. Clausen as the requester.
J
KUT

Need a CCC to SB 358

Bill creates 20.285(1)(j), which already exists. Let's make it 20.285(1)(je) I searched on Interleaf for cross-references and they are at p. 9, line 20[✓], and page 10, lines 3[✓] and 6.

Bedley



CORRECTIONS IN: **CCC (LRB-3853/4)**

TO 1999 SENATE BILL 358

()

Prepared by the Legislative Reference Bureau
(Date?????????????)

1. Page 3, line 11: delete "(j)" and substitute "(je)".
2. Page 3, line 12: delete "(j)" and substitute "(je)".
3. Page 9, line 20: delete "(j)" and substitute "(je)".
4. Page 10, line 3: delete "(j)" and substitute "(je)".
5. Page 10, line 6: delete "(j)" and substitute "(je)".

RET

KMG:

.....

Minor clerical corrections in legislation are authorized under s. 35.17, stats.; Senate Rule 31, Assembly Rule 37 and Joint Rule 56.



State of Wisconsin
1999-2000 LEGISLATURE

CORRECTIONS IN:

1999 SENATE BILL 358

Prepared by the Legislative Reference Bureau
(February 10, 2000)

1. Page 3, line 11: delete "(j)" and substitute "(je)".
2. Page 3, line 12: delete "(j)" and substitute "(je)".
3. Page 9, line 20: delete "(j)" and substitute "(je)".
4. Page 10, line 3: delete "(j)" and substitute "(je)".
5. Page 10, line 6: delete "(j)" and substitute "(je)".

LRB-3853/4ccc-1

KMG:ch

Minor clerical corrections in legislation are authorized under s. 35.17, stats.; Senate Rule 31, Assembly Rule 37 and Joint Rule 56.