



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRBs0148/P2  
ALL:all:all

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION  
ASSEMBLY SUBSTITUTE AMENDMENT,  
TO 2005 ASSEMBLY BILL 100

turn off  
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AN ACT relating to: state finances and appropriations, constituting the executive budget act of the 2005 legislature.

*Analysis by the Legislative Reference Bureau*

**GUIDE TO NONSTATUTORY MATERIAL**

As is the case for all other bills, the sections of the budget bill that affect statutes are organized in ascending numerical order of the statutes affected.

Treatments of prior session laws (styled "laws of [year], chapter ...." from 1848 to 1981, and "[year] Wisconsin Act ...." beginning with 1983) are displayed next by year of original enactment and by act number.

The remaining sections of the budget bill are organized by type of provision and, within each type, alphabetically by state agency. The first two digits of the four-digit section number indicate the type of provision:

- 91XX** Nonstatutory provisions.
- 92XX** Appropriation changes.
- 93XX** Initial applicability.
- 94XX** Effective dates.

The remaining two digits indicate the state agency to which the provision relates:

- XX01 Administration.
- XX02 Aging and long-term care board.
- XX03 Agriculture, trade and consumer protection.
- XX04 Arts board.
- XX05 Building commission.
- XX06 Child abuse and neglect prevention board.
- XX07 Circuit courts.
- XX08 Commerce.
- XX09 Corrections.
- XX10 Court of appeals.
- XX11 District attorneys.
- XX12 Educational communications board.
- XX13 Elections board.
- XX14 Employee trust funds.
- XX15 Employment relations commission.
- XX16 Ethics board.
- XX17 Financial institutions.
- XX18 Fox River Navigational System Authority.
- XX19 Governor.
- XX20 Health and Educational Facilities Authority.
- XX21 Health and family services.
- XX22 Higher educational aids board.
- XX23 Historical society.
- XX24 Housing and Economic Development Authority.
- XX25 Insurance.
- XX26 Investment board.
- XX27 Joint committee on finance.
- XX28 Judicial commission.
- XX29 Justice.
- XX30 Legislature.
- XX31 Lieutenant governor.
- XX32 Lower Wisconsin state riverway board.
- XX33 Medical College of Wisconsin.
- XX34 Military affairs.
- XX35 Natural resources.
- XX36 Public defender board.
- XX37 Public instruction.
- XX38 Public lands, board of commissioners of.
- XX39 Public service commission.
- XX40 Regulation and licensing.
- XX41 Revenue.
- XX42 Secretary of state.

- XX43 State employment relations, office of.**
- XX44 State fair park board.**
- XX45 Supreme Court.**
- XX46 Technical college system.**
- XX47 Tourism.**
- XX48 Transportation.**
- XX49 Treasurer.**
- XX50 University of Wisconsin Hospitals and Clinics Authority.**
- XX51 University of Wisconsin Hospitals and Clinics Board.**
- XX52 University of Wisconsin System.**
- XX53 Veterans affairs.**
- XX54 Workforce development.**
- XX55 Other.**

For example, for general nonstatutory provisions relating to the historical society, see SECTION 9123. For any agency that is not assigned a two-digit identification number and that is attached to another agency, see the number of the latter agency. For any other agency not assigned a two-digit identification number or any provision that does not relate to the functions of a particular agency, see number "55" (**other**) within each type of provision.

To facilitate amendment drafting and the enrolling process, separate section numbers and headings appear for each type of provision and for each state agency, even if there are no provisions included in that section number and heading. Section numbers and headings for which there are no provisions will be deleted in enrolling and will not appear in the published act.

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

**\*b0147/2.1\* SECTION 1c.** 1.13 (3) of the statutes is repealed.

**\*b0346/2.1\* SECTION 1m.** 13.09 (2) of the statutes is created to read:

13.09 (2) If actual general fund revenues in any fiscal year are 98 percent or less of estimated general fund revenues under s. 20.005 (1), as published in the biennial budget act or acts, the joint committee of finance may introduce a bill requiring that moneys be transferred from the budget stabilization fund to the general fund to address the revenue shortfall in that fiscal year.

**\*-0609/3.1\* SECTION 1r.** 13.101 (6) (a) of the statutes, as affected by 2003 Wisconsin Act 64, is amended to read:

13.101 (6) (a) As an emergency measure necessitated by decreased state revenues and to prevent the necessity for a state tax on general property, the committee may reduce any appropriation made to any board, commission, department, or the University of Wisconsin System, or to any other state agency or activity, by such amount as it deems feasible, not exceeding 25% of the appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and (cr), ~~and (r)~~, 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax), and (6) (af), (aq), ~~and (ar)~~, and (au), 20.435 (6) (a) and (7) (da), and 20.445 (3) (a) and (dz) or for forestry purposes under s. 20.370 (1), or any other moneys distributed to any county, city, village, town, or school district. Appropriations of receipts and of a sum sufficient shall for the purposes of this section be regarded as equivalent to the amounts expended under such appropriations in the prior fiscal year which ended June 30. All functions of said state agencies shall be continued in an efficient manner, but because of the uncertainties of the existing situation no public funds should be expended or obligations incurred unless there shall be adequate revenues to meet the expenditures therefor. For such reason the committee may make reductions of such appropriations as in its judgment will secure sound financial operations of the administration for said state agencies and at the same time interfere least with their services and activities.

**\*-1513/4.1\* SECTION 2.** 13.101 (13) of the statutes is repealed.

**\*-1734/1.1\* SECTION 3.** 13.121 (1) of the statutes is amended to read:

13.121 (1) CURRENT MEMBER. From the appropriation under s. 20.765 (1) (a) or (b) ~~or (5)~~, each member of the legislature shall be paid, in equal installments, the salary provided under s. 20.923.

**\*-1734/1.2\* SECTION 4.** 13.123 (1) (c) of the statutes is amended to read:

13.123 (1) (c) Each member shall certify to the chief clerk of the house in which the member serves, as promptly as may be following the 1st of each month, the number of days during the previous calendar month on which the member was in Madison on legislative business and for which the member seeks the allowance provided by this subsection. Such allowances shall be paid from the appropriation under s. 20.765 (1) (a) or (b) ~~or (5)~~ within one week after each calendar month; and shall be paid, upon the filing with the department of administration, the chief clerk's affidavit stating the number of days in Madison on legislative business for all members of the chief clerk's house.

**\*-1734/1.3\* SECTION 5.** 13.123 (2) (intro.) of the statutes is amended to read:

13.123 (2) INTERIM EXPENSES. (intro.) From the appropriation under s. 20.765 (1) (a) or (b) ~~or (5)~~, each member of the legislature shall be entitled to an expense allowance for postage and clerical assistance for each full calendar month during which the legislature is in actual session 3 days or less. No allowance is payable to a representative to the assembly unless the speaker of the assembly files with the chief clerk of the assembly a written authorization for the allowance to be paid. No allowance is payable to a senator unless the majority leader of the senate files with the chief clerk of the senate a written authorization for the allowance to be paid. An authorization filed under this subsection becomes effective for the month in which it is filed and continues in effect through the month in which the speaker of the assembly or the majority leader of the senate files a written revocation of the

authorization with the chief clerk of the appropriate house. The rate of such allowance shall be as follows:

**\*-1734/1.4\* SECTION 6.** 13.123 (3) (a) of the statutes is amended to read:

13.123 (3) (a) Any senator authorized by the committee on senate organization to attend a meeting outside the state capital, any representative to the assembly authorized by the committee on assembly organization to attend an out-of-state meeting or authorized by the speaker to attend a meeting within this state outside the state capital, and all members of the legislature required by law, legislative rule, resolution or joint resolution to attend such meetings, shall be paid no additional compensation for such services but shall be reimbursed for actual and necessary expenses from the appropriation under s. 20.765 (1) (a) or (b) ~~or (5)~~, but no legislator may be reimbursed under this subsection for expenses on any day for which the legislator submits a claim under sub. (1).

**\*-1734/1.5\* SECTION 7.** 13.125 of the statutes is amended to read:

**13.125 Chaplains.** The officiating chaplain of the senate and assembly shall be paid such amount as may be established by each house for each day of service from the appropriation under s. 20.765 (1) (a) or (b) ~~or (5)~~. Payment shall be made on certification by the chief clerk of the senate or of the assembly, respectively, showing the amount to which each chaplain is entitled.

**\*-1734/1.6\* SECTION 8.** 13.14 (2) of the statutes is amended to read:

13.14 (2) **FLORAL PIECES.** The senate and assembly may procure floral pieces for deceased or ill members of the legislature and state officers who, in the judgment of the presiding officer and chief clerk, have been identified with the legislative process. Such expenses shall be by voucher, signed by the presiding officer or chief

clerk of the respective house, and shall be drawn on the appropriation under s. 20.765 (1) (a) or (b) ~~or (5)~~.

**\*-1734/1.7\* SECTION 9.** 13.14 (3) of the statutes is amended to read:

13.14 (3) TRAVEL; LEGISLATIVE PERSONNEL. The actual and necessary expenses of legislative policy research personnel, assistants to legislators, and research staff assigned to legislative committees incident to attending meetings outside the state capital shall be reimbursed from the appropriation under s. 20.765 (1) (a) or (b) ~~or (5)~~.

**\*-1711/5.1\* SECTION 10.** 13.40 (3) (fm) of the statutes is amended to read:

13.40 (3) (fm) An appropriation for the ~~2003-05~~ 2005-07 fiscal biennium to make payments to counties, towns, villages, and cities under s. 79.035.

**\*-1711/5.2\* SECTION 11.** 13.40 (3) (jm) of the statutes is created to read:

13.40 (3) (jm) An appropriation under s. 20.505 (1) (br).

**\*-1711/5.3\* SECTION 12.** 13.40 (3m) (a) of the statutes is repealed.

**\*-1711/5.4\* SECTION 13.** 13.40 (3m) (ae) of the statutes is created to read:

13.40 (3m) (ae) In this subsection, an “excluded appropriation” consists of all of the following:

1. State operations appropriations for the Board of Regents of the University of Wisconsin System.
2. Appropriations for fuel and utility costs.
3. An appropriation under s. 20.505 (1) (br).
4. An appropriation under s. 20.855 (4) (c) and (cm).

**\*-1711/5.5\* SECTION 14.** 13.40 (3m) (am) of the statutes is amended to read:

13.40 (3m) (am) In addition to the ~~limitations~~ limitation under sub. (2) ~~and par. (a)~~, the amount appropriated from general purpose revenue for state operations in

fiscal year 2005–06 and in fiscal year 2006–07, less any excluded appropriation and excluding the estimated amount to be expended from general purpose revenue for debt service for that fiscal year, may not exceed the amount appropriated from general purpose revenue for state operations in fiscal year 2004–05, less any excluded appropriation and excluding the estimated amount to be expended from general purpose revenue for debt service for that fiscal year, as shown in the schedule under s. 20.005 (3) published in the 2003–04 Wisconsin Statutes, less \$100,000,000.

**\*-1711/5.6\* SECTION 15.** 13.40 (3m) (b) of the statutes is repealed.

**\*-1734/1.8\* SECTION 16.** 13.45 (3) (a) of the statutes is amended to read:

13.45 (3) (a) For any day for which the legislator does not file a claim under s. 13.123 (1), any legislator appointed to serve on a legislative committee or a committee to which the legislator was appointed by either house or the officers thereof shall be reimbursed from the appropriations under s. 20.765 (1) (a) or (b) or (5) for actual and necessary expenses incurred as a member of the committee.

**\*b0333/2.1\* SECTION 16m.** 13.48 (2) (k) 1. of the statutes is renumbered 13.48 (2) (k).

**\*b0333/2.1\* SECTION 16n.** 13.48 (2) (k) 2. of the statutes is repealed.

**\*b0274/1.1\* SECTION 16p.** 13.48 (7) of the statutes is renumbered 13.48 (7) (a).

**\*b0274/1.1\* SECTION 16r.** 13.48 (7) (b) of the statutes is created to read:

13.48 (7) (b) In making recommendations for the long-range state building program in any fiscal biennium under par. (a), the building commission shall seek to recommend that any increase in general fund supported borrowing for the succeeding fiscal biennium not exceed an amount equal to \$480,000,000, adjusted each fiscal biennium by any percentage change in construction costs, as determined by the building commission, and reduced by both of the following:

1. Any amount of general fund supported borrowing previously authorized by law, but the obligations for which may not be issued until the succeeding fiscal biennium.

2. Any amount of general fund supported borrowing for the succeeding fiscal biennium that is contained in the executive bill or bills introduced under s. 16.47 (1) for the succeeding fiscal biennium.

**\*-1513/6\* SECTION 17.** 13.48 (14) (a) of the statutes is amended to read:

13.48 (14) (a) In this subsection, “agency” has the meaning given for “state agency” in s. 20.001 (1), except that prior to July 1, 2007, the term does not include the Board of Regents of the University of Wisconsin System.

**\*-1513/4.2\* SECTION 18.** 13.48 (14) (d) 4. of the statutes is amended to read:

13.48 (14) (d) 4. If the commission proposes to sell or transfer a parcel of surplus land having a fair market value of at least \$20,000, the commission shall notify the joint committee on finance in writing of its proposed action. If the cochairpersons of the committee do not notify the commission that the committee has scheduled a meeting for the purpose of reviewing the proposed sale or transfer within 14 working days after the date of the commission’s notification, the parcel may be sold or transferred by the commission. If, within 14 working days after the date of the commission’s notification, the cochairpersons of the committee notify the commission that the committee has scheduled a meeting for the purpose of reviewing the proposed sale or transfer, the parcel may be sold or transferred under this subdivision only upon approval of the committee. This subdivision does not apply to surplus land that is authorized to be sold under s. 16.848.

**\*-1513/4.3\* SECTION 19.** 13.48 (22) of the statutes is amended to read:

13.48 (22) SALE OR LEASE OF CAPITOL AREA LANDS. The building commission may lease or resell lands acquired in the capitol planning area for public or private redevelopment and may set such conditions of sale or lease as it deems necessary to ensure development compatible with the needs of the community and the state. This subsection does not apply to lands that are authorized to be sold under s. 16.848.

**\*b0278/4.1\* SECTION 19e.** 13.48 (25r) of the statutes is created to read:

13.48 (25r) WISCONSIN INSTITUTE FOR DISCOVERY INITIATIVE. There is created a program, to be known as the Wisconsin Institute for Discovery initiative, for the purpose of providing financial support to attract federal and private funds to construct facilities for biotechnology, nanotechnology, and information technology education and research activities at the University of Wisconsin. Projects financed under the program shall be designed to provide computational and biological sciences education and research facilities, ancillary systems, and supporting infrastructure. Projects shall be financed from the appropriation under s. 20.866 (2) (z) or as otherwise provided in the authorized state building program.

**\*b0278/4.1\* SECTION 19s.** 13.48 (37) of the statutes is created to read:

13.48 (37) CHILDREN'S RESEARCH INSTITUTE. (a) The legislature finds and determines that there is a critical need for pediatric research to be conducted in the Milwaukee metropolitan area at a unified site and that state support for the construction of a children's research institute at a location that permits interconnection with functionally related facilities of the Medical College of Wisconsin, Inc., will contribute to the advancement of public health in this state. The legislature further finds that pediatric research is a statewide responsibility of statewide dimension. Because it will better ensure that this important responsibility is undertaken in the manner that is most advantageous to the people

of this state, the legislature finds that it will have a direct and immediate effect on a matter of statewide concern for the state to facilitate the construction and operation of a children's research institute.

(b) The building commission may authorize up to \$10,000,000 in general fund supported borrowing to make a grant to the Children's Hospital and Health System for construction of a children's research institute in the city of Wauwatosa. Before approving any state funding commitment for the construction of the institute and before awarding the grant, the building commission shall determine that the Children's Hospital and Health System has secured additional funding commitments of at least \$30,000,000 from nonstate revenue sources for construction of the institute.

(c) If, for any reason, the facility that is constructed with funds from the grant under par. (b) is not used as a children's research institute in the city of Wauwatosa, or the institute is not operated to conduct pediatric research, the state shall retain an ownership interest in the facility equal to the amount of the state's grant.

**\*-1734/1.9\* SECTION 20.** 13.50 (6) (am) of the statutes is amended to read:

13.50 (6) (am) The cochairpersons of the joint survey committee on retirement systems or the cochairpersons of the joint committee on finance, with respect to any bill or amendment specified in par. (a), or the presiding officer of either house of the legislature, with respect to any bill or amendment specified in par. (a) that is pending in his or her house, may make a determination, based on any available information, that the bill or amendment may have a significant fiscal impact on the costs, actuarial balance or goals of the Wisconsin Retirement System and order the attachment of an independent actuarial opinion on such impact. The cochairpersons or presiding officer ordering such an opinion shall direct the staff under sub. (4) to

obtain the opinion. The staff shall make payment for the opinion from the appropriation under s. 20.765 (2) (ab) ~~or (5)~~.

**\*-1734/1.10\* SECTION 21.** 13.56 (2) of the statutes is amended to read:

13.56 (2) PARTICIPATION IN CERTAIN PROCEEDINGS. The cochairpersons of the joint committee for review of administrative rules or their designated agents shall accept service made under ss. 227.40 (5) and 806.04 (11). If the committee determines that the legislature should be represented in the proceeding, it shall request the joint committee on legislative organization to designate the legislature's representative for the proceeding. The costs of participation in the proceeding shall be paid equally from the appropriations under s. 20.765 (1) (a) and (b) ~~or shall be paid from the appropriation under s. 20.765 (5), if applicable~~, except that such costs incurred by the department of justice shall be paid from the appropriation under s. 20.455 (1) (d).

**\*-1734/1.11\* SECTION 22.** 13.57 (3) of the statutes is amended to read:

13.57 (3) All expenses under sub. (1) shall be reimbursed from the appropriation under s. 20.765 (1) (a) or (b) ~~or (5)~~.

**\*-1734/1.12\* SECTION 23.** 13.81 (6) of the statutes is amended to read:

13.81 (6) REIMBURSEMENT FOR SPECIAL STUDIES. At the end of each fiscal year, the general fund shall be reimbursed, from any other state fund, the amounts actually expended by the joint legislative council under s. 20.765 (3) (e) ~~or (5)~~ for the cost of making and publishing surveys and analyses of activities and policies related to such funds. The council shall bill such state funds at the end of each fiscal year for the costs so incurred, in accordance with cost records maintained by the council.

**\*-1734/1.13\* SECTION 24.** 13.81 (8) of the statutes is amended to read:

13.81 (8) CONFERENCE ON LEGISLATIVE PROCEDURES. Following each general election, the joint legislative council shall sponsor a conference to acquaint new

legislators or legislators–elect with legislative procedures. Expenses for the conference shall be paid from the appropriation under s. 20.765 (3) (e) ~~or (5)~~.

**\*-1734/1.14\* SECTION 25.** 13.83 (3) (c) 1. of the statutes is amended to read:

13.83 (3) (c) 1. The joint legislative council shall pay the expenses incurred by the members appointed under par. (b) 1., in performing their functions on the special committee, from the appropriation under s. 20.765 (3) (e) ~~or (5)~~.

**\*-1734/1.15\* SECTION 27.** 13.90 (2) of the statutes is amended to read:

13.90 (2) The cochairpersons of the joint committee on legislative organization or their designated agent shall accept service made under s. 806.04 (11). If the committee, the senate organization committee or the assembly organization committee, determines that the legislature should be represented in the proceeding, that committee shall designate the legislature's representative for the proceeding. The costs of participation in the proceeding shall be paid equally from the appropriations under s. 20.765 (1) (a) and (b) ~~or shall be paid from the appropriation under s. 20.765 (5), if applicable~~, except that such costs incurred by the department of justice shall be paid from the appropriation under s. 20.455 (1) (d).

**\*-1734/1.16\* SECTION 28.** 13.90 (4) of the statutes is amended to read:

13.90 (4) The cochairpersons of the joint committee on legislative organization shall authorize payment of fees entitling the legislature to membership in national organizations from the appropriation under s. 20.765 (3) (fa) ~~or (5)~~.

**\*-1734/1.17\* SECTION 30.** 13.93 (2) (k) of the statutes is amended to read:

13.93 (2) (k) Pay, from the appropriation under s. 20.765 (3) (a) ~~or (5)~~, the expenses of attendance at meetings of members of the Commission on Uniform State Laws who are appointed by the governor.

**\*-1734/1.18\* SECTION 31.** 13.94 (1m) of the statutes is amended to read:

13.94 (1m) INDEPENDENT EXPERTS. The legislative audit bureau may contract for the services of such independent professional or technical experts as deemed necessary to carry out the statutory duties and functions of the bureau within the limits of the amount provided under s. 20.765 (3) (c) ~~or (5)~~; and, in the case of postaudits involving the performance and program accomplishments of a department, shall contract for the services of such subject matter and program specialists from any state or federal agency or public institution of higher learning as deemed necessary by the joint committee on legislative organization.

\*-1372/2.1\* SECTION 32. 13.95 (1m) of the statutes is repealed and recreated to read:

13.95 (1m) DUTIES OF THE BUREAU; BIENNIAL BUDGET BILL. (a) In this subsection, “version of the biennial budget bill or bills” means the executive biennial budget bill or bills, as modified by an amendment offered by the joint committee on finance, as engrossed by the first house, as concurred in and amended by the 2nd house or as nonconcurred in by the 2nd house, or as reported by any committee on conference.

(b) The legislative fiscal bureau shall prepare a statement of estimated general purpose revenue receipts and expenditures in the biennium following the succeeding biennium based on recommendations in each version of the biennial budget bill or bills.

\*b0150/2.2\* SECTION 32m. 14.019 (2) of the statutes is amended to read:

14.019 (2) EFFECT OF APPROPRIATION. Subsection (1) continues to apply to any nonstatutory committee created by the governor even if a part of its expenses is later defrayed from state funds, whether under the general appropriation of s. 20.505 (4) ~~(ba)~~ (1) ~~(ka)~~ or under an appropriation enacted specifically for the purposes of such committee.

**\*-1734/1.19\* SECTION 33.** 14.38 (10) (c) of the statutes is amended to read:

14.38 (10) (c) Publish in the official state newspaper within 10 days after the date of publication of an act a notice certifying the number of each act, the number of the bill from which it originated, the date of publication and the relating clause. Each certificate shall also contain a notice of where the full text of each act can be obtained. Costs under this paragraph shall be charged to the appropriation under s. 20.765 (1) (d) ~~or (5)~~.

**\*-0752/2.5\* SECTION 37.** 14.90 (2) of the statutes is amended to read:

**\*b0150/2.4\*** 14.90 (2) The members of the commission shall serve without compensation but shall be reimbursed from the appropriation under s. 20.505 (4) ~~(ba)~~ (1) ~~(ka)~~ for actual and necessary expenses incurred in the performance of their duties. The commission has the powers granted and the duties imposed under s. 39.80.

**\*b0150/2.4\* SECTION 38b.** 14.90 (3) of the statutes is amended to read:

14.90 (3) From the appropriation under s. 20.505 (4) ~~(ba)~~ (1) ~~(ka)~~, the department of administration shall pay the costs of membership in and costs associated with the midwestern higher education compact.

**\*-1363/1.1\* SECTION 40.** 15.01 (2) of the statutes is amended to read:

15.01 (2) “Commission” means a 3-member governing body in charge of a department or independent agency or of a division or other subunit within a department, except for the Wisconsin waterways commission which shall consist of 5 members, and the parole commission which shall consist of 8 members, ~~and the Fox River management commission which shall consist of 7 members.~~ A Wisconsin group created for participation in a continuing interstate body, or the interstate body itself, shall be known as a “commission”, but is not a commission for purposes of s. 15.06.

The parole commission created under s. 15.145 (1) shall be known as a “commission”, but is not a commission for purposes of s. 15.06. The sentencing commission created under s. 15.105 (27) shall be known as a “commission” but is not a commission for purposes of s. 15.06 (1) to (4m), (7), and (9).

**\*b0147/2.3\* SECTION 40m.** 15.01 (4) of the statutes is amended to read:

15.01 (4) “Council” means a part-time body appointed to function on a continuing basis for the study, and recommendation of solutions and policy alternatives, of the problems arising in a specified functional area of state government, ~~except the Wisconsin land council has the powers specified in s. 16.965 (3) and (5) and the powers granted to agencies under ch. 227, the Milwaukee River revitalization council has the powers and duties specified in s. 23.18, the council on physical disabilities has the powers and duties specified in s. 46.29 (1) and (2), and the state council on alcohol and other drug abuse has the powers and duties specified in s. 14.24.~~

**\*b0120/3.1\* SECTION 41g.** 15.07 (1) (b) 23. of the statutes is created to read:

15.07 (1) (b) 23. Cemetery board.

**\*b0120/3.1\* SECTION 41m.** 15.07 (1) (cm) of the statutes is amended to read:

15.07 (1) (cm) The term of one member of the ethics board shall expire on each May 1. The terms of 3 members of the development finance board appointed under s. 15.155 (1) (a) 6. shall expire on May 1 of every even-numbered year and the terms of the other 3 members appointed under s. 15.155 (1) (a) 6. shall expire on May 1 of every odd-numbered year. The terms of the 3 members of the land and water conservation board appointed under s. 15.135 (4) (b) 2. shall expire on January 1. The term of the member of the land and water conservation board appointed under s. 15.135 (4) (b) 2m. shall expire on May 1 of an even-numbered year. The terms of

members of the real estate board shall expire on July 1. The terms of the appraiser members of the real estate appraisers board and the terms of the auctioneer and auction company representative members of the auctioneer board shall expire on May 1 in an even-numbered year. The terms of the members of the cemetery board shall expire on July 1 in an even-numbered year.

**\*b0120/3.1\* SECTION 41r.** 15.07 (1) (cs) of the statutes is amended to read:

15.07 (1) (cs) No member of the auctioneer board, cemetery board, real estate appraisers board, or real estate board may be an officer, director, or employee of a private organization that promotes or furthers any profession or occupation regulated by that board.

**\*b0128/2.1\* SECTION 42m.** 15.07 (2) (k) of the statutes is repealed.

**\*b0120/3.2\* SECTION 44m.** 15.07 (3) (b) of the statutes is amended to read:

15.07 (3) (b) Except as provided in par. (bm), each board not covered under par. (a) shall meet annually, and may meet at other times on the call of the chairperson or a majority of its members. The auctioneer board, the cemetery board, the real estate board, and the real estate appraisers board shall also meet on the call of the secretary of regulation and licensing or his or her designee within the department.

**\*b0120/3.3\* SECTION 45g.** 15.07 (3) (bm) 6. of the statutes is created to read:

15.07 (3) (bm) 6. The cemetery board shall meet at least 4 times each year.

**\*b0120/3.3\* SECTION 45m.** 15.07 (5) (z) of the statutes is created to read:

15.07 (5) (z) Members of the cemetery board, \$25 per day.

**\*-0745/2.1\* SECTION 47.** 15.105 (12) (e) of the statutes is amended to read:

15.105 (12) (e) *Executive director.* The board shall appoint an executive director under or outside of the classified service ~~to serve at its pleasure.~~

**\*-0745/2.2\* SECTION 48.** 15.105 (12) (f) of the statutes is amended to read:

15.105 (12) (f) *Assistance.* The ~~executive director~~ board may request contract with any state agency to provide assistance necessary for the board to fulfill its duties.

\*-0280/1.1\* SECTION 52. 15.16 (2) of the statutes is repealed.

\*b0128/2.2\* SECTION 53m. 15.225 (3) of the statutes is repealed.

\*-1363/1.2\* SECTION 54. 15.345 (5) of the statutes is repealed.

\*b0120/3.4\* SECTION 55m. 15.405 (3m) of the statutes is created to read:

15.405 (3m) CEMETERY BOARD. (a) In this subsection:

1. "Business representative" has the meaning given in s. 452.01 (3k).

2. "Licensed cemetery authority" means a cemetery authority that is licensed under s. 440.91 (1).

(b) There is created in the department of regulation and licensing a cemetery board consisting of the following members, who shall serve 4-year terms:

1. Four members, each of whom is a business representative of a licensed cemetery authority.

2. Two public members.

(c) No member of the cemetery board may be a business representative of a religious cemetery authority, unless the religious cemetery is regulated by the board.

(d) No member of the cemetery board may serve more than 2 terms.

\*-1510/2.1\* SECTION 56. 15.495 of the statutes is renumbered 15.945 and amended to read:

**15.945 Same; attached board.** (1) EDUCATIONAL APPROVAL BOARD. There is created an educational approval board which is attached to the ~~department of veterans affairs~~ technical college system board under s. 15.03. The board shall consist of not more than 7 members, who shall be representatives of state agencies

and other persons with a demonstrated interest in educational programs, appointed to serve at the pleasure of the governor.

**\*-1737/2.1\* SECTION 57.** 16.004 (13) of the statutes is repealed.

**\*-0738/2.1\* SECTION 60.** 16.27 (3) (e) 2. of the statutes is repealed.

**\*-0738/2.2\* SECTION 61.** 16.27 (3) (e) 3. of the statutes is amended to read:

16.27 (3) (e) 3. Except as provided under subd. 6., allocate the balance of funds received under 42 USC 8621 to 8629 in a federal fiscal year, after making the allocations under pars. (c) and (d) and ~~subds. 1. and 2.~~ subd. 1., for the payment of heating assistance or for the payment of crisis assistance under sub. (6).

**\*-0752/2.8\* SECTION 62.** 16.40 (14) of the statutes is amended to read:

16.40 (14) COMMITTEES. Perform administrative services required to properly account for the finances of committees created by law or executive order. The governor may authorize each committee to make expenditures from the appropriation under s. 20.505 (4) ~~(ba)~~ (1) (ka) not exceeding \$2,000 per fiscal year. The governor shall report such authorized expenditures to the joint committee on finance at the next quarterly meeting of the committee. If the governor desires to authorize expenditures of more than \$2,000 per fiscal year by a committee, the governor shall submit to the joint committee on finance for its approval a complete budget for all expenditures made or to be made by the committee. The budget may cover a period encompassing more than one fiscal year or biennium during the governor's term of office. If the joint committee on finance approves a budget authorizing expenditures of more than \$2,000 per fiscal year by such a committee, the governor may authorize the expenditures to be made within the limits of the appropriation under s. 20.505 (4) ~~(ba)~~ (1) (ka) in accordance with the approved budget during the period covered by the budget. If after the joint committee on finance

approves a budget for such a committee the governor desires to authorize expenditures in excess of the authorized expenditures under the approved budget, the governor shall submit a modified budget for the committee to the joint committee on finance. If the joint committee on finance approves a modified budget, the governor may authorize additional expenditures to be made within the limits of the appropriation under s. 20.505 (4) ~~(ba)~~ (1) (ka) in accordance with the modified budget during the period covered by the modified budget.

**\*b0150/2.7\* SECTION 62m.** 16.40 (17) of the statutes is amended to read:

16.40 (17) INTERSTATE BODIES. Perform administrative services required to properly account for dues and related expenses for state participation in national or regional interstate governmental bodies specified in s. 20.505 (4) ~~(ba)~~ (1) (ka) or determined by the governor.

**\*-0751/1.1\* SECTION 63.** 16.43 of the statutes is amended to read:

**16.43 Budget compiled.** The secretary shall compile and submit to the governor or the governor-elect and to each person elected to serve in the legislature during the next biennium, not later than November 20 of each even-numbered year, a compilation giving all of the data required by s. 16.46 to be included in the state budget report, except the recommendations of the governor and the explanation thereof. The secretary shall not include in the compilation any provision for the development or implementation of an information technology development project for an executive branch agency that is not consistent with the strategic plan of the agency, as approved under s. 16.976. The secretary may distribute the budget compilation in printed or optical disk format.

**\*-0751/1.2\* SECTION 64.** 16.45 of the statutes is amended to read:

**16.45 Budget message to legislature.** In each regular session of the legislature, the governor shall deliver the budget message to the 2 houses in joint session assembled. Unless a later date is requested by the governor and approved by the legislature in the form of a joint resolution, the budget message shall be delivered on or before the last Tuesday in January of the odd-numbered year. With the message the governor shall transmit to the legislature, as provided in ss. 16.46 and 16.47, the biennial state budget report and the executive budget bill or bills together with suggestions for the best methods for raising the needed revenues. The governor may distribute the biennial state budget report in printed or optical disk format.

**\*-1372/2.2\* SECTION 65.** 16.46 (5m) of the statutes is repealed and recreated to read:

**16.46 (5m)** A statement of estimated general purpose revenue receipts and expenditures in the biennium following the succeeding biennium based on recommendations in the budget bill or bills.

**\*-1742/3.1\* SECTION 66.** 16.50 (1) (b) of the statutes is amended to read:

16.50 (1) (b) This subsection does not apply to appropriations under ss. 20.255 (2) (ac) ~~and (r)~~, 20.835, and 20.865 (4).

**\*b0346/2.3\* SECTION 66m.** 16.50 (7) (b) of the statutes is amended to read:

16.50 (7) (b) Following such notification, the governor shall submit a bill containing his or her recommendations for correcting the imbalance between projected revenues and authorized expenditures, including, if the imbalance is caused by actual general fund revenues being 98 percent or less of estimated general fund revenues under s. 20.005 (1), as published in the biennial budget act or acts, a recommendation as to whether moneys should be transferred from the budget

stabilization fund to the general fund. If the legislature is not in a floorperiod at the time of the secretary's notification, the governor shall call a special session of the legislature to take up the matter of the projected revenue shortfall and the governor shall submit his or her bill for consideration at that session.

**\*-0736/1.1\* SECTION 67.** 16.505 (3m) of the statutes is repealed.

**\*-1742/3.2\* SECTION 72.** 16.52 (10) of the statutes is amended to read:

**16.52 (10) DEPARTMENT OF PUBLIC INSTRUCTION.** The provisions of sub. (2) with respect to refunds and sub. (5) (a) with respect to reimbursements for the prior fiscal year shall not apply to the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) and (r).

**\*b0273/2.1\* SECTION 78m.** 16.528 (5) of the statutes is amended to read:

**16.528 (5) REPORTS OF INTEREST PAID.** Annually before October 1, each agency shall report to the department the number of times in the previous fiscal year the agency paid interest under this section, the total amount of interest paid and the reasons why interest payments were not avoided by making timely payment. This subsection does not apply to the Board of Regents of the University of Wisconsin System.

**\*-1837/2.1\* SECTION 79.** 16.529 of the statutes is repealed and recreated to read:

**16.529 Lapses and fund transfers relating to unfunded retirement liability debt service.** (1) The definitions in s. 20.001 are applicable in this section, except that "state agency" does not include the department of employee trust funds or the investment board.

(2) Beginning in the 2007–09 fiscal biennium, during each fiscal biennium the secretary shall lapse to the general fund or transfer to the general fund from each

state agency appropriation specified in sub. (3) an amount equal to that portion of the total amount of principal and interest to be paid on obligations issued under s. 16.527 during the fiscal biennium that is allocable to the appropriation, as determined under sub. (3).

(3) The secretary shall determine the amounts of the allocations required under sub. (2) as follows:

(a) The secretary shall first determine the total amount of Wisconsin retirement system contributions that are to be paid by the state under s. 40.05 during the fiscal biennium.

(b) The secretary shall then determine the percentage of the total amount determined under par. (a) that is allocable to each state agency appropriation from which Wisconsin retirement system contributions under s. 40.05 are paid. The secretary shall exclude from this determination any appropriation from which a lapse or transfer to pay any principal or interest amount on obligations issued under s. 16.527 would violate a condition imposed by the federal government on the expenditure of the moneys or if the lapse or transfer would violate the federal or state constitution.

(c) For each appropriation identified under par. (b), the secretary shall then apply the percentage calculated under par. (b) to the total amount of principal and interest to be paid during the fiscal biennium on obligations issued under s. 16.527. This amount is the portion of the total amount of principal and interest paid on the obligations during that fiscal biennium that is allocable to each appropriation.

**\*-0738/2.3\* SECTION 80.** 16.54 (2) (b) of the statutes is amended to read:

16.54 (2) (b) Upon presentation by the department to the joint committee on finance of alternatives to the provisions under s. 16.27, the joint committee on

finance may revise the eligibility criteria under s. 16.27 (5), or benefit payments under s. 16.27 (6) ~~or the amount allocated for crises under s. 16.27 (3) (e) 2,~~ and the department shall implement those revisions. Benefits or eligibility criteria so revised shall take into account and be consistent with the requirements of federal regulations promulgated under 42 USC 8621 to 8629. If funds received under 42 USC 8621 to 8629 in a federal fiscal year total less than 90% of the amount received in the previous federal fiscal year, the department shall submit to the joint committee on finance a plan for expenditure of the funds. The department may not use the funds unless the committee approves the plan.

**\*-1851/1.1\* SECTION 81.** 16.56 of the statutes is created to read:

**16.56 Grain inspection funding.** On June 30 of each fiscal year, the department shall determine whether the accumulated expenses for the inspection and certification of grain under s. 93.06 (1m) have exceeded the accumulated revenues from conducting that inspection and certification as of that date. If so, immediately before the end of the fiscal year, the department shall transfer the unencumbered balances in the appropriation accounts under s. 20.115 (1) (a), (2) (a), (3) (a), (7) (a), and (8) (a), up to the amount of the excess, to the appropriation account under s. 20.115 (1) (h).

**\*b0334/2.1\* SECTION 81m.** 16.71 (1m) of the statutes is amended to read:

**16.71 (1m)** The department shall not delegate to any executive branch agency, other than the board of regents of the University of Wisconsin System, the authority to enter into any contract for materials, supplies, equipment, or contractual services relating to information technology or telecommunications prior to review and approval of the contract by the department. No executive branch agency, other than the board of regents of the University of Wisconsin System, may enter into any such

contract without review and approval of the contract by the department. Any delegation to the board of regents of the University of Wisconsin System is subject to the limitations prescribed in s. 36.11 (49).

**\*b0136/3.1\* SECTION 81r.** 16.75 (1) (a) 1. of the statutes is amended to read:

16.75 (1) (a) 1. All orders awarded or contracts made by the department for all materials, supplies, equipment, and contractual services to be provided to any agency, except as otherwise provided in par. (c) and subs. (2), (2g), (2m), (3m), (3t), (6), (7), (8), (9), and (10m) and ss. 16.73 (4) (a), 16.751, 16.754, ~~16.964 (8)~~, 50.05 (7) (f), 153.05 (2m) (a), and 287.15 (7), and 301.265, shall be awarded to the lowest responsible bidder, taking into consideration life cycle cost estimates under sub. (1m), when appropriate, the location of the agency, the quantities of the articles to be supplied, their conformity with the specifications, and the purposes for which they are required and the date of delivery.

**\*b0333/2.2\* SECTION 83m.** 16.84 (1) of the statutes is amended to read:

16.84 (1) Have charge of, operate, maintain and keep in repair the state capitol building, the executive residence, ~~the light, heat and power plant~~, the state office buildings ~~and their power plants~~, the grounds connected therewith, and such other state properties as are designated by law. All costs of such operation and maintenance shall be paid from the appropriations under s. 20.505 (5) (ka) and (kb), except for debt service costs paid under s. 20.866 (1) (u). The department shall transfer moneys from the appropriation under s. 20.505 (5) (ka) to the appropriation account under s. 20.505 (5) (kc) sufficient to make principal and interest payments on state facilities and payments to the United States under s. 13.488 (1) (m).

**\*-1513/4.4\* SECTION 85.** 16.848 of the statutes is created to read:

**16.848 Sale of certain state property.** (1) Except as provided in sub. (2) and subject to sub. (3), the department may sell any state-owned real property, if the department determines that the sale is in the best interest of the state. The sale may be either on the basis of public bids, with the department reserving the right to reject any bid in the interest of the state, or negotiated prices.

(2) (a) Subsection (1) does not authorize the closure or sale of any facility or institution the operation of which is provided for by law.

(b) Subsection (1) does not apply to property under the jurisdiction of the board of regents of the University of Wisconsin System.

(c) Subsection (1) does not apply to property sold by the department under s. 16.98 (3).

(d) Subsection (1) does not apply to lands under the jurisdiction of the board of commissioners of public lands.

(e) Subsection (1) does not apply to property under the jurisdiction of the department of natural resources, except central or district office facilities.

(f) Subsection (1) does not apply to lands acquired with revenues collected under s. 70.58.

(g) Subsection (1) does not apply to property that is subject to sale by the department of veterans affairs under s. 45.72 (7).

(h) The department shall not sell any property under this section that is leased by the state until the lease expires or the lease is modified, renewed, or extended, whichever first occurs, without consent of the lessee.

(3) The department shall not sell any state property under sub. (1) unless the sale is approved by the building commission under 2005 Wisconsin Act .... (this act), section 9101 (4) (b).

(4) Except as provided in s. 13.48 (14) (e), if there is any outstanding public debt used to finance the acquisition, construction, or improvement of any property that is sold under sub. (1), the department shall deposit a sufficient amount of the net proceeds from the sale of the property in the bond security and redemption fund under s. 18.09 to repay the principal and pay the interest on the debt, and any premium due upon refunding any of the debt. If the property was acquired, constructed, or improved with federal financial assistance, the department shall pay to the federal government any of the net proceeds required by federal law. If the property was acquired by gift or grant or acquired with gift or grant funds, the department shall adhere to any restriction governing use of the proceeds. Except as required under sub. (5m) and ss. 13.48 (14) (e), 20.395 (9) (qd), and 51.06 (6), if there is no such debt outstanding, there are no moneys payable to the federal government, and there is no restriction governing use of the proceeds, and if the net proceeds exceed the amount required to be deposited, paid, or used for another purpose under this subsection, the department shall deposit the net proceeds or remaining net proceeds in the general fund.

**\*b0333/2.3\* (5m)** If the net proceeds or the remaining net proceeds of property sales under sub. (4) exceed \$36,000,000 in the 2005–07 fiscal biennium, the department shall deposit the excess amount in the budget stabilization fund.

**\*b0333/2.3\* SECTION 85g.** 16.85 (4) of the statutes is repealed.

**\*-1512/4.1\* SECTION 85m.** 16.891 of the statutes is created to read:

**16.891 Reports on cost of occupancy of state facilities.** (1) In this section:

(a) “Agency” has the meaning given in s. 16.70 (1e).

(b) “Total cost of occupancy” means the cost to operate and maintain the physical plant of a building, structure, or facility, including administrative costs of

an agency attributable to operation and maintenance of a building, structure, or facility, together with any debt service costs associated with the building, structure, or facility, computed in the manner prescribed by the department.

(2) Except as provided in sub. (4), each agency shall report to the department no later than October 1 of each year concerning the total cost of occupancy of each state-owned building, structure, and facility, excluding public highways and bridges, under the jurisdiction of the agency for the preceding fiscal year. The report shall be made in a format prescribed by the department. Beginning in 2009, if a building, structure, or facility is a part of an institution, the agency having jurisdiction of the institution shall also include in its report the total cost of occupancy of all of the buildings, structures, and facilities within the institution.

(3) No later than December 1 of each year, the department shall compile the information received under sub. (2) and transmit a consolidated report to the building commission on the total cost of occupancy of all buildings, structures, and facilities included in the reports filed under sub. (2), itemized for each building, structure, and facility. The report shall include, for each building, structure, or facility, the recommendations of the department concerning the desired total cost of occupancy for that building, structure, or facility.

(4) The department may exempt an agency from compliance with the reporting requirement under sub. (2) with respect to any building, structure, or facility that the department determines to have a minimal total cost of occupancy.

**\*b0333/2.3\* SECTION 85r.** 16.895 of the statutes is repealed.

**\*b0333/2.4\* SECTION 87d.** 16.896 of the statutes is created to read:

**16.896 Sale or contractual operation of state-owned heating, cooling, and power plants and wastewater treatment facilities.** (1) Except as provided

in 2005 Wisconsin Act ... (this act), section 9101 (4), and notwithstanding ss. 13.48 (14) (am) and 16.705 (1), no later than April 1, 2007, the department shall sell each state-owned heating, cooling, and power plant and wastewater treatment facility or shall contract with a private entity for the operation of each such plant or facility for the period beginning no later than April 1, 2007. Notwithstanding ss. 196.49 and 196.80, no approval or certification of the public service commission is necessary for a public utility to purchase, or contract for the operation of, such a plant or facility.

(2) If there is any outstanding public debt used to finance the acquisition, construction, or improvement of any plant or facility that is sold under sub. (1), the department shall deposit a sufficient amount of the net proceeds from the sale of the property in the bond security and redemption fund under s. 18.09 to repay the principal and pay the interest on the debt, and any premium due upon refunding of the debt. If the property was acquired, constructed, or improved with federal financial assistance, the department shall repay to the federal government any of the net proceeds required by federal law.

(3) Except as provided in s. 51.06 (6), if there is no such debt outstanding or there are no moneys payable to the federal government, or if the net proceeds exceed the amount required to be deposited or paid under sub. (2), the department shall deposit the net proceeds or remaining net proceeds in the budget stabilization fund.

(4) If the department proposes to sell any property under sub. (1) having a fair market value of at least \$20,000, the department shall notify the joint committee on finance in writing of its proposed action. If the cochairpersons of the committee do not notify the department that the committee has scheduled a meeting for the purpose of reviewing the proposed sale within 14 working days after the date of the department's notification, the property may be sold by the department. If, within 14

working days after the date of the department's notification, the cochairpersons of the committee notify the department that the committee has scheduled a meeting for the purpose of reviewing the proposed sale, the property may be sold under sub. (1) only upon approval of the committee.

(5) Any contract entered into under sub. (1) (a) for the initial operation of a state-owned heating, cooling, or power plant or wastewater treatment facility that was operated by the state prior to the effective date of the contract shall require the contractor to offer employment to those state employees who performed services at the plant or facility and whose positions were terminated as the result of the contract.

**\*b0333/2.4\* SECTION 87h.** 16.90 of the statutes is repealed.

**\*b0333/2.4\* SECTION 87k.** 16.91 of the statutes is repealed.

**\*b0333/3.4\* SECTION 87L.** 16.93 (2) and (3) of the statutes are amended to read:

16.93 (2) Except as provided in sub. (3), any agency, with the approval of the department, may sell fuel, or water, ~~sewage treatment service, electricity, heat or chilled water~~ to another agency, a federal agency, a local government or a private entity.

(3) Prior to contracting for the sale of any fuel or extending any ~~water, sewage treatment, electrical, heating or chilled water~~ service to a new private entity after August 9, 1989, an agency shall contact each public utility that serves the area in which the private entity is located and that is engaged in the sale of the same fuel or utility water service. If a public utility so contacted objects to the proposed sale and commits to provide the fuel or water service, the agency shall not contract for the sale.

**\*b0133/2.1\* SECTION 87m.** 16.964 (1) (i) of the statutes is created to read:

16.964 (1) (i) Apply for contracts and receive and expend moneys and grants from the federal government related to homeland security.

**\*b0140/6.1\* SECTION 87p.** 16.964 (4) of the statutes is repealed.

**\*b0134/2.1\* SECTION 87t.** 16.964 (6) (a) of the statutes is renumbered 165.91 (1) and amended to read:

165.91 (1) In this ~~subsection~~ section, “tribe” means a federally recognized American Indian tribe or band in this state.

**\*b0134/2.1\* SECTION 87u.** 16.964 (6) (b) of the statutes is renumbered 165.91 (2) and amended to read:

165.91 (2) From the appropriation under s. ~~20.505 (6) (ks)~~ 20.455 (2) (kw), the ~~office~~ department shall provide grants to tribes to fund tribal law enforcement operations. To be eligible for a grant under this ~~subsection~~ section, a tribe must submit an application for a grant to the ~~office~~ department that includes a proposed plan for expenditure of the grant moneys. The ~~office~~ department shall review any application and plan submitted to determine whether that application and plan meet the criteria established under ~~par. (e) sub. (3)~~. The ~~office~~ department shall review the use of grant money provided under this ~~subsection~~ section to ensure that the money is used according to the approved plan.

**\*b0134/2.1\* SECTION 87v.** 16.964 (6) (c) of the statutes is renumbered 165.91 (3) and amended to read:

165.91 (3) The ~~office~~ department shall develop criteria and procedures for use in administering this ~~subsection~~ section. Notwithstanding s. 227.10 (1), the criteria and procedures need not be promulgated as rules under ch. 227.

**\*b0134/2.2\* SECTION 88b.** 16.964 (7) of the statutes is renumbered 165.89, and 165.89 (1) (intro.), (2) and (3), as renumbered, are amended to read:

165.89 (1) (intro.) From the appropriation under s. ~~20.505 (6) (kq)~~ 20.455 (2) (kq), the office department shall provide grants to counties to fund county law enforcement services. The office department may make a grant to a county under this ~~subsection~~ section only if all of the following apply:

(2) The office department shall review an application and plan submitted under ~~par. (a) 4. sub. (1) (d)~~ to determine if the application and plan meet the requirements of ~~par. (a) 1. to 3. sub. (1) (a) to (c)~~ and the criteria established under ~~par. (e) sub. (3)~~. The office department may not award an annual grant in excess of \$50,000 to any county under this ~~subsection~~ section.

(3) The office department shall develop criteria and procedures for use in administering this ~~subsection~~ section. Notwithstanding s. 227.10 (1), the criteria and procedures need not be promulgated as rules under ch. 227.

**\*b0136/3.2\* SECTION 88k.** 16.964 (8) (a) of the statutes is renumbered 301.265 (1) and amended to read:

301.265 (1) From the appropriations under s. ~~20.505 (6)~~ 20.410 (3) (d) and (kj), the office department shall allocate \$500,000 in each fiscal year to enter into a contract with an organization to provide services in a county having a population of 500,000 or more for the diversion of youths from gang activities into productive activities, including placement in appropriate educational, recreational, and employment programs. Notwithstanding s. 16.75, the office department may enter into a contract under this ~~paragraph~~ subsection without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

**\*b0136/3.2\* SECTION 88m.** 16.964 (8) (b) of the statutes is renumbered 301.265 (2) and amended to read:

301.265 (2) From the appropriation under s. ~~20.505 (6) (km)~~ 20.410 (3) (ky), the office department may not distribute more than \$300,000 in each fiscal year to the organization that it has contracted with under ~~par. (a) sub. (1)~~ for alcohol and other drug abuse education and treatment services for participants in that organization's youth diversion program.

**\*b0136/3.2\* SECTION 88p.** 16.964 (8) (c) of the statutes is renumbered 301.265 (3) and amended to read:

301.265 (3) From the appropriations under s. ~~20.505 (6)~~ 20.410 (3) (d) and (kj), the office department shall allocate \$150,000 in each fiscal year to enter into a contract with an organization to provide services in Racine County, \$150,000 in each fiscal year to enter into a contract with an organization to provide services in Kenosha County, \$150,000 in each fiscal year to enter into a contract with an organization that is located in ward 1 in the city of Racine to provide services in Racine County, and \$150,000 in each fiscal year to enter into a contract with an organization to provide services in Brown County, and from the appropriation under s. 20.410 (3) (kj), the department shall allocate \$100,000 in each fiscal year to enter into a contract with an organization that is located in ward 3 of the city of Racine to provide services in Racine County, for the diversion of youths from gang activities into productive activities, including placement in appropriate educational, recreational, and employment programs, and for alcohol or other drug abuse education and treatment services for participants in that organization's youth diversion program. The organization that is located in ward 1 in the city of Racine shall have a recreational facility, shall offer programs to divert youths from gang activities, may not be affiliated with any national or state association, and may not have entered into a contract under s. 301.265 (3), 1995 stats. Notwithstanding s.

16.75, the office department may enter into a contract under this paragraph subsection without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

**\*-1921/1\* SECTION 89.** 16.964 (9) of the statutes is repealed.

**\*b0285/4.1\* SECTION 90m.** 16.964 (12) of the statutes is created to read:

16.964 (12) (a) In this subsection, “violent offender” means a person to whom one of the following applies:

1. The person has been charged with or convicted of an offense in a pending case and, during the course of the offense, the person carried, possessed, or used a dangerous weapon, the person used force against another person, or a person died or suffered serious bodily harm.

2. The person has one or more prior convictions for a felony involving the use or attempted use of force against another person with the intent to cause death or serious bodily harm.

(b) The office shall make grants to counties to enable them to establish and operate programs, including suspended and deferred prosecution programs and programs based on principles of restorative justice, that provide alternatives to prosecution and incarceration for criminal offenders who abuse alcohol or other drugs. The office shall make the grants from the appropriations under s. 20.505 (6) (b) and (ku). The office shall collaborate with the departments of corrections and health and family services in establishing this grant program.

(c) A county shall be eligible for a grant under par. (b) if all of the following apply:

1. The county’s program is designed to meet the needs of a person who abuses alcohol or other drugs and who may be or has been charged with or who has been

convicted of a crime in that county related to the person's use or abuse of alcohol or other drugs.

2. The program is designed to promote public safety, reduce prison and jail populations, reduce prosecution and incarceration costs, reduce recidivism, and improve the welfare of participants' families by meeting the comprehensive needs of participants.

3. The program establishes eligibility criteria for a person's participation. The criteria shall specify that a violent offender is not eligible to participate in the program.

4. Services provided under the program are consistent with evidence-based practices in substance abuse and mental health treatment, as determined by the department of health and family services, and the program provides intensive case management.

5. The program uses graduated sanctions and incentives to promote successful substance abuse treatment.

6. The program provides holistic treatment to its participants and provides them services that may be needed, as determined under the program, to eliminate or reduce their use of alcohol or other drugs, improve their mental health, facilitate their gainful employment or enhanced education or training, provide them stable housing, facilitate family reunification, ensure payment of child support, and increase the payment of other court-ordered obligations.

7. The program is designed to integrate all mental health services provided to program participants by state and local government agencies and other organizations. The program shall require regular communication among a participant's substance abuse treatment providers, other service providers, the case

manager, and any person designated under the program to monitor the person's compliance with his or her obligations under the program and any probation, extended supervision, and parole agent assigned to the participant.

8. The program provides substance abuse and mental health treatment services through providers that are certified by the department of health and family services.

9. The program requires participants to pay a reasonable amount for their treatment, based on their income and available assets, and pursues and uses all possible resources available through insurance and federal, state, and local aid programs, including cash, vouchers, and direct services.

10. The program is developed with input from, and implemented in collaboration with, one or more circuit court judges, the district attorney, the state public defender, local law enforcement officials, county agencies responsible for providing social services, including services relating to alcohol and other drug addiction, child welfare, mental health, and the Wisconsin Works program, the departments of corrections and health and family services, private social services agencies, and substance abuse treatment providers.

11. The county complies with other eligibility requirements established by the office to promote the objectives listed in subs. 1. and 2.

(d) In implementing a program that meets the requirements of par. (c), a county department may contract with or award grants to a religious organization under s. 59.54 (27).

(e) 1. A county that receives a grant under this subsection shall create an oversight committee to advise the county in administering and evaluating its program. Each committee shall consist of a circuit court judge, the district attorney

or his or her designee, the state public defender or his or her designee, a local law enforcement official, a representative of the county, a representative of each other county agency responsible for providing social services, including services relating to child welfare, mental health, and the Wisconsin Works program, representatives of the departments of corrections and health and family services, a representative from private social services agencies, a representative of substance abuse treatment providers, and other members to be determined by the county.

2. A county that receives a grant under this subsection shall comply with state audits and shall submit an annual report to the office and to the oversight committee created under subd. 1. regarding the impact of the program on jail and prison populations and its progress in attaining the goals specified in par. (c) 2. and 6.

(f) Two or more counties may jointly apply for and receive a grant under this subsection. If counties submit a joint application, they shall include with their application a written agreement specifying each county department's role in developing, administering, and evaluating the program. The oversight committee established under par. (e) 1. shall consist of representatives from each county.

(g) Grants provided under this subsection shall be provided on a calendar year basis beginning on January 1, 2007. If the office decides to make a grant to a county under this subsection, the office shall notify the county of its decision and the amount of the grant no later than September 1 of the year preceding the year for which the grant will be made.

(h) The office shall assist a county receiving a grant under this subsection in obtaining funding from other sources for its program.

(i) The office shall inform any county that is applying for a grant under this subsection whether the county meets the requirements established under par. (c), regardless of whether the county receives a grant.

(j) The office shall enter into one or more contracts with another person for the purpose of evaluating the grant program established under this subsection. The office shall fund such contracts from moneys appropriated under s. 20.505 (6) (b) and (ku) with 1 percent of the amount awarded as grants under par. (b).

(k) By December 31, 2011, the office, in collaboration with the departments of corrections and health and family services, shall submit a report to the chief clerk of each house of the legislature, for distribution to the appropriate standing committees under section 13.172 (3), regarding savings that have been generated through the implementation of the grant program. The report shall also include recommendations regarding how the grant program should be structured in the future.

**\*b0147/2.4\* SECTION 90t.** 16.965 of the statutes is repealed.

**\*b0147/2.4\* SECTION 90u.** 16.9651 of the statutes is repealed.

**\*-0984/4.1\* SECTION 91.** 16.966 of the statutes is repealed and recreated to read:

**16.966 Geographic information systems.** The department may develop and maintain geographic information systems relating to land in this state for the use of governmental and nongovernmental units.

**\*-0984/4.2\* SECTION 92.** 16.967 of the statutes is repealed and recreated to read:

**16.967 Land information program.** (1) DEFINITIONS. In this section:

(a) “Agency” has the meaning given in s. 16.70 (1e).

(b) “Land information” means any physical, legal, economic, or environmental information or characteristics concerning land, water, groundwater, subsurface resources, or air in this state. “Land information” includes information relating to topography, soil, soil erosion, geology, minerals, vegetation, land cover, wildlife, associated natural resources, land ownership, land use, land use controls and restrictions, jurisdictional boundaries, tax assessment, land value, land survey records and references, geodetic control networks, aerial photographs, maps, planimetric data, remote sensing data, historic and prehistoric sites, and economic projections.

(c) “Land information system” means an orderly method of organizing and managing land information and land records.

(d) “Land records” means maps, documents, computer files, and any other information storage medium in which land information is recorded.

(e) “Systems integration” means land information that is housed in one jurisdiction or jurisdictional subunit and is available to other jurisdictions, jurisdictional subunits, public utilities, and other private sector interests.

**(3) DUTIES OF DEPARTMENT.** The department shall direct and supervise the land information program and serve as the state clearinghouse for access to land information. In addition, the department shall:

(a) Provide technical assistance and advice to state agencies and local governmental units with land information responsibilities.

(b) Maintain and distribute an inventory of land information available for this state, land records available for this state, and land information systems.

(c) Prepare guidelines to coordinate the modernization of land records and land information systems.

(d) Review project applications received under sub. (7) and determine which projects are approved.

(e) Review for approval a countywide plan for land records modernization prepared under s. 59.72 (3) (b).

(4) FUNDING REPORT. The department shall identify and study possible program revenue sources or other revenue sources for the purpose of funding the operations of the land information program, including grants to counties under sub. (7).

**\*b0147/2.5\*** (5) FEE REVENUE. From the fee revenue received by the department under s. 59.72 (5) (a), the department shall annually deposit the lesser of \$2,000,000 or the amount received in the general fund. From any remaining revenue, the department shall credit the amounts appropriated under s. 20.505 (1) (ie) to that appropriation account and shall then credit any remaining revenue to the appropriation account under s. 20.505 (1) (ij).

(6) REPORTS. By March 31 of each year, the department of administration, the department of agriculture, trade and consumer protection, the department of commerce, the department of health and family services, the department of natural resources, the department of tourism, the department of revenue, the department of transportation, the board of regents of the University of Wisconsin System, the public service commission, and the board of curators of the historical society shall each submit to the department a plan to integrate land information to enable such information to be readily translatable, retrievable, and geographically referenced for use by any state, local governmental unit, or public utility. Upon receipt of this information, the department shall integrate the information to enable the information to be used to meet land information data needs. The integrated

information shall be readily translatable, retrievable, and geographically referenced to enable members of the public to use the information.

(7) AID TO COUNTIES. (a) A county board that has established a county land information office under s. 59.72 (3) may apply to the department on behalf of any local governmental unit, as defined in s. 59.72 (1) (c), located wholly or partially within the county for a grant for any of the following projects:

1. The design, development, and implementation of a land information system that contains and integrates, at a minimum, property and ownership records with boundary information, including a parcel identifier referenced to the U.S. public land survey; tax and assessment information; soil surveys, if available; wetlands identified by the department of natural resources; a modern geodetic reference system; current zoning restrictions; and restrictive covenants.

2. The preparation of parcel property maps that refer boundaries to the public land survey system and are suitable for use by local governmental units for accurate land title boundary line or land survey line information.

3. The preparation of maps that include a statement documenting accuracy if the maps do not refer boundaries to the public land survey system and that are suitable for use by local governmental units for planning purposes.

4. Systems integration projects.

5. To support technological developments and improvements for the purpose of providing Internet-accessible housing assessment and sales data.

(b) Grants shall be paid from the appropriation under s. 20.505 (1) (ij). Except as authorized in this paragraph, no county that has retained total revenues under s. 59.72 (5) (b) exceeding \$45,000 in any year may receive any grant under this subsection for the succeeding year. Except as authorized in this paragraph, a county

that has retained total revenues under s. 59.72 (5) (b) of not more than \$45,000 in any year may receive one or more grants under this subsection for the succeeding year in a total amount not greater than the difference between \$45,000 and the amount retained by the county in the preceding year. In addition to any other grant received under this subsection, the department may award a grant to any county in an amount not exceeding \$300 per year to be used for the training and education of county employees for the design, development, and implementation of a land information system.

(8) **ADVICE; COOPERATION.** In carrying out its duties under this section, the department may seek advice and assistance from the board of regents of the University of Wisconsin System and other agencies, local governmental units, and other experts involved in collecting and managing land information. Agencies shall cooperate with the department in the coordination of land information collection.

(9) **TECHNICAL ASSISTANCE; EDUCATION.** The department may provide technical assistance to counties and conduct educational seminars, courses, or conferences relating to land information. The department shall charge and collect fees sufficient to recover the costs of activities authorized under this subsection.

**\*-0984/4.3\* SECTION 93.** 16.9675 of the statutes is created to read:

**16.9675 Land activities.** The department shall do all of the following:

- (1) Identify state land use goals and recommend these goals to the governor.
- (2) Identify state land use priorities to further the state's land use goals and recommend to the governor legislation to implement these priorities.

- (3) Study areas of cooperation and coordination in the state's land use statutes and recommend to the governor legislation to harmonize these statutes to further the state's land use goals.

(4) Study areas of the state's land use statutes that conflict with each other and recommend to the governor legislation to resolve these conflicts to further the state's land use goals.

(5) Identify areas of the state's land use statutes that conflict with county or municipal land use ordinances, and areas of county or municipal land use ordinances that conflict with each other, and recommend to the governor legislation to resolve these conflicts.

(6) Establish a state agency resource working group that is composed of representatives of the departments of administration; agriculture, trade and consumer protection; commerce; natural resources; revenue; transportation; and other appropriate agencies to discuss, analyze, and address land use issues and related policy issues, including the following:

(a) Gathering information about the land use plans of state agencies.

(b) Establishing procedures for the distribution of the information gathered under par. (a) to other state agencies, local units of government, and private persons.

(c) Creating a system to facilitate, and to provide training and technical assistance for the development of, local intergovernmental land use planning.

(7) Study the activities of local units of government in the land use area to determine how these activities impact on state land use goals, and recommend to the governor legislation that fosters coordination between local land use activities and state land use goals.

(8) Identify procedures for facilitating local land use planning efforts, including training and technical assistance for local units of government, and recommend to the governor legislation to implement such procedures.

(9) Gather and analyze information about the land use activities in this state of the federal government and American Indian governments and inform the governor of the impact of these activities on state land use goals.

(10) Study any other issues that are reasonably related to the state's land use goals, including methods for alternative dispute resolution for disputes involving land use issues, and recommend to the governor legislation in the areas studied by the department that would further the state's land use goals.

(11) Gather information about land use issues in any reasonable way, including the following:

(a) Establishing a state–local government–private sector working group to study and advise the department on land use issues.

(b) Holding public hearings or information meetings on land use issues.

(c) Conducting surveys on land use issues.

(d) Consulting with any person who is interested in land use issues.

**\*b0370/3.1\* SECTION 93m.** 16.969 (2) (a) of the statutes is amended to read:

16.969 (2) (a) An annual impact fee in an amount equal to 0.3% of the ~~cost~~ net book value of the high–voltage transmission line, as determined by the commission under s. 196.491 (3) (gm).

**\*–1486/1.1\* SECTION 94.** 16.971 (17) of the statutes is created to read:

16.971 (17) Provide educational agencies that are eligible for a rate discount on telecommunications services under 47 USC 254 with additional telecommunications access under s. 16.998 and contract with telecommunications providers to provide that access.

**\*b0334/2.2\* SECTION 94m.** 16.972 (2) (a) of the statutes is amended to read:

16.972 (2) (a) Provide such telecommunications services to agencies as the department considers to be appropriate. An agency may use telecommunications services, including data and voice over Internet services, provided to the agency by or through the department only for the purpose of carrying out its functions. No agency may offer, resell, or provide telecommunications services, including data and voice over Internet services, that are available from a private telecommunications carrier to the general public or to any other public or private entity except pursuant to a consortium agreement that is in effect on June 1, 2005, to provide services to member organizations.

**\*b0334/2.2\* SECTION 94n.** 16.972 (2) (b) of the statutes is amended to read:

16.972 (2) (b) Provide Except as provided in par. (a), provide such computer services and telecommunications services to local governmental units and the broadcasting corporation and provide such telecommunications services to qualified private schools, postsecondary institutions, museums and zoos, as the department considers to be appropriate and as the department can efficiently and economically provide. The department may exercise this power only if in doing so it maintains the services it provides at least at the same levels that it provides prior to exercising this power and it does not increase the rates chargeable to users served prior to exercise of this power as a result of exercising this power. The department may charge local governmental units, the broadcasting corporation, and qualified private schools, postsecondary institutions, museums and zoos, for services provided to them under this paragraph in accordance with a methodology determined by the department. Use of telecommunications services by a qualified private school or postsecondary institution shall be subject to the same terms and conditions that apply to a municipality using the same services. The department shall prescribe eligibility

requirements for qualified museums and zoos to receive telecommunications services under this paragraph.

**\*-1486/1.2\* SECTION 95.** 16.993 (9) of the statutes is repealed.

**\*-1486/1.3\* SECTION 96.** 16.995 (3m) of the statutes is amended to read:

16.995 (3m) PUBLIC DEBT REPAYMENT. To the extent that sufficient moneys for the provision of educational telecommunications access under s. 16.997 are available in the appropriation account under s. 20.505 (4) (mp) after payment of the administrative expenses specified in s. 20.505 (4) (mp), the department shall use those available moneys to reimburse s. 20.505 (4) (es) and (et) for the payment of principal and interest costs incurred in financing educational technology infrastructure financial assistance under this section and to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m).

**\*-1486/1.4\* SECTION 97.** 16.997 (2) (a) of the statutes is renumbered 16.997 (2) (a) (intro.) and amended to read:

16.997 (2) (a) (intro.) Allow an educational agency to make a request to the department for access to either one data line or one video link, ~~except that any~~ as follows:

1. Any educational agency may request access to additional data lines if the agency shows to the satisfaction of the department that the additional data lines are more cost-effective than a single data line ~~and except that a.~~

2. A school district that operates more than one high school or a public library board that operates more than one library facility may request access to both a data line and a video link and access to more than one data line or video link.

**\*-1486/1.5\* SECTION 98.** 16.997 (2) (a) 3. of the statutes is created to read:

16.997 (2) (a) 3. An educational agency that is eligible for a rate discount on telecommunications services under 47 USC 254 may request access to additional data lines and video links and to increased bandwidth access as provided in s. 16.998.

**\*-1486/1.6\* SECTION 99.** 16.997 (2) (b) of the statutes is amended to read:

16.997 (2) (b) Establish eligibility requirements for an educational agency to participate in the program established under sub. (1) and to receive additional telecommunications access under s. 16.998, including a requirement that a charter school sponsor use data lines and video links to benefit pupils attending the charter school and a requirement that Internet access to material that is harmful to children, as defined in s. 948.11 (1) (b), is blocked on the computers of secured correctional facilities that are served by data links and video links subsidized under this section.

**\*-1486/1.7\* SECTION 100.** 16.997 (2) (c) of the statutes is amended to read:

16.997 (2) (c) Establish specifications for data lines and video links for which access is provided to an educational agency under the program established under sub. (1) or for which additional access is provided to an educational agency under s. 16.998.

**\*-1486/1.8\* SECTION 101.** 16.997 (2) (f) of the statutes is amended to read:

16.997 (2) (f) Ensure that secured correctional facilities that receive access under this section to data lines and video links ~~use them~~ or that receive additional access under s. 16.998 to data lines, video links, and bandwidth use those data lines and video links and that bandwidth only for educational purposes.

**\*-1486/1.9\* SECTION 102.** 16.997 (2g) (intro.) of the statutes is amended to read:

16.997 (2g) (intro.) An educational agency that is provided access to a data line under the program established under sub. (1) or to an additional data line under s. 16.998 may not do any of the following:

**\*-1486/1.10\* SECTION 103.** 16.997 (2r) (a) of the statutes is amended to read:

16.997 (2r) (a) A public library board that is provided access to a data line under the program established under sub. (1) or to an additional data line under s. 16.998 may enter into a shared service agreement with a political subdivision that provides the political subdivision with access to any excess bandwidth on the data line that is not used by the public library board, except that a public library board may not sell, resell, or transfer in consideration for money or anything of value to a political subdivision access to any excess bandwidth. A shared service agreement under this paragraph is not valid unless the agreement allows the public library board to cancel the agreement at any time after providing notice to the political subdivision.

**\*b0417/2.1\* SECTION 103m.** 16.997 (7) of the statutes is created to read:

16.997 (7) From the appropriation under s. 20.505 (4) (s), the department shall award \$25,000 annually in grants to consortia of school districts that meet all of the following criteria for the purpose of developing and implementing a technology-enhanced high school curriculum:

(a) The curriculum is developed for and implemented through streaming video conferencing and online course work.

(b) The consortium includes high schools from at least 8 school districts.

(c) The participating school districts collectively contribute an amount equal to at least the amount of the grant received in the same fiscal year.

(d) The curriculum is made available to each high school participating in the consortium.

**\*-1486/1.11\* SECTION 104.** 16.998 of the statutes is created to read:

**16.998 Educational telecommunications; additional access.** An educational agency that is eligible for a rate discount for telecommunications services under 47 USC 254 may request data lines, video links, and bandwidth access that is in addition to what is provided under the program under s. 16.997 (1). The department shall apply for aid under 47 USC 254 to cover the costs of the data lines, video links, and bandwidth access that are provided under this section and shall credit any aid received to the appropriation account under s. 20.505 (4) (mp). To the extent that the aid does not fully cover those costs, the department shall require an educational agency to pay the department a monthly fee that is sufficient to cover those costs and shall credit any monthly fee received to the appropriation account under s. 20.505 (4) (Lm).

**\*-1649/6.13\* SECTION 115.** 18.55 (5) of the statutes is amended to read:

**18.55 (5) EXERCISE OF AUTHORITY.** Money may be borrowed and evidences of revenue obligation issued therefor pursuant to one or more authorizing resolutions, unless otherwise provided in the resolution or in this subchapter, at any time and from time to time, for any combination of purposes, in any specific amounts, at any rates of interest, for any term, payable at any intervals, at any place, in any manner and having any other terms or conditions deemed necessary or useful. Revenue obligation bonds may bear interest at variable or fixed rates, bear no interest or bear interest payable only at maturity or upon redemption prior to maturity. Unless sooner exercised or unless a ~~shorter~~ different period is provided in the resolution, every authorizing resolution, except as provided in s. 18.59 (1), shall expire one year after the date of its adoption.

**\*-1649/6.14\* SECTION 116.** 18.61 (5) of the statutes is amended to read:

18.61 (5) The legislature may provide, with respect to any specific issue of revenue obligations, prior to their issuance, that if the special fund income or the enterprise or program income pledged to the payment of the principal and interest of the issue is insufficient for that purpose, or is insufficient to replenish a reserve fund, if applicable, it will consider supplying the deficiency by appropriation of funds, from time to time, out of the treasury. If the legislature so provides, the commission may make the necessary provisions therefor in the authorizing resolution and other proceedings of the issue. Thereafter, if the contingency occurs, recognizing its moral obligation to do so, the legislature hereby expresses its expectation and aspiration that it shall make such appropriation.

**\*-0604/5.1\* SECTION 124.** 20.001 (2) (e) of the statutes is amended to read:

20.001 (2) (e) *Federal revenues.* Moneys “Federal revenues” consist of moneys received from the federal government, except that under s. 20.445 (3) (md) “federal revenues” also include moneys treated as refunds of expenditures, and under s. 20.445 (3) (me) “federal revenues” consist only of moneys treated as received from the federal government. Federal revenues may be deposited as program revenues in the general fund or as segregated revenues in a segregated fund. In either case they are indicated in s. 20.005 by the addition of “-F” after the abbreviation assigned under pars. (b) and (d).

**\*-0604/5.2\* SECTION 126.** 20.001 (5) of the statutes is amended to read:

20.001 (5) REFUNDS OF EXPENDITURES. Any amount not otherwise appropriated under this chapter that is received by a state agency as a result of an adjustment made to a previously recorded expenditure from a sum certain appropriation to that agency due to activities that are of a temporary nature or activities that could not be anticipated during budget development and which serves to reduce or eliminate the