

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

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1 SECTION 1. 1.12 (1) (b) of the statutes is amended to read:

2 1.12 (1) (b) "State agency" means an office, department, agency, institution of
3 higher education, the legislature, a legislative service agency, the courts, a judicial
4 branch agency, an association, society, or other body in state government which that
5 is created or authorized to be created by the constitution or by law, for which
6 appropriations are made by law, excluding the Health Insurance Risk-Sharing Plan
7 Authority.

History: 1977 c. 29; 1993 a. 414; 2003 a. 89.

****NOTE: Are you sure you want to exclude the HIRSP Authority from conserving energy? It would be the only exclusion.

8 SECTION 2. 13.172 (1) of the statutes is amended to read:

9 13.172 (1) In this section, "agency" means an office, department, agency,
10 institution of higher education, association, society, ✓ or other body in state
11 government created or authorized to be created by the constitution or any law, which
12 that ✓ is entitled to expend moneys appropriated by law, including the legislature and
13 the courts, and any authority created in subch. III of ch. 149 or in ✓ ch. 231, 233, or 234.

History: 1983 a. 524; 1987 a. 399; 1995 a. 27.

14 SECTION 3. 13.62 (2) of the statutes is amended to read:

15 13.62 (2) "Agency" means any board, commission, department, office, society,
16 institution of higher education, council, ✓ or committee in the state government, or any
17 authority created in subch. III of ch. 149 or in ✓ ch. 231, 232, 233, 234, or 237, except
18 that the term does not include a council or committee of the legislature.

History: 1977 c. 278; 1979 c. 260 s. 94; 1979 c. 328 s. 146; 1983 a. 27, 36; 1987 a. 399; 1989 a. 338; 1991 a. 32; 1993 a. 112; 1995 a. 27; 1999 a. 9, 185; 2001 a. 16.

19 SECTION 4. 13.94 (1) (g) of the statutes is amended to read:

20 13.94 (1) (g) Require each state department, board, commission, independent
21 agency, ✓ or authority, excluding the Health Insurance Risk-Sharing Plan Authority. ✓

2-16

20/14

1 to file with the bureau on or before September 1 of each year a report on all
 2 receivables due the state as of the preceding June 30 which were occasioned by
 3 activities of the reporting unit. The report may also be required of other
 4 departments, except counties, cities, villages, towns, and school districts. The report
 5 shall show the aggregate amount of such receivables according to fiscal year of origin
 6 and collections thereon during the fiscal year preceding the report. The state auditor
 7 may require any department to file with the bureau a detailed list of the receivables
 8 comprising the aggregate amounts shown on the reports prescribed by this
 9 paragraph.

as affected by 2005 Wisconsin Act 25

History: 1971 c. 270 s. 104; 1971 c. 307; 1973 c. 334; 1975 c. 39, 199, 224, 421; 1977 c. 26, 29; 1977 c. 196 s. 131; 1977 c. 418; 1979 c. 34, 314, 324; 1981 c. 20, 335; 1983 a. 27, 36, 96, 381; 1985 a. 29, 57, 120, 176; 1987 a. 27, 119, 186, 320, 328, 354, 399, 403; 1989 a. 31, 122; 1991 a. 39, 269, 316; 1993 a. 16, 27, 107, 263, 399, 491; 1995 a. 27 ss. 43g to 47n, 9116 (5); 1995 a. 56, 216, 225, 274, 289; 1997 a. 27, 252; 1999 a. 9, 65, 105, 167; 197; 2001 a. 16, 105; 2003 a. 33, 111; 2005 a. 25.

10 **SECTION 5. 13.95 (intro.) of the statutes is amended to read:**

11 **13.95 Legislative fiscal bureau.** (intro.) There is created a bureau to be
 12 known as the "Legislative Fiscal Bureau" headed by a director. The fiscal bureau
 13 shall be strictly nonpartisan and shall at all times observe the confidential nature
 14 of the research requests received by it; however, with the prior approval of the
 15 requester in each instance, the bureau may duplicate the results of its research for
 16 distribution. Subject to s. 230.35 (4) (a) and (f), the director or the director's
 17 designated employees shall at all times, with or without notice, have access to all
 18 state agencies, the University of Wisconsin Hospitals and Clinics Authority, the
 19 Health Insurance Risk-Sharing Plan Authority, and the Fox River Navigational
 20 System Authority, and to any books, records, or other documents maintained by such
 21 agencies or authorities and relating to their expenditures, revenues, operations, and
 22 structure.

History: 1971 c. 215; 1973 c. 333 and supp.; 1975 c. 39; 1977 c. 196 s. 131; 1977 c. 273, 418; 1979 c. 34; 1983 a. 27; 1991 a. 316; 1995 a. 27, 225; 1999 a. 185; 2001 a. 16; 2005 a. 25.

23 **SECTION 6. 16.002 (2) of the statutes is amended to read:**

2-16

3814

1 16.002 (2) "Departments" means constitutional offices, departments, and
 2 independent agencies and includes all societies, associations, and other agencies of
 3 state government for which appropriations are made by law, but not including
 4 authorities created in subch. III of ch. 149 and in chs. 231, 232, 233, 234, 235, and
 5 237.

History: 1977 c. 196; 1983 a. 27, 189; 2001 a. 16.

6 **SECTION 7.** 16.004 (4) of the statutes is amended to read:

7 16.004 (4) FREEDOM OF ACCESS. The secretary and such employees of the
 8 department as the secretary designates may enter into the offices of state agencies
 9 and authorities created under subch. III of ch. 149 and under chs. 231, 233, 234, and
 10 237, and may examine their books and accounts and any other matter which that in
 11 the secretary's judgment should be examined and may interrogate the agency's
 12 employees publicly or privately relative thereto.

History: 1971 c. 270; 1973 c. 333; 1975 c. 39 s. 732 (1); 1975 c. 224; 1977 c. 196 ss. 21, 130 (3); 1977 c. 272; 1979 c. 34, 221, 357; 1981 c. 20 ss. 3v, 55d, 55m; 1983 a. 27 ss. 58, 2202 (49) (a); 1983 a. 524; 1985 a. 29; 1985 a. 332 s. 251 (3); 1987 a. 27; 1989 a. 335; 1991 a. 39, 316; 1993 a. 496; 1995 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33 ss. 140 to 141f, 9160; 2005 a. 25.

13 **SECTION 8.** 16.004 (5) of the statutes is amended to read:

14 16.004 (5) AGENCIES AND EMPLOYEES TO COOPERATE. All state agencies and
 15 authorities created under subch. III of ch. 149 and under chs. 231, 233, 234, and 237,
 16 and their officers and employees, shall cooperate with the secretary and shall comply
 17 with every request of the secretary relating to his or her functions.

History: 1971 c. 270; 1973 c. 333; 1975 c. 39 s. 732 (1); 1975 c. 224; 1977 c. 196 ss. 21, 130 (3); 1977 c. 272; 1979 c. 34, 221, 357; 1981 c. 20 ss. 3v, 55d, 55m; 1983 a. 27 ss. 58, 2202 (49) (a); 1983 a. 524; 1985 a. 29; 1985 a. 332 s. 251 (3); 1987 a. 27; 1989 a. 335; 1991 a. 39, 316; 1993 a. 496; 1995 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33 ss. 140 to 141f, 9160; 2005 a. 25.

18 **SECTION 9.** 16.004 (12) (a) of the statutes is amended to read:

19 16.004 (12) (a) In this subsection, "state agency" means an association,
 20 authority, board, department, commission, independent agency, institution, office,
 21 society, or other body in state government created or authorized to be created by the
 22 constitution or any law, including the legislature, the office of the governor, and the
 23 courts, but excluding the University of Wisconsin Hospitals and Clinics Authority,

✓ 2-16 40814

1 the Health Insurance Risk-Sharing Plan Authority, and the Fox River Navigational
2 System Authority.

History: 1971 c. 270; 1973 c. 333; 1975 c. 39 s. 732 (1); 1975 c. 224; 1977 c. 196 ss. 21, 130 (3); 1977 c. 272; 1979 c. 34, 221, 357; 1981 c. 20 ss. 3v, 55d, 55m; 1983 a. 27 ss. 58, 2202 (49) (a); 1983 a. 524; 1985 a. 29; 1985 a. 332 s. 251 (3); 1987 a. 27; 1989 a. 335; 1991 a. 39, 316; 1993 a. 496; 1995 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33 ss. 140 to 141f, 9160; 2005 a. 25.

****NOTE: I wasn't sure if by responding in the negative you meant that the HIRSP Authority should be excluded from this provision, as drafted, or not added to the provision. ✓

3 **SECTION 10.** 16.045 (1) (a) of the statutes is amended to read:

4 16.045 (1) (a) "Agency" means an office, department, independent agency,
5 institution of higher education, association, society, or other body in state
6 government created or authorized to be created by the constitution or any law, which
7 that is entitled to expend moneys appropriated by law, including the legislature and
8 the courts, but not including an authority created in subch. III of ch. 149 or in ch. 231,
9 232, 233, 234, 235, or 237.

History: 1993 a. 351; 1995 a. 27; 1997 a. 73; 2001 a. 16; 2003 a. 311.

10 **SECTION 11.** 16.15 (1) (ab) of the statutes is amended to read:

11 16.15 (1) (ab) "Authority" has the meaning given under s. 16.70 (2), but
12 excludes the University of Wisconsin Hospitals and Clinics Authority and the Health
13 Insurance Risk-Sharing Plan Authority. ✓

History: 1987 a. 292; 1989 a. 335; 1995 a. 27, 227; 1999 a. 9.

14 **SECTION 12.** 16.41 (4) of the statutes is amended to read:

15 16.41 (4) In this section, "authority" means a body created under subch. III of
16 ch. 149 or under ch. 231, 233, 234, or 237. ✓

History: 1977 c. 196 s. 130 (3); 1977 c. 272, 273; 1983 a. 27; 1987 a. 399; 1995 a. 27; 2001 a. 16.

17 **SECTION 13.** 16.417 (1) (a) of the statutes is amended to read:

18 16.417 (1) (a) "Agency" means an office, department, independent agency,
19 institution of higher education, association, society, or other body in state
20 government created or authorized to be created by the constitution or any law, which
21 that is entitled to expend moneys appropriated by law, including the legislature and

2-16

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1 the courts, but not including an authority or the body created under subch. III of ch.
2 149.

3 **History:** 1987 a. 365 ss. 1, 4m; 1987 a. 399; 1989 a. 56 s. 259; 1993 a. 362; 1997 a. 27; 2001 a. 16.

SECTION 14. 16.52 (7) of the statutes is amended to read:

4 16.52 (7) PETTY CASH ACCOUNT. With the approval of the secretary, each agency
5 which that is authorized to maintain a contingent fund under s. 20.920 may establish
6 a petty cash account from its contingent fund. The procedure for operation and
7 maintenance of petty cash accounts and the character of expenditures therefrom
8 shall be prescribed by the secretary. In this subsection, "agency" means an office,
9 department, independent agency, institution of higher education, association,
10 society, or other body in state government created or authorized to be created by the
11 constitution or any law, which that is entitled to expend moneys appropriated by law,
12 including the legislature and the courts, but not including an authority created in
13 subch. III of ch. 149 or in ch. 231, 233, 234, or 237.

History: 1971 c. 125, 261; 1973 c. 243; 1975 c. 41 s. 52; 1977 c. 29; 1977 c. 196 s. 130 (3), (4); 1977 c. 272, 273, 418; 1979 c. 34 ss. 65 to 67, 2102 (43) (a); 1981 c. 14; 1983 a. 27 ss. 73, 74, 2202 (42); 1983 a. 368; 1985 a. 29; 1987 a. 399; 1989 a. 31, 336, 359; 1991 a. 39, 316; 1995 a. 27 ss. 296, 297, 9145 (1); 1997 a. 27; 2001 a. 16; 2003 a. 33; 2005 a. 25.

14 **SECTION 15. 16.528 (1) (a) of the statutes is amended to read:**

15 16.528 (1) (a) "Agency" means an office, department, independent agency,
16 institution of higher education, association, society, or other body in state
17 government created or authorized to be created by the constitution or any law, which
18 that is entitled to expend moneys appropriated by law, including the legislature and
19 the courts, but not including an authority created in subch. III of ch. 149 or in ch. 231,
20 233, 234, or 237.

History: 1985 a. 300; 1987 s. 312 s. 17; 1987 a. 399; 1989 a. 233; 1991 a. 39; 1995 a. 27, 241; 1999 a. 150 s. 672; 2001 a. 16; 2001 a. 30 s. 108.

21 **SECTION 16. 16.53 (2) of the statutes is amended to read:**

22 16.53 (2) IMPROPER INVOICES. If an agency receives an improperly completed
23 invoice, the agency shall notify the sender of the invoice within 10 working days after

2-16 6/8/14

1 it receives the invoice of the reason it is improperly completed. In this subsection,
 2 “agency” means an office, department, independent agency, institution of higher
 3 education, association, society, or other body in state government created or
 4 authorized to be created by the constitution or any law, which that is entitled to
 5 expend moneys appropriated by law, including the legislature and the courts, but not
 6 including an authority created in subch. III of ch. 149 or in ch. 231, 233, 234, or 237.

History: 1971 c. 100 s. 23; 1971 c. 215, 261; Sup. Ct. Order, 67 Wis. 2d 585, 773 (1975); 1975 c. 39, 164, 198, 397, 422; 1977 c. 29, 196, 418; 1979 c. 34, 221; 1981 c. 1, 20; 1983 a. 3, 27, 192, 368; 1985 a. 29, 300; 1985 a. 332 ss. 15, 251 (1); 1987 a. 399; 1989 a. 31; 1989 a. 125 ss. 1, 10; 1991 a. 39, 316; 1993 a. 80, 399; 1995 a. 27 ss. 301, 302, 9126 (19), 9130 (4); 1997 a. 3; 2001 a. 16; 2003 a. 33, 117, 171.

7 **SECTION 17. 16.54 (9) (a) 1.** of the statutes is amended to read:

8 16.54 (9) (a) 1. “Agency” means an office, department, independent agency,
 9 institution of higher education, association, society or other body in state
 10 government created or authorized to be created by the constitution or any law, which
 11 is entitled to expend moneys appropriated by law, including the legislature and the
 12 courts, but not including an authority created in subch. III of ch. 149 or in ch. 231,
 13 233, 234, or 237.

History: 1973 c. 333; 1975 c. 39 ss. 69, 732 (1); 1975 c. 224; 1977 c. 418; 1979 c. 34; 1981 c. 27; 1983 a. 27, 208, 470; 1985 a. 29; 1987 a. 4, 27, 186, 399, 403; 1989 a. 31; 1991 a. 39, 316; 1995 a. 27 ss. 303 to 307, 9126 (19); 1995 a. 132, 225; 1999 a. 9, 74; 2001 a. 16; 2003 a. 33; 2005 a. 25.

14 **SECTION 18. 16.70 (2)** of the statutes is amended to read:

15 16.70 (2) “Authority” means a body created under subch. III of ch. 149 or under
 16 ch. 231, 232, 233, 234, 235, or 237.

History: 1971 c. 164; 1975 c. 41 s. 52; 1977 c. 29; 1979 c. 34, 221; 1983 a. 27, 106; 1985 a. 29 ss. 122a to 122f, 3200 (1); 1987 a. 292, 399; 1989 a. 335; 1991 a. 39, 189; 1993 a. 263, 399; 1995 a. 27, 56; 1997 a. 27; 1999 a. 65, 167; 2001 a. 16, 38; 2003 a. 33.

17 **SECTION 19. 16.72 (2) (e) (intro.)** of the statutes is amended to read:

18 16.72 (2) (e) (intro.) In writing the specifications under this subsection, the
 19 department and any other designated purchasing agent under s. 16.71 (1) shall
 20 incorporate requirements for the purchase of products made from recycled materials
 21 and recovered materials if their use is technically and economically feasible. Each
 22 authority other than the University of Wisconsin Hospitals and Clinics Authority
 23 and the Health Insurance Risk-Sharing Plan Authority, in writing specifications for

2-16 70014

1 purchasing by the authority, shall incorporate requirements for the purchase of
2 products made from recycled materials and recovered materials if their use is
3 technically and economically feasible. The specifications shall include requirements
4 for the purchase of the following materials:

History: 1975 c. 41; 1977 c. 418; 1981 c. 20, 350; 1983 a. 92; 1983 a. 333 ss. 3c, 3g, 3n; 3w; 1985 a. 29 ss. 122g, 3200 (1); 1985 a. 332; 1987 a. 119, 292; 1989 a. 31, 335; 1991 a. 39, 269; 1995 a. 27, 227; 1997 a. 27, 212; 1999 a. 9, 32, 105; 2001 a. 16; 2003 a. 33, 320.

5 **SECTION 20.** 16.72 (2) (f) of the statutes is amended to read:

6 16.72 (2) (f) In writing specifications under this subsection, the department,
7 any other designated purchasing agent under s. 16.71 (1), and each authority other
8 than the University of Wisconsin Hospitals and Clinics Authority and the Health
9 Insurance Risk-Sharing Plan Authority shall incorporate requirements relating to
10 the recyclability and ultimate disposition of products and, wherever possible, shall
11 write the specifications so as to minimize the amount of solid waste generated by the
12 state, consistent with the priorities established under s. 287.05 (12). All
13 specifications under this subsection shall discourage the purchase of single-use,
14 disposable products and require, whenever practical, the purchase of multiple-use,
15 durable products.

History: 1975 c. 41; 1977 c. 418; 1981 c. 20, 350; 1983 a. 92; 1983 a. 333 ss. 3c, 3g, 3n; 3w; 1985 a. 29 ss. 122g, 3200 (1); 1985 a. 332; 1987 a. 119, 292; 1989 a. 31, 335; 1991 a. 39, 269; 1995 a. 27, 227; 1997 a. 27, 212; 1999 a. 9, 32, 105; 2001 a. 16; 2003 a. 33, 320.

16 **SECTION 21.** 16.75 (1m) of the statutes is amended to read:

17 16.75 (1m) The department shall award each order or contract for materials,
18 supplies or equipment on the basis of life cycle cost estimates, whenever such action
19 is appropriate. Each authority other than the University of Wisconsin Hospitals and
20 Clinics Authority and the Health Insurance Risk-Sharing Plan Authority shall
21 award each order or contract for materials, supplies or equipment on the basis of life
22 cycle cost estimates, whenever such action is appropriate. The terms, conditions and
23 evaluation criteria to be applied shall be incorporated in the solicitation of bids or

2-16

80814

1 proposals. The life cycle cost formula may include, but is not limited to, the
 2 applicable costs of energy efficiency, acquisition and conversion, money,
 3 transportation, warehousing and distribution, training, operation and maintenance
 4 and disposition or resale. The department shall prepare documents containing
 5 technical guidance for the development and use of life cycle cost estimates, and shall
 6 make the documents available to local governmental units.

History: 1975 c. 224; 1977 c. 418, 419; 1979 c. 34, 221, 314, 340, 355; 1979 c. 361 s. 112; 1981 c. 121 s. 20; 1983 a. 27 ss. 91, 93 to 99; 1983 a. 333 ss. 3g, 3r to 4b, 6; 1983 a. 368, 390; 1985 a. 29 ss. 122m to 124, 3200 (1); 1985 a. 180; 1987 a. 27, 119, 142, 147, 186, 399, 403; 1989 a. 31, 335, 345, 359; 1991 a. 39, 170; 1993 a. 16, 414; 1995 a. 27 ss. 368 to 382, 9116 (5); 1995 a. 225, 227, 244, 289, 432; 1997 a. 3; 1999 a. 9, 44, 197; 2001 a. 16, 38; 2003 a. 33; 2005 a. 22, 25.

****NOTE: Should the HIRSP Authority be excluded, as drafted?

7 **SECTION 22.** 16.75 (8) (a) 1. of the statutes is amended to read:

8 16.75 (8) (a) 1. The department, any other designated purchasing agent under
 9 s. 16.71 (1), any agency making purchases under s. 16.74, and each authority other
 10 than the University of Wisconsin Hospitals and Clinics Authority and the Health
 11 Insurance Risk-Sharing Plan Authority shall, to the extent practicable, make
 12 purchasing selections using specifications developed under s. 16.72 (2) (e) to
 13 maximize the purchase of materials utilizing recycled materials and recovered
 14 materials.

History: 1975 c. 224; 1977 c. 418, 419; 1979 c. 34, 221, 314, 340, 355; 1979 c. 361 s. 112; 1981 c. 121 s. 20; 1983 a. 27 ss. 91, 93 to 99; 1983 a. 333 ss. 3g, 3r to 4b, 6; 1983 a. 368, 390; 1985 a. 29 ss. 122m to 124, 3200 (1); 1985 a. 180; 1987 a. 27, 119, 142, 147, 186, 399, 403; 1989 a. 31, 335, 345, 359; 1991 a. 39, 170; 1993 a. 16, 414; 1995 a. 27 ss. 368 to 382, 9116 (5); 1995 a. 225, 227, 244, 289, 432; 1997 a. 3; 1999 a. 9, 44, 197; 2001 a. 16, 38; 2003 a. 33; 2005 a. 22, 25.

15 **SECTION 23.** 16.75 (8) (a) 2. of the statutes is amended to read:

16 16.75 (8) (a) 2. Each agency and authority other than the University of
 17 Wisconsin Hospitals and Clinics Authority and the Health Insurance Risk-Sharing
 18 Plan Authority shall ensure that the average recycled or recovered content of all
 19 paper purchased by the agency or authority measured as a proportion, by weight, of
 20 the fiber content of paper products purchased in a fiscal year, is not less than 40%
 21 of all purchased paper.

History: 1975 c. 224; 1977 c. 418, 419; 1979 c. 34, 221, 314, 340, 355; 1979 c. 361 s. 112; 1981 c. 121 s. 20; 1983 a. 27 ss. 91, 93 to 99; 1983 a. 333 ss. 3g, 3r to 4b, 6; 1983 a. 368, 390; 1985 a. 29 ss. 122m to 124, 3200 (1); 1985 a. 180; 1987 a. 27, 119, 142, 147, 186, 399, 403; 1989 a. 31, 335, 345, 359; 1991 a. 39, 170; 1993 a. 16, 414; 1995 a. 27 ss. 368 to 382, 9116 (5); 1995 a. 225, 227, 244, 289, 432; 1997 a. 3; 1999 a. 9, 44, 197; 2001 a. 16, 38; 2003 a. 33; 2005 a. 22, 25.

2-16 9/2/14

1 SECTION 24. 16.75 (9) of the statutes is amended to read:

2 16.75 (9) The department, any other designated purchasing agent under s.
3 16.71 (1), any agency making purchases under s. 16.74, and any authority other than
4 the University of Wisconsin Hospitals and Clinics Authority and the Health
5 Insurance Risk-Sharing Plan Authority shall, to the extent practicable, make
6 purchasing selections using specifications prepared under s. 16.72 (2) (f).

History: 1975 c. 224; 1977 c. 418, 419; 1979 c. 34, 221, 314, 340, 355; 1979 c. 361 s. 112; 1981 c. 121 s. 20; 1983 a. 27 ss. 91, 93 to 99; 1983 a. 333 ss. 3g, 3r to 4b, 6; 1983 a. 368, 390; 1985 a. 29 ss. 122m to 124, 3200 (1); 1985 a. 180; 1987 a. 27, 119, 142, 147, 186, 399, 403; 1989 a. 31, 335, 345, 359; 1991 a. 39, 170; 1993 a. 16, 414; 1995 a. 27 ss. 368 to 382, 9116 (5); 1995 a. 225, 227, 244, 289, 432; 1997 a. 3; 1999 a. 9, 44, 197; 2001 a. 16, 38; 2003 a. 33; 2005 a. 22, 25.

7 SECTION 25. 16.75 (10m) of the statutes is amended to read:

8 16.75 (10m) The department, any other designated purchasing agent under s.
9 16.71 (1), any agency making purchases under s. 16.74, and any authority other than
10 the Health Insurance Risk-Sharing Plan Authority shall not enter into any contract
11 or order for the purchase of materials, supplies, equipment, or contractual services
12 with a person if the name of the person, or the name of an affiliate of that person, is
13 certified to the department by the secretary of revenue under s. 77.66.

History: 1975 c. 224; 1977 c. 418, 419; 1979 c. 34, 221, 314, 340, 355; 1979 c. 361 s. 112; 1981 c. 121 s. 20; 1983 a. 27 ss. 91, 93 to 99; 1983 a. 333 ss. 3g, 3r to 4b, 6; 1983 a. 368, 390; 1985 a. 29 ss. 122m to 124, 3200 (1); 1985 a. 180; 1987 a. 27, 119, 142, 147, 186, 399, 403; 1989 a. 31, 335, 345, 359; 1991 a. 39, 170; 1993 a. 16, 414; 1995 a. 27 ss. 368 to 382, 9116 (5); 1995 a. 225, 227, 244, 289, 432; 1997 a. 3; 1999 a. 9, 44, 197; 2001 a. 16, 38; 2003 a. 33; 2005 a. 22, 25.

14 SECTION 26. 16.765 (1) of the statutes is amended to read:

15 16.765 (1) Contracting agencies, the University of Wisconsin Hospitals and
16 Clinics Authority, the Fox River Navigational System Authority, the Health
17 Insurance Risk-Sharing Plan Authority, and the Bradley Center Sports and
18 Entertainment Corporation shall include in all contracts executed by them a
19 provision obligating the contractor not to discriminate against any employee or
20 applicant for employment because of age, race, religion, color, handicap, sex, physical
21 condition, developmental disability as defined in s. 51.01 (5), sexual orientation as
22 defined in s. 111.32 (13m), or national origin and, except with respect to sexual

2-16 105714

1 orientation, obligating the contractor to take affirmative action to ensure equal
2 employment opportunities.

History: 1975 c. 94, 189, 275, 422; 1977 c. 29, 418; 1981 c. 112; 1981 c. 334 s. 25 (2); 1981 c. 391 s. 210; 1985 a. 26; 1985 a. 29 s. 3200 (1); 1995 a. 27 ss. 386 to 389, 9130 (4); 1995 a. 225; 1997 a. 3; 2001 a. 16.

3 **SECTION 27.** 16.765 (2) of the statutes is amended to read:

4 16.765 (2) Contracting agencies, the University of Wisconsin Hospitals and
5 Clinics Authority, the Fox River Navigational System Authority, the Health
6 Insurance Risk-Sharing Plan Authority, and the Bradley Center Sports and
7 Entertainment Corporation shall include the following provision in every contract
8 executed by them: "In connection with the performance of work under this contract,
9 the contractor agrees not to discriminate against any employee or applicant for
10 employment because of age, race, religion, color, handicap, sex, physical condition,
11 developmental disability as defined in s. 51.01 (5), sexual orientation or national
12 origin. This provision shall include, but not be limited to, the following: employment,
13 upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or
14 termination; rates of pay or other forms of compensation; and selection for training,
15 including apprenticeship. Except with respect to sexual orientation, the contractor
16 further agrees to take affirmative action to ensure equal employment opportunities.
17 The contractor agrees to post in conspicuous places, available for employees and
18 applicants for employment, notices to be provided by the contracting officer setting
19 forth the provisions of the nondiscrimination clause".

History: 1975 c. 94, 189, 275, 422; 1977 c. 29, 418; 1981 c. 112; 1981 c. 334 s. 25 (2); 1981 c. 391 s. 210; 1985 a. 26; 1985 a. 29 s. 3200 (1); 1995 a. 27 ss. 386 to 389, 9130 (4); 1995 a. 225; 1997 a. 3; 2001 a. 16.

20 **SECTION 28.** 16.765 (4) of the statutes is amended to read:

21 16.765 (4) Contracting agencies, the University of Wisconsin Hospitals and
22 Clinics Authority, the Fox River Navigational System Authority, the Health
23 Insurance Risk-Sharing Plan Authority, and the Bradley Center Sports and

2-16

11814

1 Entertainment Corporation shall take appropriate action to revise the standard
2 government contract forms under this section.

History: 1975 c. 94, 189, 275, 422; 1977 c. 29, 418; 1981 c. 112; 1981 c. 334 s. 25 (2); 1981 c. 391 s. 210; 1985 a. 26; 1985 a. 29 s. 3200 (1); 1995 a. 27 ss. 386 to 389, 9130 (4); 1995 a. 225; 1997 a. 3; 2001 a. 16.

3 **SECTION 29.** 16.765 (5) of the statutes is amended to read:

4 16.765 (5) The head of each contracting agency and the boards of directors of
5 the University of Wisconsin Hospitals and Clinics Authority, the Fox River
6 Navigational System Authority, the Health Insurance Risk-Sharing Plan Authority,
7 and the Bradley Center Sports and Entertainment Corporation shall be primarily
8 responsible for obtaining compliance by any contractor with the nondiscrimination
9 and affirmative action provisions prescribed by this section, according to procedures
10 recommended by the department. The department shall make recommendations to
11 the contracting agencies and the boards of directors of the University of Wisconsin
12 Hospitals and Clinics Authority, the Fox River Navigational System Authority, the
13 Health Insurance Risk-Sharing Plan Authority, and the Bradley Center Sports and
14 Entertainment Corporation for improving and making more effective the
15 nondiscrimination and affirmative action provisions of contracts. The department
16 shall promulgate such rules as may be necessary for the performance of its functions
17 under this section.

History: 1975 c. 94, 189, 275, 422; 1977 c. 29, 418; 1981 c. 112; 1981 c. 334 s. 25 (2); 1981 c. 391 s. 210; 1985 a. 26; 1985 a. 29 s. 3200 (1); 1995 a. 27 ss. 386 to 389, 9130 (4); 1995 a. 225; 1997 a. 3; 2001 a. 16.

18 **SECTION 30.** 16.765 (6) of the statutes is amended to read:

19 16.765 (6) The department may receive complaints of alleged violations of the
20 nondiscrimination provisions of such contracts. The department shall investigate
21 and determine whether a violation of this section has occurred. The department may
22 delegate this authority to the contracting agency, the University of Wisconsin
23 Hospitals and Clinics Authority, the Fox River Navigational System Authority, the

2-16 ✓ 120814

1 Health Insurance Risk-Sharing Plan Authority, or the Bradley Center Sports and
2 Entertainment Corporation for processing in accordance with the department's
3 procedures.

History: 1975 c. 94, 189, 275, 422; 1977 c. 29, 418; 1981 c. 112; 1981 c. 334 s. 25 (2); 1981 c. 391 s. 210; 1985 a. 26; 1985 a. 29 s. 3200 (1); 1995 a. 27 ss. 386 to 389, 9130 (4); 1995 a. 225; 1997 a. 3; 2001 a. 16.

4 **SECTION 31.** 16.765 (7) (intro.) of the statutes is amended to read:

5 16.765 (7) (intro.) When a violation of this section has been determined by the
6 department, the contracting agency, the University of Wisconsin Hospitals and
7 Clinics Authority, the Fox River Navigational System Authority, the Health
8 Insurance Risk-Sharing Plan Authority, ✓ or the Bradley Center Sports and
9 Entertainment Corporation, the contracting agency, the University of Wisconsin
10 Hospitals and Clinics Authority, the Fox River Navigational System Authority, the
11 Health Insurance Risk-Sharing Plan Authority, ✓ or the Bradley Center Sports and
12 Entertainment Corporation shall:

History: 1975 c. 94, 189, 275, 422; 1977 c. 29, 418; 1981 c. 112; 1981 c. 334 s. 25 (2); 1981 c. 391 s. 210; 1985 a. 26; 1985 a. 29 s. 3200 (1); 1995 a. 27 ss. 386 to 389, 9130 (4); 1995 a. 225; 1997 a. 3; 2001 a. 16.

13 **SECTION 32.** 16.765 (7) (d) of the statutes is amended to read:

14 16.765 (7) (d) Direct the violating party to take immediate steps to prevent
15 further violations of this section and to report its corrective action to the contracting
16 agency, the University of Wisconsin Hospitals and Clinics Authority, the Fox River
17 Navigational System Authority, the Health Insurance Risk-Sharing Plan Authority, ✓
18 or the Bradley center sports and entertainment corporation Center Sports and
19 Entertainment Corporation. ✓

History: 1975 c. 94, 189, 275, 422; 1977 c. 29, 418; 1981 c. 112; 1981 c. 334 s. 25 (2); 1981 c. 391 s. 210; 1985 a. 26; 1985 a. 29 s. 3200 (1); 1995 a. 27 ss. 386 to 389, 9130 (4); 1995 a. 225; 1997 a. 3; 2001 a. 16.

20 **SECTION 33.** 16.765 (8) of the statutes is amended to read:

21 16.765 (8) If further violations of this section are committed during the term
22 of the contract, the contracting agency, the Fox River Navigational System Authority,
23 the Health Insurance Risk-Sharing Plan Authority, ✓ or the Bradley Center Sports

2-16

13814

1 and Entertainment Corporation may permit the violating party to complete the
 2 contract, after complying with this section, but thereafter the contracting agency, the
 3 Fox River Navigational System Authority, the Health Insurance Risk-Sharing Plan
 4 Authority, or the Bradley Center Sports and Entertainment Corporation shall
 5 request the department to place the name of the party on the ineligible list for state
 6 contracts, or the contracting agency, the Fox River Navigational System Authority,
 7 the Health Insurance Risk-Sharing Plan Authority, or the Bradley Center Sports
 8 and Entertainment Corporation may terminate the contract without liability for the
 9 uncompleted portion or any materials or services purchased or paid for by the
 10 contracting party for use in completing the contract.

History: 1975 c. 94, 189, 275, 422; 1977 c. 29, 418; 1981 c. 112; 1981 c. 334 s. 25 (2); 1981 c. 391 s. 210; 1985 a. 26; 1985 a. 29 s. 3200 (1); 1995 a. 27 ss. 386 to 389, 9130 (4); 1995 a. 225; 1997 a. 3; 2001 a. 16.

11 **SECTION 34.** 16.865 (8) of the statutes is amended to read:

12 16.865 (8) Annually in each fiscal year, allocate as a charge to each agency a
 13 proportionate share of the estimated costs attributable to programs administered by
 14 the agency to be paid from the appropriation under s. 20.505 (2) (k). The department
 15 may charge premiums to agencies to finance costs under this subsection and pay the
 16 costs from the appropriation on an actual basis. The department shall deposit all
 17 collections under this subsection in the appropriation account under s. 20.505 (2) (k).
 18 Costs assessed under this subsection may include judgments, investigative and
 19 adjustment fees, data processing and staff support costs, program administration
 20 costs, litigation costs, and the cost of insurance contracts under sub. (5). In this
 21 subsection, "agency" means an office, department, independent agency, institution
 22 of higher education, association, society, or other body in state government created
 23 or authorized to be created by the constitution or any law, which that is entitled to
 24 expend moneys appropriated by law, including the legislature and the courts, but not

2-16 140814

1 including an authority created in subch. III of ch. 149 or in ch. 231, 232, 233, 234, 235,
2 or 237.

History: 1973 c. 333; 1975 c. 81, 189, 422; 1977 c. 29; 1977 c. 196 s. 130 (3); 1979 c. 34, 221; 1981 c. 20; 1985 a. 29; 1987 a. 399; 1989 a. 125; 1991 a. 39; 1993 a. 16; 1995 a. 27; 2001 a. 16; 2003 a. 33.

3 **SECTION 35.** 19.42 (5) of the statutes is amended to read:

4 19.42 (5) "Department" means the legislature, the University of Wisconsin
5 System, any authority or public corporation created and regulated by an act of the
6 legislature, except the Health Insurance Risk-Sharing Plan Authority, and any
7 office, department, independent agency, or legislative service agency created under
8 ch. 13, 14, or 15, any technical college district, or any constitutional office other than
9 a judicial office. In the case of a district attorney, "department" means the
10 department of administration unless the context otherwise requires.

History: 1973 c. 90; Stats. 1973 s. 11.02; 1973 c. 333; 1973 c. 334 ss. 33, 57; Stats. 1973 s. 19.42; 1977 c. 29, 223, 277; 1977 c. 447 ss. 35, 209; 1979 c. 34, 177, 221; 1981 c. 20, 269, 349, 391; 1983 a. 27; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 166 ss. 1 to 4, 16; 1983 a. 484, 538; 1985 a. 26; 1985 a. 29 s. 3202 (46); 1985 a. 304; 1987 a. 72, 119; 1987 a. 312 s. 17; 1987 a. 340, 365, 399, 403; 1989 a. 31, 338; 1991 a. 39, 189, 221, 269; 1993 a. 16, 263, 399; 1995 a. 27, 56, 274; 1997 a. 27; 1997 a. 237 ss. 19m, 722q; 1997 a. 298; 1999 a. 42, 65; 2001 a. 16, 104, 109; 2003 a. 39.

11 **SECTION 36.** 20.145 (5) of the statutes is created to read:

transferred to

12 20.145 (5) HEALTH INSURANCE RISK-SHARING PLAN. (g) *Insurer assessments.* All
13 moneys received in insurer assessments under s. 149.13, to be ~~deposited~~ in the
14 Health Insurance Risk-Sharing Plan fund.

****NOTE: Do you want the insurer assessments to show up in the ch. 20 schedule or would you prefer simply to require OCI to deposit the assessments into the HIRSP fund? There is no appropriation in current law. Insurer assessments will be reflected in the fund in s. 25.55 (3) in any case.

15 (m) *Federal grants for high risk pool.* All moneys received from the federal
16 government in high risk pool grants, to be ~~deposited~~ in the Health Insurance
17 Risk-Sharing Plan fund.

transferred to

(END OF INSERT 2-16)

INSERT 3-7 182

18 **SECTION 37.** 25.55 (1) of the statutes is created to read:

3-7

292

1 25.55 (1) All federal moneys transferred from the appropriation account under
2 s. 20.145 (5) (m).

3 SECTION 38. 25.55 (3) of the statutes is amended to read:

4 25.55 (3) Insurer assessments under ~~ch. 149 s. 149.13.~~

transferred from the appropriation account under s. 20.145 (5)(g)

5 History: 1999 a. 9; 2003 a. 33.

6 SECTION 39. 70.11 (41m) of the statutes is created to read:

7 70.11 (41m) HEALTH INSURANCE RISK-SHARING PLAN AUTHORITY. All property
8 owned by the Health Insurance Risk-Sharing Plan Authority, provided that use of
the property is primarily related to the purposes of the authority. ✓

(END OF INSERT 3-7)

INSERT 4-15

9 SECTION 40. 71.26 (1) (be) of the statutes is amended to read:

10 71.26 (1) (be) *Certain authorities.* Income of the University of Wisconsin
11 Hospitals and Clinics Authority, of the Health Insurance Risk-Sharing Plan
12 Authority, and of the Fox River Navigational System Authority.

History: 1987 a. 312; 1987 a. 411 ss. 22, 124 to 129; 1989 a. 31, 336; 1991 a. 37, 39, 221, 269; 1993 a. 16, 112, 246, 263, 399, 437, 491; 1995 a. 27, 56, 351, 371, 380, 428; 1997 a. 27, 37, 184, 237; 1999 a. 9, 65; 1999 a. 150 s. 672; 1999 a. 167, 194; 2001 a. 16, 38, 106, 109; 2003 a. 33, 85, 99, 135, 255, 326; 2005 a. 25.

(END OF INSERT 4-15)

INSERT 9-8

13 SECTION 41. 77.54 (9a) (a) of the statutes is amended to read:

14 77.54 (9a) (a) This state or any agency thereof, the University of Wisconsin
15 Hospitals and Clinics Authority, the Health Insurance Risk-Sharing Plan Authority,
16 and the Fox River Navigational System Authority.

History: 1971 c. 64, 154, 215, 311; 1973 c. 90, 156, 240; 1975 c. 39, 96, 102, 146, 200; 1977 c. 29; 1977 c. 83 ss. 13, 26; 1977 c. 250, 368, 418; 1979 c. 1, 34, 87, 174; 1981 c. 20; 1981 c. 79 s. 18; 1981 c. 96 s. 67; 1981 c. 264; 1981 c. 282 s. 47; 1981 c. 317; 1983 a. 27 ss. 1284d to 1284np, 2202 (38); 1983 a. 189 ss. 101, 106, 329 (5), (12), (13); 1983 a. 192, 287, 405, 426, 498, 510, 538, 544; 1985 a. 29, 149, 332; 1987 a. 27; 1987 a. 312 s. 17; 1987 a. 399; 1989 a. 31, 238, 270, 335, 359; 1991 a. 37, 39, 269, 316; 1993

a. 16, 263, 332; 1995 a. 27, 125, 225, 227; 1997 a. 27, 35, 41, 184, 237, 291; 1999 a. 9, 65, 83; 1999 a. 150 s. 672; 1999 a. 167; 2001 a. 16, 103, 109; 2003 a. 99, 128; 2005 a. 25.

(END OF INSERT 9-8)

INSERT 9-24 10/2

1 SECTION 42. 88.172 (2) of the statutes is renumbered 88.172 (2) (bm).

2 SECTION 43. 88.172 (2) (am) of the statutes is created to read:

3 88.172 (2) (am) In this subsection and sub. (3), "authority" does not include the
4 Health Insurance Risk-Sharing Plan Authority.

5 SECTION 44. 88.172 (3) of the statutes is amended to read:

6 88.172 (3) Subsection (2) (bm) does not apply to a proceeding brought by a
7 governmental unit, authority, or agency in its capacity as a private party or
8 contractor.

History: 1993 a. 456.

9 SECTION 45. 101.055 (2) (a) of the statutes is amended to read:

10 101.055 (2) (a) "Agency" means an office, department, independent agency,
11 authority, institution, association, society, or other body in state government created
12 or authorized to be created by the constitution or any law, and includes the
13 legislature and the courts, but excludes the Health Insurance Risk-Sharing Plan
14 Authority.

History: 1981 c. 360, 391; 1985 a. 182 s. 57; 1991 a. 39; 1995 a. 27 ss. 3652 to 3659, 9130 (4); 1995 a. 342; 1997 a. 3; 1999 a. 82; 1999 a. 150 s. 672; 2003 a. 33.

15 SECTION 46. 101.177 (1) (d) of the statutes is amended to read:

16 101.177 (1) (d) "State agency" means any office, department, agency,
17 institution of higher education, association, society, or other body in state
18 government created or authorized to be created by the constitution or any law which
19 that is entitled to expend moneys appropriated by law, including the legislature and
20 the courts, the Wisconsin Housing and Economic Development Authority, the
21 Bradley Center Sports and Entertainment Corporation, the University of Wisconsin

9-24 2002

1 Hospitals and Clinics Authority, and the Wisconsin Health and Educational
2 Facilities Authority, but excluding the Health Insurance Risk-Sharing Plan
3 Authority.✓

History: 1989 a. 284; 1991 a. 97; 1993 a. 243; 1997 a. 27.

4 **SECTION 47.** 103.10 (1) (c) of the statutes is amended to read:

5 103.10 (1) (c) Except as provided in sub. (14) (b), "employer" means a person
6 engaging in any activity, enterprise, or business in this state employing at least 50
7 individuals on a permanent basis. "Employer" includes the state and any office,
8 department, independent agency, authority, institution, association, society, or other
9 body in state government created or authorized to be created by the constitution or
10 any law, including the legislature and the courts, but excluding the Health Insurance
11 Risk-Sharing Plan Authority.✓

History: 1987 a. 287; 1989 a. 228; 1991 a. 39; 1993 a. 446; 1995 a. 27 s. 9130 (4); 1997 a. 3, 156; 2001 a. 74; 2003 a. 33.

12 **SECTION 48.** 103.15 (1) (a) of the statutes is amended to read:

13 103.15 (1) (a) "Employer" includes the state, its political subdivisions, and any
14 office, department, independent agency, authority, institution, association, society,
15 or other body in state or local government created or authorized to be created by the
16 constitution or any law, including the legislature and the courts, but excluding the
17 Health Insurance Risk-Sharing Plan Authority.✓

History: 1985 a. 29, 73; 1987 a. 70 ss. 1, 36; 1987 a. 403 s. 256; 1989 a. 201 ss. 6, 36; 1989 a. 225; 1993 a. 27; 1995 a. 27 s. 9126 (19).

(END OF INSERT 9-24)

INSERT 12-3 102

18 **SECTION 49.** 149.105 of the statutes is created to read:

19 **149.105 Immunity.** No cause of action of any nature may arise against, and
20 no liability may be imposed upon, the authority, plan, or board; or any agent,
21 employee, or director of any of them; or participating insurers; or the commissioner;

12-3

2802

1 or any of the commissioner's agents, employees, or representatives, for any act or
2 omission by any of them in the performance of their powers and duties under this
3 chapter, unless the person asserting liability proves that the act or omission
4 constitutes willful misconduct. ✓

(END OF INSERT 12-3)

INSERT 15-8

5 , and shall deposit amounts collected in the fund

(END OF INSERT 15-8)

*Inserts 13-21
13-21A
14-19 are at end
of all inserts*

INSERT 17-10

6 SECTION 50. 149.14 (3) (c) of the statutes is repealed and recreated to read:

7 149.14 (3) (c) 1. Inpatient hospital services, as defined in s. 632.89 (1) (d),
8 outpatient services, as defined in s. 632.89 (1) (e), and transitional treatment
9 arrangements, as defined in s. 632.89 (1) (f), only to the extent required under s.
10 632.89.

X

11 SECTION 51. 149.14 (3) (c) 2. of the statutes is repealed.

X

12 SECTION 52. 149.14 (3) (c) 3. of the statutes is amended to read:

13 149.14 (3) (c) 3. Subject to the limits under subd. ~~2.~~ and to rules promulgated
14 by the department 1., services for the chronically mentally ill in community support
15 programs operated under s. 51.421.

History: 1979 c. 313; 1981 c. 39 s. 22; 1981 c. 83; 1981 c. 314 ss. 117, 146; 1983 a. 27; 1985 a. 29 s. 3202 (30); 1985 a. 332 s. 253; 1987 a. 27, 239; 1989 a. 332; 1991 a. 39, 269; 1995 a. 463; 1997 a. 27 ss. 3026c, 4847 to 4859; Stats. 1997 s. 149.14; 1997 a. 237; 1999 a. 9, 165; 2001 a. 16; 2003 a. 33.

(END OF INSERT 17-10)

INSERT 17-20

182

16 SECTION 53. 149.14 (3) (e) of the statutes is amended to read:

17-20 2082

✓

1 149.14 (3) (e) ~~Services~~ For persons eligible for Medicare, services of a licensed
 2 skilled nursing facility ~~for eligible persons eligible for medicare~~, to the extent
 3 required by s. 632.895 (3) and for not more than an aggregate 120 days during a
 4 calendar year, if the services are of the type which that would qualify as reimbursable
 5 services under ~~medicare~~ Medicare. Coverage under this paragraph which that is not
 6 required by s. 632.895 (3) is subject to ~~the~~ any deductible and coinsurance
 7 requirements ~~under sub. (5)~~ provided by the authority.

History: 1979 c. 313; 1981 c. 39 s. 22; 1981 c. 83; 1981 c. 314 ss. 117, 146; 1983 a. 27; 1985 a. 29 s. 3202 (30); 1985 a. 332 s. 253; 1987 a. 27, 239; 1989 a. 332; 1991 a. 39, 269; 1995 a. 463; 1997 a. 27 ss. 3026c, 4847 to 4859; Stats. 1997 s. 149.14; 1997 a. 237; 1999 a. 9, 165; 2001 a. 16; 2003 a. 33.

(END OF INSERT 17-20)

INSERT 18-9

8 **SECTION 54.** 149.14 (3) (p) of the statutes is renumbered 149.14 (3) (em).

(END OF INSERT 18-9)

INSERT 19-9

9 **SECTION 55.** 149.14 (5) of the statutes is repealed and recreated to read:

10 149.14 (5) DEDUCTIBLE AND COPAYMENT SUBSIDIES. (a) The authority shall
 11 establi~~s~~h and provide subsidies for deductibles paid by eligible persons with
 12 coverage under s. 149.14 (2) (a) and household incomes specified in s. 149.165 (2) (a)
 13 1. to 5.

14 (b) The authority may provide subsidies for prescription drug copayment
 15 amounts paid by eligible persons specified in par. (a).

(END OF INSERT 19-9)

INSERT 22-9 1083

16 **SECTION 56.** 149.146 (1) (a) and (b) of the statutes are consolidated,
 17 renumbered 149.14 (2) (c) 1. and amended to read:

22-9 2003

1 149.14 (2) (c) 1. ~~Beginning on January 1, 1998, in~~ In addition to the coverage
 2 required under s. 149.14 pars. (a) and (b), the plan shall offer to all eligible persons
 3 who are not eligible for ~~medicare~~ Medicare a choice of coverage, as described in
 4 section 2744 (a) (1) (C), P.L. 104-191. Any such choice of coverage shall be major
 5 medical expense coverage. ~~(b) An eligible person under par. (a) who is not eligible~~
 6 for Medicare may elect once each year, at the time and according to procedures
 7 established by the ~~department~~ authority, among the coverages offered under this
 8 ~~section and s. 149.14 paragraph and par. (a).~~ If an eligible person elects new
 9 coverage, any preexisting condition exclusion imposed under the new coverage is met
 10 to the extent that the eligible person has been previously and continuously covered
 11 under ~~this chapter~~ the plan. No preexisting condition exclusion may be imposed on
 12 an eligible person who elects new coverage if the person was an eligible individual
 13 when first covered under ~~this chapter~~ the plan and the person remained
 14 continuously covered under ~~this chapter~~ the plan up to the time of electing the new
 15 coverage.

History: 1997 a. 27 ss. 4860c, 4860d; Stats. 1997 s. 149.146; 1997 a. 237; 1999 a. 9, 165; 2001 a. 16; 2003 a. 33.

16 **SECTION 57.** 149.146 (2) (a) of the statutes is renumbered 149.14 (2) (c) 2. and
 17 amended to read:

18 149.14 (2) (c) 2. ~~Except as specified by the department, the terms of coverage~~
 19 ~~under s. 149.14, including deductible reductions under s. 149.14 (5) (a) and~~
 20 ~~prescription drug copayment reductions under s. 149.14 (5) (e), do not apply to the~~
 21 ~~coverage offered under this section.~~ Premium reductions under s. 149.165 and
 22 deductible subsidies and prescription drug copayment subsidies under s. 149.14 (5)
 23 do not apply to the coverage offered under this section paragraph.

History: 1997 a. 27 ss. 4860c, 4860d; Stats. 1997 s. 149.146; 1997 a. 237; 1999 a. 9, 165; 2001 a. 16; 2003 a. 33.

24 **SECTION 58.** 149.146 (2) (am) of the statutes is repealed.

22-9 383

1 **SECTION 59.** 149.146 (2) (b) of the statutes is repealed.

****NOTE: I have modified the treatment of s. 149.146 from the previous version of this draft.

(END OF INSERT 22-9)

INSERT 23-25

****NOTE: Should all of the subdivisions above include subsidies for deductibles, so that the premium rate (100% to 130%) is based on the coverage provided under HIRSP and the *subsidy-reduced* deductible?

(END OF INSERT 23-25)

INSERT 29-13

1083

2 **149.47 Contracting for professional services.** (1) Whenever contracting
3 for professional services, the authority shall solicit competitive sealed bids or
4 competitive sealed proposals, whichever is appropriate. Each request for
5 competitive sealed proposals shall state the relative importance of price and other
6 evaluation factors. ✓

7 (2) (a) When the estimated cost exceeds \$25,000, the authority may invite
8 competitive sealed bids or proposals by publishing a class 2 notice under ch. 985 or
9 by posting notice on the Internet at a site determined or approved by the authority.
10 The notice shall describe the contractual services to be purchased, the intent to make
11 the procurement by solicitation of bids or proposals, any requirement for surety, and
12 the date the bids or proposals will be opened, which shall be at least 7 days after the
13 date of the last insertion of the notice or at least 7 days after the date of posting on
14 the Internet. ✓

15 (b) When the estimated cost is \$25,000 or less, the authority may award the
16 contract in accordance with simplified procedures established by the authority for
17 such transactions.

29-13 2503

1 (c) For purposes of clarification, the authority may discuss the requirements
2 of the proposed contract with any person who submits a bid or proposal and shall
3 permit any offerer to revise his or her bid or proposal to ensure its responsiveness to
4 those requirements. ✓

5 (3) (a) The authority shall determine which bids or proposals are reasonably
6 likely to be awarded the contract and shall provide each offerer of such a bid or
7 proposal a fair and equal opportunity to discuss the bid or proposal. The authority
8 may negotiate with each offerer in order to obtain terms that are advantageous to
9 the authority. Prior to the award of the contract, any offerer may revise his or her
10 bid or proposal. The authority shall keep a written record of all meetings,
11 conferences, oral presentations, discussions, negotiations, and evaluations of bids or
12 proposals under this section. ✓

13 (b) In opening, discussing, and negotiating bids or proposals, the authority may
14 not disclose any information that would reveal the terms of a competing bid or
15 proposal. ✓

16 (4) (a) After receiving each offerer's best and final offer, the authority shall
17 determine which proposal is most advantageous and shall award the contract to the
18 person who offered it. The authority's determination shall be based only on price and
19 the other evaluation factors specified in the request for bids or proposals. The
20 authority shall state in writing the reason for the award and shall place the
21 statement in the contract file. ✓

22 (b) Following the award of the contract, the authority shall prepare a register
23 of all bids or proposals. ✓

****NOTE: The section above is a revised version of s. 16.715 (2m), which is limited to competitive sealed proposals, unlike this section, which includes both bids and proposals. Pay special attention to whether you want the option of bids or proposals for

29-13 373

contracts for professional services. You may determine that only proposals are appropriate, since professional services usually involve more than pure cost. ✓

(END OF INSERT 29-13)

INSERT 31-12

1864

1 SECTION 60. 181.0670 (3) (a) of the statutes is renumbered 181.0670 (3) (am). ✓

2 SECTION 61. 181.0670 (3) (ac) of the statutes is created to read:

3 181.0670 (3) (ac) In this subsection, "authority" does not include the Health
4 Insurance Risk-Sharing Plan Authority. ✓

5 SECTION 62. 181.0670 (3) (b) of the statutes is amended to read:

6 181.0670 (3) (b) Paragraph (a) (am) 1. and 2. does not apply to a proceeding
7 brought by or on behalf of a governmental unit, authority, or agency in its capacity
8 as a contractor. ✓

History: 1997 a. 79.

9 SECTION 63. 181.0855 (2) of the statutes is renumbered 181.0855 (2) (bm).

10 SECTION 64. 181.0855 (2) (am) of the statutes is created to read:

11 181.0855 (2) (am) In this subsection and sub. (3), "authority" does not include
12 the Health Insurance Risk-Sharing Plan Authority.

13 SECTION 65. 181.0855 (3) of the statutes is amended to read:

14 181.0855 (3) GOVERNMENTAL ENTITY ACTING IN CAPACITY AS PRIVATE PARTY.
15 Subsection (2) ~~(a) and (b)~~ (bm) 1. and 2. does not apply to a proceeding brought by a
16 governmental unit, authority, or agency in its capacity as a private party or
17 contractor. ✓

History: 1997 a. 79.

18 SECTION 66. 185.367 (2) of the statutes is renumbered 185.367 (2) (bm). ✓

19 SECTION 67. 185.367 (2) (am) of the statutes is created to read:

20 185.367 (2) (am) In this subsection and sub. (3), "authority" does not include
21 the Health Insurance Risk-Sharing Plan Authority. ✓

- 24 -
31-12 2084

1 SECTION 68. 185.367 (3) of the statutes is amended to read:

2 185.367 (3) Subsection (2) ~~(a) and (b)~~ (bm) 1. and 2. does not apply to a
3 proceeding brought by a governmental unit, authority, or agency in its capacity as
4 a private party or contractor.

5 History: 1987 a. 13.

6 SECTION 69. 186.096 (2) of the statutes is renumbered 186.096 (2) (bm), and
7 186.096 (2) (bm) 2., as renumbered, is amended to read.

8 186.096 (2) (bm) 2. A civil or criminal proceeding, other than a proceeding
9 described in ~~par. (a)~~ subd. 1., brought by or on behalf of any governmental unit,
authority, or agency.

10 History: 1987 a. 13; 1995 a. 151.

11 SECTION 70. 186.096 (2) (am) of the statutes is created to read:

12 186.096 (2) (am) In this subsection and sub. (3), "authority" does not include
13 the Health Insurance Risk-Sharing Plan Authority.

14 SECTION 71. 186.096 (3) of the statutes is amended to read:

15 186.096 (3) APPLICABILITY TO GOVERNMENTS. Subsection (2) ~~(b) and (c)~~ (bm) 2.
16 and 3. does not apply to a proceeding brought by a governmental unit, authority, or
agency in its capacity as a private party or contractor.

17 History: 1987 a. 13; 1995 a. 151.

18 SECTION 72. 230.03 (3) of the statutes is amended to read:

19 230.03 (3) "Agency" means any board, commission, committee, council, or
20 department in state government or a unit thereof created by the constitution or
21 statutes if such board, commission, committee, council, department, unit, or the
22 head thereof, is authorized to appoint subordinate staff by the constitution or
23 statute, except a legislative or judicial board, commission, committee, council,
24 department, or unit thereof or an authority created under ehs. subch. III of ch. 149
or under ch. 231, 232, 233, 234, 235, or 237. "Agency" does not mean any local unit

31-12 3084

1 of government or body within one or more local units of government that is created
2 by law or by action of one or more local units of government.

History: 1971 c. 270; 1973 c. 333; 1977 c. 196 ss. 24, 100; 1977 c. 418; 1981 c. 20, 26; 1983 a. 27 ss. 1604, 2200 (15); 1983 a. 409, 453, 538; 1987 a. 32; 1989 a. 31; 1991 a. 101, 147; 1993 a. 16, 254; 1995 a. 27, 255; 1997 a. 27; 1999 a. 65, 87; 2001 a. 16, 103; 2003 a. 33 ss. 2385 to 2387s, 9160; 2005 a. 22.

3 **SECTION 73.** 230.80 (4) of the statutes is amended to read:

4 230.80 (4) "Governmental unit" means any association, authority, board,
5 commission, department, independent agency, institution, office, society, or other
6 body in state government created or authorized to be created by the constitution or
7 any law, including the legislature, the office of the governor, and the courts, but
8 excluding the Health Insurance Risk-Sharing Plan Authority. "Governmental unit"
9 does not mean any political subdivision of the state or body within one or more
10 political subdivisions ~~which~~ that is created by law or by action of one or more political
11 subdivisions.

History: 1983 a. 409; 1995 a. 27, 326; 1997 a. 237.

12 **SECTION 74.** 287.01 (5m) of the statutes is amended to read:

13 287.01 (5m) "Person" includes any individual, corporation, limited liability
14 company, partnership, association, local governmental unit, as defined in s. 66.0131
15 (1) (a), state agency or authority, excluding the Health Insurance Risk-Sharing Plan
16 Authority, or federal agency.

History: 1989 a. 335 ss. 59, 66b, 76; 1991 a. 269; 1993 a. 112, 245, 406, 491; 1995 a. 201; 1995 a. 227 s. 884; Stats. 1995 s. 287.01; 1997 a. 35; 1999 a. 150 s. 672.

17 **SECTION 75.** 287.22 (2) (b) of the statutes is amended to read:

18 287.22 (2) (b) Advise and assist state agencies and, excluding the Health
19 Insurance Risk-Sharing Plan Authority, authorities and county and municipal
20 officials in the coordination of programs and the exchange of information related to
21 solid waste reduction, recovery, and recycling. This assistance, whenever practical,
22 shall be provided with an emphasis on documents and material easy to read and
23 understand by the general public.

History: 1989 a. 335; 1993 a. 75; 1995 a. 227 s. 904; Stats. 1995 s. 287.22; 1997 a. 243; 2003 a. 33.

31-12 484

1 SECTION 76. 287.22 (2m) of the statutes is amended to read:

2 287.22 (2m) STATUS REPORTS. The council may request a status report from any
3 state agency or authority, excluding the Health Insurance Risk-Sharing Plan
4 Authority, implementing a solid waste reduction, recovery, or recycling program.

History: 1989 a. 335; 1993 a. 75; 1995 a. 227 s. 904; Stats. 1995 s. 287.22; 1997 a. 243; 2003 a. 33.

5 SECTION 77. 341.17 (9) (a) 4. of the statutes is amended to read:

6 341.17 (9) (a) 4. "State authority" has the meaning given in s. 19.62 (8), except
7 that "state authority" does not include the Health Insurance Risk-Sharing Plan
8 Authority.

History: 1971 c. 164; 1977 c. 29 ss. 1422, 1654 (7) (a), (e); 1977 c. 273; 1979 c. 221; 1985 a. 202; 1987 a. 217; 1991 a. 269; 1997 a. 27; 1999 a. 88, 110.

9 SECTION 78. 343.235 (1) (d) of the statutes is amended to read:

10 343.235 (1) (d) "State authority" has the meaning given in s. 19.62 (8), except
11 that "state authority" does not include the Health Insurance Risk-Sharing Plan
12 Authority.

History: 1991 a. 269; 1999 a. 88.

13 SECTION 79. 343.24 (4) (a) 4. of the statutes is amended to read:

14 343.24 (4) (a) 4. "State authority" has the meaning given in s. 19.62 (8), except
15 that "state authority" does not include the Health Insurance Risk-Sharing Plan
16 Authority.

History: 1975 c. 297 s. 9; Stats. 1975 s. 343.24; 1977 c. 29 s. 1654 (7) (e); 1979 c. 221, 331, 355; 1989 a. 105; 1991 a. 269; 1993 a. 16, 490; 1995 a. 113; Sup. Ct. Order No. 99-04, 228 Wis. 2d xxiii (2000); 1999 a. 88, 185; 2001 a. 16.

****NOTE: I did not include the HIRSP Authority in s. 560.9810. I assumed that's what you meant by responding "no" to question number 9 of the 39 questions, and that you didn't mean it is not ok for the definition in s. 560.9810 (1) not to include the authority.

(END OF INSERT 31-12)

INSERT 32-24

182

17 SECTION 80. 611.62 (1) of the statutes is amended to read:

32-24 282

1 611.62 (1) LIABILITY. Sections 180.0826 to 180.0828, 180.0832 and 180.0833
2 apply to stock corporations and ss. 181.0850 to 181.0855, except s. 181.0855 (2) (e)
3 (bm) 3. apply to mutuals.

History: 1971 c. 260, 307; 1973 c. 128; 1979 c. 102; 1987 a. 13; 1989 a. 303; 1997 a. 79.

(END OF INSERT 32-24)

INSERT 33-8

4 2. The benefit levels are not generally reflective of and commensurate with
5 comprehensive health insurance coverage offered in the private individual market
6 in the state. ✓

7 3. The copayments, deductibles, and coinsurance are not actuarially equivalent
8 to comprehensive individual plans and would create undue financial hardship. ✓

9 4. It is inconsistent with the purpose of providing health care coverage to those
10 unable to obtain coverage in the private market. ✓

(END OF INSERT 33-8)

INSERT 33-11

1082

11 SECTION 81. 644.18 (1) of the statutes is amended to read:

12 644.18 (1) LIABILITY. Sections 181.0850 to 181.0855, except s. 181.0855 (2) (e)
13 (bm) 3. apply to mutual holding companies.

History: 1997 a. 227; 1999 a. 30.

14 SECTION 82. 895.65 (1) (c) of the statutes is amended to read:

15 895.65 (1) (c) "Governmental unit" means any association, authority, board,
16 commission, department, independent agency, institution, office, society or other
17 body in state government created or authorized to be created by the constitution or
18 any law, including the legislature, the office of the governor and the courts.
19 "Governmental unit" does not mean the University of Wisconsin Hospitals and

33-11 2082

✓

1 Clinics Authority, the Health Insurance Risk-Sharing Plan Authority, or any
2 political subdivision of the state or body within one or more political subdivisions
3 which is created by law or by action of one or more political subdivisions.

History: 1983 a. 409; 1985 a. 135; 1995 a. 27; 1997 a. 237; 2003 a. 33 ss. 2726, 9160.

(END OF INSERT 33-11)

INSERT 34-12 182

4 259 (9) TERMS OF INITIAL MEMBERS OF BOARD. Notwithstanding the length of terms
5 specified for the members of the board of directors of the Health Insurance
6 Risk-Sharing Plan Authority under section 149.40 (1) of the statutes, as created by
7 this act, the initial members of the board of directors shall be appointed for the
8 following terms: ✓

9 (a) At the governor's discretion, one member appointed under section 149.40
10 (1) (a) of the statutes, one member appointed under section 149.40 (1) (b) of the
11 statutes, and one member appointed under section 149.40 (1) (c) of the statutes for
12 one-year terms. ✓

13 (b) At the governor's discretion, 2 members appointed under section 149.40 (1)
14 (a) of the statutes, 2 members appointed under section 149.40 (1) (b) of the statutes,
15 and 2 members appointed under section 149.40 (1) (c) of the statutes, for 2-year
16 terms. ✓

17 (c) At the governor's discretion, one member appointed under section 149.40
18 (1) (a) of the statutes, one member appointed under section 149.40 (1) (b) of the

34-12 2012

1 statutes, and 2 members appointed under section 149.40 (1) (c) of the statutes, for
2 3-year terms. ✓

(END OF INSERT 34-12)

INSERT 34-20

3 **SECTION 83. Appropriation changes.**

4 (2) HEALTH INSURANCE RISK-SHARING PLAN.

5 (a) *Administration.* In the schedule under section 20.005 (3) of the statutes for
6 the appropriation to the department of health and family services under section
7 20.435 (4) (u) of the statutes, as affected by the acts of 2005, the dollar amount is
8 increased by \$3,535,500 for fiscal year 2005-06 to fund the costs of the department
9 for administering the Health Insurance Risk-Sharing Plan until July 1, 2006, and
10 to increase the authorized FTE positions for the department by 4.83 SEG positions
11 for the period ending on July 1, 2006, for administration of the Health Insurance
12 Risk-Sharing Plan. ✓

13 (b) *Program benefits.* In the schedule under section 20.005 (3) of the statutes
14 for the appropriation to the department of health and family services under section
15 20.435 (4) (v) of the statutes, as affected by the acts of 2005, the dollar amount is
16 increased by \$123,594,300 for fiscal year 2005-06 to increase funding for the
17 purposes for which the appropriation is made. ✓

****NOTE: I know that you may need to change the amounts shown above. ✓

(END OF INSERT 34-20)

Insert 13-21 1502

limitations; emergency medical services for persons who are not U.S. citizens; health care services for persons with tuberculosis who meet the income and resource requirements for the federal Supplemental Security Income program; and outpatient prenatal care for pregnant women who meet the income limitation.

The bill also specifically provides that persons who are eligible for the following programs or benefits are ineligible for HIRSP coverage: the Badger Care health care program (commonly known as BadgerCare), under which low-income families and children who do not reside with a parent receive comprehensive health care services; a program providing long-term care for children with disabilities and their families, including in-home habilitation services for children with autism spectrum disorders; the community integration programs commonly known as "CIP IA," "CIP IB," and "CIP II," under which persons who reside in state centers for the developmentally disabled or other institutions are relocated into their communities and provided home and community-based services; the waiver program under the Long-Term Support Community Options Program (commonly known as "COP-Waiver"), under which persons who are elderly, physically or developmentally disabled, chronically mentally ill, or chemically dependent receive long-term community support services; the Program for All-inclusive Care for the Elderly (known as PACE) or the Wisconsin Partnership Program (known as Partnership), both of which are managed care programs providing acute health and long-term care for elderly and disabled individuals who are eligible for nursing home care; and medical assistance provided under the Family Care Program, under which financial assistance is provided for long-term care and support items to persons who who have physical or developmental disabilities or infirmities of aging and who meet certain financial and functional criteria.

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.** 49.46 (1) (a) 15. of the statutes is amended to read:

2 49.46 (1) (a) 15. Any individual who is infected with tuberculosis and meets the
3 income and resource eligibility requirements for the federal supplemental security
4 Supplemental Security Income program under 42 USC 1381 to 1383d.

5 **SECTION 2.** 149.12 (2) (f) of the statutes is renumbered 149.12 (2) (f) 1. and
6 amended to read:



Insert 13-21 cont'd 2002

1 149.12 (2) (f) 1. ~~No~~ Except as provided in subd. 2., no person who is eligible for
2 medical assistance is eligible for coverage under the plan.

3 **SECTION 3.** 149.12 (2) (f) 2. of the statutes is created to read:

Insert 13-21A

4 149.12 (2) (f) 2. Subdivision 1. does not apply to a person who is eligible for only
5 any of the following types of medical assistance:

6 a. Family planning services under s. 49.45 (24r).

7 b. Care and services for the treatment of an emergency medical condition under
8 42 USC 1396b (v), as provided in s. 49.45 (27).

9 c. Medical assistance under s. 49.46 (1) (a) 15.

10 d. Ambulatory prenatal care under s. 49.465.

11 e. Medicare premium, coinsurance, and deductible payments under s. 49.46 (2)
12 (c) 2. or 3., 49.468 (1) (b) or (c), or 49.47 (6) (a) 6. b. or c.

13 f. Medicare premium payments under s. 49.46 (2) (cm), 49.468 (1m) or (2), or
14 49.47 (6) (a) 6m.

15 **SECTION 4.** 149.12 (2) (g) of the statutes is created to read:

16 149.12 (2) (g) A person is not eligible for coverage under the plan if the person
17 is eligible for any of the following:

18 1. Services under s. 46.27 (11), 46.275, 46.277, or 46.278.

19 2. Medical assistance provided as part of a family care benefit, as defined in s.
20 46.2805 (4).

21 3. Services provided under a waiver requested under 2001 Wisconsin Act 16,
22 section 9123 (16rs), or 2003 Wisconsin Act 33, section 9124 (8c).

23 4. Services provided under the program of all-inclusive care for persons aged
24 55 or older authorized under 42 USC 1396u-4.

(end of ins 13-21)

**2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3798/P3ins
PJK:wlj:rs

INSERT 13-21A

WDF is otherwise eligible for coverage under the plan and who

(END OF INSERT 13-21A)

Insert 14-19

1 2. Medical assistance provided as part of a family care benefit, as defined in s.
2 46.2805 (4).

3 3. Services provided under a waiver requested under 2001 Wisconsin Act 16,
4 section 9123 (16rs), or 2003 Wisconsin Act 33, section 9124 (8c).

5 4. Services provided under the program of all-inclusive care for persons aged
6 55 or older authorized under 42 USC 1396u-4.

7 5. Services provided under the demonstration program under a federal waiver
8 authorized under 42 USC 1315.

9 6. Health care coverage under the Badger Care health care program under s.
10 49.665.

11 **SECTION 27.** 149.12 (3) (a) of the statutes is amended to read:

12 149.12 (3) (a) Except as provided in pars. (b) ~~to (e)~~ and (bm), no person is eligible
13 for coverage under the plan for whom a premium, deductible, or coinsurance amount
14 is paid or reimbursed by a federal, state, county, or municipal government or agency
15 as of the first day of any term for which a premium amount is paid or reimbursed and
16 as of the day after the last day of any term during which a deductible or coinsurance
17 amount is paid or reimbursed.

18 **SECTION 28.** 149.12 (3) (c) of the statutes is repealed.

19 **SECTION 29.** 149.12 (4) and (5) of the statutes are created to read:

20 149.12 (4) Subject to subs. (1m), (2), and (3), the ~~board~~ may establish criteria
21 that would enable additional persons to be eligible for coverage under the plan. The
22 ~~board~~ shall ensure that any expansion of eligibility is consistent with the purpose of
23 the plan to provide health care coverage for those who are unable to obtain health
24 insurance in the private market and does not endanger the solvency of the plan.

authority

(end of insert 14-19)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3798/P3dn

PJK:.....

Imk

(date)

There are a number of definitions in current law that include the phrase "or other body in state government that is created or authorized to be created by the constitution or by law..." These definitions are not consistent. Some of them treat authorities as if they are included and some treat authorities as if they are not included. I do not know whether an authority would be considered a body in state government, especially given the inconsistency among the definitions. Some of these definitions are already included in this version of the draft, others are not included. In reviewing this draft, you will be reviewing the provisions that are included. Even though you may have reviewed some or all of the following provisions, which are not included in this draft, please review them again to make sure the HIRSP Authority should not be specifically included or excluded (and also to make sure I have followed your instructions correctly):

1. 16.004 (12) (a) ✓
2. 16.01 (1) ✓
3. 16.70 (1e) ✓
4. 16.85 (2) ✓
5. 20.9275 (1) (g) ✓
6. 21.80 (1) (b) ✓
7. 23.175 (1) (b) ✓
8. 100.45 (1) (dm) ✓
9. 102.11 (1) (am) 1. ✓
10. 103.49 (1) (f) ✓
11. 111.32 (6) (a) ✓
12. 281.75 (4) (b) 2. ✓
13. 285.59 (1) (b) ✓

Pamela J. Kahler
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E-mail: pam.kahler@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3798/P3dn
PJK:lmk:pg

November 10, 2005

There are a number of definitions in current law that include the phrase "or other body in state government that is created or authorized to be created by the constitution or by law..." These definitions are not consistent. Some of them treat authorities as if they are included and some treat authorities as if they are not included. I do not know whether an authority would be considered a body in state government, especially given the inconsistency among the definitions. Some of these definitions are already included in this version of the draft, others are not included. In reviewing this draft, you will be reviewing the provisions that are included. Even though you may have reviewed some or all of the following provisions, which are not included in this draft, please review them again to make sure the HIRSP Authority should not be specifically included or excluded (and also to make sure I have followed your instructions correctly):

1. 16.004 (12) (a) *ok as is*
2. 16.01 (1) *ok as is*
3. 16.70 (1e) *ok as is*
- *4. 16.85 (2) *do exclude HIRSP - add*
5. 20.9275 (1) (g) *ok as is*
6. 21.80 (1) (b) *ok as is*
7. 23.175 (1) (b) *ok as is*
8. 100.45 (1) (dm) *ok as is (or exclude specifically)?*
9. 102.11 (1) (am) 1. *ok as is*
10. 103.49 (1) (f) *ok as is*
11. 111.32 (6) (a) *ok as is*
12. 281.75 (4) (b) 2. *ok as is*
13. 285.59 (1) (b) *ok as is*

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.state.wi.us

Meeting
w/ Hon. Wenzel
11-15

✓ exclude HIRSP from 13.94 (1) (b)
add in ch. 149 audit bureau
audit annually
require annual audit
↳ create par. in 13.94 (1)

financial or program
what how
call audit bureau

✓ p 29 person → same language as p 31, line 23+24

(so MA still pay)
Wenzel would prefer to have it in 149.12 (e) 2.)

✓ for 149.14 (3) →
(3) (intro) July 1
the rest of (3), (4), etc.,
Jan 1, 2007

premiums → July
prop. & other
design → Jan 1, 2007



* not subsidized deductible

* starts Jan 1, 2007

for 149.165 (2)(a)

✓ p44 (4), (5), & (6)

~~do~~, or
contrast for ...

p48

subch IV

✓ * design & administer for as long
as there is a tax credit
under fed law

Med Part D

Jan 1, 2006

3 days

* new ~~MA~~ MA people Jan 1, 2007 (+)

* always out (g) Jan 1, 2006



create authority Jan 1, 2006

authority admin July 1, 2006
HIRSP

new tax program July 1, 2006
HETC

new benefit design Jan 11, 2007

Wishke Kapouke
PY = P1

the both " / 1 "

Kahler, Pam

From: Nancy Wenzel [nwenzel@tds.net]
Sent: Tuesday, November 15, 2005 4:22 PM
To: Kahler, Pam
Subject: RE: another clarification

Yes, the intent is that the "new" or transferred contract would end on the same date as the contract would end if DHFS were still involved.

Nancy J. Wenzel
Executive Director
Wisconsin Association of Health Plans
10 East Doty Street, Suite 503
Madison, WI 53703
nwenzel@tds.net
608-255-8599
608-255-8627 (fax)

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

From: Kahler, Pam [mailto:Pam.Kahler@legis.state.wi.us]
Sent: Tuesday, November 15, 2005 3:06 PM
To: Nancy Wenzel
Subject: another clarification

Nancy:

The nonstat language requiring the authority to contract with the current administrator does not specify a contract length, so it does not seem to add anything to say that they must contract with the administrator until the contract ends. Was it the intention that the "new" contract would end on the same date as the "old" contract that DHFS terminates early? If so, I can make that explicit.

Pam

From: Nancy Wenzel [mailto:nwenzel@tds.net]
Sent: Tuesday, November 15, 2005 1:27 PM
To: Kahler, Pam
Subject: RE: HIRSP audit

Yes. Thank you.

Nancy J. Wenzel
Executive Director
Wisconsin Association of Health Plans
10 East Doty Street, Suite 503
Madison, WI 53703
nwenzel@tds.net
608-255-8599
608-255-8627 (fax)

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

From: Kahler, Pam [mailto:Pam.Kahler@legis.state.wi.us]
Sent: Tuesday, November 15, 2005 1:17 PM

11/15/2005

To: nwenzel@tds.net
Subject: HIRSP audit

Nancy:

I am informed that the audit done on HIRSP is a financial audit, so I would require the audit bureau annually to conduct a financial audit of HIRSP (rather than of the authority), and to file copies of the audit report with the distributees under s. 13.94 (1) (b). Sound ok?

Pam