2009 DRAFTING REQUEST

Bill

Received: **04/16/2010**

Received By: **rchampag**

Wanted: **Today**

Companion to LRB:

For: **Randy Hopper (608) 266-5300**

By/Representing: **Rebecca**

May Contact:

Drafter: **rchampag**

Subject: **State Govt - miscellaneous**
State Finance - miscellaneous

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Hopper@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Public access to information on state agency and school district finances

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Instructions:

Companion to AB 196

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	rchampag 04/16/2010	jdyer 04/19/2010		_____ _____			S&L
/1			rschluet 04/19/2010	_____ _____	mbarman 04/19/2010	cduerst 04/19/2010	

FE Sent For:

<END>

At Intro.

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/?	rchampag	1 4/19 jld	6 4/19/10				

FE Sent For:

<END>

State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-4705/1
~~LRB-1205/1~~
RAC&PG:jld:md

Monday

Keep

2009 ~~ASSEMBLY~~ BILL ~~196~~

~~April 7, 2009 - Introduced by Representatives KRAMER, VUKMIR, ZIPPERER, DAVIS, VOS, LEMAHIEU, KLEEFISCH and LOTHIAN, cosponsored by Senators HOPPER, DARLING and LEIBHAM. Referred to Committee on State Affairs and Homeland Security.~~

-gen. cat

AN ACT *to create* 16.413 and 115.32 of the statutes; **relating to:** providing the public with information on state agency and school district operations expenditures and state agency and school district contracts and grants.

Analysis by the Legislative Reference Bureau

The bill provides that, beginning on July 1, 2011, the Department of Administration (DOA) must ensure that all state agency expenditures for state operations exceeding $25, including current and past salaries, pay adjustments, bonuses, lump sum payments, and fringe benefits paid to state agency employees, are available for inspection on a searchable Internet Web site maintained by DOA. Under the bill, DOA must categorize the expenditure information on the Web site by state agency, expenditure category, expenditure amount, and the person to whom the expenditure is made. Any person must be able to search on the Web site aggregate expenditures for state operations by state agency, expenditure category, expenditure amount, and the person to whom the expenditure is made.

The bill further provides that, beginning on July 1, 2011, DOA must ensure that all of the following information relating to state agency grants and contracts is available for inspection on a searchable Internet Web site: a copy of the contract and grant award or statement; the state agency making the grant or entering into the contract; the name and address of the person receiving the grant or entering into the contract; the purpose of the grant or contract; and the amount of the grant or the amount the state agency must expend under the contract and the name of the state fund from which the grant is paid or moneys are expended under the contract. Under

the bill, DOA must make this information available on the searchable Internet Web site no later than 30 days after the state agency makes a grant or enters into a contract.

The bill also requires the Department of Public Instruction (DPI) to report to DOA all school district expenditures for operations exceeding $25 and information relating to school district payments and contracts. DPI must report the information to DOA for inclusion in the Internet Web site maintained by DOA. These provisions also take effect on July 1, 2011.

For further information see the ***state and local*** 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.** 16.413 of the statutes is created to read:

2 **16.413 Disclosure of state and school district expenditures. (1)**
3 DEFINITIONS. In this section:

4 (a) "Grant" means a payment made to a person, but does not include any of the
5 following:

6 1. Aids to individuals and organizations and local assistance.

7 2. Salaries and fringe benefits paid to state employees.

8 3. Payments for goods or services pursuant to a contract.

9 (b) "Searchable Internet Web site" means a Web site that allows any person to
10 search for both of the following:

11 1. State aggregate expenditures for state operations by state agency,
12 expenditure category, expenditure amount, and the person to whom the expenditure
13 is made.

14 2. Grants made by state agencies and contracts entered into by state agencies.

15 (c) "State agency" has the meaning given in s. 20.001 (1).

16 (d) "State operations" means all purposes except aids to individuals and
17 organizations and local assistance.

1 **(2)** STATE AGENCY EXPENDITURES FOR STATE OPERATIONS. (a) Beginning on July
2 1, 2011, the department shall ensure that all state agency expenditures for state
3 operations exceeding $25, including salaries and fringe benefits paid to state agency
4 employees, are available for inspection on a searchable Internet Web site maintained
5 by the department. The department shall also make available for inspection on the
6 searchable Internet Web site the annual salary paid by a state agency to each state
7 employee during the prior 4 years or the during the time that the state employee has
8 been employed by a state agency, whichever is less.

9 (b) The department shall categorize the expenditure information under par. (a)
10 by state agency, expenditure category, expenditure amount, and the person to whom
11 the expenditure is made. If any of the expenditure information may be found on other
12 Web sites, the department shall ensure that the information is accessible through the
13 searchable Internet Web site under par. (a). The department shall also ensure that
14 a person may request and receive electronic updates of expenditure information
15 under par. (a).

16 (c) Beginning with expenditures made on July 1, 2011, state agencies shall
17 provide the department with all expenditure information required under par. (a) no
18 later than 60 days after the expenditure is made. Each state agency shall also
19 include in the expenditure information required under par. (a) the amount of the
20 most recent pay adjustment, performance bonus, or lump sum payment paid to each
21 of its employees. The department may specify the format in which state agencies
22 provide the expenditure information.

23 **(3)** STATE AGENCY CONTRACTS AND GRANTS. (a) Beginning on July 1, 2011, the
24 department shall ensure that all of the following information relating to each grant

1 made by a state agency or contract entered into by a state agency is available for
2 inspection on a searchable Internet Web site maintained by the department:
3 1. A copy of the contract and grant award or statement.
4 2. The state agency making the grant or entering into the contract.
5 3. The name and address of the person receiving the grant or entering into the
6 contract.
7 4. The purpose of the grant or contract.
8 5. The amount of the grant or the amount the state agency must expend under
9 the contract and the name of the state fund from which the grant is paid or moneys
10 are expended under the contract.
11 (b) Beginning with grants made and contracts entered into by state agencies
12 on July 1, 2011, state agencies shall provide the department with all of the
13 information required under par. (a) no later than 10 days after the state agency
14 makes a grant or enters into a contract. The department may specify the format in
15 which state agencies provide the information. The department shall make the
16 information available on the searchable Internet Web site no later than 30 days after
17 the state agency makes a grant or enters into a contract. The department shall also
18 ensure that a person may request and receive electronic updates of all of the
19 information under par. (a).
20 **(4)** SCHOOL DISTRICT EXPENDITURES. The department shall include in the
21 Internet Web site maintained under this section the information about school district
22 expenditures and contracts reported to it by the department of public instruction
23 under s. 115.32 (4).
24 **SECTION 2.** 115.32 of the statutes is created to read:

1 **115.32 Reporting of expenditures relating to school district operations**
2 **and school board contracts and payments. (1)** DEFINITIONS. In this section:
3 (a) "Financial instrument" includes any check, draft, warrant, money order,
4 note, certificate of deposit, letter of credit, bill of exchange, credit or credit card,
5 transaction authorization mechanism, marketable security, and any computer
6 representation of them.
7 (b) "Payment" means a payment made to a person, other than the payment of
8 salaries and fringe benefits for school district employees and payments for goods and
9 services pursuant to a contract.
10 **(2)** SCHOOL DISTRICT EXPENDITURES FOR OPERATIONS. (a) Beginning on July 1,
11 2011, the department shall ensure that each school board reports to the department
12 all school district expenditures for operations exceeding $25, including salaries and
13 fringe benefits paid to school district employees.
14 (b) The department shall categorize the expenditure information under par. (a)
15 by school district, expenditure category, expenditure amount, and the person to
16 whom the expenditure is made.
17 (c) Beginning with expenditures made on July 1, 2011, each school board shall
18 provide the department with all expenditure information required under par. (a) no
19 later than 60 days after the expenditure is made. Each school board shall also
20 include in the expenditure information required under par. (a) the amount of the
21 most recent pay adjustment, performance bonus, or lump sum paid to each of its
22 employees. The department may specify the format in which school boards provide
23 the expenditure information.

1 **(3)** SCHOOL DISTRICT CONTRACTS AND PAYMENTS. (a) 1. Beginning on July 1, 2011,
2 the department shall ensure that each school board reports to the department all of
3 the following information relating to each payment made by a school board:
4 a. The school board making the payment or entering into the contract.
5 b. The name and address of the person receiving the payment or entering into
6 the contract.
7 c. The purpose of the payment or contract.
8 d. The amount of the payment or the amount the school board must expend
9 under the contract and the name of the fund from which the payment is made or
10 moneys are expended under the contract.
11 2. The report under subd. 1. shall include a copy of the contract or financial
12 instrument used to make the payment.
13 (b) Beginning with payments made and contracts entered into by school boards
14 on July 1, 2011, each school board shall provide the department with all of the
15 information required under par. (a) no later than 10 days after the school board
16 makes a payment or enters into a contract. The department may specify the format
17 in which school boards provide the information.
18 **(4)** REPORT TO DEPARTMENT OF ADMINISTRATION. The department shall format the
19 information received under subs. (2) and (3) as specified by the department of
20 administration and periodically transmit it to the department of administration for
21 inclusion in the searchable Internet Web site maintained by the department of
22 administration under s. 16.413.
23 **(END)**

Parisi, Lori

From: Summerfield, Craig
Sent: Monday, April 19, 2010 10:04 AM
To: LRB.Legal
Cc: Hogan, Rebecca
Subject: Draft Review: LRB 09-4705/1 Topic: Public access to information on state agency and school district finances

Importance: High

Please Jacket LRB 09-4705/1 for the SENATE.