

1 administration, are transferred on the effective date of this paragraph to the
2 department of safety and professional services.

3 (c) *Employee status.* Employees transferred under paragraph (b) have all the
4 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
5 statutes in the department of safety and professional services that they enjoyed in
6 the department of commerce immediately before the transfer. Notwithstanding
7 section 230.28 (4) of the statutes, no employee so transferred who has attained
8 permanent status in class is required to serve a probationary period.

9 (d) *Tangible personal property.* On the effective date of this paragraph, all
10 tangible personal property, including records, of the department of commerce that
11 is primarily related to the functions of the division of safety and buildings and the
12 division of environmental and regulatory services, as determined by the secretary of
13 administration, is transferred to the department of safety and professional services.

14 (e) *Contracts.* All contracts entered into by the department of commerce in
15 effect on the effective date of this paragraph that are primarily related to the
16 functions of the division of safety and buildings and the division of environmental
17 and regulatory services, as determined by the secretary of administration, remain
18 in effect and are transferred to the department of safety and professional services.
19 The department of safety and professional services shall carry out any obligations
20 under such a contract until the contract is modified or rescinded by the department
21 of safety and professional services to the extent allowed under the contract.

22 (f) *Rules and orders.* All rules promulgated by the department of commerce
23 that are in effect on the effective date of this paragraph and that are primarily related
24 to the functions of the division of safety and buildings and the division of
25 environmental and regulatory services, as determined by the secretary of

1 administration, remain in effect until their specified expiration dates or until
2 amended or repealed by the department of safety and professional services. All
3 orders issued by the department of commerce that are in effect on the effective date
4 of this paragraph and that are primarily related to the functions of the division of
5 safety and buildings and the division of environmental and regulatory services, as
6 determined by the secretary of administration, remain in effect until their specified
7 expiration dates or until modified or rescinded by the department of safety and
8 professional services.

9 (g) *Pending matters.* Any matter pending with the department of commerce
10 on the effective date of this paragraph that is primarily related to the functions of the
11 division of safety and buildings and the division of environmental and regulatory
12 services, as determined by the secretary of administration, is transferred to the
13 department of safety and professional services and all materials submitted to or
14 actions taken by the department of commerce with respect to the pending matters
15 are considered as having been submitted to or taken by the department of safety and
16 professional services.

17 (4) TRANSFER OF CERTAIN ADMINISTRATIVE POSITIONS FROM THE DEPARTMENT OF
18 COMMERCE.

19 (a) The positions, and the incumbent employees holding those positions, in the
20 division of administrative services in the department of commerce that the secretary
21 of administration determines shall be transferred to the department of safety and
22 professional services, are transferred on the effective date of this paragraph.

23 (b) Employees transferred under paragraph (a) have all the rights and the
24 same status under subchapter V of chapter 111 and chapter 230 of the statutes in the
25 department of safety and professional services that they enjoyed in the department

1 of commerce immediately before the transfer. Notwithstanding section 230.28 (4) of
2 the statutes, no employee so transferred who has attained permanent status in class
3 is required to serve a probationary period.

4 (5) REALLOCATION OF FUNDING WITHIN THE DEPARTMENT OF SAFETY AND
5 PROFESSIONAL SERVICES.

6 (a) In this subsection:

7 1. "Schedule" means the schedule under section 20.005 of the statutes, as
8 affected by this act.

9 2. "Secretary" means the secretary of administration.

10 (b) Before July 1, 2013, the secretary may transfer moneys from any
11 appropriation under section 20.165 of the statutes, as affected by this act, to any
12 other appropriation under section 20.165 of the statutes, as affected by this act, and
13 may increase or decrease the amounts shown in the schedule for any appropriation
14 under section 20.165 of the statutes, as affected by this act, if necessary to reallocate
15 funding in accordance with the transfer of functions or personnel from the
16 department of commerce to the department of safety and professional services,
17 except that the secretary may not adjust the amounts shown in the schedule in a
18 manner so that the total amounts appropriated under the adjusted appropriations
19 exceed the total amounts shown in the schedule for those appropriations on the
20 effective date of this act. The secretary shall submit a report to the joint committee
21 on finance before July 1, 2013, that identifies the actions taken by the secretary
22 under this subsection.

23 ***-1059/P3.9110*** (6) ECONOMIC DEVELOPMENT TRANSFER.

24 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
25 liabilities of the department of commerce primarily related to the functions of the

1 department under subchapters I, II, III, IV, V, VI, VIII, and IX of chapter 560, 2009
2 stats., as determined by the secretary of administration, shall become the assets and
3 liabilities of the Wisconsin Economic Development Corporation.

4 (b) *Tangible personal property.* On the effective date of this paragraph, all
5 tangible personal property, including records, of the department of commerce that
6 is primarily related to the functions of the department under subchapters I, II, III,
7 IV, V, VI, VIII, and IX of chapter 560, 2009 stats., except the tangible personal
8 property, including records, transferred to the department of agriculture, trade and
9 consumer protection under subsection (7) (a), as determined by the secretary of
10 administration, is transferred to the Wisconsin Economic Development Corporation.

11 (c) *Contracts.* All contracts entered into by the department of commerce in
12 effect on the effective date of this paragraph that are primarily related to the
13 functions of the department under subchapters I, II, III, IV, V, VI, VIII, and IX of
14 chapter 560, 2009 stats., as determined by the secretary of administration, remain
15 in effect and are transferred to the Wisconsin Economic Development Corporation.
16 The Wisconsin Economic Development Corporation shall carry out any obligations
17 under such a contract until the contract is modified or rescinded by the Wisconsin
18 Economic Development Corporation to the extent allowed under the contract.

19 (7) DAIRY MANUFACTURING FACILITY INVESTMENT CREDIT; TRANSFER.

20 (a) *Tangible personal property.* On the effective date of this paragraph, all
21 tangible personal property, including records, of the department of commerce that
22 is primarily related to the functions of the department of commerce with respect to
23 section 560.207, 2009 stats., as determined by the secretary of administration, is
24 transferred to the department of agriculture, trade and consumer protection.

1 (b) *Rules.* All rules promulgated by the department of commerce under section
2 560.207 (4), 2009 stats., that are in effect on the effective date of this paragraph
3 remain in effect until their specified expiration date or until amended or repealed by
4 the department of agriculture, trade and consumer protection.

5 ***-1369/1.9135* SECTION 9135. Nonstatutory provisions; Natural**
6 **Resources.**

7 (1) COMMERCIAL CONSTRUCTION SITE EROSION CONTROL.

8 (a) In this subsection, “commercial building site” means a building site for
9 construction of public buildings and buildings that are places of employment.

10 (b) All rules promulgated by the department of natural resources under section
11 281.33 (3m), 2009 stats., related to erosion control for commercial building sites that
12 are in effect on the effective date of this paragraph, as determined by the secretary
13 of administration, remain in effect until their specified expiration dates or until
14 amended or repealed by the department of commerce. All orders issued by the
15 department of natural resources that are in effect on the effective date of this
16 paragraph and that are primarily related to erosion control for commercial building
17 sites, as determined by the secretary of administration, remain in effect until their
18 specified expiration dates or until modified or rescinded by the department of
19 commerce.

****NOTE: This provision will have to be redrafted if LRB-0808 (DOMBROWSKI)
is included in the budget bill.

20 (c) Any matter pending with the department of natural resources on the
21 effective date of this paragraph that is primarily related to its commercial building
22 site erosion control responsibilities under section 281.33 (3m), 2009 stats., as
23 determined by the secretary of administration, is transferred to the department of

1 commerce and all materials submitted to or actions taken by the department of
2 natural resources with respect to the pending matters are considered as having been
3 submitted to or taken by the department of commerce.

****NOTE: This provision will have to be redrafted if LRB-0808 (DOMBROWSKI)
is included in the budget bill.

4 (d) Any delegation of the authority to act under section 281.33 (3m), 2009 stats.,
5 made by the department of natural resources to a county, city, village, or town that
6 is in effect on the effective date of this paragraph remains in effect until revoked by
7 the department of commerce.

****NOTE: This provision will have to be redrafted if LRB-0808 (DOMBROWSKI)
is included in the budget bill.

8 ***-0808/2.9153* SECTION 9153. Nonstatutory provisions; Veterans**
9 **Affairs.**

10 (1) STATE APPROVAL AGENCY DESIGNATION.

11 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
12 liabilities of the department of veterans affairs primarily related to functions as the
13 state approval agency for the education of veterans and other eligible persons, as
14 determined by the secretary of administration, shall become the assets and liabilities
15 of the department of safety and professional services.

16 (b) *Employee transfers.* All positions, and the incumbent employees holding
17 those positions, in the department of veterans affairs performing duties primarily
18 related to functions as the state approval agency for the education of veterans and
19 other eligible persons, as determined by the secretary of administration, are
20 transferred on the effective date of this paragraph to the department of safety and
21 professional services.

1 (c) *Employee status.* Employees transferred under paragraph (b) have all the
2 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
3 statutes in the department of safety and professional services that they enjoyed in
4 the department of veterans affairs immediately before the transfer.
5 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
6 has attained permanent status in class is required to serve a probationary period.

7 (d) *Tangible personal property.* On the effective date of this paragraph, all
8 tangible personal property, including records, of the department of veterans affairs
9 that is primarily related to functions as the state approval agency for the education
10 of veterans and other eligible persons, as determined by the secretary of
11 administration, is transferred to the department of safety and professional services.

12 (e) *Contracts.* All contracts entered into by the department of veterans affairs
13 in effect on the effective date of this paragraph that are primarily related to functions
14 as the state approval agency for the education of veterans and other eligible persons,
15 as determined by the secretary of administration, remain in effect and are
16 transferred to the department of safety and professional services. The department
17 of safety and professional services shall carry out any obligations under such a
18 contract until the contract is modified or rescinded by the department of safety and
19 professional services to the extent allowed under the contract.

20 (f) *Rules and orders.* All rules promulgated by the department of veterans
21 affairs that are in effect on the effective date of this paragraph and that are primarily
22 related to functions as the state approval agency for the education of veterans and
23 other eligible persons, as determined by the secretary of administration, remain in
24 effect until their specified expiration dates or until amended or repealed by the
25 department of safety and professional services. All orders issued by the department

1 of veterans affairs that are in effect on the effective date of this paragraph and that
2 are primarily related to functions as the state approval agency for the education of
3 veterans and other eligible persons, as determined by the secretary of
4 administration, remain in effect until their specified expiration dates or until
5 modified or rescinded by the department of safety and professional services.

6 (g) *Pending matters.* Any matter pending with the department of veterans
7 affairs on the effective date of this paragraph that is primarily related to functions
8 as the state approval agency for the education of veterans and other eligible persons,
9 as determined by the secretary of administration, is transferred to the department
10 of safety and professional services and all materials submitted to or actions taken by
11 the department of veterans affairs with respect to the pending matters are
12 considered as having been submitted to or taken by the department of safety and
13 professional services.

14 ***-1059/P3.9210* SECTION 9210. Fiscal changes; Commerce.**

15 (1) ECONOMIC DEVELOPMENT TRANSFER. The unencumbered balances in the
16 appropriation accounts under section 20.143 (1) (a), (b), (bk), (bt), (c), (cf), (d), (dr),
17 (e), (em), (er), (ew), (fi), (fj), (fy), (g), (gc), (gh), (gm), (gr), (gv), (h), (hm), (hr), (ie), (ig),
18 (io), (ir), (jp), (k), (k), (kb), (kc), (kf), (kg), (kh), (kj), and (kt) of the statutes are
19 transferred to the appropriation account under section 20.192 (1) (k) of the statutes.

20 (2) ECONOMIC DEVELOPMENT TRANSFER; FEDERAL MONEYS. The unencumbered
21 balances in the appropriation accounts under section 20.143 (1) (m), (mr), (n), and
22 (o) of the statutes are transferred to the appropriation account under section 20.192
23 (1) (m) of the statutes.

24 (END)

2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1465/1ins
MPG:.....

1 INSERT A

Under current law, Commerce also ~~administrates~~ grants to the women's business initiative corporation, an economic development corporation that focuses on assisting women, minority, and low income entrepreneurs and small business owners; and Commerce administers grants to small businesses for innovation and research assistance. The bill transfers the administration of those grants to DSPS.

administers

2 END INSERT A