



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-5584/1
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2017 ASSEMBLY BILL 1039

March 21, 2018 - Introduced by Representatives SPREITZER, POPE, SUBECK, SINICKI and ZAMARRIPA, cosponsored by Senator VINEHOUT. Referred to Committee on Constitution and Ethics.

1 **AN ACT** *to repeal* 14.58 (4), 16.401 (title), 16.401 (intro.), 16.401 (1), 20.566 (4),
2 20.907 (5) (e) 12e. and 20.907 (5) (e) 12r.; *to renumber* 16.401 (3), 16.401 (7)
3 (intro.) and (a) to (c), 16.401 (14), 16.401 (15) and 20.505 (1) (gc); *to renumber*
4 **and amend** 15.105 (25m), 16.40 (21), 16.401 (2), 16.401 (4), 16.401 (5), 16.401
5 (6), 16.401 (8), 16.401 (9), 16.401 (10), 16.401 (11), 16.401 (12), 16.401 (13),
6 16.64, 16.641, 16.642, 20.505 (1) (tb), 20.505 (1) (td), 20.505 (1) (tf), 20.505 (1)
7 (th), 20.505 (1) (tj), 20.505 (1) (tL), 20.505 (1) (tn) and 20.505 (1) (tp); *to amend*
8 14.58 (1) (intro.), 16.255 (1) (intro.), 16.255 (3) (d), 16.412, 16.415 (1), 16.53 (5),
9 16.53 (10) (a), 16.53 (10) (b), 18.60 (3), 19.43 (7), 20.437 (2) (qm), 20.505 (1) (kj),
10 20.585 (1) (k), 20.906 (1), 20.906 (4), 20.906 (5), 20.906 (6), 20.907 (2), 20.907 (5)
11 (a), 20.907 (5) (b), 20.907 (5) (c), 20.907 (5) (d), 20.909 (2), 20.912 (1), 20.912 (3),
12 20.912 (4), 20.912 (5), 20.920 (2) (a), 20.929, 23.49, 23.85, 24.17 (1) (intro.), 24.17
13 (2), 24.20, 24.25 (1), 24.29, 24.32 (2) (a) 2., 24.33 (1) (c), 24.64, 24.69 (1), 24.71
14 (2), 25.14 (3), 25.17 (2) (f), 25.17 (61), 25.19 (3), 25.19 (4), 25.31 (1), 25.50 (3) (a),

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1 25.50 (4), 25.50 (5m) (a), 25.50 (7), 25.50 (8) (b), 25.50 (9), 25.50 (10), 25.80,
2 25.85, 25.853, 25.855, 26.14 (4), 26.30 (9) (b) (intro.), 29.983 (1) (e), 29.983 (1)
3 (f), 29.983 (2), 29.985 (1) (c), 29.985 (1) (d), 29.987 (1) (c), 29.987 (1) (d), 29.989
4 (1) (c), 29.989 (1) (d), 29.99 (3), 29.99 (4), 34.08 (2), 36.51 (6), 38.36 (6), 40.04 (3)
5 (c), 43.70 (3), 45.45 (5) (b), 45.51 (11), 46.973 (3), 48.275 (2) (d), 48.715 (3) (a) 3.,
6 49.19 (3) (b), 49.19 (14) (b), 49.498 (16) (g), 49.687 (3) (a), 49.688 (6) (a), 50.03
7 (5g) (c) 1. c., 50.034 (8) (d), 50.035 (11) (d), 50.04 (5) (f), 50.377 (4), 50.55 (1) (e),
8 50.98 (5), 51.605 (2), 55.107 (2), 59.25 (3) (f), 59.25 (3) (k), 59.25 (3) (L), 59.25
9 (3) (m), 59.25 (3) (p), 66.0114 (1) (bm), 66.0114 (3) (c), 66.0517 (3) (b) 1., 69.22
10 (1m), 69.22 (1q) (intro.), 70.385, 70.39 (4) (b), 71.05 (6) (a) 26. (intro.), 71.05 (6)
11 (a) 26. c., 71.05 (6) (b) 23., 71.05 (6) (b) 28. h., 71.05 (6) (b) 31., 71.05 (6) (b) 32.
12 (intro.), 71.05 (6) (b) 32m., 71.05 (6) (b) 33. (intro.), 71.10 (5) (h) (intro.), 71.10
13 (5e) (h) (intro.), 71.30 (10) (h) (intro.), 71.30 (11) (h) (intro.), 71.74 (13) (a), 71.74
14 (13) (b), 71.80 (1) (e), 71.80 (16) (b), 71.80 (17), 71.91 (5) (h), 71.91 (7) (e), 72.24,
15 73.03 (6), 73.10 (6), 74.25 (1) (a) 5., 74.27, 74.30 (1) (e), 74.30 (1m), 76.13 (2),
16 76.13 (3), 76.15 (2), 76.22 (3), 76.24 (1), 76.28 (4) (b), 76.39 (4) (d), 76.48 (3), 76.48
17 (5), 84.11 (4), 84.12 (4), 85.14 (1) (b), 85.14 (2), 87.07 (4), 87.11 (2), 87.13, 93.31,
18 100.261 (2), 100.261 (3) (a), 100.261 (3) (b), 100.60 (8) (d) 3., 101.573 (1), 101.573
19 (3), 101.573 (4), 102.28 (7) (a), 102.63, 102.85 (4) (c), 102.85 (4) (d), 108.15 (6)
20 (c), 108.15 (6) (d) (intro.), 108.15 (6) (e), 108.20 (2), 115.345 (5), 125.14 (2) (e),
21 125.14 (2) (f), 139.10 (1), 139.39 (4), 145.12 (5) (c), 146.903 (5) (d), 150.963 (3)
22 (e), 165.30 (3), 165.755 (3), 165.755 (4), 165.755 (5), 165.755 (6), 165.755 (7),
23 167.31 (5) (c), 167.31 (5) (d), 169.46 (1) (c), 169.46 (1) (d), 169.46 (2) (c), 169.46
24 (2) (d), 177.01 (1), 177.23 (2) (e), 180.1440, 181.1440, 185.75 (2), 186.235 (11) (p)
25 3., 193.735 (1) (intro.), 193.905 (4) (b), 194.51, 195.60 (3), 195.60 (4) (d), 195.60

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1 (5), 196.199 (3) (d), 196.85 (3), 196.85 (4) (d), 196.85 (5), 215.33 (3) (b) 2., 217.11
2 (5), 220.08 (14), 220.08 (20), 223.02 (1) (intro.), 223.02 (1) (b), 223.02 (1) (c),
3 223.02 (1) (d), 223.02 (1) (e), 223.20 (3), 224.77 (1m) (c) 1., 253.06 (4) (c) 2., 253.06
4 (5) (e), 254.45 (4) (b), 254.59 (2), 254.59 (5), 281.99 (4), 299.93 (3), 299.93 (4),
5 301.105 (intro.), 344.185 (2) (e) 2., 345.08, 346.177 (3), 346.177 (4), 346.495 (3),
6 346.495 (4), 346.65 (4r) (c), 346.65 (4r) (d), 346.655 (2), 346.655 (3), 346.657 (2),
7 349.04 (3), 349.04 (4), 350.115 (1) (c), 350.115 (1) (d), 351.07 (1g), 562.02 (1) (g),
8 565.37 (3), 601.13 (1) (intro.), 601.13 (3) (intro.), 601.13 (5), 601.13 (6), 601.13
9 (8) (intro.), 601.13 (11), 601.45 (3), 601.62 (4), 604.04 (4), 604.05, 604.06 (1),
10 604.07, 605.30, 611.76 (4) (e), 645.73 (1), 645.73 (2), 704.90 (5) (b) 2. d., 704.90
11 (6) (b), 707.28 (3) (f) 2. b., 753.07 (2) (a), 753.07 (3) (a), 753.07 (4), 757.05 (1) (b),
12 757.05 (1) (c), 757.05 (1) (d), 778.135, 778.17, 812.42 (2) (c), 813.31, 814.60 (1),
13 814.61 (1) (a), 814.61 (3), 814.61 (7) (a), 814.61 (7) (b), 814.61 (8) (c), 814.61 (8)
14 (d), 814.62 (1), 814.62 (3) (d) 2., 814.62 (3) (d) 3., 814.63 (5), 814.65 (1), 814.66
15 (3), 815.18 (3) (o), 815.18 (3) (p), 863.37 (2) (a), 863.39 (1), 863.39 (3) (a), 938.275
16 (2) (d), 938.34 (8d) (b), 938.34 (8d) (c), 961.41 (5) (b), 973.042 (4), 973.042 (5),
17 973.042 (6), 973.043 (2), 973.043 (4), 973.045 (2), 973.045 (4), 973.046 (2),
18 973.046 (3), 973.046 (4), 973.055 (2), 973.055 (3), 973.057 (2) (a), 973.057 (2) (b),
19 973.057 (3), 978.12 (5) (c) 1., 978.13 (1) (b), 978.13 (1) (c) and 978.13 (1) (d); and
20 **to create** 14.58 (2m), 14.58 (8) (d), 14.58 (21), 20.585 (1) (a), 20.585 (1) (e),
21 20.585 (1) (j), 20.585 (1) (jt), 20.585 (1) (kf), 20.585 (1) (km) and 20.585 (2) (title)
22 of the statutes; **relating to:** the duties and functions of the Department of

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1 Administration, the Department of Revenue, and the Office of the State
2 Treasurer and making appropriations.

Analysis by the Legislative Reference Bureau

This bill transfers the following duties and functions back to the Office of the State Treasurer (state treasurer) after having been transferred from that office at various times, as indicated below:

1. Cash management functions. In 2003 Wisconsin Act 33, the state's cash management functions and related duties were transferred from the state treasurer to the Department of Administration. This bill transfers those functions and related duties back to the state treasurer.

2. Local government investment pool. The local government pooled-investment fund (fund) consists of moneys placed in the state investment fund by local governmental units. 2011 Wisconsin Act 32 transferred the state treasurer's duties relating to the fund, including prescribing the mechanisms and procedures for deposits and withdrawals into and from the fund, to DOA. This bill transfers those duties back to the state treasurer.

3. Unclaimed property program. 2013 Wisconsin Act 20 transferred the state's unclaimed property program from the state treasurer to the Department of Revenue. This bill transfers the program back to the state treasurer.

4. College savings programs. 2011 Wisconsin Act 32 attached the College Savings Program Board, which had previously been attached to the state treasurer, to DOA. That board administers the EdVest program, which is a college savings plan established to enable families to contribute moneys to accounts for the college expenses of dependents. This bill reattaches the College Savings Program Board to the state treasurer and requires the state treasurer to administer the state's other college savings program, which was also transferred from the state treasurer to DOA under 2011 Wisconsin Act 32.

5. Administrative services. The bill transfers to the state treasurer the duty to provide administrative services to the Board of Commissioners of Public Lands. Currently, DOA provides those services, but the state treasurer had previously done so.

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:

3 **SECTION 1.** 14.58 (1) (intro.) of the statutes is amended to read:

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1 14.58 (1) ~~SIGN CHECKS, SHARE DRAFTS, AND OTHER DRAFTS HAVE CUSTODY OF MONEYS.~~
2 (intro.) Sign Receive and have charge of all moneys paid into the treasury and any
3 other moneys received by officers and employees of state agencies; pay out the
4 moneys as directed by law, except as provided in ss. 16.52 (7), 20.907 (5) (b), 20.920,
5 and 20.929; and sign checks, share drafts, and other drafts on depositories in which
6 moneys may be deposited in one of the following methods:

7 **SECTION 2.** 14.58 (2m) of the statutes is created to read:

8 14.58 (2m) ADMINISTRATIVE SERVICES. Provide all administrative services to the
9 board of commissioners of public lands.

10 **SECTION 3.** 14.58 (4) of the statutes is repealed.

11 **SECTION 4.** 14.58 (8) (d) of the statutes is created to read:

12 14.58 (8) (d) Any other information pertaining to the duties of the state
13 treasurer, as determined by the state treasurer or required by the governor.

14 **SECTION 5.** 14.58 (21) of the statutes is created to read:

15 14.58 (21) PAY CREDIT CARD USE CHARGES. From moneys received under ss. 59.25
16 (3) (j) and (k) and 85.14, pay the charges under ss. 23.49 and 85.14 (1) (b) and (2) from
17 the appropriation under s. 20.585 (1) (km).

18 **SECTION 6.** 15.105 (25m) of the statutes is renumbered 14.57, and 14.57 (intro.)
19 and (1), as renumbered, are amended to read:

20 **14.57 College savings program board Same, attached boards.** (intro.)
21 There is created a college savings program board that is attached to the ~~department~~
22 ~~of administration~~ state treasurer under s. 15.03 and that consists of all of the
23 following members:

24 (1) The ~~secretary of administration~~ state treasurer or his or her designee.

25 **SECTION 7.** 16.255 (1) (intro.) of the statutes is amended to read:

ASSEMBLY BILL 1039**SECTION 7**

1 16.255 (1) (intro.) The department shall determine the factors to be considered
2 in selecting a vendor of the program under s. ~~16.641~~ 14.64, which shall include:

3 **SECTION 8.** 16.255 (3) (d) of the statutes is amended to read:

4 16.255 (3) (d) That the vendor communicate to the beneficiary and account
5 owner the requirements of s. ~~16.641~~ 14.64 (8).

6 **SECTION 9.** 16.40 (21) of the statutes is renumbered 14.58 (3) and amended to
7 read:

8 14.58 (3) ~~ADMINISTRATIVE SERVICES PROVIDED TO THE BOARD OF COMMISSIONERS OF~~
9 ~~PUBLIC LANDS; ACCOUNTING.~~ Render an accounting to the board of commissioners of
10 public lands for the costs of all administrative services provided by the department
11 and other state agencies, as defined in s. 20.001 (1), state treasurer to the board. All
12 moneys received from the board under s. 24.64 for the costs of administrative services
13 provided by the department and other state agencies shall be deposited in the
14 general fund.

15 **SECTION 10.** 16.401 (title) of the statutes is repealed.

16 **SECTION 11.** 16.401 (intro.) of the statutes is repealed.

17 **SECTION 12.** 16.401 (1) of the statutes is repealed.

18 **SECTION 13.** 16.401 (2) of the statutes is renumbered 14.58 (2) and amended
19 to read:

20 14.58 (2) ~~ISSUE RECEIPTS.~~ Issue receipts for all money paid to the department
21 state treasurer.

22 **SECTION 14.** 16.401 (3) of the statutes is renumbered 14.58 (3).

23 **SECTION 15.** 16.401 (4) of the statutes is renumbered 14.58 (4m) and amended
24 to read:

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1 14.58 (4m) PAY ON WARRANTS SUMS AUTHORIZED BY LAW. (a) Pay out of the
2 treasury, on demand, upon the warrants of the department of administration, except
3 as provided in s. 20.929, such sums only as are authorized by law to be so paid, if there
4 are appropriate funds therein to pay the same, and, when any sum is required to be
5 paid out of a particular fund, pay it out of such fund only; and upon each such
6 warrant, when payment is made in currency, take the receipt endorsed on or annexed
7 thereto, of the payee therein named or an authorized agent or assignee. The
8 secretary state treasurer shall accept telephone advice believed by him or her to be
9 genuine from any public depository, as defined in s. 34.01 (5), stating that a specified
10 amount of money has been deposited with such public depository for the credit of the
11 state treasurer, and shall act upon such telephone advice as though it had been in
12 writing.

13 (b) When in the judgment of the secretary state treasurer balances in state
14 public depository accounts are temporarily in excess of that required under par. (a),
15 the treasurer, with the concurrence of the secretary of administration, may ~~transfer~~
16 ~~the excess balance to~~ authorize the preparation of a warrant in excess of the funds
17 contained in the investment fund for the purpose of investment only. The earnings
18 attributable to the investment of temporary excess balances shall be distributed as
19 provided in sub. ~~(14)~~ (19).

20 **SECTION 16.** 16.401 (5) of the statutes is renumbered 14.58 (5) and amended
21 to read:

22 14.58 (5) ACCOUNT FOR INTEREST. Pay into the treasury and account for all sums
23 directly or indirectly received by the secretary treasurer by virtue of the secretary's
24 treasurer's office, or as interest or compensation for the use, deposit, or forbearance

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1 of any state moneys in the ~~secretary's~~ treasurer's hands or under the ~~secretary's~~
2 treasurer's control.

3 **SECTION 17.** 16.401 (6) of the statutes is renumbered 14.58 (6) and amended
4 to read:

5 14.58 (6) KEEP CASH AND FUND ACCOUNTS. Keep records showing the number,
6 date, and amount of each cash receipt issued by the ~~department~~ treasurer's office and
7 classify said receipts by state funds; submit a summary statement of collections by
8 fund together with a copy of each remittance advice in support thereof; keep also
9 records showing the check, share draft, or other draft number, date, payee, and
10 amount of each cash disbursement and classify said disbursements by state funds;
11 keep a record of the date, payee, and amount of each disbursement made by a money
12 transfer technique other than a check or draft and classify the disbursement by state
13 fund; and verify at the end of each week the amounts shown by the ~~secretary's~~
14 treasurer's records to represent total cash balance and cash balances of individual
15 state funds by comparing said amounts with corresponding balances appearing on
16 records maintained by the department of administration.

17 **SECTION 18.** 16.401 (7) (intro.) and (a) to (c) of the statutes are renumbered
18 14.58 (8) (intro.) and (a) to (c).

19 **SECTION 19.** 16.401 (8) of the statutes is renumbered 14.58 (9) and amended
20 to read:

21 14.58 (9) SUBMIT BIENNIAL REPORT. ~~As part of the report submitted under s.~~
22 15.04 (1) (d), On or before October 15 of each odd-numbered year, submit to the
23 governor and the chief clerk of each house of the legislature, for distribution to the
24 legislature under s. 13.172 (2), a report containing the same information required of
25 departments and independent agencies under s. 15.04 (1) (d). The report shall also

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1 include a statement showing for each of the 2 preceding fiscal years the cash balance
2 in each state fund at the beginning of the fiscal year, the aggregate amount of receipts
3 credited, and the aggregate amount of disbursements charged to each said fund
4 during the fiscal year and the resultant cash balance in each state fund at the end
5 of the fiscal year. This statement shall further show as of the end of each said 2 fiscal
6 years, at par, the aggregate value of securities held for each state fund and the
7 aggregate value of securities held in trust or deposited for safekeeping, and shall
8 show the manner in which the total cash balance was accounted for by listing the
9 balances on deposit in each state account in a public depository, deducting from the
10 total of such balances the aggregate amount of checks, share drafts, or other drafts
11 outstanding and adding thereto the aggregate amount of cash and cash items in
12 office.

13 **SECTION 20.** 16.401 (9) of the statutes is renumbered 14.58 (10) and amended
14 to read:

15 14.58 (10) REPORT CERTAIN PAYMENTS. Whenever the ~~secretary~~ state treasurer
16 or any state department shall remit to any county, city, town, or village any sum in
17 payment of a state aid or other item, the remitter shall transmit a statement of the
18 amount and purpose thereof to the clerk of such municipality. After the receipt
19 thereof, the clerk of such municipality shall present such statement at the next
20 regular meeting of the governing body and shall thereafter file and keep such
21 statement for 6 years.

22 **SECTION 21.** 16.401 (10) of the statutes is renumbered 14.58 (12) and amended
23 to read:

24 14.58 (12) STAMP CHECKS AND DRAFTS. Cause to be plainly printed or stamped
25 upon each check, share draft, and other draft issued by the ~~secretary~~ state treasurer

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1 the period of time, as determined by the ~~secretary~~ state treasurer but not to exceed
2 one year, during which the check or other draft may be presented for payment. The
3 ~~secretary~~ state treasurer shall cancel on his or her records any check or other draft
4 that is not presented for payment within the prescribed time period and shall credit
5 the amount thereof to the fund upon which it is drawn. Notice of such cancellation
6 and credit shall immediately be submitted by the state treasurer to the department
7 of administration.

8 **SECTION 22.** 16.401 (11) of the statutes is renumbered 14.58 (13) and amended
9 to read:

10 14.58 (13) PROVIDE SERVICES IN CONNECTION WITH SECURITIES HELD IN TRUST. Upon
11 request therefor from any company, corporation, society, order, or association that
12 has securities on deposit with the ~~secretary~~ state treasurer, in trust, mail to its
13 address not to exceed 60 days before the same become due, any or all interest
14 coupons; return to it any or all bonds, notes, or other deposits as they become due and
15 are replaced by other securities; cut all interest coupons, make any endorsement of
16 interest or otherwise on any such securities; and collect therefor from the company,
17 corporation, society, order, or association making the request, a 25-cent fee for a
18 single coupon cut, or for each entry of interest endorsed on a note or return of a bond,
19 note, or other security, and a 10-cent fee for each additional coupon cut, or entry of
20 interest endorsed on a note, bond, or other security, and may withhold any and all
21 coupons cut or refuse endorsement of interest on securities until such fee is paid.
22 Such fees shall be paid into the state treasury as a part of the general fund, and an
23 extra charge may be required for postage or registered mail.

24 **SECTION 23.** 16.401 (12) of the statutes is renumbered 14.58 (17) and amended
25 to read:

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1 14.58 (17) HOLD SAFEKEEPING RECEIPTS FOR FEDERAL SECURITIES. Whenever any
2 federal securities are purchased under authority of any law and the secretary state
3 treasurer is custodian thereof the secretary state treasurer may accept and hold
4 safekeeping receipts of a federal reserve bank for such securities. Each such receipt
5 shall be identified on its face with the name of the fund to which the securities
6 described in the receipt belong.

7 **SECTION 24.** 16.401 (13) of the statutes is renumbered 14.58 (18) and amended
8 to read:

9 14.58 (18) ~~SALE OF~~ SELL INVESTMENTS. Whenever the department of
10 administration draws a check, share draft, or other draft dated the next following
11 business day upon a fund whose investment and collection is under the exclusive
12 control of the investment board pursuant to s. 25.17 (1), and the receipts of the state
13 treasurer are insufficient to permit a disbursement from said fund in the amount of
14 such check, share draft, or other draft, the investment board shall sell investments
15 owned by such fund for delivery in time to provide sufficient money to cover such
16 check, share draft, or other draft on the date that it bears.

17 **SECTION 25.** 16.401 (14) of the statutes is renumbered 14.58 (19).

18 **SECTION 26.** 16.401 (15) of the statutes is renumbered 14.58 (22).

19 **SECTION 27.** 16.412 of the statutes is amended to read:

20 **16.412 Agency payments.** At the request of any agency, the secretary, with
21 the approval of the state treasurer, may authorize the processing of specified regular
22 periodic payments through the use of money transfer techniques including, without
23 limitation because of enumeration, direct deposit, electronic funds transfer, and
24 automated clearinghouse procedures.

25 **SECTION 28.** 16.415 (1) of the statutes is amended to read:

ASSEMBLY BILL 1039**SECTION 28**

1 16.415 (1) Neither the secretary nor any other fiscal officer of this state may
2 draw, sign, or issue, or authorize the drawing, signing, or issuing of any warrant on
3 ~~any~~ the state treasurer or other disbursing officer of the state to pay any
4 compensation to any person in the classified service of the state unless an estimate,
5 payroll, or account for such compensation, containing the names of every person to
6 be paid, bears the certificate of the appointing authority that each person named in
7 the estimate, payroll, or account has been appointed, employed, or subject to any
8 other personnel transaction in accordance with, and that the pay for the person has
9 been established in accordance with, the law, compensation plan, or applicable
10 collective bargaining agreement, and applicable rules of the administrator of the
11 division of personnel management in the department and the director of the bureau
12 of merit recruitment and selection in the department then in effect.

13 **SECTION 29.** 16.53 (5) of the statutes is amended to read:

14 16.53 (5) WARRANTS; WHAT TO SPECIFY. The secretary shall draw a warrant on
15 the state treasury treasurer payable to the claimant for the amount allowed by the
16 secretary upon every claim audited under sub. (1), except as authorized in s. 16.52
17 (7), 20.920, or 20.929, specifying from what fund to be paid, the particular law that
18 authorizes the claim to be paid out of the state treasury, and at the secretary's
19 discretion the post-office address of the payee. ~~No moneys may be paid out of the~~
20 ~~state treasury under this section~~ The secretary may not credit the state treasurer for
21 any sum of money paid out by the state treasurer otherwise than upon such
22 warrants.

23 **SECTION 30.** 16.53 (10) (a) of the statutes is amended to read:

24 16.53 (10) (a) If an emergency arises which requires the department to draw
25 vouchers for payments which will be in excess of available moneys in any state fund,

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1 the secretary, in consultation with the state treasurer, and after notifying the joint
2 committee on finance under par. (b), may prorate and establish priority schedules for
3 all payments within each fund, including those payments for which a specific
4 payment date is provided by statute, except as otherwise provided in this paragraph.
5 The secretary shall draw all vouchers according to the preference provided in this
6 paragraph. All direct or indirect payments of principal or interest on state bonds and
7 notes issued under subch. I of ch. 18 and payments due, if any, under an agreement
8 or ancillary arrangement entered into under s. 18.06 (8) (a) relating to any public
9 debt contracted under subchs. I and IV of ch. 18 have first priority. All direct or
10 indirect payments of principal or interest on state notes issued under subch. III of
11 ch. 18 have 2nd priority. No payment having a 1st or 2nd priority may be prorated
12 or reduced under this subsection. All state employee payrolls have 3rd priority. The
13 secretary shall draw all remaining vouchers according to a priority determined by
14 the secretary. The secretary shall maintain records of all claims prorated under this
15 subsection and shall provide written notice to the state treasurer when a potential
16 cash flow emergency is anticipated.

17 **SECTION 31.** 16.53 (10) (b) of the statutes is amended to read:

18 16.53 (10) (b) Before exercising authority under par. (a) the secretary shall,
19 after consultation with the state treasurer, notify the joint committee on finance as
20 to the need for and the procedures under which proration or priority schedules under
21 par. (a) shall occur. If the joint committee on finance has not, within 2 working days
22 after the notification, scheduled a meeting to review the secretary's proposal, the
23 secretary may proceed with the proposed action. If, within 2 working days after the
24 notification, the committee schedules a meeting, the secretary may not proceed with
25 the proposed action until after the meeting is held.

ASSEMBLY BILL 1039**SECTION 32**

1 **SECTION 32.** 16.64 of the statutes is renumbered 14.63, and 14.63 (2) (intro.)
2 and (b), (3) (a), (c) and (d), (5) (b) (intro.), (6) (a) 5. and (b), (7) (a) (intro.), 4. and 5. and
3 (b), (7m) (a) (intro.), (b) and (c), (9), (10) (a) and (b), (12) (title), (a) (intro.) and (b)
4 (intro.) and (13), as renumbered, are amended to read:

5 **14.63 (2) WEIGHTED AVERAGE TUITION; TUITION UNIT COST.** (intro.) Annually, the
6 ~~department~~ state treasurer and the board jointly shall determine all of the following:

7 (b) The price of a tuition unit, which shall be valid for a period determined
8 jointly by the ~~department~~ state treasurer and the board. The price shall be sufficient
9 to ensure the ability of the ~~department~~ state treasurer to meet its his or her
10 obligations under this section. To the extent possible, the price shall be set so that
11 the value of the tuition unit in the anticipated academic year of its use will be equal
12 to 1 percent of the weighted average tuition for that academic year plus the costs of
13 administering the program under this section attributable to the unit.

14 **(3)** (a) An individual, trust, legal guardian, or entity described under 26 USC
15 529 (e) (1) (C) may enter into a contract with the ~~department~~ state treasurer for the
16 sale of tuition units on behalf of a beneficiary.

17 (c) The ~~department~~ state treasurer may charge a purchaser an enrollment fee.

18 (d) The ~~department~~ state treasurer shall promulgate rules authorizing a
19 person who has entered into a contract under this subsection to change the
20 beneficiary named in the contract.

21 **(5)** (b) (intro.) Upon request by the beneficiary, the ~~department~~ state treasurer
22 shall pay to the institution or beneficiary, whichever is appropriate, in each semester
23 of attendance the lesser of the following:

24 **(6)** (a) 5. Other circumstances determined by the ~~department~~ state treasurer
25 to be grounds for termination.

ASSEMBLY BILL 1039

1 (b) The ~~department~~ state treasurer may terminate a contract under sub. (3) if
2 any of the tuition units purchased under the contract remain unused 10 years after
3 the anticipated academic year of the beneficiary's initial enrollment in an institution
4 of higher education, as specified in the contract.

5 (7) (a) (intro.) Except as provided in sub. (7m), the ~~department~~ state treasurer
6 shall do all of the following:

7 4. If a contract is terminated under sub. (6) (a) 5., refund to the person who
8 entered into the contract the amount under subd. 2. or under subd. 3., as determined
9 by the ~~department~~ state treasurer.

10 5. If the beneficiary is awarded a scholarship, tuition waiver or similar subsidy
11 that cannot be converted into cash by the beneficiary, refund to the person who
12 entered into the contract, upon the person's request, an amount equal to the value
13 of the tuition units that are not needed because of the scholarship, waiver or similar
14 subsidy and that would otherwise have been paid by the ~~department~~ state treasurer
15 on behalf of the beneficiary during the semester in which the beneficiary is enrolled.

16 (b) The ~~department~~ state treasurer shall determine the method and schedule
17 for the payment of refunds under this subsection.

18 (7m) (a) (intro.) The ~~department~~ state treasurer may adjust the value of a
19 tuition unit based on the actual earnings attributable to the tuition unit less the costs
20 of administering the program under this section that are attributable to the tuition
21 unit if any of the following applies:

22 (b) The ~~department~~ state treasurer may not increase the value of a tuition unit
23 under par. (a) to an amount that exceeds the value of a tuition unit that was
24 purchased at a similar time, held for a similar period and used or refunded in the

ASSEMBLY BILL 1039**SECTION 32**

1 anticipated academic year of the beneficiary's attendance, as specified in the
2 contract.

3 (c) The ~~department~~ state treasurer may promulgate rules imposing or
4 increasing penalties for refunds under sub. (7) (a) if the ~~department~~ state treasurer
5 determines that such rules are necessary to maintain the status of the program
6 under this section as a qualified state tuition program under section 529 of the
7 Internal Revenue Code, as defined in s. 71.01 (6).

8 **(9) CONTRACT WITH ACTUARY.** The ~~department~~ state treasurer shall contract
9 with an actuary or actuarial firm to evaluate annually whether the assets in the
10 tuition trust fund are sufficient to meet the obligations of the ~~department~~ state
11 treasurer under this section and to advise the ~~department~~ state treasurer on setting
12 the price of a tuition unit under sub. (2) (b).

13 **(10) (a)** Annually, the ~~department~~ state treasurer shall submit a report to the
14 governor, and to the appropriate standing committees of the legislature under s.
15 13.172 (3), on the program under this section. The report shall include any
16 recommendations for changes to the program that the ~~department~~ state treasurer
17 determines are necessary to ensure the sufficiency of the tuition trust fund to meet
18 the ~~department's~~ state treasurer's obligations under this section.

19 (b) The ~~department~~ state treasurer shall submit a quarterly report to the state
20 investment board projecting the future cash flow needs of the tuition trust fund. The
21 state investment board shall invest moneys held in the tuition trust fund in
22 investments with maturities and liquidity that are appropriate for the needs of the
23 fund as reported by the ~~department~~ state treasurer in its his or her quarterly reports.
24 All income derived from such investments shall be credited to the fund.

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1 **(12)** (title) ADDITIONAL DUTIES AND POWERS OF THE STATE TREASURER. (a) (intro.)

2 The ~~department~~ state treasurer shall do all of the following:

3 (b) (intro.) The ~~department~~ state treasurer may do any of the following:

4 **(13)** PROGRAM TERMINATION. If the ~~department~~ state treasurer determines that
5 the program under this section is financially infeasible, the ~~department~~ state
6 treasurer shall discontinue entering into contracts under sub. (3) and discontinue
7 selling tuition units under sub. (4).

8 **SECTION 33.** 16.641 of the statutes is renumbered 14.64, and 14.64 (2) (g), as
9 renumbered, is amended to read:

10 14.64 **(2)** (g) Ensure that if the department of administration changes vendors,
11 the balances of college savings accounts are promptly transferred into investment
12 instruments as similar to the original investment instruments as possible.

13 **SECTION 34.** 16.642 of the statutes is renumbered 14.65 and amended to read:

14 **14.65 Repayment to the general fund.** **(1)** The secretary state treasurer
15 shall transfer from the tuition trust fund, the college savings program trust fund, the
16 college savings program bank deposit trust fund, or the college savings program
17 credit union deposit trust fund to the general fund an amount equal to the amount
18 expended from the appropriations under s. 20.505 (9) (a), 1995 stats., s. 20.585 (2)
19 (a), 2001 stats., and s. 20.585 (2) (am), 2001 stats., when the secretary state treasurer
20 determines that funds in those trust funds are sufficient to make the transfer. The
21 secretary state treasurer may make the transfer in installments.

22 **(2)** Annually, by June 1, the secretary state treasurer shall submit a report to
23 the joint committee on finance on the amount available for repayment under sub. (1),
24 the amount repaid under sub. (1), and the outstanding balance under sub. (1).

25 **SECTION 35.** 18.60 (3) of the statutes is amended to read:

ASSEMBLY BILL 1039**SECTION 35**

1 18.60 (3) The principal proceeds from the sale of any refunding obligations
2 shall be applied either to the immediate payment and retirement of the obligations
3 or notes being refinanced or, if the obligations or notes have not matured and are not
4 presently redeemable, to the creation of a trust for and shall be pledged to the
5 payment of the obligations or notes being refinanced. If a trust is created, a separate
6 deposit shall be made for each issue of obligations or notes being refinanced. Each
7 deposit shall be with the ~~secretary of administration~~ state treasurer or a bank or
8 trust company that is then a member of the federal deposit insurance corporation.
9 If the total amount of any deposit, including money other than sale proceeds but
10 legally available for such purpose, is less than the principal amount of the obligations
11 or notes being refinanced and for the payment of which the deposit has been created
12 and pledged, together with applicable redemption premiums and interest accrued
13 and to accrue to maturity or to the date of redemption, then the application of the sale
14 proceeds shall be legally sufficient only if the money deposited is invested in
15 securities issued by the United States or one of its agencies, or securities fully
16 guaranteed by the United States, and only if the principal amount of the securities
17 at maturity and the income therefrom to maturity will be sufficient and available,
18 without the need for any further investment or reinvestment, to pay at maturity or
19 upon redemption the principal amount of the obligations or notes being refinanced
20 together with applicable redemption premiums and interest accrued and to accrue
21 to maturity or to the date of redemption. The income from the principal proceeds of
22 the securities shall be applied solely to the payment of the principal of and interest
23 and redemption premiums on the obligations or notes being refinanced, but
24 provision may be made for the pledging and disposition of any surplus. Nothing in
25 this subsection shall be construed as a limitation on the duration of any deposit in

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1 trust for the retirement of obligations or notes being refinanced, but which have not
 2 matured and which are not presently redeemable. Nothing in this subsection shall
 3 be construed to prohibit reinvestment of the income of a trust if the reinvestments
 4 will mature at such times that sufficient cash will be available to pay interest,
 5 applicable premiums, and principal on the obligations or notes being refinanced.

6 **SECTION 36.** 19.43 (7) of the statutes is amended to read:

7 19.43 (7) If an official required to file fails to make a timely filing, the
 8 commission shall promptly provide notice of the delinquency to the ~~secretary of~~
 9 ~~administration~~ state treasurer, and to the chief executive of the department of which
 10 the official's office or position is a part, or, in the case of a district attorney, to the chief
 11 executive of that department and to the county clerk of each county served by the
 12 district attorney or in the case of a municipal judge to the clerk of the municipality
 13 of which the official's office is a part, or in the case of a justice, court of appeals judge,
 14 or circuit judge, to the director of state courts. Upon such notification both the
 15 ~~secretary of administration~~ state treasurer and the department, municipality, or
 16 director shall withhold all payments for compensation, reimbursement of expenses,
 17 and other obligations to the official until the commission notifies the officers to whom
 18 notice of the delinquency was provided that the official has complied with this
 19 section.

20 **SECTION 37.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
 21 insert the following amounts for the purposes indicated:

20017-18 2018-19

22 **20.585 Treasurer, state**

23 (1) CUSTODIAN OF STATE FUNDS

ASSEMBLY BILL 1039**SECTION 37**

				20017-18	2018-19
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1	(a) General program operations	GPR	C	500,000	500,000
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2	(jt) Cash management services	PR	A	1,500,000	1,500,000
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3 **SECTION 38.** 20.437 (2) (qm) of the statutes is amended to read:

4 20.437 (2) (qm) *Child support state operations and reimbursement for claims*
5 *and expenses; unclaimed payments.* From the support collections trust fund, a sum
6 sufficient equal to the amounts credited under s. 20.912 (1) to the support collections
7 trust fund and the amounts not distributable under par. (r) for administering the
8 program under s. 49.22 and all other purposes specified in s. 49.22 and for
9 reimbursing the ~~secretary of revenue~~ state treasurer under s. 177.265.

10 **SECTION 39.** 20.505 (1) (gc) of the statutes is renumbered 20.585 (1) (g).

11 **SECTION 40.** 20.505 (1) (kj) of the statutes is amended to read:

12 20.505 (1) (kj) *Financial services.* The amounts in the schedule to provide
13 accounting, auditing, payroll, and other financial services to state agencies, ~~to~~
14 ~~provide banking service cost analysis and cash management assistance for state~~
15 ~~agencies and state funds under s. 25.19 (3), and to transfer the amounts appropriated~~
16 under s. 20.585 (1) (kb) to the appropriation account under s. 20.585 (1) (kb). All
17 moneys received from the provision of accounting, auditing, payroll, and other
18 financial services to state agencies ~~and from assessments paid under s. 25.14 (3)~~
19 shall be credited to this appropriation.

20 **SECTION 41.** 20.505 (1) (tb) of the statutes is renumbered 20.585 (2) (q) and
21 amended to read:

22 20.585 (2) (q) *Payment of qualified higher education expenses and refunds;*
23 *college tuition and expenses program.* From the tuition trust fund, a sum sufficient

ASSEMBLY BILL 1039

1 for the payment of qualified higher education expenses and refunds under s. ~~16.64~~
2 14.63 (5) and (7).

3 **SECTION 42.** 20.505 (1) (td) of the statutes is renumbered 20.585 (2) (s) and
4 amended to read:

5 20.585 (2) (s) *Administrative expenses; college tuition and expenses program.*
6 From the tuition trust fund, the amounts in the schedule for the administrative
7 expenses of the college tuition and expenses program under s. ~~16.64~~ 14.63, including
8 the expense of promoting the program.

9 **SECTION 43.** 20.505 (1) (tf) of the statutes is renumbered 20.585 (2) (t) and
10 amended to read:

11 20.585 (2) (t) *Payment of qualified higher education expenses and refunds;*
12 *college savings program trust fund.* From the college savings program trust fund, a
13 sum sufficient for the payment of qualified higher education expenses and refunds
14 under s. ~~16.641~~ 14.64 (2) and (3).

15 **SECTION 44.** 20.505 (1) (th) of the statutes is renumbered 20.585 (2) (tm) and
16 amended to read:

17 20.585 (2) (tm) *Administrative expenses; college savings program trust fund.*
18 From the college savings program trust fund, the amounts in the schedule for the
19 administrative expenses of the college savings program under s. ~~16.641~~ 14.64,
20 including the expense of promoting the program.

21 **SECTION 45.** 20.505 (1) (tj) of the statutes is renumbered 20.585 (2) (u) and
22 amended to read:

23 20.585 (2) (u) *Payment of qualified higher education expenses and refunds;*
24 *college savings program bank deposit trust fund.* From the college savings program

ASSEMBLY BILL 1039**SECTION 45**

1 bank deposit trust fund, a sum sufficient for the payment of qualified higher
2 education expenses and refunds under s. ~~16.641~~ 14.64 (2) and (3).

3 **SECTION 46.** 20.505 (1) (tL) of the statutes is renumbered 20.585 (2) (um) and
4 amended to read:

5 20.585 (2) (um) *Administrative expenses; college savings program bank deposit*
6 *trust fund.* From the college savings program bank deposit trust fund, the amounts
7 in the schedule for the administrative expenses of the college savings program under
8 s. ~~16.641~~ 14.64, including the expense of promoting the program.

9 **SECTION 47.** 20.505 (1) (tn) of the statutes is renumbered 20.585 (2) (v) and
10 amended to read:

11 20.585 (2) (v) *Payment of qualified higher education expenses and refunds;*
12 *college savings program credit union deposit trust fund.* From the college savings
13 program credit union deposit trust fund, a sum sufficient for the payment of qualified
14 higher education expenses and refunds under s. ~~16.641~~ 14.64 (2) and (3).

15 **SECTION 48.** 20.505 (1) (tp) of the statutes is renumbered 20.585 (2) (vm) and
16 amended to read:

17 20.585 (2) (vm) *Administrative expenses; college savings program credit union*
18 *deposit trust fund.* From the college savings program credit union deposit trust fund,
19 the amounts in the schedule for the administrative expenses of the college savings
20 program under s. ~~16.641~~ 14.64, including the expense of promoting the program.

21 **SECTION 49.** 20.566 (4) of the statutes is repealed.

22 **SECTION 50.** 20.585 (1) (a) of the statutes is created to read:

23 20.585 (1) (a) *General program operations.* As a continuing appropriation, the
24 amounts in the schedule for the general program operations of the state treasurer.

25 **SECTION 51.** 20.585 (1) (e) of the statutes is created to read:

ASSEMBLY BILL 1039

1 20.585 (1) (e) *Unclaimed property; contingency appropriation.* A sum sufficient
2 to pay claims under ss. 177.24 to 177.26 and 863.39 (3). Money may be paid under
3 this paragraph only if sufficient funds are not available under par. (j).

4 **SECTION 52.** 20.585 (1) (j) of the statutes is created to read:

5 20.585 (1) (j) *Unclaimed property; claims.* All moneys received under ss. 177.23
6 (2), 852.01 (3), 863.37 (2), and 863.39 to pay claims under ss. 177.24 to 177.26 and
7 863.39 (3) and to transfer the amounts appropriated under par. (k) to the
8 appropriation account under par. (k).

9 **SECTION 53.** 20.585 (1) (jt) of the statutes is created to read:

10 20.585 (1) (jt) *Cash management services.* The amounts in the schedule for the
11 cost of providing banking service cost analysis and cash management assistance for
12 state agencies and state funds under s. 25.19 (3). The assessments paid under s.
13 25.14 (3) shall be credited to this appropriation account.

14 **SECTION 54.** 20.585 (1) (k) of the statutes is amended to read:

15 20.585 (1) (k) *Administrative Unclaimed property; administrative expenses.*
16 From moneys transferred from the appropriation account under s. ~~20.566 (4) par.~~ (j),
17 the amounts in the schedule for the ~~promotion of the unclaimed property program~~
18 ~~under administrative expenses incurred in administering ch. 177.~~ Notwithstanding
19 s. 20.001 (3) (a), at the end of each fiscal year the unencumbered balance in this
20 appropriation shall revert to the appropriation under s. ~~20.566 (4) par.~~ (j).

21 **SECTION 55.** 20.585 (1) (kf) of the statutes is created to read:

22 20.585 (1) (kf) *Administrative services.* All moneys received under s. 24.64 for
23 administrative services provided to the board of commissioners of public lands.

24 **SECTION 56.** 20.585 (1) (km) of the statutes is created to read:

ASSEMBLY BILL 1039**SECTION 56**

1 20.585 (1) (km) *Credit card use charges*. All moneys received under ss. 59.25
2 (3) (j) and (k) and 85.14, to pay the charges under ss. 23.49 and 85.14 (1) (b) and (2).

3 **SECTION 57.** 20.585 (2) (title) of the statutes is created to read:

4 20.585 (2) (title) COLLEGE SAVINGS PROGRAM.

5 **SECTION 58.** 20.906 (1) of the statutes is amended to read:

6 20.906 (1) FREQUENCY OF DEPOSITS. Unless otherwise provided by law, all
7 moneys collected or received by any state agency for or in behalf of the state or which
8 are required by law to be turned into the state treasury shall be deposited in or
9 transmitted to the state treasury at least once a week and also at other times as
10 required by the governor or the ~~secretary of administration~~ state treasurer and shall
11 be accompanied by a statement in such form as the ~~secretary of administration~~ state
12 treasurer may prescribe showing the amount of such collection and from whom and
13 for what purpose or on what account the same was received. All moneys paid into
14 the treasury shall be credited to the general purpose revenues of the general fund
15 unless otherwise specifically provided by law.

16 **SECTION 59.** 20.906 (4) of the statutes is amended to read:

17 20.906 (4) PENALTIES. If any state agency fails to make such deposits of money,
18 or to make such reports as are required by this section, the department of
19 administration, with the approval of the governor, shall withhold all moneys due
20 such state agency until this section is complied with; and upon such failure to make
21 such deposits of money, the officer or employee so failing shall be liable to the
22 ~~secretary of administration~~ state treasurer for an amount equal to the interest upon
23 the moneys so withheld from deposit at the same rate as that received by the state
24 upon moneys held in the state investment fund, for the period for which such deposit

ASSEMBLY BILL 1039

1 is withheld; and such interest shall be a charge against the officer or employee and
2 shall be deducted from that person's compensation.

3 **SECTION 60.** 20.906 (5) of the statutes is amended to read:

4 20.906 (5) CONDITIONS PRECEDENT TO RELEASE OF APPROPRIATIONS. All
5 appropriations from state revenues for any state agency are made on the express
6 conditions that such state agency pays all moneys received by it into the state
7 treasury within one week of receipt or as often as otherwise directed by the governor
8 or ~~secretary of administration~~ state treasurer, and conforms with ss. 16.53 (1) and
9 20.002, regardless of the type of appropriations made to the state agency. Upon
10 failure to comply with this subsection, the department of administration shall refuse
11 to draw its warrant and the state treasurer shall refuse to pay any moneys
12 appropriated to the state agency from state revenues until the state agency complies
13 with this subsection. Upon failure or refusal to so comply, after due notice received
14 from the department of administration, any appropriations from state revenues to
15 the state agency shall permanently revert to the fund from which appropriated.

16 **SECTION 61.** 20.906 (6) of the statutes is amended to read:

17 20.906 (6) DIRECT DEPOSITS. The governor or the ~~secretary of administration~~
18 state treasurer may require state agencies making deposits under this section to
19 make direct deposits to any depository designated by the depository selection board,
20 if such a requirement is advantageous or beneficial to this state.

21 **SECTION 62.** 20.907 (2) of the statutes is amended to read:

22 20.907 (2) CUSTODY AND ACCOUNTING. The ~~secretary of administration~~ state
23 treasurer shall have custody of all such gifts, grants, and bequests in the form of cash
24 or securities. The department of administration shall keep a separate account for
25 each state agency receiving such gifts, grants, and bequests, including therein

ASSEMBLY BILL 1039**SECTION 62**

1 investments, accumulations, payments, and any other transaction pertaining to
2 such moneys. If no state agency is designated by the donor to carry out the purposes
3 of the conveyance, the joint committee on finance shall appoint a state agency to act
4 as trustee.

5 **SECTION 63.** 20.907 (5) (a) of the statutes is amended to read:

6 20.907 (5) (a) Except as provided in par. (b), all moneys that may come into the
7 possession of any officer or employee of a state agency by virtue of his or her office
8 or employment shall be deposited with the ~~secretary of administration~~ state
9 treasurer, regardless of the ownership thereof.

10 **SECTION 64.** 20.907 (5) (b) of the statutes is amended to read:

11 20.907 (5) (b) Paragraph (a) does not apply whenever the disposition of moneys
12 is otherwise provided by law or whenever a state agency receives moneys incident
13 to an authorized activity that are not appropriated and not directed to be deposited
14 with the ~~secretary of administration~~ state treasurer and the agency promulgates a
15 rule that prescribes procedures in accordance with ch. 34 for the deposit of the
16 moneys.

17 **SECTION 65.** 20.907 (5) (c) of the statutes is amended to read:

18 20.907 (5) (c) The ~~secretary of administration~~ state treasurer shall establish
19 an account for moneys received under par. (a) from each source and shall make
20 payments and refunds from each account authorized under par. (e) as directed by the
21 state agency depositing the moneys, unless otherwise provided by law. Each
22 payment shall be made upon submission of a claim audited under s. 16.53 and paid
23 by voucher from the appropriation under s. 20.855 (6) (j) in accordance with
24 procedures established by the secretary of administration.

25 **SECTION 66.** 20.907 (5) (d) of the statutes is amended to read:

ASSEMBLY BILL 1039

1 20.907 (5) (d) Each account under this subsection shall be established in the
2 appropriate fund, as determined by the ~~secretary of administration~~ state treasurer.

3 **SECTION 67.** 20.907 (5) (e) 12e. of the statutes is repealed.

4 **SECTION 68.** 20.907 (5) (e) 12r. of the statutes is repealed.

5 **SECTION 69.** 20.909 (2) of the statutes is amended to read:

6 20.909 (2) ESCHEATED PROPERTY. The ~~secretary of revenue~~ state treasurer may
7 sell either at public or private sale any personal property turned over to the ~~secretary~~
8 state treasurer as an escheat. The proceeds of any such sale shall become a part of
9 the school fund, and shall be subject to refund as specified by the provision of law
10 pursuant to which the property escheated.

11 **SECTION 70.** 20.912 (1) of the statutes is amended to read:

12 20.912 (1) CANCELLATION OF OUTSTANDING CHECKS AND SHARE DRAFTS. If any
13 check, share draft, or other draft drawn and issued by the state treasurer upon the
14 funds of the state in any state depository is not paid within the time period
15 designated by the ~~secretary of administration~~ state treasurer under s. ~~16.401 (10)~~
16 14.58 (12) as shown on the check or other draft, the ~~secretary of administration~~ state
17 treasurer shall cancel the check or other draft and credit the amount thereof to the
18 fund on which it is drawn.

19 **SECTION 71.** 20.912 (3) of the statutes is amended to read:

20 20.912 (3) REISSUE OF CANCELED CHECKS, SHARE DRAFTS, AND OTHER DRAFTS.
21 Subject to sub. (2), when the payee or person entitled to any check, share draft, or
22 other draft canceled under sub. (1) by the state treasurer, or the payee or person
23 entitled to any warrant so canceled by the department of administration, demands
24 such check, share draft, other draft, or warrant or payment thereof, the department

ASSEMBLY BILL 1039**SECTION 71**

1 of administration shall issue a new warrant therefor, to be paid from the appropriate
2 appropriation account under s. 20.855 (1) (bm), (gm), or (rm).

3 **SECTION 72.** 20.912 (4) of the statutes is amended to read:

4 20.912 (4) INSOLVENT DEPOSITORIES. When the bank, savings and loan
5 association, savings bank, or credit union on which any check, share draft, or other
6 draft is drawn by the ~~secretary of administration~~ state treasurer before payment of
7 such check, share draft, or other draft becomes insolvent or is taken over by the
8 division of banking, the federal home loan bank board, the U.S. office of thrift
9 supervision, the federal deposit insurance corporation, the resolution trust
10 corporation, the office of credit unions, the administrator of federal credit unions, or
11 the U.S. comptroller of the currency, the ~~secretary of administration~~ state treasurer
12 shall on the demand of the person in whose favor such check, share draft, or other
13 draft was drawn and upon the return to the ~~secretary~~ state treasurer of such check,
14 share draft, or other draft issue a replacement for the same amount.

15 **SECTION 73.** 20.912 (5) of the statutes is amended to read:

16 20.912 (5) LOST, STOLEN, OR DESTROYED CHECKS, SHARE DRAFTS, AND OTHER DRAFTS.
17 If any check, share draft, or other draft drawn and issued by the ~~secretary of~~
18 ~~administration~~ state treasurer is lost, stolen, or destroyed and the bank, savings and
19 loan association, savings bank, or credit union on which the check, share draft, or
20 other draft is drawn has been notified to stop payment thereon, the ~~secretary of~~
21 ~~administration~~ state treasurer may, after acknowledgment by the bank, savings and
22 loan association, savings bank, or credit union that the check, share draft, or other
23 draft has not been paid, issue a replacement check, share draft, or other draft and
24 thereafter the ~~secretary of administration~~ state treasurer shall be relieved from all
25 liability thereon.

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1 **SECTION 74.** 20.920 (2) (a) of the statutes is amended to read:

2 20.920 (2) (a) With the approval of the secretary and state treasurer, each state
3 agency may establish a contingent fund. The secretary shall determine the funding
4 source for each contingent fund, total amount of the fund, and maximum payment
5 from the fund.

6 **SECTION 75.** 20.929 of the statutes is amended to read:

7 **20.929 Agency drafts or warrants.** The secretary of administration may
8 authorize any state agency to issue drafts or warrants drawn on the state treasury.
9 Such drafts or warrants may be issued only in connection with purchase orders
10 authorized under subch. IV of ch. 16 and may not exceed \$300 per draft or warrant.
11 The ~~secretary~~ state treasurer shall pay such drafts or warrants as presented ~~and~~.
12 The secretary of administration shall audit the purchase orders issued. Any
13 purchase order that is disapproved by the secretary as unlawful or unauthorized
14 shall be returned by the secretary to the state agency for reimbursement to the
15 ~~treasury~~ state treasurer. The secretary shall make written regulations for the
16 implementation of this section. The secretary may require any state agency to utilize
17 one or more separate depository accounts to implement this section. The illegal or
18 unauthorized use of purchase orders and drafts or warrants under this section is
19 subject to the remedies specified in s. 16.77.

20 **SECTION 76.** 23.49 of the statutes is amended to read:

21 **23.49 Credit card use charges.** The department shall certify to the ~~secretary~~
22 ~~of administration~~ state treasurer the amount of charges associated with the use of
23 credit cards that is assessed to the department on deposits accepted under s. 23.66
24 (1m) by conservation wardens, and the ~~secretary of administration~~ state treasurer

ASSEMBLY BILL 1039**SECTION 76**

1 shall pay the charges from moneys received under s. 59.25 (3) (j) and (k) that are
2 reserved for payment of the charges under s. ~~20.907 (5) (e) 12e.~~ 14.58 (21).

3 **SECTION 77.** 23.85 of the statutes is amended to read:

4 **23.85 Statement to county board; payment to state.** Every county
5 treasurer shall, on the first day of the annual meeting of the county board of
6 supervisors, submit to it a verified statement of all forfeitures, costs, fees, and
7 surcharges imposed under ch. 814 and received during the previous year. The county
8 clerk shall deduct all expenses incurred by the county in recovering those forfeitures,
9 costs, fees, and surcharges from the aggregate amount so received, and shall
10 immediately certify the amount of clear proceeds of those forfeitures, costs, fees, and
11 surcharges to the county treasurer, who shall pay the proceeds to the state treasurer
12 as provided in s. 59.25 (3). Jail surcharges imposed under ch. 814 shall be treated
13 separately as provided in s. 302.46 and moneys collected from the crime prevention
14 funding board surcharge under s. 973.0455 (2) shall be treated separately as
15 provided in s. 973.0455 (2).

16 **SECTION 78.** 24.17 (1) (intro.) of the statutes is amended to read:

17 24.17 (1) (intro.) When the purchaser of any public lands makes payment to
18 ~~the secretary of administration~~ state treasurer of the amount required to be paid on
19 the sale and, in case of a private sale, produces the memorandum described in s.
20 24.16, ~~the secretary of administration~~ state treasurer shall give a receipt to the
21 purchaser for the amount paid, and, unless the sale is wholly for cash, the board shall
22 execute and deliver to the purchaser a duplicate certificate of sale, in which the board
23 shall certify all of the following:

24 **SECTION 79.** 24.17 (2) of the statutes is amended to read:

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1 24.17 (2) When the sale of public lands under sub. (1) is wholly for cash, upon
2 payment of the full purchase price to the ~~secretary of administration~~ state treasurer,
3 the ~~secretary of administration~~ state treasurer shall immediately give to the
4 purchaser a receipt stating the amount paid, giving a description of the lot or tract
5 of land sold, and stating that the purchaser is entitled to receive a patent according
6 to law.

7 **SECTION 80.** 24.20 of the statutes is amended to read:

8 **24.20 Payments and accounts.** All money paid on account of sales of public
9 lands shall be paid to the ~~secretary of administration~~ state treasurer who shall credit
10 the proper fund with the amount paid, crediting the general fund with the proceeds
11 of sales of Marathon County lands. The secretary of administration or the secretary's
12 designee, upon countersigning the receipt given for the amount paid, shall charge the
13 treasurer therewith, and shall enter the name of the person making the payment,
14 the number of the certificate, if any, upon which the amount shall be paid, and the
15 time of the payment.

16 **SECTION 81.** 24.25 (1) of the statutes is amended to read:

17 24.25 (1) Whenever full payment is made for any lands described in a
18 certificate of sale issued under s. 24.17, as required by law, and the purchaser, or the
19 purchaser's legal representatives, produces to the board the duplicate certificate of
20 sale, with the receipt of the ~~secretary of administration~~ state treasurer endorsed on
21 the duplicate certificate, showing that the whole amount of the principal and interest
22 due on the purchase of the land described in the certificate has been paid and that
23 the holder of the duplicate certificate is entitled to a patent for the lands described
24 in the certificate, the original and duplicate certificates shall be canceled, and the

ASSEMBLY BILL 1039**SECTION 81**

1 board shall immediately execute and deliver a patent to the person entitled to the
2 patent for the land described in the certificate.

3 **SECTION 82.** 24.29 of the statutes is amended to read:

4 **24.29 Redemption.** At any time before the 5 days next preceding the
5 reoffering at public sale of any land forfeited under s. 24.28, the former purchaser,
6 or the former purchaser's assigns or legal representatives, may prevent the resale
7 of the forfeited lands and revive the original contract by paying the principal sum
8 due, with interest, and all taxes returned on the forfeited lands to the ~~secretary of~~
9 ~~administration~~ state treasurer that are still unpaid, and all costs occasioned by the
10 delay, together with 3 percent damages on the whole sum owing for the forfeited
11 lands.

12 **SECTION 83.** 24.32 (2) (a) 2. of the statutes is amended to read:

13 24.32 (2) (a) 2. Depositing with the ~~secretary of administration~~ state treasurer,
14 for the use of the purchaser at the resale of the forfeited tract the amount paid by the
15 resale purchaser for the tract, together with 25 percent of the amount of the taxes,
16 interest, and costs, in addition to the purchase price.

17 **SECTION 84.** 24.33 (1) (c) of the statutes is amended to read:

18 24.33 (1) (c) Payment is made to the ~~secretary of administration~~ state treasurer
19 in the amount actually due on the first certificate at the time of the resale, with
20 interest, costs, and charges, and with interest on the amount for which the land was
21 sold at the rate of 10 percent per year.

22 **SECTION 85.** 24.64 of the statutes is amended to read:

23 **24.64 Reimbursements for certain administrative services.** The board
24 shall reimburse the ~~department of administration~~ state treasurer, from the
25 appropriation account under s. 20.507 (1) (h), for the costs of administrative services

ASSEMBLY BILL 1039

1 provided by the ~~department of administration and other state agencies~~ state
2 treasurer to the board.

3 **SECTION 86.** 24.69 (1) of the statutes is amended to read:

4 24.69 (1) The board may sell state trust fund loans or participations therein,
5 and may contract to do so at a future date, for such price, upon such other terms and
6 in such manner as the board may determine. The sale may be to any person,
7 including, without limitation, a trust or other investment vehicle created for the
8 purpose of attracting private investment capital. The board shall remit the proceeds
9 of the sale to the ~~secretary of administration~~ state treasurer for deposit in the
10 appropriate trust fund and shall invest the proceeds in accordance with s. 24.61.

11 **SECTION 87.** 24.71 (2) of the statutes is amended to read:

12 24.71 (2) CERTIFIED STATEMENT. If a school district has a state trust fund loan,
13 the board shall transmit to the school district clerk a certified statement of the
14 amount due on or before October 1 of each year until the loan is paid. The board shall
15 furnish a copy of each certified statement to the ~~secretary of administration~~ state
16 treasurer and the department of public instruction.

17 **SECTION 88.** 25.14 (3) of the statutes is amended to read:

18 25.14 (3) The department of administration, upon consultation with the board,
19 shall distribute all earnings, profits, or losses of the state investment fund to each
20 participating fund in the same ratio as each participating fund's average daily
21 balance within the state investment fund bears to the total average daily balance of
22 all participating funds, except as provided in s. ~~16.401(14)~~ 14.58(19) and except that
23 the department of administration shall credit to the appropriation account under s.
24 ~~20.505(1)(kj)~~ 20.585(1)(jt) an amount equal to the amount assessed under s. 25.19
25 (3) from the earnings or profits of the funds against which an assessment is made.

ASSEMBLY BILL 1039**SECTION 88**

1 Distributions under this section shall be made at such times as the department of
2 administration may determine, but must be made at least semiannually in each
3 complete fiscal year of operation.

4 **SECTION 89.** 25.17 (2) (f) of the statutes is amended to read:

5 25.17 (2) (f) Invest the moneys belonging to the college savings program trust
6 fund, the college savings program bank deposit trust fund, and the college savings
7 program credit union deposit trust fund in a manner consistent with the guidelines
8 established under s. ~~16.641~~ 14.64 (2) (c), unless the moneys are under the
9 management and control of a vendor selected under s. 16.255. In making
10 investments under this paragraph, the investment board shall accept any
11 reasonable terms and conditions that the college savings program board specifies
12 and is relieved of any obligations relevant to prudent investment of the fund,
13 including the standard of responsibility under s. 25.15 (2).

14 **SECTION 90.** 25.17 (61) of the statutes is amended to read:

15 25.17 (61) Designate special depositories in which the ~~secretary of~~
16 ~~administration or the~~ state treasurer may make special deposits of funds, not
17 exceeding the amount limited by the board, which shall be deposited subject to the
18 depository's rules and regulations relative to either savings accounts, time
19 certificates of deposit, or open time accounts, as the case may be.

20 **SECTION 91.** 25.19 (3) of the statutes is amended to read:

21 25.19 (3) ~~The secretary of administration~~ state treasurer shall, at the direction
22 of the depository selection board under s. 34.045 (1) (bm), allocate bank service costs
23 to the funds incurring those costs.

24 **SECTION 92.** 25.19 (4) of the statutes is amended to read:

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1 25.19 (4) ~~The secretary of administration~~ state treasurer shall provide advice
2 to state agencies concerning efficient cash management practices.

3 **SECTION 93.** 25.31 (1) of the statutes is amended to read:

4 25.31 (1) First: The principal of said trust fund shall be held by the ~~secretary~~
5 ~~of administration~~ state treasurer, and be invested and reinvested as provided in this
6 chapter.

7 **SECTION 94.** 25.50 (3) (a) of the statutes is amended to read:

8 25.50 (3) (a) With the consent of the governing body, a local official may transfer
9 local funds to the ~~department of administration~~ state treasurer for deposit in the
10 fund.

11 **SECTION 95.** 25.50 (4) of the statutes is amended to read:

12 25.50 (4) PERIOD OF INVESTMENTS; WITHDRAWAL OF FUNDS. Subject to the right of
13 the local government to specify the period in which its funds may be held in the fund,
14 the ~~department of administration~~ state treasurer shall prescribe the mechanisms
15 and procedures for deposits and withdrawals.

16 **SECTION 96.** 25.50 (5m) (a) of the statutes is amended to read:

17 25.50 (5m) (a) The board, in cooperation with the department of
18 administration, shall provide information necessary for the state treasurer to
19 provide a monthly report to each local government having an investment in the fund.
20 The board shall use all reasonable efforts to provide the information to the state
21 treasurer in time to allow the treasurer to mail or electronically transmit the report
22 to the local government no later than 6 business days after the end of the month
23 covered by the report. The report shall include information on the fund's earnings
24 for the month, with comparison to appropriate indexes or benchmarks in the private
25 sector.

ASSEMBLY BILL 1039**SECTION 97**

1 **SECTION 97.** 25.50 (7) of the statutes is amended to read:

2 25.50 (7) REIMBURSEMENT OF EXPENSES. The ~~department of administration~~ state
3 treasurer shall deduct monthly from the earnings of the fund during the preceding
4 calendar month an amount sufficient to cover all actual and necessary expenses
5 incurred by the state in administering the fund in the preceding calendar month,
6 except that in no fiscal year may the ~~department of administration~~ state treasurer
7 deduct an amount exceeding the amount appropriated under s. ~~20.505 (1) (g)~~ 20.585
8 (1) (g) for that fiscal year.

9 **SECTION 98.** 25.50 (8) (b) of the statutes is amended to read:

10 25.50 (8) (b) The ~~department of administration~~ state treasurer shall report
11 monthly to each local official the deposits and withdrawals of the preceding month
12 and any other activity within the account.

13 **SECTION 99.** 25.50 (9) of the statutes is amended to read:

14 25.50 (9) RULES. The ~~department of administration~~ state treasurer may
15 promulgate rules to carry out the purposes of this section.

16 **SECTION 100.** 25.50 (10) of the statutes is amended to read:

17 25.50 (10) INSURANCE OF PRINCIPAL. The ~~department of administration~~ state
18 treasurer may obtain insurance for the safety of the principal investments of the
19 fund. The insurance is a reimbursable expense under sub. (7).

20 **SECTION 101.** 25.80 of the statutes is amended to read:

21 **25.80 Tuition trust fund.** There is established a separate nonlapsible trust
22 fund designated as the tuition trust fund, consisting of all revenue from enrollment
23 fees and the sale of tuition units under s. ~~16.64~~ 14.63.

24 **SECTION 102.** 25.85 of the statutes is amended to read:

ASSEMBLY BILL 1039**SECTION 102**

1 **25.85 College savings program trust fund.** There is established a separate
2 nonlapsible trust fund designated as the college savings program trust fund,
3 consisting of all revenue from enrollment fees for and contributions to college savings
4 accounts under s. ~~16.641~~ 14.64 and from distributions and fees paid by the vendor
5 under s. 16.255 (3) other than revenue from those sources that is deposited in the
6 college savings program bank deposit trust fund or the college savings program
7 credit union deposit trust fund.

8 **SECTION 103.** 25.853 of the statutes is amended to read:

9 **25.853 College savings program bank deposit trust fund.** There is
10 established a separate nonlapsible trust fund designated as the college savings
11 program bank deposit trust fund, consisting of all revenue from enrollment fees for
12 and contributions to college savings accounts under s. ~~16.641~~ 14.64 in which the
13 investment instrument is an account held by a state or national bank, a state or
14 federal savings bank, a state or federal savings and loan association, or a savings and
15 trust company that has its main office or home office or a branch office in this state
16 and that is insured by the Federal Deposit Insurance Corporation, and all revenue
17 from distributions and fees paid by the vendors of those investment instruments
18 under s. 16.255 (3).

19 **SECTION 104.** 25.855 of the statutes is amended to read:

20 **25.855 College savings program credit union deposit trust fund.** There
21 is established a separate nonlapsible trust fund designated as the college savings
22 program credit union deposit trust fund, consisting of all revenue from enrollment
23 fees for and contributions to college savings accounts under s. ~~16.641~~ 14.64 in which
24 the investment instrument is an account held by a state or federal credit union,
25 including a corporate central credit union organized under s. 186.32, that has its

ASSEMBLY BILL 1039**SECTION 104**

1 main office or home office or a branch office located in this state and that is insured
2 by the National Credit Union Administration, and all revenue from distributions
3 and fees paid by the vendors of those investment instruments under s. 16.255 (3).

4 **SECTION 105.** 26.14 (4) of the statutes is amended to read:

5 26.14 (4) Emergency fire wardens or those assisting them in the fighting of
6 forest fires shall prepare itemized accounts of their services and the services of those
7 employed by them, as well as other expenses incurred, on blanks to be furnished by
8 the department and in a manner prescribed by the department, and make oaths or
9 affirmation that said account is just and correct, which account shall be forwarded
10 and approved for payment by the department. As soon as any such account has been
11 paid by the ~~secretary of administration~~ state treasurer, the department of natural
12 resources shall send to the proper county treasurer a bill for the county's share of
13 such expenses and a copy shall be filed with the department of administration. The
14 county shall have 60 days within which to pay such bill, but if not paid within that
15 time the county shall be liable for interest at the rate of 6 percent per year. If payment
16 is not made within 60 days the department of administration shall include such
17 amount as a part of the next levy against the county for state taxes, but no county
18 shall be required to pay more than \$5,000 in any one year. Any unpaid levy under
19 this section shall remain a charge against the county and the department of
20 administration shall include such unpaid sums in the state tax levy of the respective
21 counties in subsequent years.

22 **SECTION 106.** 26.30 (9) (b) (intro.) of the statutes is amended to read:

23 26.30 (9) (b) (intro.) As soon as the expenses incurred by the state in forest pest
24 control work have been paid by the ~~secretary of administration~~ state treasurer, the

ASSEMBLY BILL 1039**SECTION 106**

1 department shall send to each landowner a bill covering an equitable share of such
2 expenses as herein provided.

3 **SECTION 107.** 29.983 (1) (e) of the statutes is amended to read:

4 29.983 (1) (e) If any deposit is made for an offense to which this section applies,
5 the person making the deposit shall also deposit a sufficient amount to include the
6 wild animal protection surcharge under this section. If the deposit is forfeited, the
7 amount of the wild animal protection surcharge shall be transmitted to the ~~secretary~~
8 ~~of administration~~ state treasurer under par. (f). If the deposit is returned, the wild
9 animal protection surcharge shall also be returned.

10 **SECTION 108.** 29.983 (1) (f) of the statutes is amended to read:

11 29.983 (1) (f) The clerk of the court shall collect and transmit to the county
12 treasurer the wild animal protection surcharge and other amounts required under
13 s. 59.40 (2) (m). The county treasurer shall then make payment to the ~~secretary of~~
14 ~~administration~~ state treasurer as provided in s. 59.25 (3) (f) 2.

15 **SECTION 109.** 29.983 (2) of the statutes is amended to read:

16 29.983 (2) DEPOSIT OF WILD ANIMAL PROTECTION SURCHARGE FUNDS. ~~The secretary~~
17 ~~of administration~~ state treasurer shall deposit the moneys collected under this
18 section into the conservation fund.

19 **SECTION 110.** 29.985 (1) (c) of the statutes is amended to read:

20 29.985 (1) (c) If any deposit is made for an offense to which this section applies,
21 the person making the deposit shall also deposit a sufficient amount to include the
22 fishing shelter removal surcharge under this section. If the deposit is forfeited, the
23 amount of the fishing shelter removal surcharge shall be transmitted to the ~~secretary~~
24 ~~of administration~~ state treasurer under par. (d). If the deposit is returned, the fishing
25 shelter removal surcharge shall also be returned.

ASSEMBLY BILL 1039**SECTION 111**

1 **SECTION 111.** 29.985 (1) (d) of the statutes is amended to read:

2 29.985 (1) (d) The clerk of the court shall collect and transmit to the county
3 treasurer the fishing shelter removal surcharge and other amounts required under
4 s. 59.40 (2) (m). The county treasurer shall then make payment to the ~~secretary of~~
5 ~~administration~~ state treasurer as provided in s. 59.25 (3) (f) 2.

6 **SECTION 112.** 29.987 (1) (c) of the statutes is amended to read:

7 29.987 (1) (c) If any deposit is made for an offense to which this section applies,
8 the person making the deposit shall also deposit a sufficient amount to include the
9 natural resources surcharge under this section. If the deposit is forfeited, the
10 amount of the natural resources surcharge shall be transmitted to the ~~secretary of~~
11 ~~administration~~ state treasurer under par. (d). If the deposit is returned, the natural
12 resources surcharge shall also be returned.

13 **SECTION 113.** 29.987 (1) (d) of the statutes is amended to read:

14 29.987 (1) (d) The clerk of the court shall collect and transmit to the county
15 treasurer the natural resources surcharge and other amounts required under s.
16 59.40 (2) (m). The county treasurer shall then make payment to the ~~secretary of~~
17 ~~administration~~ state treasurer as provided in s. 59.25 (3) (f) 2. The ~~secretary of~~
18 ~~administration~~ state treasurer shall deposit the amount of the natural resources
19 surcharge in the conservation fund.

20 **SECTION 114.** 29.989 (1) (c) of the statutes is amended to read:

21 29.989 (1) (c) If any deposit is made for an offense to which this section applies,
22 the person making the deposit shall also deposit a sufficient amount to include the
23 natural resources restitution surcharge under this section. If the deposit is forfeited,
24 the amount of the natural resources restitution surcharge shall be transmitted to the

ASSEMBLY BILL 1039**SECTION 114**

1 ~~secretary of administration~~ state treasurer under par. (d). If the deposit is returned,
2 the natural resources restitution surcharge shall also be returned.

3 **SECTION 115.** 29.989 (1) (d) of the statutes is amended to read:

4 29.989 (1) (d) The clerk of the court shall collect and transmit to the county
5 treasurer the natural resources restitution surcharge and other amounts required
6 under s. 59.40 (2) (m). The county treasurer shall then make payment to the
7 ~~secretary of administration~~ state treasurer as provided in s. 59.25 (3) (f) 2. The
8 ~~secretary of administration~~ state treasurer shall deposit the amount of the natural
9 resources restitution surcharge in the conservation fund.

10 **SECTION 116.** 29.99 (3) of the statutes is amended to read:

11 29.99 (3) If any deposit is made for an offense to which this section applies, the
12 person making the deposit shall also deposit a sufficient amount to include the
13 wildlife violator compact surcharge under this section. If the deposit is forfeited, the
14 amount of the wildlife violator compact surcharge shall be transmitted to the
15 ~~secretary of administration~~ state treasurer under sub. (4). If the deposit is returned,
16 the wildlife violator compact surcharge shall also be returned.

17 **SECTION 117.** 29.99 (4) of the statutes is amended to read:

18 29.99 (4) The clerk of the court shall collect and transmit to the county
19 treasurer the wildlife violator compact surcharge and other amounts required under
20 s. 59.40 (2) (m). The county treasurer shall then make payment to the ~~secretary of~~
21 ~~administration~~ state treasurer as provided in s. 59.25 (3) (f) 2. The ~~secretary of~~
22 ~~administration~~ state treasurer shall deposit the amount of the wildlife violator
23 compact surcharge in the conservation fund.

24 **SECTION 118.** 34.08 (2) of the statutes is amended to read:

ASSEMBLY BILL 1039**SECTION 118**

1 34.08 (2) Payments under sub. (1) shall be made in the order in which
2 satisfactory proofs of loss are received by the division of banking. The payment made
3 to any public depositor for all losses of the public depositor in any individual public
4 depository may not exceed \$400,000 above the amount of deposit insurance provided
5 by an agency of the United States at the public depository that experienced the loss.
6 Upon a satisfactory proof of loss, the division of banking shall direct the department
7 of administration to draw its warrant payable from the appropriation under s. 20.144
8 (1) (a) and the ~~secretary of administration~~ state treasurer shall pay the warrant
9 under s. ~~16.401 (4)~~ 14.58 (4m) in favor of the public depositor that has submitted the
10 proof of loss.

11 **SECTION 119.** 36.51 (6) of the statutes is amended to read:

12 36.51 (6) The college campus or institution may file a claim with the
13 department of public instruction for reimbursement for reasonable expenses
14 incurred, excluding capital equipment costs, but not to exceed 15 percent of the cost
15 of the meal or 50 cents per meal, whichever is less. Any cost in excess of the lesser
16 amount may be charged to participants. If the department of public instruction
17 approves the claim, it shall certify that payment is due and the ~~secretary of~~
18 ~~administration~~ state treasurer shall pay the claim from the appropriation under s.
19 20.255 (2) (cn).

20 **SECTION 120.** 38.36 (6) of the statutes is amended to read:

21 38.36 (6) The district board may file a claim with the department of public
22 instruction for reimbursement for reasonable expenses incurred, excluding capital
23 equipment costs, but not to exceed 15 percent of the cost of the meal or 50 cents per
24 meal, whichever is less. Any cost in excess of the lesser amount may be charged to
25 participants. If the department of public instruction approves the claim, it shall

ASSEMBLY BILL 1039**SECTION 120**

1 certify that payment is due and the ~~secretary of administration~~ state treasurer shall
2 pay the claim from the appropriation under s. 20.255 (2) (cn).

3 **SECTION 121.** 40.04 (3) (c) of the statutes is amended to read:

4 40.04 (3) (c) The department shall advise the investment board and the
5 ~~secretary of administration~~ state treasurer as to the limitations on the amounts of
6 cash to be invested from investment trusts under this subsection in order to maintain
7 the cash balances deemed advisable to meet current annuity, benefit and expense
8 requirements.

9 **SECTION 122.** 43.70 (3) of the statutes is amended to read:

10 43.70 (3) Immediately upon making such apportionment, the state
11 superintendent shall certify to the department of administration the estimated
12 amount that each school district is entitled to receive under this section and shall
13 notify each school district administrator of the estimated amount so certified for his
14 or her school district. The department of administration shall issue its warrants
15 upon which the state treasurer shall distribute each school district's aid entitlement
16 in one payment on or before May 1. The amount paid to each school district shall be
17 based upon the amount in the appropriation account under s. 20.255 (2) (s) on April
18 15. Moneys distributed under this section may be expended only for the purchase
19 of instructional materials from the state historical society for use in teaching
20 Wisconsin history and for the purchase of library books and other instructional
21 materials for school libraries, but not for public library facilities operated by school
22 districts under s. 43.52, in accordance with rules promulgated by the state
23 superintendent. In addition, a school district may use the moneys received under
24 this section to purchase school library computers and related software if the school
25 board consults with the person who supervises the school district's libraries and the

ASSEMBLY BILL 1039**SECTION 122**

1 computers and software are housed in the school library. Appropriate records of all
2 purchases under this section shall be kept and necessary reports thereon shall be
3 made to the state superintendent.

4 **SECTION 123.** 45.45 (5) (b) of the statutes is amended to read:

5 45.45 (5) (b) VETransfer, Inc., shall pay to the ~~secretary of administration~~ state
6 treasurer for deposit in the general fund any moneys it receives under sub. (1) but
7 does not expend by June 30, 2017, or by a later date established by the department
8 under par. (a).

9 **SECTION 124.** 45.51 (11) of the statutes is amended to read:

10 45.51 (11) DISPOSITION OF PROPERTY PASSING TO STATE. If a member dies without
11 a relative who is entitled to an interest in the property of the member under the rules
12 of intestate succession and without leaving a will the existence of which is made
13 known to the commandant of the home within 60 days of the member's death, the
14 member's property shall be converted to cash, without administration. The
15 commandant of a veterans home shall submit that converted sum to the ~~secretary~~
16 ~~of administration~~ state treasurer to be paid into the appropriation under s. 20.485
17 (1) (h). The amount paid to the ~~secretary of administration~~ state treasurer is subject
18 to refund within 6 years to the estate of a member if it is subsequently discovered that
19 the member left a will or a relative that is entitled to an interest in the property of
20 the member under the rules of intestate succession or to any creditor of the member
21 who establishes right to the funds or property or any portion of the funds or property.
22 The department of administration, upon being satisfied that a claim out of the funds
23 or property is legal and valid, shall pay the claim out of the funds or property, except
24 that payment of claims for a member's funeral and burial expenses may not exceed

ASSEMBLY BILL 1039**SECTION 124**

1 a total of \$1,500 including any amount allowed by the United States for the member's
2 funeral and burial and the right for burial and interment provided in s. 45.61 (2).

3 **SECTION 125.** 46.973 (3) of the statutes is amended to read:

4 46.973 (3) The department may accept, receive, administer, and expend any
5 money, material, or other gifts or grants of any description for purposes related to
6 those set forth in this section. Moneys and grants received under this section shall
7 be deposited with the ~~secretary of administration~~ state treasurer and shall be
8 credited to the department under s. 20.435 (2) (i) and expended by the department
9 or the state council on alcohol and other drug abuse for the purposes specified.

10 **SECTION 126.** 48.275 (2) (d) of the statutes is amended to read:

11 48.275 (2) (d) 1. In a county having a population of less than 750,000,
12 reimbursement payments shall be made to the clerk of courts of the county where the
13 proceedings took place. Each payment shall be transmitted to the county treasurer,
14 who shall deposit 25 percent of the amount paid for state-provided counsel in the
15 county treasury and transmit the remainder to the ~~secretary of administration~~ state
16 treasurer. Payments transmitted to the ~~secretary of administration~~ state treasurer
17 shall be deposited in the general fund and credited to the appropriation account
18 under s. 20.550 (1) (L). The county treasurer shall deposit 100 percent of the amount
19 paid for county-provided counsel in the county treasury.

20 2. In a county having a population of 750,000 or more, reimbursement
21 payments shall be made to the clerk of courts of the county where the proceedings
22 took place. Each payment shall be transmitted to the ~~secretary of administration~~
23 state treasurer, who shall deposit the amount paid in the general fund and credit 25
24 percent of the amount paid to the appropriation account under s. 20.437 (1) (gx) and
25 the remainder to the appropriation account under s. 20.550 (1) (L).

ASSEMBLY BILL 1039**SECTION 127**

1 **SECTION 127.** 48.715 (3) (a) 3. of the statutes is amended to read:

2 48.715 **(3)** (a) 3. A person against whom the department has assessed a
3 forfeiture shall pay that forfeiture to the department within 10 days after receipt of
4 notice of the assessment or, if that person contests that assessment under s. 48.72,
5 within 10 days after receipt of the final decision after exhaustion of administrative
6 review or, if that person petitions for judicial review under ch. 227, within 10 days
7 after receipt of the final decision after exhaustion of judicial review. The department
8 shall remit all forfeitures paid under this subdivision to the ~~secretary of~~
9 ~~administration~~ state treasurer for deposit in the school fund.

10 **SECTION 128.** 49.19 (3) (b) of the statutes is amended to read:

11 49.19 **(3)** (b) If the county department under s. 46.215 or 46.22 finds a person
12 eligible for aid under this section, that county department shall, on a form to be
13 prescribed by the department, direct the payment of such aid by order upon the
14 ~~secretary of administration~~ state treasurer. Payment of aid shall be made monthly,
15 based on a calendar month or fiscal month as defined by the department; except that
16 the director of the county department may, in his or her discretion for the purpose
17 of protecting the public, direct that the monthly allowance be paid in accordance with
18 sub. (5) (c).

19 **SECTION 129.** 49.19 (14) (b) of the statutes is amended to read:

20 49.19 **(14)** (b) If the ~~secretary of administration~~ state treasurer is unable to
21 issue a replacement check or draft requested under par. (a) because the original has
22 been paid, the department shall promptly authorize the issuance of a replacement
23 check or draft. If the ~~secretary of administration~~ state treasurer recovers the amount
24 of the original check or draft that amount shall be returned to the department. If the

ASSEMBLY BILL 1039**SECTION 129**

1 ~~secretary of administration~~ state treasurer is unable to obtain recovery, the
2 department may pursue recovery.

3 **SECTION 130.** 49.498 (16) (g) of the statutes is amended to read:

4 49.498 **(16)** (g) All forfeitures, penalty assessments, and interest, if any, shall
5 be paid to the department within 10 days of receipt of notice of assessment or, if the
6 forfeiture, penalty assessment, and interest, if any, are contested under par. (f),
7 within 10 days of receipt of the final decision after exhaustion of administrative
8 review, unless the final decision is appealed and the order is stayed by court order
9 under sub. (19) (b). The department shall remit all forfeitures paid to the ~~secretary~~
10 ~~of administration~~ state treasurer for deposit in the school fund. The department
11 shall deposit all penalty assessments and interest in the appropriation under s.
12 20.435 (6) (g).

13 **SECTION 131.** 49.687 (3) (a) of the statutes is amended to read:

14 49.687 **(3)** (a) That, as a condition of coverage for prescription drugs of a
15 manufacturer under s. 49.68, 49.683, or 49.685, the manufacturer shall make rebate
16 payments for each prescription drug of the manufacturer that is prescribed for and
17 purchased by persons who meet eligibility criteria under s. 49.68, 49.683, or 49.685,
18 to the ~~secretary of administration~~ state treasurer to be credited to the appropriation
19 under s. 20.435 (4) (je), each calendar quarter or according to a schedule established
20 by the department.

21 **SECTION 132.** 49.688 (6) (a) of the statutes is amended to read:

22 49.688 **(6)** (a) That, except as provided in sub. (7) (b), the manufacturer shall
23 make rebate payments for each prescription drug of the manufacturer that is
24 prescribed for and purchased by persons who meet criteria under sub. (2) (a) and
25 persons who meet criteria under sub. (2) (b) and have paid the deductible under sub.

ASSEMBLY BILL 1039**SECTION 132**

1 (3) (b) 2. a., to the ~~secretary of administration~~ state treasurer to be credited to the
2 appropriation account under s. 20.435 (4) (j), each calendar quarter or according to
3 a schedule established by the department.

4 **SECTION 133.** 50.03 (5g) (c) 1. c. of the statutes is amended to read:

5 50.03 (5g) (c) 1. c. All forfeitures shall be paid to the department within 10 days
6 after receipt of notice of assessment or, if the forfeiture is contested under par. (f),
7 within 10 days after receipt of the final decision after exhaustion of administrative
8 review, unless the final decision is appealed and the order is stayed by court order
9 under s. 50.03 (11). The department shall remit all forfeitures paid under this
10 subdivision to the ~~secretary of administration~~ state treasurer for deposit in the
11 school fund.

12 **SECTION 134.** 50.034 (8) (d) of the statutes is amended to read:

13 50.034 (8) (d) All forfeitures shall be paid to the department within 10 days
14 after receipt of notice of assessment or, if the forfeiture is contested under par. (c),
15 within 10 days after receipt of the final decision after exhaustion of administrative
16 review, unless the final decision is appealed and the order is stayed by court order.
17 The department shall remit all forfeitures paid to the ~~secretary of administration~~
18 state treasurer for deposit in the school fund.

19 **SECTION 135.** 50.035 (11) (d) of the statutes is amended to read:

20 50.035 (11) (d) All forfeitures shall be paid to the department within 10 days
21 after receipt of notice of assessment or, if the forfeiture is contested under par. (c),
22 within 10 days after receipt of the final decision after exhaustion of administrative
23 review, unless the final decision is appealed and the order is stayed by court order.
24 The department shall remit all forfeitures paid to the ~~secretary of administration~~
25 state treasurer for deposit in the school fund.

ASSEMBLY BILL 1039**SECTION 136**

1 **SECTION 136.** 50.04 (5) (f) of the statutes is amended to read:

2 50.04 (5) (f) *Forfeitures paid within 60 days.* All forfeitures shall be paid to the
3 department within 60 days of receipt of notice of assessment of the forfeiture or, if
4 the forfeiture is contested under par. (e), within 60 days of receipt of the final decision
5 after exhaustion of administrative review, unless the final decision is appealed and
6 the order is stayed by court order under s. 50.03 (11). The department shall remit
7 all forfeitures paid to the ~~secretary of administration~~ state treasurer for deposit in
8 the school fund.

9 **SECTION 137.** 50.377 (4) of the statutes is amended to read:

10 50.377 (4) All forfeitures shall be paid to the department within 10 days after
11 receipt of notice of assessment or, if the forfeiture is contested under sub. (3), within
12 10 days after receipt of the final decision after exhaustion of administrative review,
13 unless the final decision is appealed and the order is stayed by court order. The
14 department shall remit all forfeitures paid to the ~~secretary of administration~~ state
15 treasurer for deposit in the school fund.

16 **SECTION 138.** 50.55 (1) (e) of the statutes is amended to read:

17 50.55 (1) (e) All forfeitures shall be paid to the department within 10 days after
18 receipt of notice of assessment or, if the forfeiture is contested under par. (d), within
19 10 days after receipt of the final decision, unless the final decision is appealed and
20 the decision is in favor of the appellant. The department shall remit all forfeitures
21 paid to the ~~secretary of administration~~ state treasurer for deposit in the school fund.

22 **SECTION 139.** 50.98 (5) of the statutes is amended to read:

23 50.98 (5) All forfeitures shall be paid to the department within 10 days after
24 receipt of notice of assessment or, if the forfeiture is contested under sub. (4), within
25 10 days after receipt of the final decision after exhaustion of administrative review,

ASSEMBLY BILL 1039**SECTION 139**

1 unless the final decision is appealed and the order is stayed by court order under the
2 same terms and conditions as found in s. 50.03 (11). The department shall remit all
3 forfeitures paid to the ~~secretary of administration~~ state treasurer for deposit in the
4 school fund.

5 **SECTION 140.** 51.605 (2) of the statutes is amended to read:

6 51.605 (2) PAYMENT. Reimbursement ordered under this section shall be made
7 to the clerk of courts of the county where the proceedings took place. The clerk of
8 courts shall transmit payments under this section to the county treasurer, who shall
9 deposit 25 percent of the payment amount in the county treasury and transmit the
10 remainder to the ~~secretary of administration~~ state treasurer. Payments transmitted
11 to the ~~secretary of administration~~ state treasurer shall be deposited in the general
12 fund and credited to the appropriation account under s. 20.550 (1) (L).

13 **SECTION 141.** 55.107 (2) of the statutes is amended to read:

14 55.107 (2) Reimbursement ordered under this section shall be made to the clerk
15 of courts of the county where the proceedings took place. The clerk of courts shall
16 transmit payments under this section to the county treasurer, who shall deposit 25
17 percent of the payment amount in the county treasury and transmit the remainder
18 to the ~~secretary of administration~~ state treasurer. Payments transmitted to the
19 ~~secretary of administration~~ state treasurer shall be deposited in the general fund
20 and credited to the appropriation account under s. 20.550 (1) (L).

21 **SECTION 142.** 59.25 (3) (f) of the statutes is amended to read:

22 59.25 (3) (f) 1. Except as provided in subd. 2., transmit to the secretary of
23 administration at the time required by law to pay the state taxes a particular
24 statement, certified by the county treasurer's personal signature affixed or attached
25 thereto, of all moneys received by him or her during the preceding year and which

ASSEMBLY BILL 1039**SECTION 142**

1 are payable to the secretary of administration for licenses, fines, forfeitures, or on
2 any other account, and at the same time pay to the ~~secretary of administration~~ state
3 treasurer the amount thereof after deducting the legal fees.

4 2. For all court imposed fines and forfeitures, plus costs, fees, and surcharges
5 imposed under ch. 814, required by law to be deposited in the state treasury, transmit
6 to the secretary of administration a statement of all moneys required by law to be
7 paid on the actions entered during the preceding month on or before the first day of
8 the next succeeding month, certified by the county treasurer's personal signature
9 affixed or attached thereto, and at the same time pay to the ~~secretary of~~
10 ~~administration~~ state treasurer the amount of the money transmitted.

11 **SECTION 143.** 59.25 (3) (k) of the statutes is amended to read:

12 59.25 (3) (k) Forward 40 percent of the state forfeitures and fines under ch. 348
13 to the ~~secretary of administration~~ state treasurer for deposit in the transportation
14 fund under s. 25.40 (1) (ig).

15 **SECTION 144.** 59.25 (3) (L) of the statutes is amended to read:

16 59.25 (3) (L) Forward all money received under s. 66.0114 (3) (c) to the ~~secretary~~
17 ~~of administration~~ state treasurer for deposit in the transportation fund under s.
18 25.40 (1) (ig).

19 **SECTION 145.** 59.25 (3) (m) of the statutes is amended to read:

20 59.25 (3) (m) Forward 50 percent of the fees received under s. 351.07 (1g) to the
21 ~~secretary of administration~~ state treasurer for deposit in the transportation fund
22 under s. 25.40 (1) (im).

23 **SECTION 146.** 59.25 (3) (p) of the statutes is amended to read:

24 59.25 (3) (p) Pay to the ~~secretary of administration~~ state treasurer on his or her
25 order the state percentage of fees received from the clerk of the circuit court under

ASSEMBLY BILL 1039**SECTION 146**

1 s. 59.40 (2) (m) and if any such moneys remain in his or her hands when he or she
2 is required to pay the state percentage of fees, pay such moneys therewith to the
3 ~~secretary of administration~~ state treasurer.

4 **SECTION 147.** 66.0114 (1) (bm) of the statutes is amended to read:

5 66.0114 (1) (bm) The official receiving the penalties shall remit all moneys
6 collected to the treasurer of the city, village, town sanitary district, or public inland
7 lake protection and rehabilitation district in whose behalf the sum was paid, except
8 that all jail surcharges imposed under ch. 814 shall be remitted to the county
9 treasurer, within 20 days after their receipt by the official. If timely remittance is
10 not made, the treasurer may collect the payment of the officer by action, in the name
11 of the office, and upon the official bond of the officer, with interest at the rate of 12
12 percent per year from the date on which it was due. In the case of any other costs,
13 fees, and surcharges imposed under ch. 814, the treasurer of the city, village, town
14 sanitary district, or public inland lake protection and rehabilitation district shall
15 remit to the ~~secretary of administration~~ state treasurer the amount required by law
16 to be paid on the actions entered during the preceding month on or before the first
17 day of the next succeeding month. The governing body of the city, village, town
18 sanitary district, or public inland lake protection and rehabilitation district shall by
19 ordinance designate the official to receive the penalties and the terms under which
20 the official qualifies.

21 **SECTION 148.** 66.0114 (3) (c) of the statutes is amended to read:

22 66.0114 (3) (c) The entire amount in excess of \$150 of any forfeiture imposed
23 for the violation of any traffic regulation in conformity with ch. 348 shall be
24 transmitted to the county treasurer if the violation occurred on an interstate
25 highway, a state trunk highway, or a highway over which the local highway authority

ASSEMBLY BILL 1039**SECTION 148**

1 does not have primary maintenance responsibility. The county treasurer shall then
2 make payment to the ~~secretary of administration~~ state treasurer as provided in s.
3 59.25 (3) (L).

4 **SECTION 149.** 66.0517 (3) (b) 1. of the statutes is amended to read:

5 66.0517 (3) (b) 1. Except as provided in sub. (2) (b), a weed commissioner shall
6 receive compensation for the destruction of noxious weeds as determined by the town
7 board, village board, or city council upon presenting to the proper treasurer the
8 account for noxious weed destruction, verified by oath and approved by the
9 appointing officer. The account shall specify by separate items the amount
10 chargeable to each piece of land, describing the land, and shall, after being paid by
11 the treasurer, be filed with the town, village, or city clerk. The clerk shall enter the
12 amount chargeable to each tract of land in the next tax roll in a column headed "For
13 the Destruction of Weeds", as a tax on the lands upon which the weeds were
14 destroyed. The tax shall be collected under ch. 74, except in case of lands which are
15 exempt from taxation, railroad lands, or other lands for which taxes are not collected
16 under ch. 74. A delinquent tax may be collected as is a delinquent real property tax
17 under chs. 74 and 75 or as is a delinquent personal property tax under ch. 74. In case
18 of railroad lands or other lands for which taxes are not collected under ch. 74, the
19 amount chargeable against these lands shall be certified by the town, village, or city
20 clerk to the ~~secretary of administration~~ state treasurer who shall add the amount
21 designated to the sum due from the company owning, occupying, or controlling the
22 lands specified. The ~~secretary of administration~~ state treasurer shall collect the
23 amount chargeable as prescribed in subch. I of ch. 76 and return the amount collected
24 to the town, city, or village from which the certification was received.

25 **SECTION 150.** 69.22 (1m) of the statutes is amended to read:

ASSEMBLY BILL 1039**SECTION 150**

1 69.22 **(1m)** The state registrar and any local registrar acting under this
2 subchapter shall, for each copy of a birth certificate for which a fee under sub. (1) (c)
3 is charged that is issued during a calendar quarter, forward to the ~~secretary of~~
4 ~~administration~~ state treasurer for deposit in the appropriation accounts under s.
5 20.433 (1) (g) and (h) \$7 by the 15th day of the first month following the end of the
6 calendar quarter.

7 **SECTION 151.** 69.22 (1q) (intro.) of the statutes is amended to read:

8 69.22 **(1q)** (intro.) The state registrar and any local registrar acting under this
9 subchapter shall forward to the ~~secretary of administration~~ state treasurer for
10 deposit in the appropriation account under s. 20.435 (1) (gm) all of the following:

11 **SECTION 152.** 70.385 of the statutes is amended to read:

12 **70.385 Collection of the tax.** All taxes as evidenced by the report under s.
13 70.38 (1) are due and payable to the department on or before June 15, and shall be
14 deposited by the department with the ~~secretary of administration~~ state treasurer.

15 **SECTION 153.** 70.39 (4) (b) of the statutes is amended to read:

16 70.39 **(4)** (b) The clerk of circuit court shall enter the warrant as a delinquent
17 income or franchise tax warrant as required under s. 806.11. The clerk of circuit
18 court shall accept, file, and enter the warrant without prepayment of any fee, but
19 shall submit a statement of the proper fees within 30 days to the department of
20 revenue. ~~Upon~~ The fees shall be paid by the state treasurer upon audit by the
21 department of administration on the certificate of the secretary of revenue, ~~the~~
22 ~~secretary of administration shall pay the fees and the fees shall be charged to the~~
23 proper appropriation for the department of revenue.

24 **SECTION 154.** 71.05 (6) (a) 26. (intro.) of the statutes is amended to read:

ASSEMBLY BILL 1039**SECTION 154**

1 71.05 (6) (a) 26. (intro.) For the taxable year in which a distribution is received,
2 all of the following amounts distributed from a college savings account, as described
3 in s. ~~16.641~~ 14.64:

4 **SECTION 155.** 71.05 (6) (a) 26. c. of the statutes is amended to read:

5 71.05 (6) (a) 26. c. To the extent that an amount is not otherwise added back
6 under this subdivision, any amount withdrawn from a college savings account, as
7 described in s. ~~16.641~~ 14.64, for any purpose if the withdrawn amount was
8 contributed to the account within 365 days of the day on which the amount was
9 withdrawn from such an account and if the withdrawn amount was previously
10 subtracted under par. (b) 32.

11 **SECTION 156.** 71.05 (6) (b) 23. of the statutes is amended to read:

12 71.05 (6) (b) 23. Any increase in value of a tuition unit that is purchased under
13 a tuition contract under s. ~~16.64~~ 14.63, except that the subtraction under this
14 subdivision may not be claimed by any individual who received a refund under s.
15 ~~16.64~~ 14.63 (7) (a) 2., 3. or 4.

16 **SECTION 157.** 71.05 (6) (b) 28. h. of the statutes is amended to read:

17 71.05 (6) (b) 28. h. No modification may be claimed under this subdivision for
18 an amount paid for tuition expenses and mandatory student fees, as described under
19 this subdivision, if the source of the payment is an amount withdrawn from a college
20 savings account, as described in s. ~~16.641~~ 14.64 or from a college tuition and expenses
21 program, as described in s. ~~16.64~~ 14.63, and if the owner of the account or a parent,
22 grandparent, great-grandparent, aunt, or uncle of the beneficiary, who contributed
23 to the account, has claimed a deduction under subd. 32. or 33. that relates to such
24 an amount.

25 **SECTION 158.** 71.05 (6) (b) 31. of the statutes is amended to read:

ASSEMBLY BILL 1039**SECTION 158**

1 71.05 (6) (b) 31. Any increase in value of a college savings account, as described
2 in s. ~~16.641~~ 14.64, except that the subtraction under this subdivision may not be
3 claimed by any individual who has made a nonqualified withdrawal, as described in
4 s. ~~16.641~~ 14.64 (2) (e).

5 **SECTION 159.** 71.05 (6) (b) 32. (intro.) of the statutes is amended to read:

6 71.05 (6) (b) 32. (intro.) An amount paid into a college savings account, as
7 described in s. ~~16.641~~ 14.64, in the taxable year in which the contribution is made
8 or on or before the 15th day of the 4th month beginning after the close of a taxpayer's
9 taxable year to which this subtraction relates, by the owner of the account or by any
10 other individual, for the benefit of any beneficiary of an account, calculated as
11 follows, except that each amount that is subtracted under this subdivision may be
12 subtracted only once:

13 **SECTION 160.** 71.05 (6) (b) 32m. of the statutes is amended to read:

14 71.05 (6) (b) 32m. Consistent with the limitations specified in subd. 32., for
15 rollovers occurring after April 15, 2015, any principal amount rolled over to a college
16 savings account, as described in s. ~~16.641~~ 14.64, from another state's qualified tuition
17 program, as described in 26 USC 529 (c) (3) (C) (i). Amounts eligible for the
18 subtraction under this subdivision that are in excess of the annual limits specified
19 under subd. 32. may be carried forward to future taxable years of the taxpayer
20 without limitation, other than the limits specified in subd. 32. ae. and am.

21 **SECTION 161.** 71.05 (6) (b) 33. (intro.) of the statutes is amended to read:

22 71.05 (6) (b) 33. (intro.) An amount paid into a college tuition and expenses
23 program, as described in s. ~~16.64~~ 14.63, by the owner of the account or by a parent,
24 grandparent, great-grandparent, aunt, or uncle of the beneficiary, if the beneficiary
25 of the account is one of the following: the claimant; the claimant's child; the

ASSEMBLY BILL 1039**SECTION 161**

1 claimant's grandchild; the claimant's great-grandchild; or the claimant's niece or
2 nephew; calculated as follows:

3 **SECTION 162.** 71.10 (5) (h) (intro.) of the statutes is amended to read:

4 71.10 (5) (h) *Certification of amounts.* (intro.) Annually, on or before
5 September 15, the secretary of revenue shall certify to the department of natural
6 resources and the ~~department of administration~~ state treasurer:

7 **SECTION 163.** 71.10 (5e) (h) (intro.) of the statutes is amended to read:

8 71.10 (5e) (h) *Certification of amounts.* (intro.) Annually, on or before
9 September 15, the secretary of revenue shall certify to the district board under
10 subch. IV of ch. 229 and the ~~department of administration~~ state treasurer:

11 **SECTION 164.** 71.30 (10) (h) (intro.) of the statutes is amended to read:

12 71.30 (10) (h) *Certification of amounts.* (intro.) Annually, on or before
13 September 15, the secretary of revenue shall certify to the department of natural
14 resources and the ~~department of administration~~ state treasurer:

15 **SECTION 165.** 71.30 (11) (h) (intro.) of the statutes is amended to read:

16 71.30 (11) (h) *Certification of amounts.* (intro.) Annually, on or before
17 September 15, the secretary of revenue shall certify to the department of veterans
18 affairs and the ~~department of administration~~ state treasurer:

19 **SECTION 166.** 71.74 (13) (a) of the statutes is amended to read:

20 71.74 (13) (a) If the tax is increased the department shall proceed to collect the
21 additional tax in the same manner as other income or franchise taxes are collected.
22 If the income or franchise taxes are decreased upon direction of the department the
23 ~~secretary of administration~~ state treasurer shall refund to the taxpayer such part of
24 the overpayment as was actually paid in cash, and the certification of the
25 overpayment by the department shall be sufficient authorization to the ~~secretary of~~

ASSEMBLY BILL 1039**SECTION 166**

1 ~~administration~~ state treasurer for the refunding of the overpayment. No refund of
2 income or franchise tax shall be made by the ~~secretary of administration~~ state
3 treasurer unless the refund is so certified. The part of the overpayment paid to the
4 county and the local taxation district shall be deducted by the ~~secretary of~~
5 ~~administration~~ state treasurer in the ~~secretary's~~ treasurer's next settlement with
6 the county and local treasurer.

7 **SECTION 167.** 71.74 (13) (b) of the statutes is amended to read:

8 71.74 (13) (b) No action or proceeding whatsoever shall be brought against the
9 state or the ~~secretary of administration~~ state treasurer for the recovery, refund, or
10 credit of any income or surtaxes; except in case the ~~secretary of administration~~ state
11 treasurer shall neglect or refuse for a period of 60 days to refund any overpayment
12 of any income or surtaxes certified, the taxpayer may maintain an action to collect
13 the overpayment against the ~~secretary of administration~~ state treasurer so
14 neglecting or refusing to refund such overpayment, without filing a claim for refund
15 with the ~~secretary of administration~~ state treasurer, provided that such action shall
16 be commenced within one year after the certification of such overpayment.

17 **SECTION 168.** 71.80 (1) (e) of the statutes is amended to read:

18 71.80 (1) (e) Representatives of the department directed by it to accept
19 payment of income or franchise taxes shall file bonds with the ~~secretary of~~
20 ~~administration~~ state treasurer in such amount and with such sureties as the state
21 treasurer shall direct and approve.

22 **SECTION 169.** 71.80 (16) (b) of the statutes is amended to read:

23 71.80 (16) (b) A construction contractor required to file a surety bond under par.
24 (a) may, in lieu of such requirement, but subject to approval by the department,
25 deposit with the ~~secretary of administration~~ state treasurer an amount of cash equal

ASSEMBLY BILL 1039**SECTION 169**

1 to the face of the bond that would otherwise be required. If an offer to deposit is made,
2 the department shall issue a certificate to the ~~secretary of administration~~ state
3 treasurer authorizing said ~~secretary~~ treasurer to accept payment of such moneys
4 and to give his or her receipt therefor. A copy of such certificate shall be mailed to
5 the contractor who shall, within the time fixed by the department, pay such amount
6 to the ~~secretary of administration~~ state treasurer. A copy of the receipt of the
7 ~~secretary of administration~~ state treasurer shall be filed with the department. Upon
8 final determination by the department of such contractor's liability for state income
9 or franchise taxes, required unemployment insurance contributions, sales and use
10 taxes, and income taxes withheld from wages of employees, interest and penalties,
11 by reason of such contract or contracts, the department shall certify to the ~~secretary~~
12 ~~of administration~~ state treasurer the amount of taxes, penalties, and interest as
13 finally determined, shall instruct the ~~secretary of administration~~ state treasurer as
14 to the proper distribution of such amount, and shall state the amount, if any, to be
15 refunded to such contractor. The ~~secretary of administration~~ state treasurer shall
16 make the payments directed by such certificate within 30 days after receipt thereof.
17 Amounts refunded to the contractor shall be without interest.

18 **SECTION 170.** 71.80 (17) of the statutes is amended to read:

19 71.80 (17) TAX RECEIPTS TRANSMITTED TO THE ~~SECRETARY OF ADMINISTRATION~~ STATE
20 TREASURER. Within 15 days after receipt of any income or franchise tax payments, the
21 department shall transmit the same to the ~~secretary of administration~~ state
22 treasurer.

23 **SECTION 171.** 71.91 (5) (h) of the statutes is amended to read:

24 71.91 (5) (h) All fees and compensation of officials or other persons performing
25 any act or functions required in carrying out this subchapter, except such as are by

ASSEMBLY BILL 1039**SECTION 171**

1 this subchapter to be paid to such officials or persons by the taxpayer, shall, upon
2 presentation to the department of revenue of an itemized and verified statement of
3 the amount due, be paid, upon audit by the department of administration on the
4 certificate of the secretary of revenue, by the ~~secretary of administration~~ state
5 treasurer and charged to the proper appropriation for the department of revenue.
6 No public official shall be entitled to demand prepayment of any fee for the
7 performance of any official act required in carrying out this subchapter.

8 **SECTION 172.** 71.91 (7) (e) of the statutes is amended to read:

9 71.91 (7) (e) Paragraphs (b) to (d) shall apply in any case in which the employer
10 is the United States or any instrumentality thereof or this state or any municipality
11 or other subordinate unit thereof except those provisions imposing a liability on the
12 employer for failure to withhold or remit. But an amount equal to any amount
13 withheld by any municipality or other subordinate unit of this state under this
14 subsection and not remitted to the department as required by this subsection shall
15 be retained by the ~~secretary of administration~~ state treasurer from funds otherwise
16 payable to any such municipality or subordinate unit, and transmitted instead to the
17 department, upon certification by the secretary of revenue.

18 **SECTION 173.** 72.24 of the statutes is amended to read:

19 **72.24 Refunding.** Whenever any amount has been paid in excess of the tax
20 determined, the ~~secretary of administration~~ state treasurer, upon certification by the
21 department or circuit court, shall refund the excess to the payor or other person
22 entitled thereto.

23 **SECTION 174.** 73.03 (6) of the statutes is amended to read:

24 73.03 (6) In its discretion to inspect and examine or cause an inspection and
25 examination of the records of any town, city, village, or county officer whenever such

ASSEMBLY BILL 1039**SECTION 174**

1 officer shall have failed or neglected to return properly the information as required
2 by sub. (5), within the time set by the department of revenue. Upon the completion
3 of such inspection and examination the department of revenue shall transmit to the
4 clerk of the town, city, village, or county a statement of the expenses incurred by the
5 department of revenue to secure the necessary information. Duplicates of such
6 statements shall be filed in the ~~office~~ offices of the ~~secretary of administration~~ state
7 treasurer. Within 60 days after the receipt of the above statement, the same shall
8 be audited, as other claims of towns, cities, villages, and counties are audited, and
9 shall be paid into the state treasury, in default of which the same shall become a
10 special charge against such town, city, village, or county and be included in the next
11 apportionment or certification of state taxes and charges, and collected with interest
12 at the rate of 10 percent per year from the date such statements were certified by the
13 department, as other special charges are certified and collected.

14 **SECTION 175.** 73.10 (6) of the statutes is amended to read:

15 73.10 (6) The department may establish a scale of charges for audits,
16 inspections, and other services rendered by the department in connection with
17 financial records or procedures of towns, villages, cities, counties, and all other local
18 public bodies, boards, commissions, departments, or agencies. Upon the completion
19 of such work or, at the department's discretion, during work in progress, the
20 department shall transmit to the clerk of the town, village, city, county, or other local
21 public body, board, commission, department, or agency a statement of such charges.
22 Duplicates of the statements shall be filed in the office of the ~~secretary of~~
23 ~~administration~~ state treasurer. Within 60 days after the receipt of the above
24 statement of charges, it shall be audited as other claims against towns, villages,
25 cities, counties, and other local public bodies, boards, commissions, departments, or

ASSEMBLY BILL 1039**SECTION 175**

1 agencies are audited, and it shall be paid into the state treasury and credited to the
2 appropriation under s. 20.566 (2) (gi). Past due accounts of towns, villages, cities,
3 counties, and all other local public bodies, boards, commissions, departments, or
4 agencies shall be certified on or before the 4th Monday of August of each year and
5 included in the next apportionment of state special charges to local units of
6 government.

7 **SECTION 176.** 74.25 (1) (a) 5. of the statutes is amended to read:

8 74.25 (1) (a) 5. Pay to the ~~secretary of administration~~ state treasurer all
9 collections of occupational taxes on mink farms, 30 percent of collections of
10 occupational taxes on iron ore concentrates, and 10 percent of collections of
11 occupational taxes on coal docks.

12 **SECTION 177.** 74.27 of the statutes is amended to read:

13 **74.27 March settlement between counties and the state.** On or before
14 March 15, the county treasurer shall send to the ~~secretary of administration~~ state
15 treasurer the state's proportionate shares of taxes under ss. 74.23 (1) (b) and 74.25
16 (1) (b) 1. and 2.

17 **SECTION 178.** 74.30 (1) (e) of the statutes is amended to read:

18 74.30 (1) (e) Pay to the ~~secretary of administration~~ state treasurer all
19 collections of occupational taxes on mink farms, 30 percent of collections of
20 occupational taxes on iron ore concentrates, and 10 percent of collections of
21 occupational taxes on coal docks.

22 **SECTION 179.** 74.30 (1m) of the statutes is amended to read:

23 74.30 (1m) MARCH SETTLEMENT BETWEEN COUNTIES AND THE STATE. On or before
24 March 15, the county treasurer shall send to the ~~secretary of administration~~ state
25 treasurer the state's proportionate shares of taxes under sub. (1) (i) and (j).

ASSEMBLY BILL 1039**SECTION 180**

1 **SECTION 180.** 76.13 (2) of the statutes is amended to read:

2 76.13 (2) Every tax roll upon completion shall be delivered to the state
3 treasurer and a copy of the tax roll filed with the secretary of administration. The
4 department shall notify, by certified mail, all companies listed on the tax roll of the
5 amount of tax due, which shall be paid to the department. The payment dates
6 provided for in sub. (2a) shall apply. The payment of one-fourth of the tax of any
7 company may, if the company has brought an action in the Dane County circuit court
8 under s. 76.08, be made without delinquent interest as provided in s. 76.14 any time
9 prior to the date upon which the appeal becomes final, but any part of the tax
10 ultimately required to be paid shall bear interest from the original due date to the
11 date the appeal became final at the rate of 12 percent per year and at 1.5 percent per
12 month thereafter until paid. The taxes extended against any company after the same
13 become due, with interest, shall be a lien upon all the property of the company prior
14 to all other liens, claims, and demands whatsoever, except as provided in ss. 292.31
15 (8) (i) and 292.81, which lien may be enforced in an action in the name of the state
16 in any court of competent jurisdiction against the property of the company within the
17 state as an entirety.

18 **SECTION 181.** 76.13 (3) of the statutes is amended to read:

19 76.13 (3) If the Dane County circuit court, after such roll is delivered to the
20 ~~secretary of administration~~ state treasurer, increases or decreases the assessment
21 of any company, the department shall immediately redetermine the tax of the
22 company on the basis of the revised assessment, and shall certify and deliver the
23 revised assessment to the ~~secretary of administration~~ state treasurer as a revision
24 of the tax roll. If the amount of tax upon the assessment as determined by the court
25 is less than the amount paid by the company, the ~~secretary of administration~~ state

ASSEMBLY BILL 1039**SECTION 181**

1 treasurer shall refund the excess to the company with interest at the rate of 9% per
2 year. If the amount of the tax upon the assessment as determined by the court is in
3 excess of the amount of the tax as determined by the department, interest shall be
4 paid on the additional amount at the rate of 12 percent per year from the date of entry
5 of judgment to the date the judgment becomes final, and at 1.5 percent per month
6 thereafter until paid.

7 **SECTION 182.** 76.15 (2) of the statutes is amended to read:

8 76.15 (2) The power to reassess the property of any company defined in s. 76.02
9 and the general property of the state, and to redetermine the average rate of
10 taxation, may be exercised under sub. (1) as often as may be necessary until the
11 amount of taxes legally due from any such company for any year under ss. 76.01 to
12 76.26 has been finally and definitely determined. Whenever any sum or part thereof,
13 levied upon any property subject to taxation under ss. 76.01 to 76.26 so set aside has
14 been paid and not refunded, the payment so made shall be applied upon the
15 reassessment upon the property, and the reassessment of taxes to that extent shall
16 be deemed to be satisfied. When the tax roll on the reassessment is completed and
17 delivered to the ~~secretary of administration~~ state treasurer, the department shall
18 immediately notify by certified mail each of the several companies taxed to pay the
19 amount of the taxes extended on the tax roll within 30 days.

20 **SECTION 183.** 76.22 (3) of the statutes is amended to read:

21 76.22 (3) The ~~secretary of administration~~ state treasurer for and in the name
22 of the state may bid at the sale and the state may become the purchaser of the
23 property of any such company under a judgment for its sale for taxes, interest, and
24 costs.

25 **SECTION 184.** 76.24 (1) of the statutes is amended to read:

ASSEMBLY BILL 1039**SECTION 184**

1 76.24 (1) All taxes collected from companies defined in s. 76.02 under this
2 subchapter shall be transmitted by the department to the ~~secretary of~~
3 ~~administration~~ state treasurer and become a part of the general fund for the use of
4 the state, except that taxes paid into the state treasury by any air carrier or railroad
5 company shall be deposited in the transportation fund.

6 **SECTION 185.** 76.28 (4) (b) of the statutes is amended to read:

7 76.28 (4) (b) In the case of overpayments of license fees by any light, heat and
8 power company under par. (a), the department shall certify the overpayments to the
9 department of administration, which shall audit the amount of the overpayments
10 and the ~~secretary of administration~~ state treasurer shall pay the amounts
11 determined by means of the audit. All refunds of license fees under this subsection
12 shall bear interest at the annual rate of 9 percent from the date of the original
13 payment to the date when the refund is made. The time for making additional levies
14 of license fees or claims for refunds of excess license fees paid, in respect to any year,
15 shall be limited to 4 years after the time the report for such year was filed.

16 **SECTION 186.** 76.39 (4) (d) of the statutes is amended to read:

17 76.39 (4) (d) All refunds shall be certified by the department to the department
18 of administration which shall audit the amount of the refunds and the ~~secretary of~~
19 ~~administration~~ state treasurer shall pay the amount, together with interest at the
20 rate of 9 percent per year from the date payment was made. All additional taxes shall
21 bear interest at the rate of 12 percent per year from the time they should have been
22 paid to the date upon which the additional taxes shall become delinquent if unpaid.

23 **SECTION 187.** 76.48 (3) of the statutes is amended to read:

24 76.48 (3) On or before May 1 in each year, the department of revenue shall
25 compute and assess the license fees provided for in sub. (1r) and certify the amounts

ASSEMBLY BILL 1039**SECTION 187**

1 due to the state treasurer and file a duplicate with the secretary of administration.
2 The department shall notify each electric cooperative of the amount of the license
3 fees so assessed. The fees shall become delinquent if not paid when due and when
4 delinquent shall be subject to interest at the rate of 1.5 percent per month on the
5 amount of license fee until paid. The interest shall be collected by the department
6 and, upon collection, forwarded to the ~~secretary of administration~~ state treasurer
7 and retained by the state. The payment dates provided for in sub. (3a) shall apply.

8 **SECTION 188.** 76.48 (5) of the statutes is amended to read:

9 76.48 (5) Additional assessments may be made, if notice of such assessment is
10 given, within 4 years of the date the annual return was filed, but if no return was
11 filed, or if the return filed was incorrect and was filed with intent to defeat or evade
12 the tax, an additional assessment may be made at any time upon the discovery of
13 gross revenues by the department. Refunds may be made if a claim for the refund
14 is filed in writing with the department within 4 years of the date the annual return
15 was filed. Refunds shall bear interest at the rate of 9 percent per year and shall be
16 certified by the department to the secretary of administration who shall audit the
17 amounts of such overpayments and the state treasurer shall pay the amount
18 audited. Additional assessments shall bear interest at the rate of 12 percent per year
19 from the time they should have been paid to the date upon which they shall become
20 delinquent if unpaid.

21 **SECTION 189.** 84.11 (4) of the statutes is amended to read:

22 84.11 (4) FINDING, DETERMINATION, AND ORDER. After such hearing the
23 department shall make such investigation as it considers necessary in order to make
24 a decision in the matter. If the department finds that the construction is necessary
25 it shall determine the location of the project and whether the project is eligible for

ASSEMBLY BILL 1039**SECTION 189**

1 construction under this section. The department shall also determine the character
2 and kind of bridge most suitable for such location and estimate separately the cost
3 of the bridge portion and the entire project. The department shall make its finding,
4 determination, and order, in writing, and file a certified copy thereof with the clerk
5 of each county, city, village, and town in which any portion of the bridge project will
6 be located and also with the secretary of state and the ~~secretary of administration~~
7 state treasurer. The determination of the location of the project made by the
8 department and set forth in its finding, determination, and order shall be conclusive
9 as to such location and shall constitute full authority for laying out new streets or
10 highways or for any relocations of highways made necessary for the construction of
11 the project and for acquirement of any lands necessary for such streets or highways,
12 relocation or construction. The estimate of cost made by the department shall be
13 conclusive insofar as cost may determine eligibility of construction under this
14 section.

15 **SECTION 190.** 84.12 (4) of the statutes is amended to read:

16 84.12 (4) FINDING, DETERMINATION, AND ORDER. If the department finds that the
17 construction is necessary, and that provision has been made or will be made by the
18 adjoining state or its subdivisions to bear its or their portions of the cost of the project,
19 the department, in cooperation with the state highway department of the adjoining
20 state, shall determine the location thereof, the character and kind of bridge and other
21 construction most suitable at such location, estimate the cost of the project, and
22 determine the respective portions of the estimated cost to be paid by each state and
23 its subdivisions. In the case of projects eligible to construction under sub. (1) (a) the
24 department shall further determine the respective portions of the cost to be paid by
25 this state and by its subdivisions which are required to pay portions of the cost. The

ASSEMBLY BILL 1039**SECTION 190**

1 department, after such hearing, investigation, and negotiations, shall make its
2 finding, determination, and order in writing and file a certified copy thereof with the
3 clerk of each county, city, village, or town in this state in which any part of the bridge
4 project will be located, with the secretary of state, and the ~~secretary of~~
5 ~~administration~~ state treasurer and with the state highway department of the
6 adjoining state. The determination of the location set forth in the finding,
7 determination, and order of the department shall be conclusive as to such location
8 and shall constitute full authority for laying out new streets or highways or for any
9 relocations of the highways made necessary for the construction of the project and
10 for acquiring lands necessary for such streets or highways, relocation or
11 construction.

12 **SECTION 191.** 85.14 (1) (b) of the statutes is amended to read:

13 85.14 (1) (b) If the ~~secretary of administration~~ state treasurer assesses any
14 charges against the department relating to the payment of fees by credit cards, debit
15 cards, or other electronic payment mechanisms, the department shall pay, from the
16 appropriation under s. 20.395 (5) (cg), to the ~~secretary of administration~~ state
17 treasurer or to any person designated by the ~~secretary of administration~~ state
18 treasurer the amount of these assessed charges.

19 **SECTION 192.** 85.14 (2) of the statutes is amended to read:

20 85.14 (2) The department shall certify to the ~~secretary of administration~~ state
21 treasurer the amount of charges associated with the use of credit cards that is
22 assessed to the department on deposits accepted under s. 345.26 (3) (a) by state
23 traffic patrol officers and state motor vehicle inspectors, and the ~~secretary of~~
24 ~~administration~~ state treasurer shall pay the charges from moneys under s. 59.25 (3)

ASSEMBLY BILL 1039**SECTION 192**

1 (j) and (k) that are reserved for payment of the charges under s. ~~20.907 (5) (e) 12e.~~
2 14.58 (21).

3 **SECTION 193.** 87.07 (4) of the statutes is amended to read:

4 87.07 (4) BENEFITS AND COSTS DECISIVE. If the aggregate of the amounts
5 collectible, as thus found by the department, exceeds the estimated cost of
6 construction of the improvement, the department shall order that the work of
7 constructing such improvement proceed. If such aggregate amount collectible is less
8 than the estimated cost of such improvement, the department shall enter an order
9 dismissing the petition, unless the difference between said aggregate amounts be
10 deposited in cash with the ~~secretary of administration~~ state treasurer within one
11 year. Such deposit may be made by any person or any public or private corporation.
12 Upon the making of such deposit, the department shall enter a further order that the
13 work of constructing the improvement proceed.

14 **SECTION 194.** 87.11 (2) of the statutes is amended to read:

15 87.11 (2) But should the total cost, as ascertained and certified by the flood
16 control board after the letting of the contracts, in the manner hereinabove set forth,
17 exceed the total amount found by the department to be collectible under s. 87.09, all
18 contracts for the construction of the work shall be null and void. At the expiration
19 of one year after such certification, any moneys held by the ~~secretary of~~
20 ~~administration~~ state treasurer on account of the project shall be refunded to the
21 persons by whom they were paid to the ~~secretary of administration~~ state treasurer;
22 and funds in the hands of the flood control board shall be refunded to the public
23 corporation by which they were paid to such board; any funds held by any town,
24 village, or city, having been collected by special assessments against property
25 benefited, shall be refunded to the owners of such property; any funds raised by any

ASSEMBLY BILL 1039**SECTION 194**

1 public corporation by the issuance of bonds on account of such proposed
2 improvements shall constitute a fund for the retirement or payment of such bonds;
3 and any fund held by any public corporation, having been raised otherwise than by
4 special assessments or bond issues, shall be available for the general purposes of
5 such public corporation. Provided, however, that if within one year after the last
6 mentioned certification of the flood control board there shall be deposited with the
7 treasurer of said board a sum equal to the difference between the aggregate cost of
8 constructing the improvement as estimated by the department and the aggregate
9 cost thereof as determined and certified by the flood control board after the letting
10 of the contracts, said board shall proceed to relet the contracts for the construction
11 of the improvement and to complete the same unless the aggregate of such new
12 contract prices, together with the department's estimate of the cost of acquiring
13 lands and of overhead expenses and of the first 18 months' operation and
14 maintenance, shall again exceed the amount found by the department to be
15 collectible under s. 87.09. The deposit herein referred to may be made by any person
16 or any public or private corporation.

17 **SECTION 195.** 87.13 of the statutes is amended to read:

18 **87.13 Disbursements by board.** All sums which shall be deposited with the
19 ~~secretary of administration~~ state treasurer under s. 87.07 (4) for the construction of
20 the improvement shall be paid by the ~~secretary of administration~~ state treasurer to
21 the flood control board upon requisitions from said board. If any moneys, other than
22 those for operation and maintenance during the first 18 months, remain unexpended
23 in the hands of the flood control board or subject to their requisition after the
24 completion of the construction of the improvement, and if the funds for construction
25 of the improvement shall have been in part raised through voluntary contributions

ASSEMBLY BILL 1039**SECTION 195**

1 under s. 87.07 (4) or 87.11 (2), the amounts thus contributed, or such proportion
2 thereof as the funds remaining in the hands of the board or subject to its requisition
3 will pay, shall be returned to the persons or corporations who made such voluntary
4 contributions, in proportion to the amounts contributed by them.

5 **SECTION 196.** 93.31 of the statutes is amended to read:

6 **93.31 Livestock breeders association.** The secretary of the Wisconsin
7 livestock breeders association shall on and after July 1 of each year make a report
8 to the department, signed by the president, treasurer, and secretary of the
9 association, setting forth in detail the receipts and disbursements of the association
10 for the preceding fiscal year in such form and detail together with such other
11 information as the department may require. On receipt of such reports, if the
12 department is satisfied that the business of the association has been efficiently
13 conducted during the preceding fiscal year and in the interest of and for the
14 promotion of the special agricultural interests of the state and for the purpose for
15 which the association was organized and if the final statement shows that all the
16 receipts together with the state aid have been accounted for and disbursed for the
17 proper and necessary purposes of the association, and in accordance with the laws
18 of the state, then the department shall file a certificate with the ~~secretary~~
19 department of administration and ~~he or she~~ it shall draw its warrant and the state
20 treasurer shall pay to the treasurer of the association the amount of the
21 appropriations made available for the association by s. 20.115 (4) (a) for the conduct
22 of junior livestock shows and other livestock educational programs. The association
23 may upon application to the state purchasing agent, upon such terms as he or she
24 may require, obtain printing for the association under the state contract.

25 **SECTION 197.** 100.261 (2) of the statutes is amended to read:

ASSEMBLY BILL 1039**SECTION 197**

1 100.261 (2) If any deposit is made for a violation to which this section applies,
2 the person making the deposit shall also deposit a sufficient amount to include the
3 consumer protection surcharge under this section. If the deposit is forfeited, the
4 amount of the consumer protection surcharge shall be transmitted to the ~~secretary~~
5 ~~of administration~~ state treasurer under sub. (3). If the deposit is returned, the
6 consumer protection surcharge shall also be returned.

7 **SECTION 198.** 100.261 (3) (a) of the statutes is amended to read:

8 100.261 (3) (a) The clerk of court shall collect and transmit the consumer
9 protection surcharges imposed under ch. 814 to the county treasurer under s. 59.40
10 (2) (m). The county treasurer shall then make payment to the ~~secretary of~~
11 ~~administration~~ state treasurer under s. 59.25 (3) (f) 2.

12 **SECTION 199.** 100.261 (3) (b) of the statutes is amended to read:

13 100.261 (3) (b) The ~~secretary of administration~~ state treasurer shall deposit the
14 consumer protection surcharges imposed under ch. 814 in the general fund and shall
15 credit them to the appropriation account under s. 20.115 (1) (jb), subject to the limit
16 under par. (c).

17 **SECTION 200.** 100.60 (8) (d) 3. of the statutes is amended to read:

18 100.60 (8) (d) 3. The department shall remit all forfeitures paid under this
19 paragraph to the ~~secretary of administration~~ state treasurer for deposit in the school
20 fund.

21 **SECTION 201.** 101.573 (1) of the statutes is amended to read:

22 101.573 (1) The department shall include in the compilation and certification
23 of fire department dues under sub. (3) 2 percent of the premiums paid to the state
24 fire fund for the insurance of any public property, other than state property. The
25 department shall notify the ~~secretary of administration~~ state treasurer of the

ASSEMBLY BILL 1039**SECTION 201**

1 amount certified under this subsection and the ~~secretary of administration~~ state
2 treasurer shall charge the amount to the state fire fund.

3 **SECTION 202.** 101.573 (3) of the statutes is amended to read:

4 101.573 (3) (a) On or before May 1 in each year, the department shall compile
5 the fire department dues paid by all insurers under s. 601.93 and the dues paid by
6 the state fire fund under sub. (1) and funds remaining under par. (b), withhold .5
7 percent and certify to the ~~secretary of administration~~ state treasurer the proper
8 amount to be paid from the appropriation under s. 20.165 (2) (L) to each city, village,
9 or town entitled to fire department dues under s. 101.575. Annually, on or before
10 August 1, the ~~secretary of administration~~ state treasurer shall pay the amounts
11 certified by the department to the cities, villages and towns eligible under s. 101.575.

12 (b) The amount withheld under par. (a) shall be disbursed to correct errors of
13 the department or the commissioner of insurance or for payments to cities, villages,
14 or towns which are first determined to be eligible for payments under par. (a) after
15 May 1. The department shall certify to the ~~secretary of administration~~ state
16 treasurer, as near as is practical, the amount which would have been payable to the
17 municipality if payment had been properly disbursed under par. (a) on or prior to
18 May 1, except the amount payable to any municipality first eligible after May 1 shall
19 be reduced by 1.5 percent for each month or portion of a month which expires after
20 May 1 and prior to the eligibility determination. The ~~secretary of administration~~
21 state treasurer shall pay the amount certified to the city, village, or town. The
22 balance of the amount withheld in a calendar year under par. (a) which is not
23 disbursed under this paragraph shall be included in the total compiled by the
24 department under par. (a) for the next calendar year. If errors in payments exceed

ASSEMBLY BILL 1039**SECTION 202**

1 the amount set aside for error payments, adjustments shall be made in the
2 distribution for the next year.

3 **SECTION 203.** 101.573 (4) of the statutes is amended to read:

4 101.573 (4) The department shall transmit to the treasurer of each city, village,
5 and town entitled to fire department dues, a statement of the amount of dues payable
6 to it, and the commissioner of insurance shall furnish to the ~~secretary of~~
7 ~~administration~~ state treasurer, upon request, a list of the insurers paying dues under
8 s. 601.93 and the amount paid by each.

9 **SECTION 204.** 102.28 (7) (a) of the statutes is amended to read:

10 102.28 (7) (a) If an employer who is currently or was formerly exempted by
11 written order of the department under sub. (2) (b) is unable to pay an award,
12 judgment is rendered in accordance with s. 102.20 against that employer, and
13 execution is levied and returned unsatisfied in whole or in part, payments for the
14 employer's liability shall be made from the fund established under sub. (8). If a
15 currently or formerly exempted employer files for bankruptcy and not less than 60
16 days after that filing the department has reason to believe that compensation
17 payments due are not being paid, the department in its discretion may make
18 payment for the employer's liability from the fund established under sub. (8). The
19 ~~secretary of administration~~ state treasurer shall proceed to recover those payments
20 from the employer or the employer's receiver or trustee in bankruptcy, and may
21 commence an action or proceeding or file a claim for those payments. The attorney
22 general shall appear on behalf of the ~~secretary of administration~~ state treasurer in
23 any such action or proceeding. All moneys recovered in any such action or proceeding
24 shall be paid into the fund established under sub. (8).

25 **SECTION 205.** 102.63 of the statutes is amended to read:

ASSEMBLY BILL 1039**SECTION 205**

1 **102.63 Refunds by state.** Whenever the department shall certify to the
2 ~~secretary of administration~~ state treasurer that excess payment has been made
3 under s. 102.59 or under s. 102.49 (5) either because of mistake or otherwise, the
4 ~~secretary of administration~~ state treasurer shall within 5 days after receipt of such
5 certificate draw an order against the fund in the state treasury into which such
6 excess was paid, reimbursing such payor of such excess payment, together with
7 interest actually earned thereon if the excess payment has been on deposit for at
8 least 6 months.

9 **SECTION 206.** 102.85 (4) (c) of the statutes is amended to read:

10 102.85 (4) (c) If any deposit is made for an offense to which this section applies,
11 the person making the deposit shall also deposit a sufficient amount to include the
12 uninsured employer surcharge under this section. If the deposit is forfeited, the
13 amount of the uninsured employer surcharge shall be transmitted to the ~~secretary~~
14 ~~of administration~~ state treasurer under par. (d). If the deposit is returned, the
15 uninsured employer surcharge shall also be returned.

16 **SECTION 207.** 102.85 (4) (d) of the statutes is amended to read:

17 102.85 (4) (d) The clerk of the court shall collect and transmit to the county
18 treasurer the uninsured employer surcharge and other amounts required under s.
19 59.40 (2) (m). The county treasurer shall then make payment to the ~~secretary of~~
20 ~~administration~~ state treasurer as provided in s. 59.25 (3) (f) 2. The ~~secretary of~~
21 ~~administration~~ state treasurer shall deposit the amount of the uninsured employer
22 surcharge, together with any interest thereon, in the uninsured employers fund as
23 provided in s. 102.80 (1).

24 **SECTION 208.** 108.15 (6) (c) of the statutes is amended to read:

ASSEMBLY BILL 1039**SECTION 208**

1 108.15 (6) (c) If such delinquency is finally established under s. 108.10, the
2 fund's treasurer shall, in case such unit receives a share of any state tax or any type
3 of state aid, certify to the ~~secretary of administration~~ state treasurer the existence
4 and amount of such delinquency.

5 **SECTION 209.** 108.15 (6) (d) (intro.) of the statutes is amended to read:

6 108.15 (6) (d) (intro.) Upon receipt of such certification, the ~~secretary of~~
7 ~~administration~~ state treasurer shall withhold, from each sum of any such tax or aid
8 thereafter payable to the government unit, until the delinquency is satisfied, the
9 lesser of the following amounts:

10 **SECTION 210.** 108.15 (6) (e) of the statutes is amended to read:

11 108.15 (6) (e) Any amount withheld by the ~~secretary of administration~~ state
12 treasurer under par. (d) shall be paid by the ~~secretary of administration~~ state
13 treasurer to the fund's treasurer, who shall duly credit such payment toward
14 satisfying the delinquency.

15 **SECTION 211.** 108.20 (2) of the statutes is amended to read:

16 108.20 (2) All amounts received by the department for the administrative
17 account shall be paid over to the ~~secretary of administration~~ state treasurer and
18 credited to that account for the administration of this chapter and the employment
19 service, for the payment of benefits chargeable to the account under s. 108.07 (5) and
20 for the purposes specified in sub. (2m).

21 **SECTION 212.** 115.345 (5) of the statutes is amended to read:

22 115.345 (5) The school board may file a claim with the department for
23 reimbursement for reasonable expenses incurred, excluding capital equipment
24 costs, but not to exceed 15 percent of the cost of the meal or 50 cents per meal,
25 whichever is less. Any cost in excess of the lesser amount may be charged to

ASSEMBLY BILL 1039**SECTION 212**

1 participants. If the department approves the claim, it shall certify that payment is
2 due and the ~~secretary of administration~~ state treasurer shall pay the claim from the
3 appropriation under s. 20.255 (2) (cn).

4 **SECTION 213.** 125.14 (2) (e) of the statutes is amended to read:

5 125.14 (2) (e) *Disposal*. The department shall dispose of the alcohol beverages
6 turned over to it by the court by either giving it to law enforcement agencies free of
7 charge for use in criminal investigations, selling it to the highest bidder if the bidder
8 is a person holding a license or permit issued under this chapter, or destroying it, at
9 the discretion of the department. If the department elects to sell the alcohol
10 beverages, it shall publish a class 2 notice under ch. 985 asking for sealed bids from
11 qualified bidders. Any items or groups of items in the inventory subject to a security
12 interest, the existence of which was established in the proceedings for conviction as
13 being bona fide and as having been created without the secured party having notice
14 that the items were being used or were to be used in connection with the violation,
15 shall be sold separately. The net proceeds from the sale, less all costs of seizure,
16 storage, and sale, shall be turned over to the ~~secretary of administration~~ state
17 treasurer and credited to the common school fund.

18 **SECTION 214.** 125.14 (2) (f) of the statutes is amended to read:

19 125.14 (2) (f) *Sale*. Any personal property, other than alcohol beverages, seized
20 under par. (a) and fit for sale, shall be turned over by the department to the
21 department of administration for disposal at public auction to the highest bidder, at
22 a time and place stated in a notice of sale which describes the property to be sold.
23 The sale shall be held in a conveniently accessible place in the county where the
24 property was confiscated. A copy of the notice shall be published as a class 2 notice
25 under ch. 985. The last insertion shall be at least 10 days before the sale. The

ASSEMBLY BILL 1039**SECTION 214**

1 department of revenue shall serve a copy of the notice of sale at least 2 weeks before
2 the date thereof on all persons who are or may be owners or holders of security
3 interests in the property. Any confiscated property worth more than \$100 shall be
4 sold separately, and the balance of the confiscated property shall be sold in bulk or
5 separately at the discretion of the department of administration. The net proceeds
6 from the sale, less all costs of seizure, storage, and sale, shall be turned over to the
7 ~~secretary of administration~~ state treasurer. No motor vehicle or motorboat
8 confiscated under this section may be sold within 30 days after the date of seizure.

9 **SECTION 215.** 139.10 (1) of the statutes is amended to read:

10 139.10 (1) On the certificate of the secretary, the ~~secretary of administration~~
11 state treasurer shall refund to any purchaser or any banking institution in
12 Wisconsin the tax paid on intoxicating liquor or on whole cases or full kegs of
13 fermented malt beverages which are spoiled or unfit to drink and the tax paid on
14 fermented malt beverages sold to the U.S. armed forces or the secretary may make
15 allowance of the amount of the tax.

16 **SECTION 216.** 139.39 (4) of the statutes is amended to read:

17 139.39 (4) No suit shall be maintained in any court to restrain or delay the
18 collection or payment of the tax levied in s. 139.31. The aggrieved taxpayer shall pay
19 the tax when due and, if paid under protest, may at any time within 90 days from the
20 date of payment, sue the state to recover the tax paid. If it is finally determined that
21 any part of the tax was wrongfully collected, the ~~secretary~~ department of
22 administration shall pay issue a warrant on the state treasurer for the amount
23 wrongfully collected, and the treasurer shall pay the same out of the general fund.
24 A separate suit need not be filed for each separate payment made by any taxpayer,
25 but a recovery may be had in one suit for as many payments as may have been made.

ASSEMBLY BILL 1039**SECTION 217**

1 **SECTION 217.** 145.12 (5) (c) of the statutes is amended to read:

2 145.12 **(5)** (c) The department shall remit all forfeitures paid under this
3 subsection to the ~~secretary of administration~~ state treasurer for deposit in the school
4 fund.

5 **SECTION 218.** 146.903 (5) (d) of the statutes is amended to read:

6 146.903 **(5)** (d) All forfeitures shall be paid to the department within 10 days
7 after receipt of notice of assessment or, if the forfeiture is contested under par. (c),
8 within 10 days after receipt of the final decision after exhaustion of administrative
9 review, unless the final decision is appealed and the order is stayed by court order.
10 The department shall remit all forfeitures paid to the ~~secretary of administration~~
11 state treasurer for deposit in the school fund.

12 **SECTION 219.** 150.963 (3) (e) of the statutes is amended to read:

13 150.963 **(3)** (e) Accept on behalf of the state and deposit with the ~~secretary of~~
14 ~~administration~~ state treasurer any grant, gift, or contribution made to assist in
15 meeting the cost of carrying out the purposes of this subchapter, and expend those
16 funds for the purposes of this subchapter.

17 **SECTION 220.** 165.30 (3) of the statutes is amended to read:

18 165.30 **(3)** COLLECTION PROCEEDS. (a) All obligations collected by the
19 department of justice under this section shall be paid to the ~~secretary of~~
20 ~~administration~~ state treasurer and deposited in the appropriate fund.

21 (b) From the amount of obligations collected by the department of justice under
22 this section, the ~~secretary of administration~~ state treasurer shall credit an amount
23 equal to the reasonable and necessary expenses incurred by the department of
24 justice related to collecting those obligations to the appropriation account under s.
25 20.455 (1) (gs).

ASSEMBLY BILL 1039**SECTION 221**

1 **SECTION 221.** 165.755 (3) of the statutes is amended to read:

2 165.755 (3) Except as provided in sub. (4), after the court determines the
3 amount due under sub. (1) (a), the clerk of the court shall collect and transmit the
4 amount to the county treasurer under s. 59.40 (2) (m). The county treasurer shall
5 then make payment to the ~~secretary of administration~~ state treasurer under s. 59.25
6 (3) (f) 2.

7 **SECTION 222.** 165.755 (4) of the statutes is amended to read:

8 165.755 (4) If a municipal court imposes a forfeiture, after determining the
9 amount due under sub. (1) (a) the court shall collect and transmit such amount to the
10 treasurer of the county, city, town, or village, and that treasurer shall make payment
11 to the ~~secretary of administration~~ state treasurer as provided in s. 66.0114 (1) (bm).

12 **SECTION 223.** 165.755 (5) of the statutes is amended to read:

13 165.755 (5) If any deposit of bail is made for a noncriminal offense to which sub.
14 (1) (a) applies, the person making the deposit shall also deposit a sufficient amount
15 to include the surcharge under sub. (1) (a) for forfeited bail. If bail is forfeited, the
16 amount of the surcharge under sub. (1) (a) shall be transmitted monthly to the
17 ~~secretary of administration~~ state treasurer under this section. If bail is returned, the
18 surcharge shall also be returned.

19 **SECTION 224.** 165.755 (6) of the statutes is amended to read:

20 165.755 (6) If an inmate in a state prison or a person sentenced to a state prison
21 has not paid the crime laboratories and drug law enforcement surcharge under sub.
22 (1) (a), the department shall assess and collect the amount owed from the inmate's
23 wages or other moneys. Any amount collected shall be transmitted to the ~~secretary~~
24 of administration state treasurer.

25 **SECTION 225.** 165.755 (7) of the statutes is amended to read:

ASSEMBLY BILL 1039**SECTION 225**

1 165.755 (7) All moneys collected from crime laboratories and drug law
2 enforcement surcharges under this section shall be deposited by the ~~secretary of~~
3 ~~administration~~ state treasurer and used as specified in ss. 20.455 (2) (jb), (kd), and
4 (Lm) and 20.475 (1) (km).

5 **SECTION 226.** 167.31 (5) (c) of the statutes is amended to read:

6 167.31 (5) (c) If any deposit is made for an offense to which this subsection
7 applies, the person making the deposit shall also deposit a sufficient amount to
8 include the weapons surcharge under this subsection. If the deposit is forfeited, the
9 amount of the weapons surcharge shall be transmitted to the ~~secretary of~~
10 ~~administration~~ state treasurer under par. (d). If the deposit is returned, the amount
11 of the weapons surcharge shall also be returned.

12 **SECTION 227.** 167.31 (5) (d) of the statutes is amended to read:

13 167.31 (5) (d) The clerk of the circuit court shall collect and transmit to the
14 county treasurer the weapons surcharge as required under s. 59.40 (2) (m). The
15 county treasurer shall then pay the ~~secretary of administration~~ state treasurer as
16 provided in s. 59.25 (3) (f) 2. The ~~secretary of administration~~ state treasurer shall
17 deposit all amounts received under this paragraph in the conservation fund to be
18 appropriated under s. 20.370 (3) (mu).

19 **SECTION 228.** 169.46 (1) (c) of the statutes is amended to read:

20 169.46 (1) (c) If any deposit is made for an offense to which this subsection
21 applies, the person making the deposit shall also deposit a sufficient amount to
22 include the natural resources surcharge under this subsection. If the deposit is
23 forfeited, the amount of the natural resources surcharge shall be transmitted to the
24 ~~secretary of administration~~ state treasurer under par. (d). If the deposit is returned,
25 the natural resources surcharge shall also be returned.

ASSEMBLY BILL 1039**SECTION 229**

1 **SECTION 229.** 169.46 (1) (d) of the statutes is amended to read:

2 169.46 (1) (d) The clerk of the court shall collect and transmit to the county
3 treasurer the natural resources surcharge and other amounts required under s.
4 59.40 (2) (m). The county treasurer shall then make payment to the ~~secretary of~~
5 ~~administration~~ state treasurer as provided in s. 59.25 (3) (f) 2. The ~~secretary of~~
6 ~~administration~~ state treasurer shall deposit the amount of the natural resources
7 surcharge in the conservation fund.

8 **SECTION 230.** 169.46 (2) (c) of the statutes is amended to read:

9 169.46 (2) (c) If any deposit is made for an offense to which this subsection
10 applies, the person making the deposit shall also deposit a sufficient amount to
11 include the natural resources restitution surcharge under this subsection. If the
12 deposit is forfeited, the amount of the natural resources restitution surcharge shall
13 be transmitted to the ~~secretary of administration~~ state treasurer under par. (d). If
14 the deposit is returned, the natural resources restitution surcharge shall also be
15 returned.

16 **SECTION 231.** 169.46 (2) (d) of the statutes is amended to read:

17 169.46 (2) (d) The clerk of the court shall collect and transmit to the county
18 treasurer the natural resources restitution surcharge and other amounts required
19 under s. 59.40 (2) (m). The county treasurer shall then make payment to the
20 ~~secretary of administration~~ state treasurer as provided in s. 59.25 (3) (f) 2. The
21 ~~secretary of administration~~ state treasurer shall deposit the amount of the natural
22 resources restitution surcharge in the conservation fund.

23 **SECTION 232.** 177.01 (1) of the statutes is amended to read:

24 177.01 (1) "Administrator" means the ~~secretary of revenue~~ state treasurer.

25 **SECTION 233.** 177.23 (2) (e) of the statutes is amended to read:

ASSEMBLY BILL 1039**SECTION 233**

1 177.23 (2) (e) Salaries of the employees of the office of the state treasurer and
2 the department of revenue that are attributable to the administration of this chapter.

3 **SECTION 234.** 180.1440 of the statutes is amended to read:

4 **180.1440 Delivery to ~~secretary of revenue~~ state treasurer.** Assets of a
5 dissolved corporation that should be transferred to a creditor, claimant or
6 shareholder of the corporation and are unclaimed shall be reduced to cash and shall
7 be reported and delivered to the ~~secretary of revenue~~ state treasurer as provided
8 under ch. 177.

9 **SECTION 235.** 181.1440 of the statutes is amended to read:

10 **181.1440 Deposit with ~~secretary of revenue~~ state treasurer.** Assets of
11 a dissolved corporation that should be transferred to a creditor, claimant, or member
12 of the corporation who cannot be found or who is not competent to receive them, shall
13 be reduced to cash subject to known trust restrictions and deposited with the
14 ~~secretary of revenue~~ state treasurer for safekeeping. However, in the secretary's
15 state treasurer's discretion property may be received and held in kind. When the
16 creditor, claimant, or member furnishes satisfactory proof of entitlement to the
17 amount deposited or property held in kind, the ~~secretary of revenue~~ state treasurer
18 shall deliver to the creditor, member or other person or his or her representative that
19 amount or property.

20 **SECTION 236.** 185.75 (2) of the statutes is amended to read:

21 185.75 (2) Assets distributable in the course of the liquidation of a cooperative
22 that remain unclaimed after one year may be reported and delivered to the ~~secretary~~
23 ~~of revenue~~ state treasurer as provided under ch. 177. Assets distributable in the
24 course of the liquidation of a cooperative that are not forfeited under sub. (1) and that

ASSEMBLY BILL 1039**SECTION 236**

1 remain unclaimed after 5 years shall be reported and delivered to the ~~secretary of~~
2 revenue state treasurer under ch. 177.

3 **SECTION 237.** 186.235 (11) (p) 3. of the statutes is amended to read:

4 186.235 (11) (p) 3. One year after the date of the order for final distribution,
5 the office of credit unions shall report and deliver to the ~~secretary of revenue state~~
6 treasurer all unclaimed funds as provided in ch. 177. All claims subsequently arising
7 shall be presented to the office of credit unions. If the office of credit unions
8 determines that any claim should be allowed, the office shall certify to the
9 department of administration the name and address of the person entitled to
10 payment and the amount of the payment and shall attach the claim to the certificate.
11 The department of administration shall certify the claim to the ~~secretary of revenue~~
12 state treasurer for payment.

13 **SECTION 238.** 193.735 (1) (intro.) of the statutes is amended to read:

14 193.735 (1) ALTERNATE PROCEDURE TO DISTRIBUTE PROPERTY. (intro.)
15 Notwithstanding s. 177.17 (4) (a) 2. and (b), a cooperative may distribute any
16 property required to be reported under s. 177.17 (1) to an entity that is exempt from
17 taxation under section 501 (a) of the Internal Revenue Code. A cooperative making
18 a distribution under this subsection shall file all of the following with the ~~secretary~~
19 of revenue state treasurer before making the distribution:

20 **SECTION 239.** 193.905 (4) (b) of the statutes is amended to read:

21 193.905 (4) (b) Assets distributable in the course of the dissolution of a
22 cooperative that are not forfeited under par. (a) shall be reported and delivered to the
23 ~~secretary of revenue state treasurer~~ as provided under ch. 177.

24 **SECTION 240.** 194.51 of the statutes is amended to read:

ASSEMBLY BILL 1039**SECTION 240**

1 **194.51 Suit to recover protested tax.** No suit shall be maintained in any
2 court to restrain or delay the collection or payment of the taxes levied in this chapter.
3 The aggrieved taxpayer shall pay the tax as and when due, and, if paid under protest,
4 may at any time within 90 days from the date of such payment, sue the state in an
5 action at law to recover the tax so paid. If it is finally determined that said tax, or
6 any part thereof, was wrongfully collected for any reason, it shall be the duty of the
7 secretary department of administration to issue a warrant on the state treasurer to
8 pay out of the transportation fund the amount of such tax so adjudged to have been
9 wrongfully collected. A separate suit need not be filed for each separate payment
10 made by any taxpayer, but a recovery may be had in one suit for as many payments
11 as may have been made within any 90-day period preceding the commencement of
12 such an action. Such suits shall be commenced as provided in s. 775.01.

13 **SECTION 241.** 195.60 (3) of the statutes is amended to read:

14 195.60 (3) If any railroad or water carrier against which a bill has been
15 rendered under sub. (1) or (2) within 30 days after the rendering of such bill neglects
16 or refuses to pay the same or fails to file objections to the bill with the office, the office
17 shall transmit to the secretary of administration a certified copy of the bill, together
18 with notice of neglect or refusal to pay the bill, and on the same day the office shall
19 mail to the railroad or water carrier against which the bill has been rendered a copy
20 of the notice which it has transmitted to the ~~secretary of administration~~ state
21 treasurer. Within 10 days after the receipt of such notice and certified copy of such
22 bill, the ~~secretary of administration~~ state treasurer shall levy the amount stated on
23 such bill to be due, with interest, by distress and sale of any goods and chattels,
24 including stocks, securities, bank accounts, evidences of debt, and accounts
25 receivable belonging to such delinquent railroad or water carrier. Such levy by

ASSEMBLY BILL 1039**SECTION 241**

1 distress and sale shall be governed by the provisions of s. 74.10, 1985 stats., except
2 that it shall be made by the ~~secretary of administration~~ state treasurer and that said
3 goods and chattels anywhere within the state may be levied upon.

4 **SECTION 242.** 195.60 (4) (d) of the statutes is amended to read:

5 195.60 (4) (d) If any bill against which objections have been filed is not paid
6 within 10 days after notice of a finding that such objections have been overruled and
7 disallowed by the office has been mailed to the objector, the office shall give notice
8 of such delinquency to the secretary of administration and to the objector, in the
9 manner provided in sub. (3). The ~~secretary of administration~~ state treasurer shall
10 then proceed to collect the amount of the bill as provided in sub. (3). If an amended
11 bill is not paid within 10 days after a copy thereof is mailed to the objector by
12 registered mail, the office shall notify the ~~secretary of administration~~ state treasurer
13 and the objector as in the case of delinquency in the payment of an original bill. The
14 ~~secretary of administration~~ state treasurer shall then proceed to collect the amount
15 of the bill as provided in the case of an original bill.

16 **SECTION 243.** 195.60 (5) of the statutes is amended to read:

17 195.60 (5) No suit or proceeding shall be maintained in any court for the
18 purpose of restraining or in any way delaying the collection or payment of any bill
19 rendered under subs. (1) and (2). Every railroad or water carrier against which a bill
20 is rendered shall pay the amount thereof, and after such payment may in the manner
21 herein provided, at any time within 2 years from the date the payment was made,
22 sue the state in an action at law to recover the amount paid with legal interest
23 thereon from the date of payment, upon the ground that the assessment was
24 excessive, erroneous, unlawful, or invalid in whole or in part. If it is finally
25 determined in such action that any part of the bill for which payment was made was

ASSEMBLY BILL 1039**SECTION 243**

1 excessive, erroneous, unlawful, or invalid, the ~~secretary of administration~~ state
2 treasurer shall make a refund to the claimant as directed by the court, which shall
3 be charged to the appropriations to the office.

4 **SECTION 244.** 196.199 (3) (d) of the statutes is amended to read:

5 196.199 (3) (d) If, at any time during a proceeding under this subsection, the
6 commission determines, after notice and reasonable opportunity to be heard, that a
7 person has made a filing in violation of par. (c), the commission shall order the person
8 to pay to any party to the proceeding the amount of reasonable expenses incurred by
9 that party because of the filing, including reasonable attorney fees, and the
10 commission may directly assess a forfeiture against the person of not less than \$25
11 nor more than \$5,000. A person against whom the commission assesses a forfeiture
12 under this paragraph shall pay the forfeiture to the commission within 10 days after
13 receipt of notice of the assessment or, if the person petitions for judicial review under
14 ch. 227, within 10 days after receipt of the final decision after exhaustion of judicial
15 review. The commission shall remit all forfeitures paid under this paragraph to the
16 ~~secretary of administration~~ state treasurer for deposit in the school fund. The
17 attorney general may bring an action in the name of the state to collect any forfeiture
18 assessed by the commission under this paragraph that has not been paid as provided
19 in this paragraph. The only contestable issue in such an action is whether or not the
20 forfeiture has been paid.

21 **SECTION 245.** 196.85 (3) of the statutes is amended to read:

22 196.85 (3) If any public utility, sewerage system, joint local water authority, or
23 power district is billed under sub. (1), (2), or (2e) and fails to pay the bill within 30
24 days or fails to file objections to the bill with the commission, as provided in sub. (4),
25 the commission shall transmit to the ~~secretary of administration~~ state treasurer a

ASSEMBLY BILL 1039**SECTION 245**

1 certified copy of the bill, together with notice of failure to pay the bill, and on the same
2 day the commission shall mail by registered mail to the public utility, sewerage
3 system, joint local water authority, or power district a copy of the notice that it has
4 transmitted to the state treasurer. Within 10 days after receipt of the notice and
5 certified copy of the bill, the ~~secretary of administration~~ state treasurer shall levy the
6 amount stated on the bill to be due, with interest, by distress and sale of any property,
7 including stocks, securities, bank accounts, evidences of debt, and accounts
8 receivable belonging to the delinquent public utility, sewerage system, joint local
9 water authority, or power district. The levy by distress and sale shall be governed
10 by s. 74.10, 1985 stats., except that it shall be made by the ~~secretary of~~
11 ~~administration~~ state treasurer and that goods and chattels anywhere within the
12 state may be levied upon.

13 **SECTION 246.** 196.85 (4) (d) of the statutes is amended to read:

14 196.85 (4) (d) If any bill against which objections have been filed is not paid
15 within 10 days after notice of a finding that the objections have been overruled and
16 disallowed by the commission has been mailed to the objector as provided in this
17 subsection, the commission shall give notice of the delinquency to the ~~secretary of~~
18 ~~administration~~ state treasurer and to the objector, in the manner provided in sub.
19 (3). The ~~secretary of administration~~ state treasurer shall then proceed to collect the
20 amount of the delinquent bill as provided in sub. (3). If an amended bill is not paid
21 within 10 days after a copy of the amended bill is mailed to the objector by registered
22 mail, the commission shall notify the ~~secretary of administration~~ state treasurer and
23 the objector as in the case of delinquency in the payment of an original bill. The
24 ~~secretary of administration~~ state treasurer shall then proceed to collect the amount
25 of the amended bill as provided in the case of an original bill.

ASSEMBLY BILL 1039**SECTION 247**

1 **SECTION 247.** 196.85 (5) of the statutes is amended to read:

2 196.85 (5) No suit or proceeding may be maintained in any court to restrain or
3 delay the collection or payment of any bill rendered under sub. (1), (2), or (2e). Every
4 public utility, sewerage system, joint local water authority, or power district that is
5 billed shall pay the amount of the bill, and after payment may in the manner
6 provided under this section, at any time within 2 years from the date the payment
7 was made, sue the state to recover the amount paid plus interest from the date of
8 payment, upon the ground that the assessment was excessive, erroneous, unlawful,
9 or invalid in whole or in part. If the court finds that any part of the bill for which
10 payment was made was excessive, erroneous, unlawful, or invalid, the ~~secretary of~~
11 ~~administration~~ state treasurer shall make a refund to the claimant as directed by the
12 court. The refund shall be charged to the appropriations to the commission.

13 **SECTION 248.** 215.33 (3) (b) 2. of the statutes is amended to read:

14 215.33 (3) (b) 2. The accounts of the association are insured by the deposit
15 insurance corporation or any other insurer acceptable to the division, or that
16 adequate and sufficient securities have been deposited with the ~~secretary of~~
17 ~~administration~~ state treasurer to assure that the association will meet its obligations
18 to the residents of this state.

19 **SECTION 249.** 217.11 (5) of the statutes is amended to read:

20 217.11 (5) If a licensee ceases to do business in this state, the licensee shall
21 deposit the licensee's records and proceeds of checks and remittances relating to
22 checks sold in this state with the ~~secretary of revenue~~ state treasurer. On claim and
23 submission of proof of ownership satisfactory to the ~~secretary of revenue~~ state
24 treasurer, the ~~secretary of revenue~~ state treasurer shall pay such amount of the
25 funds deposited as are owing to a person. Such funds as are not paid out within 20

ASSEMBLY BILL 1039**SECTION 249**

1 years from date of deposit shall escheat to and become the property of the state, and
2 shall be paid by the ~~secretary of revenue~~ state treasurer and be dealt with in the same
3 manner as other escheated property.

4 **SECTION 250.** 220.08 (14) of the statutes is amended to read:

5 220.08 (14) The division may pay the moneys held by the division to the persons
6 entitled to them, upon being furnished satisfactory evidence of their right to the
7 same. In cases of doubt or conflicting claims, the division may require an order of the
8 circuit court authorizing and directing the payment thereof. The division may apply
9 the interest earned towards defraying the expenses in the payment and distribution
10 of such unclaimed deposits or dividends to the depositors and creditors entitled to
11 receive them, and if necessary may draw on the fund to defray such expenses. After
12 one year from the time of the order for final distribution, the division shall report and
13 deliver all unclaimed funds to the ~~secretary of revenue~~ state treasurer as provided
14 in ch. 177. All claims subsequently arising shall be presented to the division. If the
15 division determines that any claim should be allowed, the division shall certify to the
16 department of administration the name and address of the person entitled to
17 payment and the amount thereof and shall attach the claim to the certificate. The
18 secretary of administration shall certify the claim to the ~~secretary of revenue~~ state
19 treasurer for payment.

20 **SECTION 251.** 220.08 (20) of the statutes is amended to read:

21 220.08 (20) In the event the division, as statutory receiver of closed state banks
22 or in connection with the division's supervision of segregated trusts, shall have
23 possession of any funds or property by reason of any recovery on an official bond or
24 otherwise, and said funds shall not belong to or be attributable to any specific bank
25 or banks in liquidation or to any specific segregated trust or trusts and it shall appear

ASSEMBLY BILL 1039**SECTION 251**

1 that all or a number of banks in liquidation or all or a number of the segregated trusts
2 supervised by the division or the depositors or other creditors of such banks or trusts,
3 may have an interest in such funds or property, the division may petition the circuit
4 court for Dane County for an order directing the disposition of such funds or property.
5 The court, upon presentation of such a petition, shall direct the division to give such
6 notice of hearing thereon, by publication of a class 3 notice, under ch. 985, or
7 otherwise, as appears reasonable under the circumstances. The expenses of the
8 division in any such proceeding shall be paid out of such funds or property. If it shall
9 appear to the court that the persons to whom such funds or property may ultimately
10 belong cannot be found or ascertained or that the expense of such ascertainment
11 would in the judgment of the court be excessive or unreasonable under all the
12 circumstances, the court shall enter an order directing the division to transmit such
13 funds or property to the ~~secretary of revenue~~ state treasurer to become the property
14 of the state. Any person claiming an interest in any such funds or property so ordered
15 to be transmitted to the ~~secretary of revenue~~ state treasurer may within 5 years after
16 the entry of such order bring suit against the state for recovery thereof without
17 interest.

18 **SECTION 252.** 223.02 (1) (intro.) of the statutes is amended to read:

19 223.02 (1) INDEMNITY FUND DEPOSIT. (intro.) Deposit at least \$100,000 with the
20 ~~secretary of administration~~ state treasurer or the secretary's treasurer's agent in
21 accordance with the following provisions:

22 **SECTION 253.** 223.02 (1) (b) of the statutes is amended to read:

23 223.02 (1) (b) The ~~secretary of administration~~ state treasurer or the secretary's
24 treasurer's agent shall pay over to the bank trust company the interest, dividends,
25 or other income on deposit or may authorize the bank trust company to collect the

ASSEMBLY BILL 1039**SECTION 253**

1 interest, dividends, or other income. ~~The secretary of administration~~ state treasurer
2 shall issue a certificate stating that a deposit has been made with the ~~secretary of~~
3 ~~administration~~ state treasurer or the ~~secretary's~~ treasurer's agent in the manner
4 provided in this section.

5 **SECTION 254.** 223.02 (1) (c) of the statutes is amended to read:

6 223.02 (1) (c) ~~The secretary of administration~~ state treasurer or the ~~secretary's~~
7 treasurer's agent shall hold the deposit as security for the faithful execution of any
8 trust which may be lawfully imposed upon and accepted by the trust company bank.
9 The cash or securities shall remain in the possession of the ~~secretary of~~
10 ~~administration~~ state treasurer or the ~~secretary's~~ treasurer's agent until otherwise
11 ordered by a court of competent jurisdiction, unless released pursuant to par. (d).

12 **SECTION 255.** 223.02 (1) (d) of the statutes is amended to read:

13 223.02 (1) (d) The securities and cash deposited by a trust company bank may
14 be released by the ~~secretary of administration~~ state treasurer or the ~~secretary's~~
15 treasurer's agent and returned to the bank, if the division certifies to the ~~secretary~~
16 ~~of administration~~ state treasurer that the bank no longer exercises trust powers and
17 that the division is satisfied that there are no outstanding trust liabilities.

18 **SECTION 256.** 223.02 (1) (e) of the statutes is amended to read:

19 223.02 (1) (e) ~~The secretary of administration~~ state treasurer may designate
20 a banking corporation, having an authorized capital of \$1,000,000 or more, to act as
21 an agent to hold the cash or securities in safekeeping. The agent shall furnish to the
22 ~~secretary of administration~~ state treasurer a safekeeping receipt for all cash and
23 securities received by it. The agent shall pay the cash and securities to the ~~secretary~~
24 ~~of administration~~ state treasurer on demand without conditions.

25 **SECTION 257.** 223.20 (3) of the statutes is amended to read:

ASSEMBLY BILL 1039**SECTION 257**

1 223.20 (3) SURRENDER OF TRUST POWERS. If a converted trust company bank has
2 been fully discharged of all trusts committed to it, it may, by amendment to its
3 articles of incorporation, duly adopted by its stockholders and approved by the
4 division, surrender its powers to act in a fiduciary capacity. A trust company bank
5 that surrenders its trust powers under this subsection shall eliminate from its
6 corporate name the word "trust" and may thereupon withdraw from the ~~secretary of~~
7 ~~administration~~ state treasurer all securities and cash that it has deposited with the
8 ~~secretary of administration~~ state treasurer pursuant to s. 223.02.

9 **SECTION 258.** 224.77 (1m) (c) 1. of the statutes is amended to read:

10 224.77 (1m) (c) 1. All forfeitures shall be paid to the division of banking within
11 10 days after receipt of notice of assessment or, if the forfeiture is contested under
12 par. (b), within 10 days after receipt of the final decision after exhaustion of
13 administrative review. The division of banking shall remit all forfeitures paid to the
14 ~~secretary of administration~~ state treasurer for deposit in the school fund.

15 **SECTION 259.** 253.06 (4) (c) 2. of the statutes is amended to read:

16 253.06 (4) (c) 2. If a fine or forfeiture is imposed by a court of record, after a
17 determination by the court of the amount due, the clerk of the court shall collect and
18 transmit such amount to the county treasurer as provided in s. 59.40 (2) (m). The
19 county treasurer shall then make payment to the ~~secretary of administration~~ state
20 treasurer as provided in s. 59.25 (3) (f) 2.

21 **SECTION 260.** 253.06 (5) (e) of the statutes is amended to read:

22 253.06 (5) (e) The suspension or termination of authorization of a vendor or
23 eligibility of a participant shall be effective beginning on the 15th day after receipt
24 of the notice of suspension or termination. All forfeitures, recoupments, and
25 enforcement assessments shall be paid to the department within 15 days after

ASSEMBLY BILL 1039**SECTION 260**

1 receipt of notice of assessment or, if the forfeiture, recoupment, or enforcement
2 assessment is contested under sub. (6), within 10 days after receipt of the final
3 decision after exhaustion of administrative review, unless the final decision is
4 adverse to the department or unless the final decision is appealed and the decision
5 is stayed by court order under sub. (7). The department shall remit all forfeitures
6 paid to the ~~secretary of administration~~ state treasurer for deposit in the school fund.
7 The department shall deposit all enforcement assessments in the appropriation
8 under s. 20.435 (1) (gr).

9 **SECTION 261.** 254.45 (4) (b) of the statutes is amended to read:

10 254.45 (4) (b) The department shall remit all forfeitures paid to the ~~secretary~~
11 ~~of administration~~ state treasurer for deposit in the school fund.

12 **SECTION 262.** 254.59 (2) of the statutes is amended to read:

13 254.59 (2) If a human health hazard is found on private property, the local
14 health officer shall notify the owner and the occupant of the property, by registered
15 mail with return receipt requested, of the presence of the human health hazard and
16 order its abatement or removal within 30 days of receipt of the notice. If the human
17 health hazard is not abated or removed by that date, the local health officer shall
18 immediately enter upon the property and abate or remove the human health hazard
19 or may contract to have the work performed. The human health hazard shall be
20 abated in a manner which is approved by the local health officer. The cost of the
21 abatement or removal may be recovered from the person permitting the violation or
22 may be paid by the municipal treasurer and the account, after being paid by the
23 treasurer, shall be filed with the municipal clerk, who shall enter the amount
24 chargeable to the property in the next tax roll in a column headed "For Abatement
25 of a Nuisance" as a special tax on the lands upon which the human health hazard was

ASSEMBLY BILL 1039**SECTION 262**

1 abated, and the tax shall be collected as are other taxes. In case of railroads or other
2 lands not taxed in the usual way, the amount chargeable shall be certified by the
3 clerk to the ~~secretary of administration~~ state treasurer who shall add the amount
4 designated in the certificate to the sum due from the company owning, occupying, or
5 controlling the land specified, and the ~~secretary of administration~~ state treasurer
6 shall collect the amount as prescribed in subch. I of ch. 76 and return the amount
7 collected to the town, city, or village from which the certificate was received. Anyone
8 maintaining such a human health hazard may also be fined not more than \$300 or
9 imprisoned for not more than 90 days or both. The only defenses an owner may have
10 against the collection of a tax under this subsection are that no human health hazard
11 existed on the owner's property, that no human health hazard was corrected on the
12 owner's property, that the procedure outlined in this subsection was not followed or
13 any applicable defense under s. 74.33.

14 **SECTION 263.** 254.59 (5) of the statutes is amended to read:

15 254.59 (5) The cost of abatement or removal of a human health hazard under
16 this section may be at the expense of the municipality and may be collected from the
17 owner or occupant, or person causing, permitting, or maintaining the human health
18 hazard, or may be charged against the premises and, upon certification of the local
19 health officer, assessed as are other special taxes. In cases of railroads or other lands
20 not taxed in the usual way, the amount chargeable shall be certified by the clerk to
21 the ~~secretary of administration~~ state treasurer who shall add the amount designated
22 in the certificate to the sum due from the company owning, occupying, or controlling
23 the land specified, and the ~~secretary of administration~~ state treasurer shall collect
24 the amount as prescribed in subch. I of ch. 76 and return the amount collected to the
25 town, city, or village from which the certificate was received. Anyone maintaining

ASSEMBLY BILL 1039**SECTION 263**

1 such a human health hazard may also be fined not more than \$300 or imprisoned for
2 not more than 90 days or both. The only defenses an owner may have against the
3 collection of a tax under this subsection are that no human health hazard existed on
4 the owner's property, that no human health hazard was corrected on the owner's
5 property, that the procedure outlined in this subsection was not followed, or any
6 applicable defense under s. 74.33.

7 **SECTION 264.** 281.99 (4) of the statutes is amended to read:

8 281.99 (4) All forfeitures shall be paid to the department within 60 days after
9 receipt of the order or according to a schedule agreed to by the department and the
10 water system owner or operator or, if the forfeiture is contested under sub. (3), within
11 10 days after receipt of the final decision after exhaustion of administrative review,
12 unless the final decision is appealed and the order is stayed by court order. The
13 department shall remit all forfeitures paid to the ~~secretary of administration~~ state
14 treasurer for deposit in the school fund.

15 **SECTION 265.** 299.93 (3) of the statutes is amended to read:

16 299.93 (3) If any deposit is made for an offense to which this section applies,
17 the person making the deposit shall also deposit a sufficient amount to include the
18 environmental surcharge under this section. If the deposit is forfeited, the amount
19 of the environmental surcharge shall be transmitted to the ~~secretary of~~
20 ~~administration~~ state treasurer under sub. (4). If the deposit is returned, the
21 environmental surcharge shall also be returned.

22 **SECTION 266.** 299.93 (4) of the statutes is amended to read:

23 299.93 (4) The clerk of the court shall collect and transmit to the county
24 treasurer the environmental surcharge and other amounts required under s. 59.40
25 (2) (m). The county treasurer shall then make payment to the ~~secretary of~~

ASSEMBLY BILL 1039**SECTION 266**

1 ~~administration~~ state treasurer as provided in s. 59.25 (3) (f) 2. The ~~secretary of~~
2 ~~administration~~ state treasurer shall deposit the amount of the surcharge in the
3 environmental fund.

4 **SECTION 267.** 301.105 (intro.) of the statutes is amended to read:

5 **301.105 Telephone company commissions.** (intro.) The department shall
6 collect moneys for commissions from telephone companies for contracts to provide
7 telephone services to inmates. The department shall transmit those moneys to the
8 ~~secretary of administration~~ state treasurer. The ~~secretary of administration~~ state
9 treasurer shall do all of the following:

10 **SECTION 268.** 344.185 (2) (e) 2. of the statutes is amended to read:

11 344.185 (2) (e) 2. All other proceeds of the sale remaining after the payments
12 under subd. 1. shall be retained by the secretary of transportation and applied as
13 security for payment of judgments and assignments as provided under s. 344.20 (2).
14 Any amounts not used to pay judgments or assignments shall be transmitted to the
15 ~~secretary of administration~~ state treasurer for deposit in the school fund.

16 **SECTION 269.** 345.08 of the statutes is amended to read:

17 **345.08 Suit to recover protested tax or fee.** No suit shall be maintained
18 in any court to restrain or delay the collection or payment of the taxes levied or the
19 fees imposed or enacted in chs. 341 to 349. The aggrieved taxpayer shall pay the tax
20 or fee as and when due and, if paid under protest, may at any time within 90 days
21 from the date of such payment sue the state in an action at law to recover the tax or
22 fee so paid. If it is finally determined that such tax or fee or any part thereof was
23 wrongfully collected for any reason, the secretary of administration shall issue a
24 warrant on the state treasurer to pay from the transportation fund the amount of
25 such tax or fee so adjudged to have been wrongfully collected. A separate suit need

ASSEMBLY BILL 1039**SECTION 269**

1 not be filed for each separate payment made by any taxpayer, but a recovery may be
2 had in one suit for as many payments as were made within the 90-day period
3 preceding the commencement of the action. Such suits shall be commenced as
4 provided in s. 775.01.

5 **SECTION 270.** 346.177 (3) of the statutes is amended to read:

6 346.177 (3) If any deposit is made for an offense to which this section applies,
7 the person making the deposit shall also deposit a sufficient amount to include the
8 railroad crossing improvement surcharge under this section. If the deposit is
9 forfeited, the amount of the railroad crossing improvement surcharge shall be
10 transmitted to the ~~secretary of administration~~ state treasurer under sub. (4). If the
11 deposit is returned, the amount of the railroad crossing improvement surcharge
12 shall also be returned.

13 **SECTION 271.** 346.177 (4) of the statutes is amended to read:

14 346.177 (4) The clerk of the circuit court shall collect and transmit to the county
15 treasurer the railroad crossing improvement surcharge as required under s. 59.40
16 (2) (m). The county treasurer shall then pay the ~~secretary of administration~~ state
17 treasurer as provided in s. 59.25 (3) (f) 2. The ~~secretary of administration~~ state
18 treasurer shall deposit all amounts received under this subsection in the
19 transportation fund to be appropriated under s. 20.395 (2) (gj).

20 **SECTION 272.** 346.495 (3) of the statutes is amended to read:

21 346.495 (3) If any deposit is made for an offense to which this section applies,
22 the person making the deposit shall also deposit a sufficient amount to include the
23 railroad crossing improvement surcharge under this section. If the deposit is
24 forfeited, the amount of the railroad crossing improvement surcharge shall be
25 transmitted to the ~~secretary of administration~~ state treasurer under sub. (4). If the

ASSEMBLY BILL 1039**SECTION 272**

1 deposit is returned, the amount of the railroad crossing improvement surcharge
2 shall also be returned.

3 **SECTION 273.** 346.495 (4) of the statutes is amended to read:

4 346.495 (4) The clerk of the circuit court shall collect and transmit to the county
5 treasurer the railroad crossing improvement surcharge as required under s. 59.40
6 (2) (m). The county treasurer shall then pay the ~~secretary of administration~~ state
7 treasurer as provided in s. 59.25 (3) (f) 2. The ~~secretary of administration~~ state
8 treasurer shall deposit all amounts received under this subsection in the
9 transportation fund to be appropriated under s. 20.395 (2) (gj).

10 **SECTION 274.** 346.65 (4r) (c) of the statutes is amended to read:

11 346.65 (4r) (c) If any deposit is made for an offense to which this subsection
12 applies, the person making the deposit shall also deposit a sufficient amount to
13 include the railroad crossing improvement surcharge under this subsection. If the
14 deposit is forfeited, the amount of the railroad crossing improvement surcharge shall
15 be transmitted to the ~~secretary of administration~~ state treasurer under par. (d). If
16 the deposit is returned, the amount of the railroad crossing improvement surcharge
17 shall also be returned.

18 **SECTION 275.** 346.65 (4r) (d) of the statutes is amended to read:

19 346.65 (4r) (d) The clerk of the circuit court shall collect and transmit to the
20 county treasurer the railroad crossing improvement surcharge as required under s.
21 59.40 (2) (m). The county treasurer shall then pay the ~~secretary of administration~~
22 state treasurer as provided in s. 59.25 (3) (f) 2. The ~~secretary of administration~~ state
23 treasurer shall deposit all amounts received under this paragraph in the
24 transportation fund to be appropriated under s. 20.395 (2) (gj).

25 **SECTION 276.** 346.655 (2) of the statutes is amended to read:

ASSEMBLY BILL 1039**SECTION 276**

1 346.655 (2) (a) Except as provided in par. (b), the clerk of court shall collect and
2 transmit the amount under sub. (1) to the county treasurer as provided in s. 59.40
3 (2) (m). The county treasurer shall then make payment of 49.7 percent of the amount
4 to the ~~secretary of administration~~ state treasurer as provided in s. 59.25 (3) (f) 2.

5 (b) If the forfeiture is imposed by a municipal court, the court shall transmit
6 the amount to the treasurer of the county, city, town, or village, and that treasurer
7 shall make payment of 49.7 percent of the amount to the ~~secretary of administration~~
8 state treasurer as provided in s. 66.0114 (1) (bm). The treasurer of the city, town, or
9 village shall transmit the remaining 50.3 percent of the amount to the treasurer of
10 the county.

11 **SECTION 277.** 346.655 (3) of the statutes is amended to read:

12 346.655 (3) (a) Except as provided in par. (b), all moneys collected from the
13 driver improvement surcharge that are transmitted to the county treasurer under
14 sub. (2) (a) or (b), except the amounts that the county treasurer is required to
15 transmit to the ~~secretary of administration~~ state treasurer under sub. (2) (a) or (b),
16 shall be retained by the county treasurer and disbursed to the county department
17 under s. 51.42 for services under s. 51.42 for drivers referred through assessment.

18 (b) If a person receives treatment from an approved tribal treatment facility,
19 as defined in s. 51.01 (2c), in accordance with a driver safety plan under s. 343.30 (1q)
20 (d), the county treasurer shall transmit the amount collected from the person's driver
21 improvement surcharge except the amounts that the treasurer is required to
22 transmit to the ~~secretary of administration~~ state treasurer under sub. (2) (a) or (b),
23 to the facility for treatment services for drivers referred through assessment.

24 **SECTION 278.** 346.657 (2) of the statutes is amended to read:

ASSEMBLY BILL 1039**SECTION 278**

1 346.657 (2) (a) Except as provided in par. (b), the clerk of court shall collect and
2 transmit the amount under sub. (1) to the county treasurer as provided in s. 59.40
3 (2) (m). The county treasurer shall then make payment to the ~~secretary of~~
4 ~~administration~~ state treasurer as provided in s. 59.25 (3) (f) 2.

5 (b) If the forfeiture is imposed by a municipal court, the court shall transmit
6 the amount under sub. (1) to the treasurer of the county, city, town, or village, and
7 that treasurer shall make payment to the ~~secretary of administration~~ state treasurer
8 as provided in s. 66.0114 (1) (bm).

9 **SECTION 279.** 349.04 (3) of the statutes is amended to read:

10 349.04 (3) If any deposit is made for an offense to which this section applies,
11 the person making the deposit shall also deposit a sufficient amount to include the
12 truck driver education surcharge under this section. If the deposit is forfeited, the
13 amount of the truck driver education surcharge shall be transmitted to the ~~secretary~~
14 ~~of administration~~ state treasurer under sub. (4). If the deposit is returned, the
15 amount of the truck driver education surcharge shall also be returned.

16 **SECTION 280.** 349.04 (4) of the statutes is amended to read:

17 349.04 (4) The clerk of the circuit court shall collect and transmit to the county
18 treasurer the truck driver education surcharge as required under s. 59.40 (2) (m).
19 The county treasurer shall then pay the ~~secretary of administration~~ state treasurer
20 as provided in s. 59.25 (3) (f) 2. The ~~secretary of administration~~ state treasurer shall
21 deposit all amounts received under this subsection in the general fund to be credited
22 to the appropriation account under s. 20.292 (1) (hm).

23 **SECTION 281.** 350.115 (1) (c) of the statutes is amended to read:

24 350.115 (1) (c) If any deposit is made for an offense to which this section applies,
25 the person making the deposit shall also deposit a sufficient amount to include the

ASSEMBLY BILL 1039**SECTION 281**

1 snowmobile registration restitution surcharge under this section. If the deposit is
2 forfeited, the amount of the snowmobile registration restitution surcharge shall be
3 transmitted to the ~~secretary of administration~~ state treasurer under par. (d). If the
4 deposit is returned, the snowmobile registration restitution surcharge shall also be
5 returned.

6 **SECTION 282.** 350.115 (1) (d) of the statutes is amended to read:

7 350.115 (1) (d) The clerk of the court shall collect and transmit to the county
8 treasurer the snowmobile registration restitution surcharge and other amounts
9 required under s. 59.40 (2) (m). The county treasurer shall then make payment to
10 the ~~secretary of administration~~ state treasurer as provided in s. 59.25 (3) (f) 2.

11 **SECTION 283.** 351.07 (1g) of the statutes is amended to read:

12 351.07 (1g) No person may file a petition for an occupational license under sub.
13 (1) unless he or she first pays a fee of \$40 to the clerk of the circuit court. The clerk
14 of the circuit court shall give the person a receipt and forward the fee to the county
15 treasurer. That treasurer shall pay 50 percent of the fee to the ~~secretary of~~
16 ~~administration~~ state treasurer under s. 59.25 (3) (m) and retain the balance for the
17 use of the county.

18 **SECTION 284.** 562.02 (1) (g) of the statutes is amended to read:

19 562.02 (1) (g) At least once every 3 months, file a written report on the operation
20 of racing in this state with the governor, the attorney general, the ~~secretary of~~
21 ~~administration~~ state treasurer, the secretary of state, the legislative audit bureau,
22 the president of the senate, and the speaker of the assembly. The report shall include
23 information on racetrack operations, race attendance, and private, state, and local
24 revenues derived from racing in this state.

25 **SECTION 285.** 565.37 (3) of the statutes is amended to read:

ASSEMBLY BILL 1039**SECTION 285**

1 565.37 (3) DEPARTMENT REPORT. The department shall submit quarterly reports
2 on the operation of the lottery to the chief clerk of each house of the legislature, for
3 distribution to the legislature under s. 13.172 (2) and to the governor, attorney
4 general, ~~secretary of administration~~ state treasurer, secretary of state, and state
5 auditor.

6 **SECTION 286.** 601.13 (1) (intro.) of the statutes is amended to read:

7 601.13 (1) RECEIPT OF DEPOSITS. (intro.) Subject to the approval of the
8 commissioner, the ~~secretary of administration~~ state treasurer shall accept deposits
9 or control of acceptable book-entry accounts from insurers and other licensees of the
10 office as follows:

11 **SECTION 287.** 601.13 (3) (intro.) of the statutes is amended to read:

12 601.13 (3) SECURITIES ELIGIBLE. (intro.) All deposits may consist of any of the
13 securities authorized in this subsection. Each security must be approved by the
14 commissioner, must be subject to disposition by the ~~secretary of administration~~ state
15 treasurer, and must not be available to any other person except as expressly provided
16 by law. The authorized securities are:

17 **SECTION 288.** 601.13 (5) of the statutes is amended to read:

18 601.13 (5) RECEIPT, INSPECTION, AND RECORD. The ~~secretary of administration~~
19 state treasurer shall deliver to the depositor a receipt for all securities deposited or
20 held under the control of the ~~secretary of administration~~ state treasurer and shall
21 permit the depositor to inspect its physically held securities at any reasonable time.
22 On application of the depositor the ~~secretary of administration~~ state treasurer shall
23 certify when required by any law of the United States or of any other state or foreign
24 country or by the order of any court of competent jurisdiction that the deposit was
25 made. The ~~secretary of administration~~ state treasurer and the commissioner shall

ASSEMBLY BILL 1039**SECTION 288**

1 each keep a permanent record of securities deposited or held under the control of the
2 ~~secretary of administration~~ state treasurer and of any substitutions or withdrawals
3 and shall compare records at least annually.

4 **SECTION 289.** 601.13 (6) of the statutes is amended to read:

5 601.13 (6) TRANSFER OF SECURITIES. No transfer of a deposited security, whether
6 voluntary or by operation of law, is valid unless approved in writing by the
7 commissioner and countersigned by the ~~secretary of administration~~ state treasurer.

8 **SECTION 290.** 601.13 (8) (intro.) of the statutes is amended to read:

9 601.13 (8) INTEREST AND SUBSTITUTIONS. (intro.) Subject to s. ~~16.401(11)~~ 14.58
10 (13), a depositor shall, while solvent and complying with the laws of this state, be
11 entitled:

12 **SECTION 291.** 601.13 (11) of the statutes is amended to read:

13 601.13 (11) ADVANCE DEPOSIT OF FEES. With the approval of the commissioner,
14 any person required to pay fees or assessments to the state through the
15 commissioner may make a deposit with the ~~secretary of administration~~ state
16 treasurer from which the fees or assessments shall be paid on order of the
17 commissioner not less than twice each year. Upon request by the depositor, any
18 balance remaining shall be returned on the certificate of the commissioner that all
19 fees and assessments have been paid to date.

20 **SECTION 292.** 601.45 (3) of the statutes is amended to read:

21 601.45 (3) DEPOSIT. The commissioner may require any examinee, before or
22 from time to time during an examination, to deposit with the ~~secretary of~~
23 ~~administration~~ state treasurer such deposits as the commissioner deems necessary
24 to pay the costs of the examination. Any deposit and any payment made under subs.
25 (1) and (2) shall be credited to the appropriation account under s. 20.145 (1) (g) 1.

ASSEMBLY BILL 1039**SECTION 293**

1 **SECTION 293.** 601.62 (4) of the statutes is amended to read:

2 601.62 (4) FEES IN INVESTIGATIONS AND HEARINGS. The fees for stenographic
3 services in investigations, examinations, and hearings may not exceed the sum
4 provided for like services in the circuit court. The fees of officers, witnesses,
5 interpreters, and stenographers on behalf of the commissioner or the state shall be
6 paid by the state treasurer upon the warrant of the secretary of administration,
7 authorized by the certificate of the commissioner, and shall be charged to the
8 appropriation under s. 20.145 (1) (g) 1.

9 **SECTION 294.** 604.04 (4) of the statutes is amended to read:

10 604.04 (4) PAYMENT PROCEDURE. Any charges against a fund under sub. (3) shall
11 be certified by the commissioner, audited by the department of administration under
12 s. 16.53, and paid by the ~~secretary of administration~~ state treasurer out of the
13 appropriate fund in accordance with procedures of the department of
14 administration.

15 **SECTION 295.** 604.05 of the statutes is amended to read:

16 **604.05 Investments.** Assets of all funds under chs. 605 to 607 shall be
17 invested by the state investment board under s. 25.17. Each January 1 the ~~secretary~~
18 ~~of administration~~ state treasurer shall credit each fund with earnings on the
19 invested assets in each fund for the preceding 12 months. If any fund is indebted to
20 the general fund of the state, the fund shall be charged, at the end of each calendar
21 year, with interest on the indebtedness at the average rate earned by the state upon
22 its deposits in public depositories during the period of indebtedness and that sum
23 shall be credited to the general fund.

24 **SECTION 296.** 604.06 (1) of the statutes is amended to read:

ASSEMBLY BILL 1039**SECTION 296**

1 604.06 (1) CUSTODY. The ~~secretary of administration~~ state treasurer has sole
2 custody of all assets of funds under chs. 605 to 607.

3 **SECTION 297.** 604.07 of the statutes is amended to read:

4 **604.07 Bonds.** The commissioner as manager of the funds and the ~~secretary~~
5 ~~of administration~~ state treasurer shall file surety bonds, specifically conditioned on
6 the performance of their duties under chs. 605 to 607, in amounts required by, and
7 with sureties approved by, the governor.

8 **SECTION 298.** 605.30 of the statutes is amended to read:

9 **605.30 Inadequacy of fund.** If the property fund does not have sufficient
10 assets to pay claims that are due, the secretary of administration shall issue a
11 warrant as a transfer from the general fund to the property fund an amount
12 sufficient to pay the losses and ~~the state treasurer~~ shall pay the losses warrant. The
13 property fund shall thereafter repay the general fund this amount and the secretary
14 of administration shall issue warrants for such transfer ~~the amount~~ as soon as there
15 are assets in the property fund.

16 **SECTION 299.** 611.76 (4) (e) of the statutes is amended to read:

17 611.76 (4) (e) That no policyholder, other than a policyholder of a mutual life
18 insurance company, may receive a distribution of shares valued in excess of the
19 amount to which he or she is entitled under s. 645.72 (4). Any excess over that
20 amount shall be distributed in shares to the state treasury for the benefit of the
21 common school fund. After 5 years the shares may be sold by the ~~secretary of~~
22 ~~administration~~ state treasurer at his or her discretion and the proceeds credited to
23 the common school fund; and

24 **SECTION 300.** 645.73 (1) of the statutes is amended to read:

ASSEMBLY BILL 1039**SECTION 300**

1 645.73 (1) UNCLAIMED FUNDS. The liquidator, as provided in ch. 177, shall report
2 and deliver to the ~~secretary of revenue~~ state treasurer all unclaimed funds subject
3 to distribution remaining in the liquidator's hands when he or she is ready to apply
4 to the court for discharge, including the amount distributable to any creditor,
5 shareholder, member or other person who is unknown or cannot be found or who is
6 under disability with no person legally competent to receive a distributive share.

7 **SECTION 301.** 645.73 (2) of the statutes is amended to read:

8 645.73 (2) WITHHELD FUNDS. All funds withheld under s. 645.64 and not
9 distributed shall upon discharge of the liquidator be deposited with the ~~secretary of~~
10 ~~revenue~~ state treasurer and paid by the ~~secretary~~ state treasurer in accordance with
11 s. 645.64. Any sums remaining which under s. 645.64 would revert to the
12 undistributed assets of the insurer shall be transferred to the ~~secretary of revenue~~
13 state treasurer and become the property of the state under sub. (1), unless the
14 commissioner petitions the court to reopen the liquidation under s. 645.75.

15 **SECTION 302.** 704.90 (5) (b) 2. d. of the statutes is amended to read:

16 704.90 (5) (b) 2. d. A statement that unless the rent and other charges are paid
17 within the time period under subd. 2. c., the personal property may be disposed of if
18 the fair market value of the property is less than \$100 or will be sold, a specification
19 of the date, time and place of the sale and a statement that if the property is sold the
20 operator shall apply the proceeds of the sale first to satisfy the lien and shall report
21 and deliver any balance to the ~~secretary of revenue~~ state treasurer as provided under
22 ch. 177.

23 **SECTION 303.** 704.90 (6) (b) of the statutes is amended to read:

ASSEMBLY BILL 1039**SECTION 303**

1 704.90 (6) (b) The operator shall apply the proceeds of the sale first to satisfy
2 the lien under sub. (3) (a). The operator shall report and deliver any balance to the
3 ~~secretary of revenue~~ state treasurer as provided under ch. 177.

4 **SECTION 304.** 707.28 (3) (f) 2. b. of the statutes is amended to read:

5 707.28 (3) (f) 2. b. If no party held a lien or security interest junior to that of
6 the foreclosing entity, or if all parties holding junior liens or security interests have
7 been paid, any surplus shall be paid to the former time-share owner. If the
8 foreclosing entity is unable to locate the former time-share owner within one year
9 after the foreclosure sale, the foreclosing entity shall deliver the surplus to the
10 ~~secretary of revenue~~ state treasurer as provided under ch. 177.

11 **SECTION 305.** 753.07 (2) (a) of the statutes is amended to read:

12 753.07 (2) (a) The persons shall continue to receive salaries directly payable
13 from the state in the same amount as they were receiving on July 31, 1978, and such
14 salaries are subject to s. 40.05. The balance of the salaries authorized under ss.
15 230.12 and 751.02 for the judges and reporters shall be paid by the ~~secretary of~~
16 ~~administration~~ state treasurer to the county treasurer pursuant to a voucher
17 submitted by the clerk of circuit court to the director of state courts. The county
18 treasurer shall pay the amounts directly to the judges and reporters and the amounts
19 paid are subject to the retirement system established under chapter 201, laws of
20 1937.

21 **SECTION 306.** 753.07 (3) (a) of the statutes is amended to read:

22 753.07 (3) (a) The salaries authorized under ss. 230.12 and 751.02 for the
23 judges and reporters shall be paid by the ~~secretary of administration~~ state treasurer
24 to the county treasurer pursuant to a voucher submitted by the clerk of circuit court
25 to the director of state courts. The county treasurer shall pay the amounts directly

ASSEMBLY BILL 1039**SECTION 306**

1 to the judges and reporters and the amounts paid shall be subject to the retirement
2 system established under chapter 201, laws of 1937.

3 **SECTION 307.** 753.07 (4) of the statutes is amended to read:

4 753.07 (4) COURT PERSONNEL; OPTIONS. As state employees, county court judges,
5 county court reporters, and assistant county court reporters, as specified in sub. (1),
6 who are denominated or become circuit court judges and reporters on August 1, 1978,
7 and persons serving as circuit court judges and circuit court reporters for Milwaukee
8 County on July 31, 1978, shall have the option of remaining as participants under
9 county life and health insurance programs to the extent of their participation in such
10 programs on February 1, 1978. ~~The secretary of administration~~ state treasurer shall
11 semiannually pay to the county treasurer, pursuant to a voucher submitted by the
12 clerk of circuit court to the director of state courts, an amount equal to the state
13 contribution for life and health insurance for other comparable state employees. The
14 county shall pay the cost of any premiums for life and health insurance exceeding the
15 sum of the state contribution and the employee contribution as required under the
16 county programs.

17 **SECTION 308.** 757.05 (1) (b) of the statutes is amended to read:

18 757.05 (1) (b) If a fine or forfeiture is imposed by a court of record, after a
19 determination by the court of the amount due, the clerk of the court shall collect and
20 transmit the amount to the county treasurer as provided in s. 59.40 (2) (m). The
21 county treasurer shall then make payment to the ~~secretary of administration~~ state
22 treasurer as provided in s. 59.25 (3) (f) 2.

23 **SECTION 309.** 757.05 (1) (c) of the statutes is amended to read:

24 757.05 (1) (c) If a fine or forfeiture is imposed by a municipal court, after a
25 determination by the court of the amount due, the court shall collect and transmit

ASSEMBLY BILL 1039**SECTION 309**

1 the amount to the treasurer of the county, city, town, or village, and that treasurer
2 shall make payment to the ~~secretary of administration~~ state treasurer as provided
3 in s. 66.0114 (1) (bm).

4 **SECTION 310.** 757.05 (1) (d) of the statutes is amended to read:

5 757.05 (1) (d) If any deposit of bail is made for a noncriminal offense to which
6 this subsection applies, the person making the deposit shall also deposit a sufficient
7 amount to include the surcharge under this subsection for forfeited bail. If bail is
8 forfeited, the amount of the surcharge shall be transmitted monthly to the ~~secretary~~
9 ~~of administration~~ state treasurer under this subsection. If bail is returned, the
10 surcharge shall also be returned.

11 **SECTION 311.** 778.135 of the statutes is amended to read:

12 **778.135 Campaign finance, lobbying, and ethics forfeitures; how**
13 **recovered.** Notwithstanding s. 778.13, whenever any action or proposed action by
14 the elections commission under s. 5.05 (1) (c) or the ethics commission under s. 19.49
15 (1) (b) is settled as a result of agreement between the parties without approval of the
16 court, the moneys accruing to the state on account of such settlement shall be paid
17 to the commission and deposited with the ~~secretary of administration~~ state
18 treasurer.

19 **SECTION 312.** 778.17 of the statutes is amended to read:

20 **778.17 Statement to county board; payment to state.** Every county
21 treasurer shall, on the first day of the annual meeting of the county board, submit
22 to it a verified statement of all moneys received by the county treasurer during the
23 year next preceding from town, village, and city treasurers under this chapter,
24 containing the names of such treasurers, the amount received from each, and the
25 date of receipt. The county clerk shall deduct all expenses incurred by the county in

ASSEMBLY BILL 1039**SECTION 312**

1 recovering such forfeitures from the aggregate amount so received, and shall
2 immediately certify to the county treasurer the amount of clear proceeds of such
3 forfeitures, so ascertained, who shall pay the same to the ~~secretary of administration~~
4 state treasurer.

5 **SECTION 313.** 812.42 (2) (c) of the statutes is amended to read:

6 812.42 (2) (c) In addition to the \$15 garnishee fee, the garnishee shall receive
7 a \$3 fee for each payment delivered to the creditor under s. 812.39 after the first
8 payment. That additional fee shall be deducted from the moneys delivered to the
9 creditor. Those fees become part of the funds of the state if the department of
10 administration is the garnishee, or funds of the appropriate governmental
11 subdivision if any other governmental entity is the garnishee. The judgment creditor
12 shall pay the initial garnishee fee to the ~~secretary of administration~~ state treasurer
13 or other governmental subdivision, as applicable.

14 **SECTION 314.** 813.31 of the statutes is amended to read:

15 **813.31 Absentee insurance fund.** (1) In each case of termination of
16 receivership as provided in s. 813.28, the court, except in cases where the proceedings
17 have been certified to the proper court under s. 813.26 (1), shall set aside the sum
18 there named and direct its payment by the receiver, to the ~~secretary of~~
19 administration state treasurer.

20 (2) The ~~secretary of administration~~ state treasurer shall retain or invest the
21 funds thus paid in.

22 (3) If at any time thereafter an absentee whose estate has been distributed
23 under a final finding and judgment made as herein provided shall appear and make
24 claim for reimbursement, the court may in a proceeding by the claimant against the

ASSEMBLY BILL 1039**SECTION 314**

1 ~~secretary of administration~~ state treasurer order payment to the claimant as in its
2 opinion may be fair and adequate under the circumstances.

3 **SECTION 315.** 814.60 (1) of the statutes is amended to read:

4 814.60 (1) In a criminal action, the clerk of circuit court shall collect a fee of
5 \$163 for all necessary filing, entering, or recording, to be paid by the defendant when
6 judgment is entered against the defendant. Of the fees received by the clerk of circuit
7 court under this subsection, the county treasurer shall pay 93.87 percent to the
8 ~~secretary of administration~~ state treasurer for deposit in the general fund and shall
9 retain the balance for the use of the county.

10 **SECTION 316.** 814.61 (1) (a) of the statutes is amended to read:

11 814.61 (1) (a) Except as provided under pars. (c), (d), and (e), at the
12 commencement of all civil actions and special proceedings not specified in ss. 814.62
13 to 814.66, \$75. Of the fees received by the clerk under this paragraph, the county
14 treasurer shall pay \$45 to the ~~secretary of administration~~ state treasurer for deposit
15 in the general fund and shall retain the balance for the use of the county. The
16 ~~secretary of administration~~ state treasurer shall credit \$15 of the \$45 to the
17 appropriation under s. 20.680 (2) (j).

18 **SECTION 317.** 814.61 (3) of the statutes is amended to read:

19 814.61 (3) THIRD-PARTY COMPLAINT. When any defendant files a 3rd-party
20 complaint, the defendant shall pay a fee of \$45. The defendant shall pay only one
21 such \$45 fee in an action. Of the fees received by the clerk under this subsection, the
22 county treasurer shall pay \$25 to the ~~secretary of administration~~ state treasurer for
23 deposit in the general fund and shall retain the balance for the use of the county. The
24 ~~secretary of administration~~ state treasurer shall credit \$5 of the \$25 to the
25 appropriation under s. 20.680 (2) (j).

ASSEMBLY BILL 1039**SECTION 318**

1 **SECTION 318.** 814.61 (7) (a) of the statutes is amended to read:

2 814.61 (7) (a) Except as provided in par. (b), upon the filing of any petition
3 under s. 767.59 (1c) (a) or any motion, by either party, for the revision of a judgment
4 or order in an action affecting the family, \$30. No fee may be collected under this
5 paragraph for any petition or motion by either party for the revision of a judgment
6 or order involving child support, family support, or maintenance if both parties have
7 stipulated to the revision of the judgment or order. Of the fees received by the clerk
8 under this paragraph, the county treasurer shall pay 50 percent to the ~~secretary of~~
9 ~~administration~~ state treasurer for deposit in the general fund and shall retain the
10 balance for the use of the county.

11 **SECTION 319.** 814.61 (7) (b) of the statutes is amended to read:

12 814.61 (7) (b) Upon the filing of any petition, motion, or order to show cause
13 by either party under s. 767.451 or 767.481, \$50. No fee may be collected under this
14 paragraph for filing a petition, motion, or order to show cause for the revision of a
15 judgment or order for legal custody or physical placement if both parties have
16 stipulated to the revision of the judgment or order. Of the fees received by the clerk
17 under this paragraph, the county treasurer shall pay 25 percent to the ~~secretary of~~
18 ~~administration~~ state treasurer for deposit in the general fund, retain 25 percent for
19 the use of the county, and deposit 50 percent in a separate account to be used by the
20 county exclusively for the purposes specified in s. 767.405.

21 **SECTION 320.** 814.61 (8) (c) of the statutes is amended to read:

22 814.61 (8) (c) Of the fees received by the clerk under par. (am) 1., the county
23 treasurer shall pay \$22.50 to the ~~secretary of administration~~ state treasurer for
24 deposit in the general fund and shall retain the balance for the use of the county. The

ASSEMBLY BILL 1039**SECTION 320**

1 ~~secretary of administration~~ state treasurer shall credit \$5 of the \$22.50 to the
2 appropriation under s. 20.680 (2) (j).

3 **SECTION 321.** 814.61 (8) (d) of the statutes is amended to read:

4 814.61 (8) (d) Of the fees received by the clerk under par. (am) 2., the county
5 treasurer shall pay \$30 to the ~~secretary of administration~~ state treasurer for deposit
6 in the general fund and shall retain the balance for the use of the county. The state
7 treasurer shall credit \$5 of the \$30 to the appropriation under s. 20.680 (2) (j).

8 **SECTION 322.** 814.62 (1) of the statutes is amended to read:

9 814.62 (1) GARNISHMENT ACTIONS. The fee for commencing a garnishment action
10 under ch. 812, including actions under s. 799.01 (1) (d) 2., is \$20, except that there
11 is no fee for commencing a garnishment action to satisfy an order for victim
12 restitution under s. 973.20 (1r). Of the fees received by the clerk under this
13 subsection, the county treasurer shall pay \$12.50 to the ~~secretary of administration~~
14 state treasurer for deposit in the general fund and shall retain the balance for the
15 use of the county. The ~~secretary of administration~~ state treasurer shall credit \$5 of
16 the \$12.50 to the appropriation under s. 20.680 (2) (j).

17 **SECTION 323.** 814.62 (3) (d) 2. of the statutes is amended to read:

18 814.62 (3) (d) 2. Of the fees received by the clerk under par. (a), the county
19 treasurer shall pay \$11.80 to the ~~secretary of administration~~ state treasurer for
20 deposit in the general fund and shall retain the balance for the use of the county. The
21 ~~secretary of administration~~ state treasurer shall credit the \$11.80 to the
22 appropriation under s. 20.680 (2) (j).

23 **SECTION 324.** 814.62 (3) (d) 3. of the statutes is amended to read:

24 814.62 (3) (d) 3. Of the fees received by the clerk under par. (b), the county
25 treasurer shall pay \$27.20 to the ~~secretary of administration~~ state treasurer for

ASSEMBLY BILL 1039**SECTION 324**

1 deposit in the general fund and shall retain the balance for the use of the county. The
2 ~~secretary of administration~~ state treasurer shall credit \$10 of the \$27.20 to the
3 appropriation under s. 20.680 (2) (j).

4 **SECTION 325.** 814.63 (5) of the statutes is amended to read:

5 814.63 (5) Of the fees received by the clerk under sub. (1) (b), the county
6 treasurer shall pay \$17.50 to the ~~secretary of administration~~ state treasurer for
7 deposit in the general fund and shall retain the balance for the use of the county. The
8 ~~secretary of administration~~ state treasurer shall credit \$5 of the \$17.50 to the
9 appropriation under s. 20.680 (2) (j).

10 **SECTION 326.** 814.65 (1) of the statutes is amended to read:

11 814.65 (1) COURT COSTS. In a municipal court action, except for a financial
12 responsibility violation under s. 344.62 (2) or for a violation of an ordinance in
13 conformity with s. 343.51 (1m) (b) or 347.48 (2m), the municipal judge shall collect
14 a fee of not less than \$15 nor more than \$38 on each separate matter, whether it is
15 on default of appearance, a plea of guilty or no contest, on issuance of a warrant or
16 summons, or the action is tried as a contested matter. Of each fee received by the
17 judge under this subsection, the municipal treasurer shall pay monthly \$5 to the
18 ~~secretary of administration~~ state treasurer for deposit in the general fund and shall
19 retain the balance for the use of the municipality.

20 **SECTION 327.** 814.66 (3) of the statutes is amended to read:

21 814.66 (3) The register in probate shall, on the first Monday of each month, pay
22 into the office of the county treasurer all fees collected by him or her and in his or her
23 hands and still unclaimed as of that day. Each county treasurer shall make a report
24 under oath to the ~~secretary of administration~~ state treasurer on or before the 5th day
25 of January, April, July, and October of all fees received by him or her under sub. (1)

ASSEMBLY BILL 1039**SECTION 327**

1 (a) to (f) up to the first day of each of those months and shall at the same time pay
2 66.67 percent of the fees to the ~~secretary of administration~~ state treasurer for deposit
3 in the general fund. Each county treasurer shall retain the balance of fees received
4 by him or her under this section for the use of the county.

5 **SECTION 328.** 815.18 (3) (o) of the statutes is amended to read:

6 815.18 (3) (o) *Tuition units.* Tuition units purchased under s. ~~16.64~~ 14.63.

7 **SECTION 329.** 815.18 (3) (p) of the statutes is amended to read:

8 815.18 (3) (p) *College savings accounts.* An interest in a college savings account
9 under s. ~~16.641~~ 14.64.

10 **SECTION 330.** 863.37 (2) (a) of the statutes is amended to read:

11 863.37 (2) (a) Whenever payment of a legacy or a distributive share cannot be
12 made to the person entitled to payment or it appears that the person may not receive
13 or have the opportunity to obtain payment, the court may, on petition of a person
14 interested or on its own motion, order that the funds be paid or delivered to the
15 ~~secretary of revenue~~ state treasurer for deposit as provided under s. 177.23. Claims
16 on the funds may be made under s. 863.39 within 10 years after the date of
17 publication under s. 177.18. When a claimant to the funds resides outside the United
18 States or its territories the court may require the personal appearance of the
19 claimant before the court.

20 **SECTION 331.** 863.39 (1) of the statutes is amended to read:

21 863.39 (1) **GENERALLY.** If any legacy or intestate property is not claimed by the
22 distributee within 120 days after entry of final judgment, or within the time
23 designated in the judgment, it shall be converted into money as close to the inventory
24 value as possible and paid to the ~~secretary of revenue~~ state treasurer for deposit as
25 provided under s. 177.23. Claims for the money shall be made under sub. (3).

ASSEMBLY BILL 1039**SECTION 332**

1 **SECTION 332.** 863.39 (3) (a) of the statutes is amended to read:

2 863.39 **(3)** (a) Within 10 years after the date of publication under s. 177.18, any
3 person claiming any amount deposited under sub. (1) may file in the probate court
4 in which the estate was settled a petition alleging the basis of his or her claim. The
5 court shall order a hearing upon the petition, and 20 days' notice of the hearing and
6 a copy of the petition shall be given by the claimant to the department of revenue and
7 to the attorney general, who may appear for the state at the hearing. If the claim is
8 established it shall be allowed without interest, but including any increment which
9 may have occurred on securities held, and the court shall so certify to the department
10 of administration, which shall audit the claim. ~~The secretary of revenue~~ state
11 treasurer shall pay the claim out of the appropriation under s. ~~20.566 (4) (j)~~ 20.585
12 (1) (j). Before issuing the order distributing the estate, the court shall issue an order
13 determining the death tax due, if any. If real property has been adjudged to escheat
14 to the state under s. 852.01 (3) the probate court which made the adjudication may
15 adjudge at any time before title has been transferred from the state that the title
16 shall be transferred to the proper owners under this subsection.

17 **SECTION 333.** 938.275 (2) (d) of the statutes is amended to read:

18 938.275 **(2)** (d) Reimbursement payments shall be made to the clerk of courts
19 of the county where the proceedings took place. Each payment shall be transmitted
20 to the county treasurer, who shall deposit 25 percent of the amount paid for
21 state-provided counsel in the county treasury and transmit the remainder to the
22 ~~secretary of administration~~ state treasurer. Payments transmitted to the ~~secretary~~
23 ~~of administration~~ state treasurer shall be deposited in the general fund and credited
24 to the appropriation account under s. 20.550 (1) (L). The county treasurer shall

ASSEMBLY BILL 1039**SECTION 333**

1 deposit 100 percent of the amount paid for county-provided counsel in the county
2 treasury.

3 **SECTION 334.** 938.34 (8d) (b) of the statutes is amended to read:

4 938.34 (8d) (b) The clerk of court shall collect and transmit the amount to the
5 county treasurer under s. 59.40 (2) (m). The county treasurer shall then make
6 payment to the ~~secretary of administration~~ state treasurer under s. 59.25 (3) (f) 2.

7 **SECTION 335.** 938.34 (8d) (c) of the statutes is amended to read:

8 938.34 (8d) (c) If a juvenile placed in a juvenile correctional facility or a secured
9 residential care center for children and youth fails to pay the surcharge under par.
10 (a), the department of corrections shall assess and collect the amount owed from the
11 juvenile's wages or other moneys. Any amount collected shall be transmitted to the
12 ~~secretary of administration~~ state treasurer.

13 **SECTION 336.** 961.41 (5) (b) of the statutes is amended to read:

14 961.41 (5) (b) The clerk of the court shall collect and transmit the amount to
15 the county treasurer as provided in s. 59.40 (2) (m). The county treasurer shall then
16 make payment to the ~~secretary of administration~~ state treasurer as provided in s.
17 59.25 (3) (f) 2.

18 **SECTION 337.** 973.042 (4) of the statutes is amended to read:

19 973.042 (4) After determining the amount due, the clerk of court shall collect
20 and transmit the amount to the county treasurer under s. 59.40 (2) (m). The county
21 treasurer shall then make payment to the ~~secretary of administration~~ state
22 treasurer under s. 59.25 (3) (f) 2.

23 **SECTION 338.** 973.042 (5) of the statutes is amended to read:

24 973.042 (5) The ~~secretary of administration~~ state treasurer shall credit the
25 surcharge to the appropriation account under s. 20.455 (5) (gj).

ASSEMBLY BILL 1039**SECTION 339**

1 **SECTION 339.** 973.042 (6) of the statutes is amended to read:

2 973.042 (6) If an inmate in a state prison or a person sentenced to a state prison
3 has not paid the child pornography surcharge under this section, the department
4 shall assess and collect the amount owed from the inmate's wages or other moneys.
5 Any amount collected under this subsection shall be transmitted to the ~~secretary of~~
6 ~~administration~~ state treasurer.

7 **SECTION 340.** 973.043 (2) of the statutes is amended to read:

8 973.043 (2) After determining the amount due, the clerk of court shall collect
9 and transmit the amount to the county treasurer under s. 59.40 (2) (m). The county
10 treasurer shall then make payment to the ~~secretary of administration~~ state
11 treasurer under s. 59.25 (3) (f) 2.

12 **SECTION 341.** 973.043 (4) of the statutes is amended to read:

13 973.043 (4) If an inmate in a state prison or a person sentenced to a state prison
14 has not paid the drug offender diversion surcharge under this section, the
15 department shall assess and collect the amount owed from the inmate's wages or
16 other moneys. Any amount collected shall be transmitted to the ~~secretary of~~
17 ~~administration~~ state treasurer.

18 **SECTION 342.** 973.045 (2) of the statutes is amended to read:

19 973.045 (2) After the clerk determines the amount due, the clerk of court shall
20 collect and transmit the amount to the county treasurer under s. 59.40 (2) (m). The
21 county treasurer shall then make payment to the ~~secretary of administration~~ state
22 treasurer under s. 59.25 (3) (f) 2. The ~~secretary of administration~~ state treasurer
23 shall credit to the appropriation account under s. 20.455 (5) (g) the amount paid to
24 the secretary by the county treasurer under this subsection and any amount
25 collected under sub. (4).

ASSEMBLY BILL 1039**SECTION 343**

1 **SECTION 343.** 973.045 (4) of the statutes is amended to read:

2 973.045 (4) If an inmate in a state prison or a person sentenced to a state prison
3 has not paid the crime victim and witness assistance surcharge under this section,
4 the department shall assess and collect the amount owed from the inmate's wages
5 or other moneys. Any amount collected shall be transmitted to the ~~secretary of~~
6 ~~administration~~ state treasurer.

7 **SECTION 344.** 973.046 (2) of the statutes is amended to read:

8 973.046 (2) After the clerk of court determines the amount due, the clerk shall
9 collect and transmit the amount to the county treasurer under s. 59.40 (2) (m). The
10 county treasurer shall then make payment to the ~~secretary of administration~~ state
11 treasurer under s. 59.25 (3) (f) 2.

12 **SECTION 345.** 973.046 (3) of the statutes is amended to read:

13 973.046 (3) All moneys collected from deoxyribonucleic acid analysis
14 surcharges shall be deposited by the ~~secretary of administration~~ state treasurer as
15 specified in s. 20.455 (2) (Lm) and utilized under s. 165.77.

16 **SECTION 346.** 973.046 (4) of the statutes is amended to read:

17 973.046 (4) If an inmate in a state prison or a person sentenced to a state prison
18 has not paid the deoxyribonucleic acid analysis surcharge under this section, the
19 department shall assess and collect the amount owed from the inmate's wages or
20 other moneys. Any amount collected shall be transmitted to the ~~secretary of~~
21 ~~administration~~ state treasurer.

22 **SECTION 347.** 973.055 (2) of the statutes is amended to read:

23 973.055 (2) (a) If the surcharge is imposed by a court of record, after the court
24 determines the amount due, the clerk of the court shall collect and transmit the
25 amount to the county treasurer as provided in s. 59.40 (2) (m). The county treasurer

ASSEMBLY BILL 1039**SECTION 347**

1 shall then make payment to the ~~secretary of administration~~ state treasurer as
2 provided in s. 59.25 (3) (f) 2.

3 (b) If the surcharge is imposed by a municipal court, after a determination by
4 the court of the amount due, the court shall collect and transmit the amount to the
5 treasurer of the county, city, town, or village, and that treasurer shall make payment
6 to the ~~secretary of administration~~ state treasurer as provided in s. 66.0114 (1) (bm).

7 **SECTION 348.** 973.055 (3) of the statutes is amended to read:

8 973.055 (3) All moneys collected from domestic abuse surcharges shall be
9 deposited by the ~~secretary of administration~~ state treasurer in s. 20.437 (1) (hh) and
10 utilized in accordance with s. 49.165.

11 **SECTION 349.** 973.057 (2) (a) of the statutes is amended to read:

12 973.057 (2) (a) If the surcharge is imposed by a court of record, after the court
13 determines the amount due, the clerk of the court shall collect and transmit the
14 amount to the county treasurer as provided in s. 59.40 (2) (m). The county treasurer
15 shall then make payment to the ~~secretary of administration~~ state treasurer as
16 provided in s. 59.25 (3) (f) 2.

17 **SECTION 350.** 973.057 (2) (b) of the statutes is amended to read:

18 973.057 (2) (b) If the surcharge is imposed by a municipal court, after a
19 determination by the court of the amount due, the court shall collect and transmit
20 the amount to the treasurer of the county, city, town, or village, and that treasurer
21 shall make payment to the ~~secretary of administration~~ state treasurer as provided
22 in s. 66.0114 (1) (bm).

23 **SECTION 351.** 973.057 (3) of the statutes is amended to read:

ASSEMBLY BILL 1039**SECTION 351**

1 973.057 (3) All moneys collected from global positioning system tracking
2 surcharges shall be deposited by the ~~secretary of administration~~ state treasurer in
3 s. 20.410 (1) (gL) and utilized in accordance with s. 301.49.

4 **SECTION 352.** 978.12 (5) (c) 1. of the statutes is amended to read:

5 978.12 (5) (c) 1. The salaries authorized under this section for the district
6 attorney and the state employees of the office of district attorney shall be paid by the
7 ~~secretary of administration~~ state treasurer to the county treasurer pursuant to a
8 voucher submitted by the district attorney to the department of administration. The
9 county treasurer shall pay the amounts directly to the district attorney and state
10 employees of the office of district attorney and the amounts paid shall be subject to
11 the retirement system established under chapter 201, laws of 1937.

12 **SECTION 353.** 978.13 (1) (b) of the statutes is amended to read:

13 978.13 (1) (b) In counties having a population of 500,000 or more, the salary
14 and fringe benefit costs of 2 clerk positions providing clerical services to the
15 prosecutors in the district attorney's office handling cases involving felony violations
16 under ch. 961. The ~~secretary of administration~~ state treasurer shall pay the amount
17 authorized under this subsection to the county treasurer pursuant to a voucher
18 submitted by the district attorney to the department of administration from the
19 appropriation under s. 20.475 (1) (i).

20 **SECTION 354.** 978.13 (1) (c) of the statutes is amended to read:

21 978.13 (1) (c) In counties having a population of 500,000 or more, the salary and
22 fringe benefit costs of clerk positions in the district attorney's office necessary for the
23 prosecution of violent crime cases primarily involving felony violations under s.
24 939.63, if a felony is committed while armed, and under ss. 940.01 to 940.03, 940.05,
25 940.06, 940.225, 943.23 (1g), and 943.32 (2). The ~~secretary of administration~~ state

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1 treasurer shall pay the amount authorized under this subsection to the county
2 treasurer pursuant to a voucher submitted by the district attorney to the secretary
3 of administration from the appropriation under s. 20.475 (1) (i).

4 **SECTION 355.** 978.13 (1) (d) of the statutes is amended to read:

5 978.13 (1) (d) In counties having a population of 500,000 or more, the salary
6 and fringe benefit costs of 2 clerk positions providing clerical services to the
7 prosecutors in the district attorney's office handling cases involving the unlawful
8 possession or use of firearms. ~~The secretary of administration~~ state treasurer shall
9 pay the amount authorized under this subsection to the county treasurer from the
10 appropriation under s. 20.475 (1) (i) pursuant to a voucher submitted by the district
11 attorney to the department of administration.

12 **SECTION 356. Nonstatutory provisions.**

13 (1) TRANSFER OF THE CASH MANAGEMENT FUNCTIONS OF THE DEPARTMENT OF
14 ADMINISTRATION.

15 (a) *Assets and liabilities.* On the effective date of this paragraph, all assets and
16 liabilities of the department of administration that the secretary of administration
17 determines to be primarily related to the cash management functions of the
18 department of administration become the assets and liabilities of the office of the
19 state treasurer on the effective date of this paragraph.

20 (b) *Employee transfer.* All incumbent employees who hold positions in the
21 department of administration performing duties that the secretary of
22 administration determines to be primarily related to the cash management
23 functions of the department of administration, and the full-time equivalent
24 positions held by those employees, are transferred to the office of the state treasurer
25 on the effective date of this paragraph.

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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 office of the state treasurer that they enjoyed in the department of
4 administration immediately before the transfer. Notwithstanding section 230.28 (4)
5 of the statutes, no employee so transferred who has attained permanent status in
6 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 administration
9 that the secretary of administration determines to be primarily related to the cash
10 management functions of the department of administration is transferred to the
11 office of the state treasurer.

12 (e) *Contracts.* All contracts that were entered into by the department of
13 administration that the secretary of administration determines to be primarily
14 related to the cash management functions of the department of administration, and
15 that are in effect on the effective date of this paragraph remain in effect and are
16 transferred to the office of the state treasurer. The office of the state treasurer shall
17 carry out any obligations under such a contract until the contract is modified or
18 rescinded by the office of the state treasurer to the extent allowed under the contract.

19 (f) *Rules and orders.* All rules promulgated, and all orders issued, by the
20 department of administration that the secretary of administration determines to be
21 primarily related to the cash management functions of the department of
22 administration, and that are in effect on the effective date of this paragraph, remain
23 in effect until their specified expiration date or until amended or repealed by the
24 office of the state treasurer. All orders issued by the department of administration
25 in effect on the effective date of this paragraph that the secretary of administration

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1 determines to be primarily related to the cash management functions of the
2 department of administration remain in effect until their specified expiration dates
3 or until modified or rescinded by the state treasurer.

4 (g) *Pending matters.* Any matter pending with the department of
5 administration that the secretary of administration determines to be primarily
6 related to the cash management functions of the department of administration is
7 transferred to the office of the state treasurer, and all materials submitted to or
8 actions taken by the department of administration with respect to the pending
9 matter are considered as having been submitted to or taken by the office of the state
10 treasurer.

11 (2) TRANSFER OF COLLEGE SAVINGS PROGRAMS DUTIES TO THE DEPARTMENT OF
12 ADMINISTRATION.

13 (a) *Assets and liabilities.* On the effective date of this paragraph, all assets and
14 liabilities of the department of administration that the secretary of administration
15 determines to be primarily related to the department of administration's duties
16 under sections 16.64, 16.641, and 16.642, 2015 stats., become the assets and
17 liabilities of the office of the state treasurer on the effective date of this paragraph.

18 (b) *Employee transfer.* All incumbent employees who hold positions in the
19 department of administration performing duties that the secretary of
20 administration determines to be primarily related to the department of
21 administration's duties under sections 16.64, 16.641, and 16.642, 2015 stats., and
22 the full-time equivalent positions held by those employees, are transferred to the
23 office of the state treasurer on the effective date of this paragraph.

24 (c) *Employee status.* Employees transferred under paragraph (b) have all the
25 rights and the same status under subchapter V of chapter 111 and chapter 230 of the

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1 statutes in the office of the state treasurer that they enjoyed in the department of
2 administration immediately before the transfer. Notwithstanding section 230.28 (4)
3 of the statutes, no employee so transferred who has attained permanent status in
4 class is required to serve a probationary period.

5 (d) *Tangible personal property.* On the effective date of this paragraph, all
6 tangible personal property, including records, of the department of administration
7 that the secretary of administration determines to be primarily related to the
8 department of administration's duties under sections 16.64, 16.641, and 16.642,
9 2015 stats., is transferred to the office of the state treasurer.

10 (e) *Contracts.* All contracts that were entered into by the department of
11 administration that the secretary of administration determines to be primarily
12 related to the department of administration's duties under sections 16.64, 16.641,
13 and 16.642, 2015 stats., and that are in effect on the effective date of this paragraph
14 remain in effect and are transferred to the office of the state treasurer. The office of
15 the state treasurer shall carry out any obligations under such a contract until the
16 contract is modified or rescinded by the office of the state treasurer to the extent
17 allowed under the contract.

18 (f) *Rules and orders.* All rules promulgated, and all orders issued, by the
19 department of administration that the secretary of administration determines to be
20 primarily related to the department of administration's duties under sections 16.64,
21 16.641, and 16.642, 2015 stats., and that are in effect on the effective date of this
22 paragraph, remain in effect until their specified expiration date or until amended or
23 repealed by the office of the state treasurer. All orders issued by the department of
24 administration in effect on the effective date of this paragraph that the secretary of
25 administration determines to be primarily related to the department of

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1 administration's duties under sections 16.64, 16.641, and 16.642, 2015 stats., remain
2 in effect until their specified expiration dates or until modified or rescinded by the
3 state treasurer.

4 (g) *Pending matters.* Any matter pending with the department of
5 administration that the secretary of administration determines to be primarily
6 related to the department of administration's duties under sections 16.64, 16.641,
7 and 16.642, 2015 stats., is transferred to the office of the state treasurer, and all
8 materials submitted to or actions taken by the department of administration with
9 respect to the pending matter are considered as having been submitted to or taken
10 by the office of the state treasurer.

11 (3) TRANSFER OF LOCAL GOVERNMENT POOLED-INVESTMENT DUTIES TO THE
12 DEPARTMENT OF ADMINISTRATION.

13 (a) *Assets and liabilities.* On the effective date of this paragraph, all assets and
14 liabilities of the department of administration that the secretary of administration
15 determines to be primarily related to the department of administration's duties
16 under section 25.50, 2015 stats., become the assets and liabilities of the office of the
17 state treasurer on the effective date of this paragraph.

18 (b) *Employee transfer.* All incumbent employees who hold positions in the
19 department of administration performing duties that the secretary of
20 administration determines to be primarily related to the department of
21 administration's duties under section 25.50, 2015 stats., and the full-time
22 equivalent positions held by those employees, are transferred to the office of the state
23 treasurer on the effective date of this paragraph.

24 (c) *Employee status.* Employees transferred under paragraph (b) have all the
25 rights and the same status under subchapter V of chapter 111 and chapter 230 of the

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1 statutes in the office of the state treasurer that they enjoyed in the department of
2 administration immediately before the transfer. Notwithstanding section 230.28 (4)
3 of the statutes, no employee so transferred who has attained permanent status in
4 class is required to serve a probationary period.

5 (d) *Tangible personal property.* On the effective date of this paragraph, all
6 tangible personal property, including records, of the department of administration
7 that the secretary of administration determines to be primarily related to the
8 department of administration's duties under section 25.50, 2015 stats., is
9 transferred to the office of the state treasurer.

10 (e) *Contracts.* All contracts that were entered into by the department of
11 administration that the secretary of administration determines to be primarily
12 related to the department of administration's duties under section 25.50, 2015 stats.,
13 and that are in effect on the effective date of this paragraph remain in effect and are
14 transferred to the office of the state treasurer. The office of the state treasurer shall
15 carry out any obligations under such a contract until the contract is modified or
16 rescinded by the office of the state treasurer to the extent allowed under the contract.

17 (f) *Rules and orders.* All rules promulgated, and all orders issued, by the
18 department of administration that the secretary of administration determines to be
19 primarily related to the department of administration's duties under section 25.50,
20 2015 stats., and that are in effect on the effective date of this paragraph, remain in
21 effect until their specified expiration date or until amended or repealed by the office
22 of the state treasurer. All orders issued by the department of administration in effect
23 on the effective date of this paragraph that the secretary of administration
24 determines to be primarily related to the department of administration's duties

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1 under section 25.50, 2015 stats., remain in effect until their specified expiration
2 dates or until modified or rescinded by the state treasurer.

3 (g) *Pending matters.* Any matter pending with the department of
4 administration that the secretary of administration determines to be primarily
5 related to the department of administration's duties under section 25.50, 2015 stats.,
6 is transferred to the office of the state treasurer, and all materials submitted to or
7 actions taken by the department of administration with respect to the pending
8 matter are considered as having been submitted to or taken by the office of the state
9 treasurer.

10 (4) TRANSFER OF UNCLAIMED PROPERTY PROGRAM TO OFFICE OF THE STATE
11 TREASURER.

12 (a) *Assets and liabilities.* On the effective date of this paragraph, all assets and
13 liabilities of the department of revenue that the secretary of administration
14 determines to be primarily related to activities under chapter 177 become the assets
15 and liabilities of the office of the state treasurer on the effective date of this
16 paragraph.

17 (b) *Employee transfer.* All incumbent employees who hold positions in the
18 department of revenue performing duties that the secretary of administration
19 determines to be primarily related to chapter 177, and the full-time equivalent
20 positions held by those employees, are transferred to the office of the state treasurer
21 on the effective date of this paragraph.

22 (c) *Employee status.* Employees transferred under paragraph (b) have all the
23 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
24 statutes in the office of the state treasurer that they enjoyed in the department of
25 revenue immediately before the transfer. Notwithstanding section 230.28 (4) of the

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1 statutes, no employee so transferred who has attained permanent status in class is
2 required to serve a probationary period.

3 (d) *Tangible personal property.* On the effective date of this paragraph, all
4 tangible personal property, including records, of the department of revenue that the
5 secretary of administration determines to be primarily related to activities under
6 chapter 177 is transferred to the office of the state treasurer.

7 (e) *Contracts.* All contracts that were entered into by the department of
8 revenue that the secretary of administration determines to be primarily related to
9 activities under chapter 177, and that are in effect on the effective date of this
10 paragraph remain in effect and are transferred to the office of the state treasurer.
11 The office of the state treasurer shall carry out any obligations under such a contract
12 until the contract is modified or rescinded by the office of the state treasurer to the
13 extent allowed under the contract.

14 (f) *Rules and orders.* All rules promulgated, and all orders issued, by the
15 department of revenue that the secretary of administration determines to be
16 primarily related to activities under chapter 177, and that are in effect on the
17 effective date of this paragraph, remain in effect until their specified expiration date
18 or until amended or repealed by the office of the state treasurer. All orders issued
19 by the department of administration in effect on the effective date of this paragraph
20 that the secretary of administration determines to be primarily related to activities
21 under chapter 177 remain in effect until their specified expiration dates or until
22 modified or rescinded by the state treasurer.

23 (g) *Pending matters.* Any matter pending with the department of revenue that
24 the secretary of administration determines to be primarily related to activities under
25 chapter 177 is transferred to the office of the state treasurer, and all materials

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1 submitted to or actions taken by the department of revenue with respect to the
2 pending matter are considered as having been submitted to or taken by the office of
3 the state treasurer.

4 (5) TRANSFER OF ADMINISTRATIVE SERVICES PROVIDED TO THE BOARD OF
5 COMMISSIONERS OF PUBLIC LANDS.

6 (a) *Assets and liabilities.* On the effective date of this paragraph, all assets and
7 liabilities of the department of administration that the secretary of administration
8 determines to be primarily related to administrative services provided to the board
9 of commissioners of public lands become the assets and liabilities of the office of the
10 state treasurer on the effective date of this paragraph.

11 (b) *Employee transfer.* All incumbent employees who hold positions in the
12 department of administration performing duties that the secretary of
13 administration determines to be primarily related to administrative services
14 provided to the board of commissioners of public lands, and the full-time equivalent
15 positions held by those employees, are transferred to the office of the state treasurer
16 on the effective date of this paragraph.

17 (c) *Employee status.* Employees transferred under paragraph (b) have all the
18 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
19 statutes in the office of the state treasurer that they enjoyed in the department of
20 administration immediately before the transfer. Notwithstanding section 230.28 (4)
21 of the statutes, no employee so transferred who has attained permanent status in
22 class is required to serve a probationary period.

23 (d) *Tangible personal property.* On the effective date of this paragraph, all
24 tangible personal property, including records, of the department of administration
25 that the secretary of administration determines to be primarily related to

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1 administrative services provided to the board of commissioners of public lands is
2 transferred to the office of the state treasurer.

3 (e) *Contracts.* All contracts that were entered into by the department of
4 administration that the secretary of administration determines to be primarily
5 related to administrative services provided to the board of commissioners of public
6 lands, and that are in effect on the effective date of this paragraph remain in effect
7 and are transferred to the office of the state treasurer. The office of the state
8 treasurer shall carry out any obligations under such a contract until the contract is
9 modified or rescinded by the office of the state treasurer to the extent allowed under
10 the contract.

11 (f) *Rules and orders.* All rules promulgated, and all orders issued, by the
12 department of administration that the secretary of administration determines to be
13 primarily related to administrative services provided to the board of commissioners
14 of public lands, and that are in effect on the effective date of this paragraph, remain
15 in effect until their specified expiration date or until amended or repealed by the
16 office of the state treasurer. All orders issued by the department of administration
17 in effect on the effective date of this paragraph that the secretary of administration
18 determines to be primarily related to administrative services provided to the board
19 of commissioners of public lands remain in effect until their specified expiration
20 dates or until modified or rescinded by the state treasurer.

21 (g) *Pending matters.* Any matter pending with the department of
22 administration that the secretary of administration determines to be primarily
23 related to administrative services provided to the board of commissioners of public
24 lands is transferred to the office of the state treasurer, and all materials submitted
25 to or actions taken by the department of administration with respect to the pending

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1 matter are considered as having been submitted to or taken by the office of the state
2 treasurer.

3 **SECTION 357. Effective date.**

4 (1) This act takes effect on the first day of the 7th month beginning after
5 publication.

6 (END)