

BILL**TRANSPORTATION****HIGHWAYS**

Current law requires that any major highway project, unlike other construction projects undertaken by the department of transportation (DOT), receive the approval of the transportation projects commission (TPC) and the legislature before the project may be constructed. A major highway project is a project having a total cost of more than \$5,000,000 and involving construction of a new highway 2.5 miles or more in length; reconstruction or reconditioning of an existing highway that relocates at least 2.5 miles of the highway or adds one or more lanes five miles or more in length to the highway; or improvement of an existing multilane divided highway to freeway standards. There are currently 75 enumerated major highway projects approved for construction. This bill adds one major highway project to the list of 75 enumerated projects already approved for construction.

Under current law, the building commission may issue revenue bonds in a principal amount of \$1,348,058,900, of which \$1,255,499,900 may be used for major highway projects and other transportation facilities and \$92,559,000 may be used for fees and other expenses related to the revenue obligations.

This bill increases the level of revenue bonding for major highway projects and transportation administrative facilities by 14.3% to \$1,435,165,900. The bill also authorizes the building commission to contract revenue obligations in any amount to pay fees and other expenses related to the revenue obligations.

This bill authorizes DOT to designate highways that have outstanding intrinsic value as scenic byways. The bill allows DOT to apply for federal designation of a scenic byway as a national scenic byway. Federal designation would make the scenic byway eligible for federal aid for scenic byways.

Under current law, outdoor advertising signs that are located along interstates and certain other highways and that advertise activities conducted on the property on which the signs are located (on-property signs) are subject to restrictions as to size, number and location. This bill prohibits the erection of on-property signs at locations that constitute traffic hazards and eliminates specific restrictions that apply solely to on-property signs located outside the incorporated area of a city or village. The bill specifies that on-property signs do not require permits issued by DOT.

DRIVERS AND MOTOR VEHICLES

Current law authorizes circuit courts and municipal courts to suspend or revoke a person's motor vehicle operating privilege for a variety of reasons, including failure to pay an amount ordered by the court for ordinance violations unrelated to operating a motor vehicle, such as failing to properly keep sidewalks clear of snow and ice. Suspensions and revocations for failure to pay generally continue until the person pays the amount owed. The suspension and revocation orders are forwarded

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to DOT, which updates the person's driving record to reflect the suspension or revocation.

This bill requires DOT to develop a process, by rule, to charge courts a processing fee for each court order that suspends or revokes a person's operating privilege for failure to pay a forfeiture that was imposed for violating an ordinance unrelated to the violator's operation of a motor vehicle. The bill also allows courts to charge the violator a fee in an amount not more than the fee DOT charges the court for processing the order.

Current law requires DOT to redesign motor vehicle registration plates that are issued to certain specified vehicles, primarily automobiles and light-duty trucks, or that identify the registrant as a member of an authorized special group (such as U.S. military or veteran, physically disabled, University of Wisconsin campus or natural resources). DOT must begin issuing the newly designed plates beginning with registrations effective July 1, 2000, and must issue newly designed plates for every specified vehicle registered in this state by July 1, 2003. Vehicle registrants must pay \$10 or \$15, depending on the type of plate, for the newly designed plates.

This bill allows DOT until July 1, 2005, to complete the issuance of the newly designed plates. The bill also requires DOT to redesign these registration plates every six years, and to issue plates of the new design to replace plates that are six or more years old.

Under current law, if a person arrested for operating a motor vehicle while under the influence of an intoxicant (OWI) refuses to take a test to determine the amount of alcohol in his or her blood or breath, the law enforcement officer who requested the test takes possession of the person's license, prepares a notice of intent to revoke the person's operating privilege and gives a copy of the notice to the person, to the circuit court and to the district attorney. The notice informs the person of a number of items, including the right to request a court hearing to contest the revocation. The Wisconsin court of appeals, in *State v. Schoepp*, 204 Wis. 2d 266 (1996), held that a person who receives a notice of intent to revoke the person's operating privilege may utilize the full range of discovery procedures under state law, including the use of depositions and interrogatories.

This bill prohibits either party's use of discovery in these cases, except that if a hearing is requested, the person who refused to take the test has the right to receive a copy of any written or voice recorded statement of a witness before that witness testifies.

Currently, 31.29% of all moneys received by the state as driver improvement surcharges from persons convicted of OWI is used to pay for chemical testing and services provided by the state traffic patrol. The secretary of administration transfers the remaining driver improvement surcharge moneys to programs or purposes related to OWI, such as for the purchase of breath screening devices. Under this bill, the separate 31.29% payment is eliminated and the chemical testing and

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services program is eligible for a funding transfer approved by the secretary of administration as are the other OWI-related programs.

Under current law, DOT may contract with third-party testers to conduct on-the-road tests for commercial motor vehicle drivers, abbreviated on-the-road tests for school bus drivers and special examinations for school bus drivers. This bill permits DOT to contract with third-party testers to conduct on-the-road tests for noncommercial motor vehicle drivers, except on-the-road tests for authorization to operate certain motorcycles.

This bill raises the fee for a driving skills test in a school bus or in a noncommercial motor vehicle from \$10 to \$15.

Current law requires DOT to issue a distinctive license document to any person who is under the legal drinking age when the license is issued. Under this bill, beginning on January 1, 2000, DOT must also issue a distinctive license document to any person who is under 18 years of age when the license is issued.

Under current law, no person may operate a school bus unless the person possesses an endorsement to operate school buses. A school bus endorsement is valid for the eight-year duration of the person's operator's license. This bill requires each school bus operator to pass an examination of his or her ability to safely operate a school bus at least once every 4 years.

1997 Wisconsin Act 84 made extensive changes to this state's laws regarding operating a motor vehicle with an operating privilege that is revoked or suspended (OAR or OWS). Most of those changes are scheduled to take effect on May 1, 2000, or sooner if DOT's computer system can accommodate the necessary changes.

This bill delays the effective date of 1997 Wisconsin Act 84 until May 1, 2001, or until DOT's computer system can accommodate the necessary changes, whichever occurs earlier. The bill specifies that DOT is not required to implement all of that act's changes simultaneously, but may establish different effective dates for those changes. The bill makes an OAR or OWS committed in another jurisdiction a minor traffic offense for purposes of determining whether the offending driver is a habitual traffic offender. Under the bill, all OAR and OWS will be treated as minor traffic offenses, without regard to where the offense was committed.

Currently, DOT is required to revoke the operating privilege of a person determined to be a habitual traffic offender. The revocation commences on the day on which DOT mails the person notice of the revocation or, if the person is already suspended or revoked, on the day on which the person is convicted and first considered a habitual traffic offender, or on the date on which the person surrendered his or her operator's license to begin the current revocation or suspension period.

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This bill makes all revocations by DOT for habitual traffic offenders begin on the date DOT mails notice of the revocation.

Under current law, a highway authority may impose special weight limitations on highways that would likely be seriously damaged or destroyed if such limitations were not imposed. The weight limits are effective only if weight limit notice signs are properly posted. This bill requires the posting of advance weight limit notice signs, in addition to the weight limit notice signs, to allow motorists to avoid the weight-limited highway altogether.

Current law prohibits any person from driving upon a highway any motor vehicle that exceeds the maximum permissible gross vehicle weight or the maximum permissible weight per axle. Current law allows additional weight, beyond the weight limits ordinarily applicable, for certain trucks transporting exclusively milk from the point of production to the primary market and returning with dairy supplies and dairy products from such primary market to the farm. Only milk trucks having axle measurements of nine feet, one inch or greater qualify for the additional 2,000 pound axle weight. This bill extends the 2,000 pound weight limit to milk trucks having an actual axle distance of eight feet, six inches or more.

Under current law, DOT utilizes a telephone call-in procedure through which applicants may obtain certain single trip permits to operate vehicles that exceed the statutory size or weight limits. This bill requires DOT to implement a telephone call-in procedure through which applicants may obtain single trip, annual, consecutive month and multiple trip permits to operate vehicles that exceed the statutory size or weight limits, together with the designated route of travel. The bill also raises fees for certain single trip, annual, consecutive month and multiple trip permits issued by DOT by 10% beginning on January 1, 2000, and ending on June 30, 2003, after which time the fees revert to their current amounts.

This bill increases the fee for late payment of fees for registering a motor truck through DOT's automated telephone registration system from \$5 to \$10.

This bill eliminates the \$5 fee charged to financial institutions for processing electronic applications for motor vehicle title and registration.

Under current law, a claimant must serve legal process upon the secretary of transportation to commence a legal action against a nonresident driver for damages arising from a motor vehicle accident in this state. The secretary of transportation collects a \$15 fee from the claimant for each defendant in the action and forwards the legal process to the nonresident driver. This bill increases this service-of-process fee to \$25.

BILL**TRANSPORTATION AIDS**

Under current law, DOT provides state aid payments to local public bodies in urban areas served by mass transit systems to assist the local public bodies with the expenses of operating those systems. DOT makes state aid payments in amounts sufficient to ensure that the combination of state and federal aids contributed toward the operating expenses of an urban mass transit system equals the uniform percentage established by DOT for the class of mass transit system. The percentage varies for each of the three classes of mass transit systems but is uniform for all mass transit systems within a class. The three classes are: 1) mass transit systems serving urban areas having a population of less than 50,000; 2) mass transit systems serving urban areas having a population of more than 50,000 but having annual operating expenses of less than \$20,000,000; and 3) mass transit systems having annual operating expenses of more than \$20,000,000.

This bill modifies the classes of mass transit systems and revises the amount of state aids payable to local public bodies served by those systems. The bill creates two classes of mass transit systems: 1) those having operating expenses of more than \$20,000,000 (Tier A); and 2) those having operating expenses of \$20,000,000 or less (Tier B). Under the bill, the sum of state and federal aid provided to a local public body served by a Tier A mass transit system may not exceed 50% of the mass transit system's projected operating expenses. The sum of state and federal aid provided to a local public body served by a Tier B mass transit system may not exceed 65% of the mass transit system's projected operating expenses, except that the sum of aids provided to local public bodies served by certain Tier B mass transit systems may not exceed 60% for calendar years 2000 and 2001.

Current law requires a local public body that receives state aid under the urban mass transit operating assistance program to pay a local contribution towards the mass transit system's operating expenses in an amount equal to at least 20% of the amount of state aid received under the program. This local contribution does not apply to local public bodies served exclusively by a shared-ride taxicab system. This bill requires all recipients to pay at least 10% of the operating expenses, regardless of the amount of state aid received under the program, except that recipients served exclusively by a shared-ride taxicab system must pay at least 5% of the system's operating expenses.

Under current law, DOT makes general transportation aids payments to a county based on a share-of-costs formula, and to a municipality (city, village or town) based on the greater of a share-of-costs formula for municipalities or an aid rate per mile (\$1,596 for 1998 and thereafter).

Beginning with general transportation aids payable for the year 2000, this bill increases the aid rate to \$1,644 per mile and increases the maximum amount of aid that may be paid under the program from the current limit of \$78,744,300 to \$81,106,600 for counties, and from the current limit of \$247,739,100 to \$254,784,900 for municipalities. The bill also allows a portion of law enforcement costs to be considered in the share-of-costs formula, instead of as highway-related traffic

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police costs. The bill allows DOT to establish different portions for different classes of counties or municipalities.

This bill provides that aid amounts payable to any single municipality or county under the general transportation aids program may not be reduced by more than 2% annually.

This bill requires each municipality to assess biennially the condition of roads under its jurisdiction and to report the results to DOT.

This bill provides that the amount of aid that DOT may award under the elderly and disabled transportation capital assistance program, which provides aid for specialized vehicles and facilities used to provide transportation services to elderly and disabled persons, may not exceed the percentage of estimated costs specified by DOT or the percentage of costs that are eligible for federal aid, whichever is less.

Under current law, DOT may contract up to \$19,000,000 in public debt for the acquisition and improvement of rail property. This bill increases this authorized general obligation bonding limit from \$19,000,000 to \$23,500,000.

RAIL AND AID TRANSPORTATION

Under current law, DOT, local governmental bodies, local residents and railroad companies may petition the office of the commissioner of railroads (OCR) for a determination of whether a railroad crossing over a public highway protects and promotes public safety. OCR may order the railroad to install automatic warning signals or other suitable safety device at the railroad crossing.

This bill creates a railroad grade crossings committee to review every railroad grade crossing in this state to recommend crossings for improvements. The bill generally prohibits DOT from paying for improvements to railroad grade crossings ordered by OCR unless the committee first recommended improvements to the crossing.

Currently, under the freight railroad assistance program, DOT makes loans to cities, villages, towns and counties for acquiring freight railroad facilities, rehabilitating or constructing rail property improvements or improving freight railroad infrastructure. The loans are made at the legal rate of interest of 5%, unless DOT and the borrower agree to a different rate. This bill requires DOT to specify by rule a rate of interest applicable to such loans.

OTHER TRANSPORTATION

This bill increases the authorized general obligation bonding limit for grants awarded by DOT for harbor improvements from \$15,000,000 to \$18,000,000.

Under current law, participants under the Wisconsin retirement system (WRS) whose principal duties involve law enforcement, require frequent exposure to a high

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degree of peril and require a high degree of physical conditioning are classified as protective occupation participants. Current law specifically classifies members of the state patrol as protective occupation participants. Under WRS, the normal retirement age of a protective occupation participant is lower, and the percentage multiplier used to calculate retirement annuities is higher, than for other participants.

This bill specifically classifies the administrator of the division of state patrol as a protective occupation participant for the purposes of WRS, if the division administrator is certified as qualified to be employed as a law enforcement officer in this state. The bill also makes the administrator a member of the state traffic patrol (having the same powers and duties of other members) if the administrator is certified as a law enforcement officer in this state. As a member of the state traffic patrol, the administrator is entitled to receive full pay and other benefits during any period in which the administrator is unable to work because of an injury sustained while performing certain duties that entail a considerable risk of injury or danger.

Under current law, the state traffic patrol consists of not more than 385 traffic officers in the classified service. This bill increases the authorized number of state patrol officers from 385 to 400.

Under current law, the operator of an authorized emergency vehicle (such as a police and fire vehicle or an ambulance) is exempt from certain traffic regulations when responding to an emergency call or when in pursuit of a suspected violator of the law. This exemption applies only when the operator is driving with due regard under the circumstances for the safety of all persons and, in most circumstances, is giving visible and audible signals.

This bill makes snowmobiles operated on state lands by DNR's law enforcement employes and all-terrain vehicles and snowmobiles operated by conservation wardens, on or off state lands, authorized emergency vehicles.

This bill requires DOT to award a grant of \$1,000,000 to the city of Superior for the construction of the Major Richard I. Bong Air Museum.

VETERANS AND MILITARY AFFAIRS

Under current law, in response to a war, insurrection, rebellion, riot or invasion, in the event of a public disaster resulting from a flood, conflagration or tornado, or upon application of certain public officials, the governor may order into active service all or any portion of the national guard. This bill allows the governor to order all or any portion of the national guard into active service when the governor considers that activation necessary for the protection of persons or property.

Under current law, to be eligible for veterans benefits, a veteran must meet certain criteria, including residency in this state and service on active duty under honorable conditions in the U.S. armed forces. The veteran may be eligible for benefits if he or she meets certain types of service requirements, such as service in

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a war period or in specified conflicts or receipt of a specified service medal, or if he or she served on active duty for two consecutive years or the full period of his or her initial service obligation.

Under this bill, a veteran may also be eligible for benefits if he or she was a resident of this state for any consecutive five-year period after entry, reentry, enlistment or induction into service in the U.S. armed forces and before the date of his or her application for benefits or, if applicable, before the date of his or her death.

Currently, the department of veterans affairs (DVA) administers a mortgage loan program for veterans. Under the program, eligible veterans may obtain a mortgage loan for the purchase of a house or mobile home, construction of a home, home improvements, including construction of a garage, and certain refinancing related to a home purchase or construction. Under current law, the maximum loan amount for home improvements, including construction of a garage, is \$15,000. This bill changes that maximum loan amount to \$25,000.

Currently, DVA reimburses eligible nondisabled veterans for 50% of the tuition and fees incurred by the veteran while attending a postsecondary school as an undergraduate. This bill raises the reimbursement rate to 65% of the tuition and fees incurred by a nondisabled veteran.

Under current law, reimbursement is available under this program only for classes in an institution in the University of Wisconsin (UW) System or at a technical college or for classes attended by a veteran receiving a waiver of nonresident tuition under the Minnesota–Wisconsin student reciprocity agreement. Reimbursement is limited to tuition and fees paid for 120 part–time or full–time credits at an institution in the UW System, or for 60 part–time or full–time credits at a technical college, or an equivalent amount of credits at the institution at which the veteran is receiving a waiver of nonresident tuition. This bill allows the veteran to attend any institution of higher education, including technical colleges, but requires the veteran to enroll for at least 12 credits during the semester for which reimbursement is requested.

Under current law, an eligible veteran who is a resident of this state and who completes a correspondence course or a course as a part–time student from an institution of higher education may apply for reimbursement from DVA for a portion of the costs of the course if the course is related to the veteran’s occupational, professional or employment objectives. Under current law, the maximum reimbursement that may be paid is 50% of the tuition and fees paid for the course. This bill increases the maximum reimbursement percentage from 50% to 65%.

Currently, DVA may borrow money from the veterans mortgage loan repayment fund and enter into transactions with the state investment board to obtain money to make loans to veterans under the veterans personal loan program. If DVA borrows money from the veterans mortgage loan repayment fund, DVA must pledge the loans made under the veterans personal loan program as collateral for that borrowed money.

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Under this bill, DVA may borrow money from the veterans mortgage loan repayment fund to obtain money for the veterans personal loan program, but is not required to pledge the loans made under the personal loan program as collateral for the borrowed money. The bill provides that transactions with the state investment board may include the sale of veterans' loans.

This bill uses moneys received under the Indian gaming compacts to fund an American Indian services coordinator as a project position in DVA. The bill also uses moneys received under the Indian gaming compacts to award grants to the governing bodies of federally recognized American Indian tribes and bands for the creation of a model program that helps American Indians overcome barriers to the receipt of federal and state veterans benefits.

Under current law, the state may contract public debt for the purpose of making loans to veterans for the purchase or construction of housing, for home improvements and for refinancing any existing mortgage for the purchase or construction of a home or for home improvements. Currently, the state is authorized to contract public debt in an amount not to exceed \$1,807,500,000. This bill increases this amount to \$1,918,000,000.

Under current law, DVA operates the Wisconsin Veterans Museum in Madison. The museum contains the battle flags of Wisconsin armed forces units that served in the nation's wars and other relics and mementos of those wars. This bill provides that the mission of the Wisconsin Veterans Museum is to acknowledge, commemorate and affirm the role of Wisconsin veterans in the United States of America's military past by means of instructive exhibits and other educational programs.

Under current law, only a county with a population of 100,000 or more, a bank or trust company and the commandant of the Wisconsin Veterans Home at King may be a guardian of five or more unrelated wards at one time. The commandant may act as a guardian only of members of the Wisconsin Veterans Home at King and is not allowed to charge a fee for that service. This bill eliminates the commandant of the Wisconsin Veterans Home at King from among those who may act as guardian of five or more unrelated wards at one time.

Currently, the national guard, in the department of military affairs, operates the Badger Challenge program, which provides programs for high school aged disadvantaged youth to help them remain in and complete high school. This bill allows only youths who are members of families eligible to receive aid from the federal temporary assistance for needy families program to attend the Badger Challenge program. The bill removes state general purpose funding from the program and allows federal temporary assistance for needy families block grant

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moneys received by the department of workforce development to be used to fund the operation of the Badger Challenge program.

This bill will be referred to the joint survey committee on tax exemptions for a detailed analysis, which will be printed as an appendix to this bill.

This bill will be referred to the joint survey committee on retirement systems for a detailed analysis, which will be printed as an appendix to this bill.

Because this bill concerns a conveyance of a lake bed area, the department of natural resources, as required by law, will prepare a detailed report to be printed as an appendix to this bill.

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

1 *~~-1961/1.1~~* **SECTION 1.** 13.123 (3) (a) of the statutes is amended to read:

2 13.123 (3) (a) Any senator authorized by the committee on senate organization
3 to attend a meeting outside the state capital, any representative to the assembly
4 authorized by the committee on assembly organization to attend an out-of-state
5 meeting or authorized by the speaker to attend a meeting within this state outside
6 the state capital, and all members of the legislature required by law, legislative rule,
7 resolution or joint resolution to attend such meetings, shall be paid no additional
8 compensation for such services but shall be reimbursed for actual and necessary
9 expenses from the appropriation under s. 20.765 (1) (a) or (b), but no legislator may
10 be reimbursed under this subsection for expenses on any day for which the legislator
11 submits a claim under sub. (1). ~~Any expenses incurred by a legislator under s. 14.82~~
12 ~~shall be reimbursed from the appropriation under s. 20.315 (1) (q).~~

13 *~~-1961/1.2~~* **SECTION 2.** 13.45 (3) (a) of the statutes is amended to read:

14 13.45 (3) (a) For any day for which the legislator does not file a claim under s.
15 13.123 (1), any legislator appointed to serve on a legislative committee or a
16 committee to which the legislator was appointed by either house or the officers
17 thereof shall be reimbursed from the appropriations under ~~ss. 20.315 (1) (q) and s.~~

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1 20.765 (1) (a) or (b) for actual and necessary expenses incurred as a member of the
2 committee.

3 ***-1250/5.1* SECTION 3.** 13.48 (16) of the statutes is amended to read:

4 13.48 (16) MADISON DOWNTOWN STATE OFFICE FACILITIES. The Except as provided
5 in s. 32.02 (16) the eminent domain authority of the building commission under ch.
6 32 is limited to the acquisition of such parcels of land as it deems necessary for a site
7 for Madison downtown state office facilities, whenever the building commission is
8 unable to agree with the owner upon the compensation therefor, or whenever the
9 absence or legal incapacity of such owner, or other cause prevents or unreasonably
10 delays such agreement.

11 ***-1696/7.1* SECTION 4.** 13.94 (1) (b) of the statutes is amended to read:

12 13.94 (1) (b) Audit the records of every state department, board, commission,
13 independent agency or authority and the corporation described under s. 39.81 at
14 least once each 5 years and audit the records of other departments as defined in sub.
15 (4) when the state auditor deems it advisable or when he or she is so directed and,
16 in conjunction therewith, reconcile the records of the department audited with those
17 of the department of administration. Audits of the records of a county, city, village,
18 town or school district may be performed only as provided in par. (m). Within 30 days
19 after completion of any such audit, the bureau shall file with the chief clerk of each
20 house of the legislature, the governor, the department of administration, the
21 legislative reference bureau, the joint committee on finance, the legislative fiscal
22 bureau and the department audited, a detailed report thereof, including its
23 recommendations for improvement and efficiency and including specific instances,
24 if any, of illegal or improper expenditures. The chief clerks shall distribute the report

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1 to the joint legislative audit committee, the appropriate standing committees of the
2 legislature and the joint committee on legislative organization.

3 ***-0030/2.1* SECTION 5.** 13.94 (4) (a) 1. of the statutes is amended to read:

4 13.94 (4) (a) 1. Every state department, board, examining board, affiliated
5 credentialing board, commission, independent agency, council or office in the
6 executive branch of state government; all bodies created by the legislature in the
7 legislative or judicial branch of state government; any public body corporate and
8 politic created by the legislature including specifically a professional baseball park
9 district and a family care district under s. 46.2895; every Wisconsin works agency
10 under subch. III of ch. 49; every provider of medical assistance under subch. IV of ch.
11 49; technical college district boards; development zones designated under s. 560.71;
12 every county department under s. 51.42 or 51.437; every nonprofit corporation or
13 cooperative to which moneys are specifically appropriated by state law; and every
14 corporation, institution, association or other organization which receives more than
15 50% of its annual budget from appropriations made by state law, including
16 subgrantee or subcontractor recipients of such funds.

17 ***-0030/2.2* SECTION 6.** 13.94 (4) (b) of the statutes is amended to read:

18 13.94 (4) (b) In performing audits of family care districts under s. 46.2895,
19 Wisconsin works agencies under subch. III of ch. 49, providers of medical assistance
20 under subch. IV of ch. 49, corporations, institutions, associations, or other
21 organizations, and their subgrantees or subcontractors, the legislative audit bureau
22 shall audit only the records and operations of such providers and organizations
23 which pertain to the receipt, disbursement or other handling of appropriations made
24 by state law.

25 ***-1850/1.1* SECTION 7.** 13.96 (3) of the statutes is created to read:

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1 13.96 (3) **POWERS OF THE DIRECTOR.** The director of the legislative technology
2 services bureau may, by lease agreement, purchase and install computer networking
3 equipment to serve facilities of state agencies, as defined in s. 20.001 (1), that are
4 located in the same building in which a legislative branch office is located or in an
5 adjacent building, and may provide related maintenance and support services to
6 such agencies.

7 ***-1741/2.1* SECTION 8.** 14.06 of the statutes is created to read:

8 **14.06 Gifts, grants and bequests.** The governor may accept gifts, grants and
9 bequests, and may expend the proceeds to carry out the purposes for which received.

10 ***-1739/1.1* SECTION 9.** 14.11 (2) (a) 1. to 3. of the statutes are amended to read:

11 14.11 (2) (a) 1. To assist the attorney general in any action or proceeding;

12 2. To act instead of the attorney general in any action or proceeding, if the
13 attorney general is in any way interested adversely to the state;

14 3. To defend any action instituted by the attorney general against any officer
15 of the state;

16 ***-1739/1.2* SECTION 10.** 14.11 (2) (a) 5. of the statutes is created to read:

17 14.11 (2) (a) 5. Upon request of the ethics board, to assist the board in
18 investigating or prosecuting an alleged violation of subch. III of ch. 13 or subch. III
19 of ch. 19.

20 ***-1821/4.1* SECTION 11.** 14.18 of the statutes is created to read:

21 **14.18 Assistance from state agencies. (1)** In this section "state agency" has
22 the meaning given under s. 20.001 (1).

23 **(2)** The governor may enter into a cooperative arrangement with any state
24 agency under which the agency provides assistance to the governor in carrying out
25 his or her responsibilities.

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1 *~~-1961/1.3~~* **SECTION 12.** 14.82 of the statutes is repealed.

2 *~~-2028/2.1~~* **SECTION 13.** 15.03 of the statutes is amended to read:

3 **15.03 Attachment for limited purposes.** Any division, office, commission,
4 council or board attached under this section to a department or independent agency
5 or a specified division thereof shall be a distinct unit of that department, independent
6 agency or specified division. Any division, office, commission, council or board so
7 attached shall exercise its powers, duties and functions prescribed by law, including
8 rule making, licensing and regulation, and operational planning within the area of
9 program responsibility of the division, office, commission, council or board,
10 independently of the head of the department or independent agency, but budgeting,
11 program coordination and related management functions shall be performed under
12 the direction and supervision of the head of the department or independent agency,
13 except that with respect to the office of the commissioner of railroads, all personnel
14 and ~~biennial~~ budget requests by the office of the commissioner of railroads shall be
15 processed and properly forwarded by the public service commission without change
16 except as requested and concurred in by the office of the commissioner of railroads
17 by the department of transportation.

18 *~~-1696/7.2~~* **SECTION 14.** 15.07 (1) (a) 5. of the statutes is amended to read:

19 15.07 (1) (a) 5. The members of the educational communications board
20 appointed under s. 15.57 (5) and (7) (1) (e) and (g) shall be appointed as provided in
21 that section.

22 *~~-1922/5.1~~* **SECTION 15.** 15.07 (2) (k) of the statutes is created to read:

23 15.07 (2) (k) The governor shall serve as chairperson of the governor's
24 work-based learning board.

25 *~~-2005/5.1~~* **SECTION 16.** 15.07 (2) (L) of the statutes is created to read:

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1 15.07 (2) (L) The chairperson of the glass ceiling board shall be designated
2 annually by the governor.

3 *~~1516/4.1~~* **SECTION 17.** 15.07 (5) (i) of the statutes is repealed.

4 *~~2023/1.1~~* **SECTION 18.** 15.105 (1) of the statutes is amended to read:

5 15.105 (1) **TAX APPEALS COMMISSION.** There is created a tax appeals commission
6 which is attached to the department of administration under s. 15.03. Members shall
7 be appointed solely on the basis of fitness to perform the duties of their office, and
8 shall be experienced in tax matters. The commission shall meet at the call of the
9 chairperson or at the call of a majority of its members. The chairperson shall not
10 serve on or under any committee of a political party. The commission shall include
11 but not be limited to a ~~small claims~~ summary proceedings division.

12 *~~0030/2.5~~* **SECTION 19.** 15.105 (10) of the statutes is amended to read:

13 15.105 (10) **BOARD ON AGING AND LONG-TERM CARE.** There is created a board on
14 aging and long-term care, attached to the department of administration under s.
15 15.03. The board shall consist of ~~7~~ 9 members appointed for staggered 5-year terms.
16 Members shall have demonstrated a continuing interest in the problems of providing
17 long-term care for the aged or disabled. ~~At least 4~~ All members shall be public
18 members with no interest in or affiliation with any nursing home. At least 5
19 members shall be persons aged 65 or older or persons with physical or developmental
20 disabilities or their family members, guardians or other advocates.

21 *~~0400/7.1~~* **SECTION 20.** 15.105 (24) (title) of the statutes is renumbered
22 15.195 (3) (title).

23 *~~0400/7.2~~* **SECTION 21.** 15.105 (24) (a) of the statutes is renumbered 15.195
24 (3) (a) and amended to read:

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1 15.195 (3) (a) *Creation*. There is created a national and community service
2 board which is attached to the department of ~~administration~~ health and family
3 services under s. 15.03.

4 ***-0400/7.3*** SECTION 22. 15.105 (24) (b) and (c) (intro.) and 1. to 4. of the
5 statutes are renumbered 15.195 (3) (b) and (c) (intro.) and 1. to 4.

6 ***-0400/7.4*** SECTION 23. 15.105 (24) (c) 4m. of the statutes is renumbered
7 15.195 (3) (c) 4m. and amended to read:

8 15.195 (3) (c) 4m. The secretary of ~~administration~~ health and family services
9 or his or her designee.

10 ***-0400/7.5*** SECTION 24. 15.105 (24) (c) 5. to 10., (d) and (e) of the statutes are
11 renumbered 15.195 (3) (c) 5. to 10., (d) and (e).

12 ***-0247/1.1*** SECTION 25. 15.105 (25) (intro.) of the statutes is amended to read:

13 15.105 (25) TECHNOLOGY FOR EDUCATIONAL ACHIEVEMENT IN WISCONSIN BOARD.
14 (intro.) There is created a technology for educational achievement in Wisconsin
15 board which is attached to the department of administration under s. 15.03. The
16 board shall consist of the state superintendent of public instruction or his or her
17 designee, the secretary of administration or his or her designee and the following
18 members appointed for 4-year terms:

19 ***-1696/7.3*** SECTION 26. 15.105 (25) (bm) of the statutes is amended to read:

20 15.105 (25) (bm) A member of the educational communications board. If the
21 secretary of administration determines that the federal communications
22 commission has approved the transfer of all broadcasting licenses held by the
23 educational communications board and the board of regents of the University of
24 Wisconsin System to the corporation described under s. 39.81, this paragraph does

BILL**SECTION 26**

1 not apply on and after the effective date of the last license transferred [revisor
2 inserts date].

3 ***-1696/7.4* SECTION 27.** 15.105 (25) (c) of the statutes is amended to read:

4 15.105 (25) (c) Four or, if the secretary of administration determines that the
5 federal communications commission has approved the transfer of all broadcasting
6 licenses held by the educational communications board and the board of regents of
7 the University of Wisconsin System to the corporation described under s. 39.81, on
8 and after the effective date of the last license transferred [revisor inserts date].
9 5 other members.

10 ***-2005/5.2* SECTION 28.** 15.105 (26) of the statutes is created to read:

11 15.105 (26) GLASS CEILING BOARD. There is created a glass ceiling board which
12 is attached to the department of administration under s. 15.03. The board shall
13 consist of the following members:

14 (a) Two senators and 2 representatives to the assembly, chosen in the same
15 manner that members of standing committees are chosen.

16 (b) Twenty-one other members appointed to serve for 3-year terms, selected in
17 part from persons holding positions in the private sector and in part from persons
18 holding positions in the public sector.

19 ***-0510/1.1* SECTION 29.** 15.107 (16) (b) 13. of the statutes is amended to read:

20 15.107 (16) (b) 13. ~~Four~~ Five members of the public.

21 ***-1836/2.1* SECTION 30.** 15.183 (2) of the statutes is amended to read:

22 15.183 (2) ~~DIVISION OF SAVINGS AND LOAN INSTITUTIONS.~~ There is created a
23 division of savings and loan institutions. Prior to July 1, 2000, the division is
24 attached to the department of financial institutions under s. 15.03. After June 30,
25 2000, the division is created in the department of financial institutions. The

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1 administrator of the division shall be appointed outside the classified service by the
2 secretary of financial institutions and shall serve at the pleasure of the secretary.

3 ***-0030/2.6* SECTION 31.** 15.197 (5) of the statutes is created to read:

4 15.197 (5) COUNCIL ON LONG-TERM CARE. There is created in the department of
5 health and family services a council on long-term care, which shall consist of 15
6 members. The governor shall designate the chairperson of the council on long-term
7 care.

8 ***-0030/2.7* SECTION 32.** 15.197 (5) of the statutes, as created by 1999
9 Wisconsin Act (this act), is repealed.

10 ***-0178/2.1* SECTION 33.** 15.197 (12) of the statutes is created to read:

11 15.197 (12) COUNCIL ON BIRTH DEFECT PREVENTION AND SURVEILLANCE. There is
12 created in the department of health and family services a council on birth defect
13 prevention and surveillance. The council shall consist of the following members:

14 (a) A representative of the University of Wisconsin Medical School who has
15 technical expertise in birth defects epidemiology.

16 (b) A representative from the Medical College of Wisconsin who has technical
17 expertise in birth defects epidemiology.

18 (c) A representative from the subunit of the department that is primarily
19 responsible for the administration of public health health programs.

20 (d) A representative from the subunit of the department that is primarily
21 responsible for the administration of the medical assistance program.

22 (e) A representative from the subunit of the department that is primarily
23 responsible for health care information.

24 (f) A representative of the State Medical Society of Wisconsin.

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1 (g) A representative of the American Academy of Pediatrics — Wisconsin
2 Chapter.

3 (h) A representative of a nonprofit organization that has as its primary purpose
4 the prevention of birth defects.

5 (j) A parent or guardian of a child with a birth defect.

6 ***-0269/3.1* SECTION 34.** 15.197 (25) (c) of the statutes is amended to read:

7 15.197 (25) (c) This subsection does not apply beginning on July 1, ~~2001~~ 2002.

8 ***-1922/5.2* SECTION 35.** 15.223 (2) of the statutes is repealed.

9 ***-1922/5.3* SECTION 36.** 15.223 (3) of the statutes is created to read:

10 15.223 (3) DIVISION OF WORKFORCE EXCELLENCE. There is created in the
11 department of workforce development a division of workforce excellence.

12 ***-1922/5.4* SECTION 37.** 15.225 (3) of the statutes is created to read:

13 15.225 (3) GOVERNOR'S WORK-BASED LEARNING BOARD. (a) There is created a
14 governor's work-based learning board which is attached to the department of
15 workforce development under s. 15.03.

16 (b) The governor's work-based learning board shall consist of the following
17 members:

18 1. The governor.

19 2. The state superintendent of public instruction.

20 3. The president of the technical college system board.

21 4. The director of the technical college system board.

22 5. The secretary of workforce development.

23 6. The administrator of the division of workforce excellence in the department
24 of workforce development.

25 7. One member who is a representative of organized labor.

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1 8. One member who is a representative business and industry.

2 9. One member, who is not a public officer and who does not possess the
3 qualifications of the members under subs. 7. and 8., to represent the interests of the
4 public.

5 (c) The members of the board appointed under par. (b) 7., 8. and 9. shall be
6 appointed by the governor to serve at the pleasure of the governor.

7 ***-1696/7.5*** SECTION 38. 15.57 of the statutes is renumbered 15.57 (1).

8 ***-1696/7.6*** SECTION 39. 15.57 (2) of the statutes is created to read:

9 15.57 (2) If the secretary of administration determines that the federal
10 communications commission has approved the transfer of all broadcasting licenses
11 held by the educational communications board and the board of regents of the
12 University of Wisconsin System to the corporation described under s. 39.81, this
13 section does not apply on and after the effective date of the last license transferred
14 [revisor inserts date].

15 ***-1516/4.2*** SECTION 40. 15.675 of the statutes is renumbered 15.677 and
16 amended to read:

17 **15.677 Same; attached board council.** (1) EDUCATIONAL APPROVAL BOARD
18 COUNCIL. There is created an educational approval board council which is attached
19 to the higher educational aids board under s. 15.03. The board council shall consist
20 of not more than 7 members, who shall be representatives of state agencies and other
21 persons with a demonstrated interest in educational programs, appointed to serve
22 at the pleasure of the governor.

23 ***-0030/2.8*** SECTION 41. 16.009 (2) (p) of the statutes is created to read:

24 16.009 (2) (p) Contract with one or more organizations to provide advocacy
25 services to potential or actual recipients of the family care benefit, as defined in s.

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1 46.2805 (4), or their families or guardians. The board and contract organizations
2 under this paragraph shall assist these persons in protecting their rights under all
3 applicable federal statutes and regulations and state statutes and rules. An
4 organization with which the board contracts for these services may not be a provider,
5 nor an affiliate of a provider, of long-term care services, a resource center under s.
6 46.283 or a care management organization under s. 46.284. For potential or actual
7 recipients of the family care benefit, advocacy services required under this
8 paragraph shall include all of the following:

9 1. Providing information, technical assistance and training about how to obtain
10 needed services or support items.

11 2. Providing advice and assistance in preparing and filing complaints,
12 grievances and appeals of complaints or grievances.

13 3. Providing negotiation and mediation.

14 4. Providing individual case advocacy assistance regarding the appropriate
15 interpretation of statutes, rules or regulations.

16 5. Providing individual case advocacy services in administrative hearings and
17 legal representation for judicial proceedings regarding family care services or
18 benefits.

19 ***-0829/1.1* SECTION 42.** 16.0095 of the statutes is repealed.

20 ***-2005/5.3* SECTION 43.** 16.01 (2) (h) of the statutes is created to read:

21 16.01 (2) (h) Provide staffing and other support services to the glass ceiling
22 board, and pay expenses required to operate the board.

23 ***-1618/3.1* SECTION 44.** 16.15 (4) of the statutes is repealed.

24 ***-2005/5.4* SECTION 45.** 16.17 of the statutes is created to read:

25 **16.17 Glass ceiling initiative. (1)** In this section:

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1 (a) “Board” means the glass ceiling board.

2 (b) “Glass ceiling” means a formal or informal barrier to full participation of
3 women and minority group members in the management of public and private sector
4 employers.

5 (2) The board shall do all of the following:

6 (a) Administer an annual “Governor’s Glass Ceiling Award Program” to
7 recognize Wisconsin businesses and organizations that advance or promote the
8 advancement of women and minority group members to upper-level management
9 positions.

10 (b) Conduct outreach and provide other resources to disseminate information
11 to employers on glass ceiling issues and effective programs that have helped
12 eliminate barriers to promotion of women and minority group members to
13 upper-level management positions.

14 (c) Identify businesses and industries that provide exceptional opportunities
15 for women and minority group members to advance to upper-level management
16 positions, and, whenever appropriate, promote the expansion of such businesses and
17 industries in this state.

18 (d) Actively promote the appointment of qualified women and minority group
19 members to public and private governing bodies.

20 ***-0400/7.7* SECTION 46.** 16.22 (title), (1) and (2) (intro.) and (a) to (g) of the
21 statutes are renumbered 46.78 (title), (1) and (2) (intro.) and (a) to (g).

22 ***-0400/7.6* SECTION 47.** 16.22 of the statutes, as affected by 1999 Wisconsin
23 Act (this act), is repealed.

24 ***-0400/7.8* SECTION 48.** 16.22 (2) (h) of the statutes is renumbered 46.78 (2)

25 (h) and amended to read:

BILL**SECTION 48**

1 46.78 (2) (h) From the appropriations under s. ~~20.505 (4) (j) and (p)~~ 20.435 (3)
2 (gb) and (p), award grants to persons providing national service programs, giving
3 priority to the greatest extent practicable to persons providing youth corps programs.

4 ***-0400/7.9*** SECTION 49. 16.22 (2) (i) to (k) of the statutes are renumbered
5 46.78 (2) (i) to (k).

6 ***-0400/7.10*** SECTION 50. 16.22 (2) (kL) of the statutes, as created by 1997
7 Wisconsin Act 237, section 4w, is renumbered 16.22 and amended to read:

8 **16.22 Wisconsin promise challenge grants.** From the appropriation under
9 s. 20.505 (4) (1) (fm), award Wisconsin promise challenge grants and provide training
10 and technical assistance under 1997 Wisconsin Act 237, section 9101 (1z) (b) and (h).

11 ***-0400/7.11*** SECTION 51. 16.22 (2) (L) and (3) of the statutes are renumbered
12 46.78 (2) (L) and (3).

13 ***-1806/3.1*** SECTION 52. 16.24 (title) and (1) of the statutes are renumbered
14 14.63 (title) and (1), and 14.63 (1) (b), as renumbered, is amended to read:

15 14.63 (1) (b) “Institution of higher education” means a public or private
16 institution of higher education that is accredited by an accrediting association
17 recognized by the ~~department state treasurer~~, and a proprietary school approved by
18 the ~~educational approval higher educational aids~~ board under s. 39.51.

19 ***-1806/3.2*** SECTION 53. 16.24 (2) of the statutes is renumbered 14.63 (2), and
20 14.63 (2) (intro.) and (b), as renumbered, are amended to read:

21 14.63 (2) WEIGHTED AVERAGE TUITION; TUITION UNIT COST. (intro.) Annually, the
22 ~~department state treasurer~~ and the board jointly shall determine all of the following:

23 (b) The price of a tuition unit, which shall be valid for a period determined
24 jointly by the ~~department state treasurer~~ and the board. The price shall be sufficient
25 to ensure the ability of the ~~department state treasurer~~ to meet its his or her

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1 obligations under this section. To the extent possible, the price shall be set so that
2 the value of the tuition unit in the anticipated academic year of its use will be equal
3 to 1% of the weighted average tuition for that academic year plus the costs of
4 administering the program under this section attributable to the unit.

5 ***-1806/3.3* SECTION 54.** 16.24 (3) of the statutes is renumbered 14.63 (3), and
6 14.63 (3) (a) (intro.) and (d), as renumbered, are amended to read:

7 14.63 (3) (a) (intro.) The ~~department~~ state treasurer shall contract with an
8 individual, a trust or a legal guardian for the sale of tuition units to that individual,
9 trust or legal guardian if all of the following apply:

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

13 ***-1806/3.4* SECTION 55.** 16.24 (4) of the statutes is renumbered 14.63 (4) and
14 amended to read:

15 14.63 (4) NUMBER OF TUITION UNITS PURCHASED. A person who enters into a
16 contract under sub. (3) may purchase tuition units at any time and in any number,
17 except that the total number of tuition units purchased on behalf of a single
18 beneficiary may not exceed the number necessary to pay for 4 years of full-time
19 attendance, including mandatory student fees, as a resident undergraduate at the
20 institution within the University of Wisconsin System that has the highest resident
21 undergraduate tuition, as determined by the ~~department~~ state treasurer, in the
22 anticipated academic years of their use.

23 ***-1806/3.5* SECTION 56.** 16.24 (5) of the statutes is renumbered 14.63 (5), and
24 14.63 (5) (a) and (b) (intro.) and 2., as renumbered, are amended to read:

BILL**SECTION 56**

1 14.63 (5) (a) Except as provided in sub. (7m), if an individual named as
2 beneficiary in a contract under sub. (3) attends an institution of higher education in
3 the United States, each tuition unit purchased on his or her behalf entitles that
4 beneficiary to apply toward the payment of tuition and mandatory student fees at the
5 institution an amount equal to 1% of the anticipated weighted average tuition of
6 bachelor's degree-granting institutions within the University of Wisconsin System
7 for the year of attendance, as estimated under sub. (2) in the year in which the tuition
8 unit was purchased.

9 (b) (intro.) Upon request by the beneficiary, the ~~department~~ state treasurer
10 shall pay to the institution in each semester of attendance the lesser of the following:

11 2. An amount equal to the sum of the institution's tuition and mandatory
12 student fees for that semester.

13 *~~1806/3.6~~ **SECTION 57.** 16.24 (6) of the statutes is renumbered 14.63 (6), and
14 14.63 (6) (a) 5. and (b), as renumbered, are amended to read:

15 14.63 (6) (a) 5. Other circumstances determined by the ~~department~~ state
16 treasurer to be grounds for termination.

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

21 *~~1806/3.7~~ **SECTION 58.** 16.24 (7) of the statutes is renumbered 14.63 (7), and
22 14.63 (7) (a) (intro.), 3., 4. and 5. and (b), as renumbered, are amended to read:

23 14.63 (7) (a) (intro.) Except as provided in sub. (7m), the ~~department~~ state
24 treasurer shall do all of the following:

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1 3. If a contract is terminated under sub. (6) (a) 4. or (b), refund to the person
2 who entered into the contract an amount equal to 99% of the amount determined
3 under subd. 2. ~~If a contract is terminated under sub. (6) (a) 4., the department may~~
4 ~~not issue a refund for one year following receipt of the notice of termination and may~~
5 ~~not issue a refund of more than 100 tuition units in any year.~~

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

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

15 (b) ~~Except as provided under par. (a) 3., the department~~ The state treasurer
16 shall determine the method and schedule for the payment of refunds under this
17 subsection.

18 ***-1806/3.8*** **SECTION 59.** 16.24 (7m) of the statutes is renumbered 14.63 (7m),
19 and 14.63 (7m) (a) (intro.), (b) and (c), as renumbered, are amended to read:

20 14.63 (7m) (a) (intro.) The department state treasurer may adjust the value of
21 a tuition unit based on the actual earnings attributable to the tuition unit less the
22 costs of administering the program under this section that are attributable to the
23 tuition unit if any of the following applies:

24 (b) The department state treasurer may not increase the value of a tuition unit
25 under par. (a) to an amount that exceeds the value of a tuition unit that was

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1 purchased at a similar time, held for a similar period and used or refunded in the
2 anticipated academic year of the beneficiary's attendance, as specified in the
3 contract.

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

9 ***-1806/3.9* SECTION 60.** 16.24 (8) of the statutes is renumbered 14.63 (8) and
10 amended to read:

11 14.63 (8) EXEMPTION FROM GARNISHMENT, ATTACHMENT AND EXECUTION. Moneys
12 deposited in the tuition trust fund and a beneficiary's right to the payment of tuition
13 and mandatory student fees under this section are not subject to garnishment,
14 attachment, execution or any other process of law.

15 ***-1806/3.10* SECTION 61.** 16.24 (9) to (11) of the statutes are renumbered 14.63
16 (9) to (11), and 14.63 (9), (10), (10m) and (11) (b), as renumbered, are amended to read:

17 14.63 (9) CONTRACT WITH ACTUARY. The ~~department~~ state treasurer shall
18 contract with an actuary or actuarial firm to evaluate annually whether the assets
19 in the tuition trust fund are sufficient to meet the obligations of the ~~department~~ state
20 treasurer under this section and to advise the ~~department~~ state treasurer on setting
21 the price of a tuition unit under sub. (2) (b).

22 (10) REPORTS. (a) Annually, the ~~department~~ state treasurer shall submit a
23 report to the governor, and to the appropriate standing committees of the legislature
24 under s. 13.172 (3), on the program under this section. The report shall include any
25 recommendations for changes to the program that the ~~department~~ state treasurer

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1 determines are necessary to ensure the sufficiency of the tuition trust fund to meet
2 the department's state treasurer's obligations under this section.

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

9 (10m) REPAYMENT TO GENERAL FUND. The secretary of administration shall
10 transfer from the tuition trust fund to the general fund an amount equal to the
11 amount encumbered from the appropriation under s. ~~20.505 (9)~~ 20.585 (2) (a) when
12 the secretary of administration determines that funds in the tuition trust fund are
13 sufficient to make the transfer. The secretary of administration may make the
14 transfer in instalments.

15 (11) (b) The requirements to pay tuition and mandatory student fees under sub.
16 (5) and to make refunds under sub. (7) are subject to the availability of sufficient
17 assets in the tuition trust fund.

18 *-1806/3.11* SECTION 62. 16.24 (12) and (13) of the statutes are renumbered
19 14.63 (12) and (13), and 14.63 (12) (title), (a) (intro.) and (b) (intro.) and (13), as
20 renumbered, are amended to read:

21 14.63 (12) (title) ADDITIONAL ~~DEPARTMENT~~ DUTIES AND POWERS OF THE STATE
22 TREASURER.

23 (a) (intro.) The ~~department~~ state treasurer shall do all of the following:

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

BILL**SECTION 62**

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

5 *~~1696/7.7~~* **SECTION 63.** 16.25 of the statutes is created to read:

6 **16.25 Emergency weather warning system.** If the secretary determines
7 that the federal communications commission has approved the transfer of all
8 broadcasting licenses held by the educational communications board and the board
9 of regents of the University of Wisconsin System to the corporation described under
10 s. 39.81, on and after the effective date of the last license transferred [revisor
11 inserts date], the department shall operate an emergency weather warning system.

12 *~~0417/2.1~~* **SECTION 64.** 16.339 (2) (a) of the statutes is amended to read:

13 16.339 (2) (a) From the appropriation under s. 20.505 (7) (dm), the department
14 may award a grant ~~that does not exceed \$50,000~~ to an eligible applicant for the
15 purpose of providing transitional housing and associated supportive services to
16 homeless individuals and families if the conditions under par. (b) are satisfied.

17 *~~2105/1.1~~* **SECTION 65.** 16.385 (7) of the statutes is amended to read:

18 16.385 (7) **INDIVIDUALS IN STATE PRISONS OR SECURED JUVENILE FACILITIES.** No
19 payment under sub. (6) may be made to a prisoner who is imprisoned in a state prison
20 under s. 302.01 or to a person placed at a secured correctional facility, as defined in
21 s. 938.02 (15m), ~~or~~ a secured child caring institution, as defined in s. 938.02 (15g),
22 ~~or a secured group home, as defined in s. 938.02 (15p).~~

23 *~~1068/4.1~~* **SECTION 66.** 16.417 (2) (f) of the statutes is renumbered 16.417 (2)

24 (f) (intro.) and amended to read:

25 16.417 (2) (f) (intro.) This subsection does not apply to ~~an~~ any of the following:

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1 1. An individual other than an elective state official who has a full-time
2 appointment for less than 12 months, during any period of time that is not included
3 in the appointment.

4 ***-1068/4.2*** SECTION 67. 16.417 (2) (f) 2. of the statutes is created to read:

5 16.417 (2) (f) 2. An individual who is a member of the faculty, as defined in s.
6 36.05 (8), or academic staff, as defined in s. 36.05 (1), other than an elective state
7 official, who has a full-time appointment at an institution within the University of
8 Wisconsin System and who holds any other position or is retained in any other
9 capacity by a different institution within the University of Wisconsin System.

10 ***-1139/1.1*** SECTION 68. 16.42 (1) (intro.) of the statutes is amended to read:

11 16.42 (1) (intro.) All agencies, other than the legislature and the courts, ~~no later~~
12 ~~than September 15 of each even-numbered year, before each budget period no later~~
13 ~~than the date and~~ in the form and content prescribed by the department, shall
14 prepare and forward to the department and to the legislative fiscal bureau the
15 following program and financial information:

16 ***-1835/2.1*** SECTION 69. 16.50 (5m) of the statutes is amended to read:

17 16.50 (5m) UNIVERSITY INDIRECT COST REIMBURSEMENTS. Subsections (2) to (5)
18 do not apply to expenditures authorized under s. 20.285 (2) (i) ~~2.~~

19 ***-0424/1.1*** SECTION 70. 16.501 (title) of the statutes is amended to read:

20 **16.501** (title) **Forward Wisconsin, Inc.; funds; report.**

21 ***-0424/1.2*** SECTION 71. 16.501 (3) of the statutes is created to read:

22 16.501 (3) On or before September 1, 2000, and every September 1 thereafter,
23 Forward Wisconsin, Inc., shall submit to the appropriate standing committees under
24 s. 13.172 (3) a report stating the net jobs gain due to the funds provided to Forward
25 Wisconsin, Inc., under s. 20.143 (1) (bm).

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1 ***-1679/3.1*** SECTION 72. 16.505 (1) (intro.) of the statutes is amended to read:

2 16.505 (1) (intro.) Except as provided in subs. (2), (2m) ~~and~~, (2n) and (4), no
3 position, as defined in s. 230.03 (11), regardless of funding source or type, may be
4 created or abolished unless authorized by one of the following:

5 ***-1679/3.2*** SECTION 73. 16.505 (4) (b) of the statutes is amended to read:

6 16.505 (4) (b) Except as provided in ~~par.~~ pars. (c) and (d), no agency may change
7 the funding source for a position authorized under this section unless the position
8 is authorized to be created under a different funding source in accordance with this
9 section.

10 ***-1679/3.3*** SECTION 74. 16.505 (4) (b) of the statutes, as affected by 1999
11 Wisconsin Act (this act), is amended to read:

12 16.505 (4) (b) Except as provided in ~~pars.~~ par. (c) and (d), no agency may change
13 the funding source for a position authorized under this section unless the position
14 is authorized to be created under a different funding source in accordance with this
15 section.

16 ***-1679/3.4*** SECTION 75. 16.505 (4) (d) of the statutes is created to read:

17 16.505 (4) (d) During the period beginning on the effective date of this
18 paragraph [revisor inserts date], and ending on June 30, 2001, or on the date of
19 publication of the 2001–03 biennial budget act, whichever is later, the department
20 may change the funding source for any position that is funded in whole or in part
21 from program revenues or program revenues–service under any paragraph specified
22 in s. 20.505 (1), (2), (5), (7) or (8) to any other paragraph specified in s. 20.505 (1), (2),
23 (5), (7) or (8) that is funded from program revenues or program revenues–service.
24 Any change in the funding source for a position made under this paragraph remains
25 in effect after the period specified in this paragraph unless changed in accordance

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1 with this section. No later than the last day of the month following the completion
2 of each calendar quarter, the secretary of administration shall report to the
3 cochairpersons of the joint committee on finance concerning any positions for which
4 the funding source has been changed under this paragraph during the preceding
5 calendar quarter. The report shall include, for each position, the position type and
6 the previous and current paragraph from which the position is funded.

7 ***-1733/2.1* SECTION 76.** 16.52 (6) (a) of the statutes is amended to read:

8 16.52 (6) (a) Except as authorized in s. ss. 16.74 and 16.745, all purchase
9 orders, contracts, or printing orders for any agency as defined in s. 16.70 (1) shall,
10 before any liability is incurred thereon, be submitted to the secretary for his or her
11 approval as to legality of purpose and sufficiency of appropriated and allotted funds
12 therefor. In all cases the date of the a purchasing contract or order governs the fiscal
13 year to which the contract or order is chargeable, unless the secretary determines
14 that the purpose of the contract or order is to prevent lapsing of appropriations or to
15 otherwise circumvent budgetary intent. Upon Whenever such approval is required,
16 the secretary, upon granting approval, shall immediately encumber all contracts or
17 orders, and indicate the fiscal year to which they are chargeable.

18 ***-1085/4.1* SECTION 77.** 16.528 (3) (f) of the statutes is created to read:

19 16.528 (3) (f) The failure to pay timely due to an occurrence to which s. 893.83
20 applies.

21 ***-0605/3.1* SECTION 78.** 16.54 (2) (a) 2. of the statutes is amended to read:

22 16.54 (2) (a) 2. Whenever a block grant is made to this state under any federal
23 law enacted after August 31, 1995, which authorizes the distribution of block grants
24 for the purposes for which the grant is made, the governor shall not administer and
25 no board, commission or department may encumber or expend moneys received as

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1 a part of the grant unless the governor first notifies the cochairpersons of the joint
2 committee on finance, in writing, that the grant has been made. The notice shall
3 contain a description of the purposes proposed by the governor for expenditure of the
4 moneys received as a part of the grant. If the cochairpersons of the committee do not
5 notify the governor that the committee has scheduled a meeting for the purpose of
6 reviewing the proposed expenditure of grant moneys within 14 working days after
7 the date of the governor's notification, the moneys may be expended as proposed by
8 the governor. If, within 14 working days after the date of the governor's notification,
9 the cochairpersons of the committee notify the governor that the committee has
10 scheduled a meeting for the purpose of reviewing the proposed expenditure of grant
11 moneys, no moneys received as a part of the grant may be expended without the
12 approval of the committee. This subdivision does not apply to the expenditure of
13 block grant funds that are allocated under s. 49.175.

14 ***-0607/5.1* SECTION 79.** 16.54 (12) of the statutes is created to read:

15 16.54 (12) (a) The department of health and family services may not expend
16 or encumber any moneys received under s. 20.435 (8) (mm) unless the department
17 of health and family services submits a plan for the expenditure of the moneys to the
18 department of administration and the department of administration approves the
19 plan.

20 (b) The department of workforce development may not expend or encumber any
21 moneys received under s. 20.445 (3) (mm) unless the department of workforce
22 development submits a plan for the expenditure of the moneys to the department of
23 administration and the department of administration approves the plan.

24 (c) The department of administration may approve any plan submitted under
25 par. (a) or (b) in whole or in part. If the department approves any such plan in whole

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1 or part, the department shall notify the cochairpersons of the joint committee on
2 finance, in writing, of the department's action under this paragraph.

3 (d) At the end of each fiscal year, the department of administration shall
4 determine the amount of moneys that remain in the appropriation accounts under
5 ss. 20.435 (8) (mm) and 20.445 (3) (mm) that have not been approved for
6 encumbrance or expenditure by the department pursuant to a plan submitted under
7 par. (a) or (b) and shall require that such moneys be lapsed to the general fund. The
8 department shall notify the cochairpersons of the joint committee on finance, in
9 writing, of the department's action under this paragraph.

10 ***-1781/3.1*** SECTION 80. 16.62 (2) of the statutes is amended to read:

11 16.62 (2) The department may establish user charges for records storage and
12 retrieval services, with any moneys collected to be credited to the appropriation
13 account under s. 20.505 (1) (im) or ~~(kd)~~ (ka). Such charges shall be structured to
14 encourage efficient utilization of the services.

15 ***-1781/3.2*** SECTION 81. 16.62 (3) of the statutes is amended to read:

16 16.62 (3) The department may establish user fees for the services of the public
17 records board. Any moneys collected shall be credited to the appropriation account
18 under s. 20.505 (1) ~~(kd)~~ (ka).

19 ***-1733/2.2*** SECTION 82. 16.71 (1) of the statutes is amended to read:

20 16.71 (1) Except as otherwise required under this section or as authorized in
21 s. ~~ss. 16.74 and 16.745~~, the department shall purchase and may delegate to special
22 designated agents the authority to purchase all necessary materials, supplies,
23 equipment, all other permanent personal property and miscellaneous capital, and
24 contractual services and all other expense of a consumable nature for all agencies.
25 In making any delegation, the department shall require the agent to adhere to all

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1 requirements imposed upon the department in making purchases under this
2 subchapter. All materials, services and other things and expense furnished to any
3 agency and interest paid under s. 16.528 shall be charged to the proper appropriation
4 of the agency to which furnished.

5 ***-1733/2.3* SECTION 83.** 16.72 (4) (a) of the statutes is amended to read:

6 16.72 (4) (a) Except as provided in ~~s. ss.~~ 16.74 and 16.745 or as otherwise
7 provided in this subchapter and the rules promulgated under s. 16.74 and this
8 subchapter, all supplies, materials, equipment and contractual services shall be
9 purchased for and furnished to any agency only upon requisition to the department.
10 The department shall prescribe the form, contents, number and disposition of
11 requisitions and shall promulgate rules as to time and manner of submitting such
12 requisitions for processing. No agency or officer may engage any person to perform
13 contractual services without the specific prior approval of the department for each
14 such engagement. Purchases of supplies, materials, equipment or contractual
15 services by the investment board or by the legislature, the courts or legislative
16 service or judicial branch agencies do not require approval under this paragraph.

17 ***-1618/3.2* SECTION 84.** 16.72 (6) and (7) of the statutes are repealed.

18 ***-1733/2.4* SECTION 85.** 16.745 of the statutes is created to read:

19 **16.745 Investment board purchasing.** (1) The investment board may place
20 requisitions and enter into contracts for the purchase of any materials, supplies,
21 equipment or services required by the board. The investment board shall maintain
22 copies of all purchasing requisitions and contracts, and shall permit inspection and
23 copying of the requisitions and contracts under subch. II of ch. 19. No such
24 requisition or contract need be filed with the department.

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1 (2) The investment board shall file all bills and statements for purchases and
2 engagements made by the board with the secretary, who shall audit and authorize
3 payment of all lawful bills and statements. No bill or statement for any purchase or
4 engagement for the investment board may be paid until the bill or statement is
5 approved by the board.

6 (3) The department, upon request, shall make recommendations and furnish
7 assistance to the investment board regarding purchasing procedure. The
8 department, upon request, shall process requisitions for purchases submitted by the
9 investment board and shall procure materials, supplies, equipment, property and
10 services for the board in accordance with the purchasing procedure prescribed for
11 executive branch agencies under this subchapter.

12 (4) All stationery and printing purchased by the investment board shall be
13 procured from the lowest responsible bidder.

14 *~~1733/2.5~~* SECTION 86. 16.75 (1) (a) 2. of the statutes is amended to read:

15 16.75 (1) (a) 2. If a vendor is not a Wisconsin producer, distributor, supplier or
16 retailer and the department determines that the state, foreign nation or subdivision
17 thereof in which the vendor is domiciled grants a preference to vendors domiciled in
18 that state, nation or subdivision in making governmental purchases, the department
19 and any agency making purchases under s. 16.74 or 16.745 shall give a preference
20 over that vendor to Wisconsin producers, distributors, suppliers and retailers, if any,
21 when awarding the order or contract. The department may enter into agreements
22 with states, foreign nations and subdivisions thereof for the purpose of implementing
23 this subdivision.

24 *~~1733/2.6~~* SECTION 87. 16.75 (3m) (b) of the statutes is amended to read:

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1 16.75 **(3m)** (b) The department and any agency making purchases under s.
2 16.74 or 16.745 shall attempt to ensure that 5% of the total amount expended under
3 this subchapter in each fiscal year is paid to minority businesses. Except as provided
4 under sub. (7), the department may purchase materials, supplies, equipment and
5 contractual services from any minority business submitting a qualified responsible
6 competitive bid that is no more than 5% higher than the apparent low bid or
7 competitive proposal that is no more than 5% higher than the most advantageous
8 offer. In administering the preference for minority businesses established in this
9 paragraph, the department and any agency making purchases under s. 16.74 or
10 16.745 shall maximize the use of minority businesses which are incorporated under
11 ch. 180 or which have their principal place of business in this state.

12 ***-1733/2.7*** **SECTION 88.** 16.75 (8) (a) 1. of the statutes is amended to read:

13 16.75 **(8)** (a) 1. The department, any other designated purchasing agent under
14 s. 16.71 (1), any agency making purchases under s. 16.74 or 16.745 and each
15 authority other than the University of Wisconsin Hospitals and Clinics Authority
16 shall, to the extent practicable, make purchasing selections using specifications
17 developed under s. 16.72 (2) (e) to maximize the purchase of materials utilizing
18 recycled materials and recovered materials.

19 ***-1733/2.8*** **SECTION 89.** 16.75 (9) of the statutes is amended to read:

20 16.75 **(9)** The department, any other designated purchasing agent under s.
21 16.71 (1), any agency making purchases under s. 16.74 or 16.745 and any authority
22 other than the University of Wisconsin Hospitals and Clinics Authority shall, to the
23 extent practicable, make purchasing selections using specifications prepared under
24 s. 16.72 (2) (f).

25 ***-0362/2.1*** **SECTION 90.** 16.752 (12) (a) of the statutes is amended to read:

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1 16.752 (12) (a) Except as provided in pars. (c), (d), (h) ~~and~~, (i) and (j) and as
2 authorized under sub. (13), agencies shall obtain materials, supplies, equipment and
3 services on the list maintained by the board under sub. (2) (g).

4 ***-0362/2.2*** SECTION 91. 16.752 (12) (j) of the statutes is created to read:

5 16.752 (12) (j) The secretary may, upon request of an agency, waive compliance
6 with par. (a) with respect to any purchase to be made by or for that agency if the
7 secretary determines that compliance with par. (a) would contravene competitive
8 requirements under federal law or regulations applicable to that purchase.

9 ***-1733/2.9*** SECTION 92. 16.76 (1) of the statutes is amended to read:

10 16.76 (1) All contracts for materials, supplies, equipment or contractual
11 services to be provided to any agency shall run to the state of Wisconsin. Such
12 contracts shall be signed by the secretary or an individual authorized by the
13 secretary, except that contracts entered into by the investment board shall be signed
14 by an individual authorized by the board and contracts entered into directly by the
15 legislature, the courts or a legislative service or judicial branch agency shall be
16 signed by an individual authorized under s. 16.74 (2) (b).

17 ***-1495/4.1*** SECTION 93. 16.76 (4) (a) of the statutes is amended to read:

18 16.76 (4) (a) In this subsection, “master lease” means an agreement entered
19 into by the department ~~on behalf of one or more agencies for the lease of goods or the~~
20 ~~provision of~~ to obtain property or services under which the department makes or
21 agrees to make periodic payments.

22 ~~(ag) The department may act on behalf of one or more agencies or~~
23 municipalities. The department may pay or agree to pay ~~to the lessor~~ under a master
24 lease a sum substantially equivalent to or in excess of the aggregate value of goods
25 involved property or services obtained and it may be agreed that the department or

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1 one or more agencies or municipalities will become, or for no other or nominal
2 consideration has the option to become, the owner of ~~goods leased or to be leased~~
3 ~~property obtained or to be obtained under a master lease~~ upon full compliance with
4 the its terms of the agreement.

5 ***-1495/4.2* SECTION 94.** 16.76 (4) (ar) of the statutes is created to read:

6 16.76 (4) (ar) Any master lease entered into by the department on behalf of a
7 municipality under this subsection may be used only to obtain property or services
8 related to public safety functions of the municipality. The department shall enter
9 into an instalment sales contract with a municipality with respect to any property
10 or services obtained by the municipality under a master lease. The municipality
11 shall issue a general obligation promissory note to the department as security for any
12 such property or services obtained or to be obtained.

13 ***-1495/4.3* SECTION 95.** 16.76 (4) (b) of the statutes is amended to read:

14 16.76 (4) (b) The Except as provided in par. (h), the department may enter into
15 a master lease whenever the department determines that it is advantageous to the
16 state to do so. If the master lease provides for payments to be made by the state from
17 moneys that have not been appropriated at the time that the master lease is entered
18 into, the master lease shall contain the statement required under s. 16.75 (3).

19 ***-1495/4.4* SECTION 96.** 16.76 (4) (c) of the statutes is amended to read:

20 16.76 (4) (c) Payments under a master lease may include interest payable at
21 a fixed or variable rate as the master lease may provide. The department may enter
22 into agreements and ancillary arrangements which the department determines to
23 be necessary to facilitate the use of a master lease, ~~including liquidity facilities,~~
24 ~~remarketing or dealer agreements, letter of credit agreements, insurance policies,~~

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1 ~~interest rate guaranty agreements, reimbursement agreements and indexing~~
2 ~~agreements.~~

3 ***-1495/4.5* SECTION 97.** 16.76 (4) (e) of the statutes is amended to read:

4 16.76 (4) (e) The department may grant ~~the lesser~~ a perfected security interest
5 in ~~goods leased~~ property obtained or to be leased obtained under ~~each~~ a master lease.
6 The department shall record and preserve evidence of the security interest in its
7 offices at all times during which the master lease is in effect.

8 ***-1495/4.6* SECTION 98.** 16.76 (4) (f) of the statutes is amended to read:

9 16.76 (4) (f) The department may appoint one or more fiscal agents for each
10 master lease. Each fiscal agent shall be an incorporated bank or trust company
11 authorized by the laws of the United States or of the state in which it is located to
12 do business as a banking or trust company. ~~Sections 16.705 and 16.75 do not apply~~
13 ~~to contracts for fiscal agent services.~~ The department shall periodically require
14 competitive proposals, under procedures established by the department, for fiscal
15 agent services under this paragraph. There may be deposited with a fiscal agent, in
16 a special account for such purpose only, a sum estimated to be sufficient to enable the
17 fiscal agent to make all payments which will come due under the master lease not
18 more than 15 days after the date of deposit. The department may make such other
19 provisions respecting fiscal agents as it considers necessary or useful and may enter
20 into a contract with any fiscal agent containing such terms, including compensation,
21 and conditions in regard to the fiscal agent as it considers necessary or useful.

22 ***-1495/4.7* SECTION 99.** 16.76 (4) (g) of the statutes is created to read:

23 16.76 (4) (g) Sections 16.705 and 16.75 do not apply to agreements or ancillary
24 agreements under par. (c) or contracts for fiscal agent services under par. (f).

25 ***-1495/4.8* SECTION 100.** 16.76 (4) (h) of the statutes is created to read:

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1 16.76 (4) (h) A master lease may not be used to obtain a facility for use or
2 occupancy by the state or an agency or instrumentality of the state or to obtain an
3 internal improvement.

4 ***-1495/4.9*** SECTION 101. 16.76 (4) (i) of the statutes is created to read:

5 16.76 (4) (i) A master lease may not provide that the right of the department
6 or any other agency to obtain property or services under the lease depends on
7 payments to be made by a municipality for property or services obtained by the
8 municipality under the lease unless the obligation of the municipality to make those
9 payments constitutes a general obligation.

10 ***-1495/4.10*** SECTION 102. 16.76 (4) (j) of the statutes is created to read:

11 16.76 (4) (j) If a master lease is used to finance payments to be made under an
12 energy conservation construction project as provided in s. 16.858 (2), payments
13 under the lease may not be conditioned upon any payment required to be made by
14 the contractor pursuant to an energy conservation audit.

15 ***-1733/2.10*** SECTION 103. 16.77 (1) of the statutes is amended to read:

16 16.77 (1) No bill or statement for work or labor performed under purchase
17 orders or contracts issued by the secretary or the secretary's designated agents, and
18 no bill or statement for supplies, materials, equipment or contractual services
19 purchased for and delivered to any agency may be paid until the bill or statement is
20 approved through a preaudit or postaudit process determined by the secretary. This
21 subsection does not apply to purchases made by the investment board or to purchases
22 made directly by the courts, the legislature or a legislative service or judicial branch
23 agency under s. 16.74.

24 ***-1733/2.11*** SECTION 104. 16.78 (1) of the statutes is amended to read:

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1 16.78 (1) Every agency other than the board of regents of the university of
2 Wisconsin system or an agency making purchases under s. 16.74 or 16.745 shall
3 purchase all computer services from the division of information technology services
4 in the department of ~~administration~~, unless the division grants written
5 authorization to the agency to procure the services under s. 16.75 (1), to purchase the
6 services from another agency or to provide the services to itself. The board of regents
7 of the university of Wisconsin system may purchase computer services from the
8 division of information technology services.

9 *~~1781/3.3~~* **SECTION 105.** 16.84 (14) of the statutes is amended to read:

10 16.84 (14) Provide interagency mail delivery service for agencies, as defined
11 in s. 16.70 (1). The department may charge agencies for this service. Any moneys
12 collected shall be credited to the appropriation account under s. 20.505 (1) ~~(kd)~~ (ka).

13 *~~1495/4.11~~* **SECTION 106.** 16.858 (2) of the statutes is renumbered 16.858 (2)

14 (a) and amended to read:

15 16.858 (2) (a) ~~Any A~~ contract under sub. (1) ~~shall require~~ may provide for the
16 construction work to be financed by the state or by the contractor to undertake the
17 ~~construction work at its own expense.~~ The contract shall provide for the state to pay
18 a ~~maximum~~ stated amount, which shall include any financing costs incurred by the
19 contractor. The ~~maximum~~ stated amount may not exceed the minimum savings
20 determined under the audit to be realized by the state within the period specified in
21 the audit. The state shall make payments under the contract as the savings
22 identified in the audit are realized by the state, in the amounts actually realized, but
23 not to exceed the lesser of the ~~maximum~~ stated amount or the actual amount of the
24 savings realized by the state within the period specified in the audit. If the
25 department provides financing for construction work, the department may finance

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1 any portion of the cost of the work under a master lease entered into as provided
2 under s. 16.76 (4). If the department provides financing for the construction work
3 and the stated amount to be paid by the state under the contract is greater than the
4 amount of the savings realized by the state within the period specified in the audit
5 under sub. (1), the contract shall require the contractor to remit the difference to the
6 department.

7 (b) The department shall charge the cost of the payments made by the state to
8 the contractor to the applicable appropriation for fuel and utility costs at the
9 building, structure or facility where the work is performed in the amounts equivalent
10 to the savings that accrue to the state under that appropriation from expenditures
11 not made as a result of the construction work, as determined by the department in
12 accordance with the contract. The department may also charge its costs for
13 negotiation ~~and~~, administration and financing of the contract to the same
14 appropriation.

15 *~~1495/4.12~~* **SECTION 107.** 16.858 (4) of the statutes is amended to read:

16 16.858 (4) No later than January 1 of each year, the secretary shall report to
17 the cochairpersons of the joint committee on finance identifying any construction
18 work for which the department has contracted under this section for which ~~the state~~
19 ~~has not made its final payment~~ has not been made as of the date of the preceding
20 report, together with the actual energy cost savings realized by the state as a result
21 of the contract to date, or the estimated energy cost savings to be realized by the state
22 if the total savings to be realized in the audit under sub. (1) have not yet been
23 realized, ~~and~~ the date on which the state made its final payment under the contract
24 or, if the final payment has not been made, the latest date on which the state is

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1 obligated to make its final payment under the contract, and any amount that
2 remains payable to the state under the contract.

3 ***-1306/3.1* SECTION 108.** 16.952 of the statutes is created to read:

4 **16.952 Planning grants to local governmental units.** (1) In this section,
5 “local governmental unit” means a county, city, village, town or regional planning
6 commission.

7 (2) From the appropriation under s. 20.505 (1)(z), the department may provide
8 grants to local governmental units to be used to finance the cost of planning
9 activities, including contracting for planning consultant services, public planning
10 sessions and other planning outreach and educational activities, or for the purchase
11 of computerized planning data, planning software or the hardware required to
12 utilize that data or software. The department shall require any local governmental
13 unit that receives a grant under this section to finance at least 20% of the cost of the
14 product or service to be funded by the grant from the resources of the local
15 governmental unit. Prior to awarding a grant under this section, the department
16 shall forward a detailed statement of the proposed expenditures to be made under
17 the grant to the secretary of transportation and obtain his or her written approval
18 of the proposed expenditures.

19 ***-1623/1.1* SECTION 109.** 16.956 of the statutes is repealed.

20 ***-1413/3.1* SECTION 110.** 16.964 (6) of the statutes is created to read:

21 16.964 (6) (a) In this subsection, “tribe” means a federally recognized American
22 Indian tribe or band in this state.

23 (b) From the appropriation under s. 20.505 (6) (ks), the office shall provide
24 grants to tribes to fund tribal law enforcement operations. To be eligible for a grant
25 under this subsection, a tribe must submit an application for a grant to the office that

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1 includes a proposed plan for expenditure of the grant moneys. The office shall review
2 any application and plan submitted to determine whether that application and plan
3 meet the criteria established under par. (b). The office shall review the use of grant
4 money provided under this subsection to ensure that the money is used according to
5 the approved plan.

6 (c) The office shall develop criteria and procedures for use in administering this
7 subsection. Notwithstanding s. 227.10 (1), the criteria need not be promulgated as
8 rules under ch. 227.

9 ***-1254/5.1* SECTION 111.** 16.966 (3) of the statutes is amended to read:

10 16.966 (3) The department shall develop and maintain a computer-based
11 Wisconsin land information system and may develop and maintain other geographic
12 information systems relating to land in this state for the use of governmental and
13 nongovernmental units. In conjunction with the land information system, the
14 department may conduct soil surveys and soil mapping activities.

15 ***-1254/5.2* SECTION 112.** 16.966 (5) and (6) of the statutes are created to read:

16 16.966 (5) The department may assess any state agency for any amount that
17 it determines to be required to conduct soil surveys and soil mapping activities. For
18 this purpose, the department may assess state agencies on a premium basis and pay
19 costs incurred on an actual basis. The department shall credit all moneys received
20 from state agencies under this subsection to the appropriation account under s.
21 20.505 (1) (kt).

22 (6) The department may contract with the board of commissioners of public
23 lands to perform soil surveys and soil mapping activities on lands under the
24 jurisdiction of that board.

25 ***-1254/5.3* SECTION 113.** 16.967 (3) (intro.) of the statutes is amended to read:

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1 16.967 (3) BOARD DUTIES. (intro.) ~~The~~ Except as otherwise provided in s. 16.966
2 (3), the board shall direct and supervise the land information program and serve as
3 the state clearinghouse for access to land information. In addition, the board shall:

4 *~~-1254/5.4~~* **SECTION 114.** 16.967 (5) of the statutes is repealed.

5 *~~-1265/7.1~~* **SECTION 115.** 16.971 (9) of the statutes is amended to read:

6 16.971 (9) In conjunction with the public defender board, the director of state
7 courts, the departments of corrections and justice and district attorneys, the division
8 may maintain, promote and coordinate automated justice information systems that
9 are compatible among counties and the officers and agencies specified in this
10 subsection, using the moneys appropriated under s. 20.505 (1) (ja) ~~and, (kp) and (kq).~~
11 The division shall annually report to the legislature under s. 13.172 (2) concerning
12 the division's efforts to improve and increase the efficiency of integration of justice
13 information systems.

14 *~~-0250/4.1~~* **SECTION 116.** 16.974 (7) of the statutes is amended to read:

15 16.974 (7) (a) ~~Subject to s. 196.218 (4r) (f), coordinate~~ Coordinate with the
16 technology for educational achievement in Wisconsin board to provide school
17 districts, and cooperative educational service agencies ~~and technical college districts~~
18 with telecommunications access under s. ~~196.218 (4r)~~ 44.73 and contract with
19 telecommunications providers to provide such access.

20 (b) ~~Coordinate~~ Subject to s. 44.73 (5), coordinate with the technology for
21 educational achievement in Wisconsin board to provide private colleges ~~and,~~
22 technical college districts, public library boards and public library systems with
23 telecommunications access under s. ~~196.218 (4r)~~ 44.73 and contract with
24 telecommunications providers to provide such access.

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1 (c) Coordinate with the technology for educational achievement in Wisconsin
2 board to provide private schools with telecommunications access under s. ~~196.218~~
3 ~~(4r)~~ 44.73 and contract with telecommunications providers to provide such access.

4 ***-1507/3.1* SECTION 117.** 16.974 (7) (d) of the statutes is created to read:

5 16.974 (7) (d) Coordinate with the technology for educational achievement in
6 Wisconsin board to provide the Wisconsin School for the Visually Handicapped and
7 the Wisconsin School for the Deaf with telecommunications access under s. 44.73 (5)
8 and contract with telecommunications providers to provide such access.

9 ***-0030/2.9* SECTION 118.** 17.13 (intro.) of the statutes is amended to read:

10 **17.13 Removal of village, town, town sanitary district, school district**
11 **and, technical college and family care district officers.** (intro.) Officers of
12 towns, town sanitary districts, villages, school districts and, technical college
13 districts and family care districts may be removed as follows:

14 ***-0030/2.10* SECTION 119.** 17.13 (4) of the statutes is created to read:

15 17.13 (4) APPOINTIVE OFFICERS OF A FAMILY CARE DISTRICT. Any member of a
16 family care district board appointed under s. 46.2895 (3) (a) 1., by the appointing
17 authority for cause.

18 ***-0030/2.11* SECTION 120.** 17.15 (5) of the statutes is created to read:

19 17.15 (5) FAMILY CARE DISTRICT. Any member of a family care district governing
20 board appointed under s. 46.2895 (3) (a) 2. may be removed by the appointing
21 authority for cause.

22 ***-0030/2.12* SECTION 121.** 17.27 (3m) of the statutes is created to read:

23 17.27 (3m) FAMILY CARE DISTRICT BOARD. If a vacancy occurs in the position of
24 any appointed member of a family care district board, the appointing authority shall

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1 appoint to serve for the residue of the unexpired term a person who meets the
2 applicable requirements under s. 46.2895 (3) (b).

3 ***-1432/7.1* SECTION 122.** 18.51 of the statutes is amended to read:

4 **18.51 Provisions applicable.** The following sections apply to this
5 subchapter, except that all references to “public debt” or “debt” are deemed shall be
6 read to refer to a “revenue obligation” and all references to “evidences of

7 indebtedness shall be read to refer to “evidences of revenue obligations”: ss. 18.02,
8 18.03, 18.06 (8), 18.07, 18.10 (1), (2), (4) to (9) and (11) and 18.17.

9 ***-1432/7.2* SECTION 123.** 18.52 (2m) (intro.) of the statutes is created to read:

10 18.52 (2m) (intro.) “Enterprise obligation” means every undertaking by the
11 state to repay a certain amount of borrowed money that is all of the following:

12 ***-1432/7.3* SECTION 124.** 18.52 (5) (intro.) of the statutes is renumbered 18.52
13 (5) and amended to read:

14 18.52 (5) “Revenue obligation” means ~~every undertaking by the state to repay~~
15 ~~a certain amount of borrowed money which is:~~ an enterprise obligation or a special
16 fund obligation. A revenue obligation may be both an enterprise obligation and a
17 special fund obligation.

18 ***-1432/7.4* SECTION 125.** 18.52 (5) (a) of the statutes is renumbered 18.52 (2m)
19 (a) and amended to read:

20 18.52 (2m) (a) Created for the purpose of purchasing, acquiring, leasing,
21 constructing, extending, expanding, adding to, improving, conducting, controlling,
22 operating or managing a revenue-producing enterprise or program;

23 ***-1432/7.5* SECTION 126.** 18.52 (5) (b) of the statutes is renumbered 18.52 (2m)
24 (b) and amended to read:

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1 18.52 (2m) (b) Payable solely from and secured solely by the property or income
2 or both of the enterprise or program; ~~and.~~

3 *~~1432/7.6~~* **SECTION 127.** 18.52 (5) (c) of the statutes is renumbered 18.52 (2m)
4 (c).

5 *~~1432/7.7~~* **SECTION 128.** 18.52 (7) of the statutes is created to read:
6 18.52 (7) “Special fund obligation” means every undertaking by the state to
7 repay a certain amount of borrowed money which is all of the following:

- 8 (a) Payable from a special fund consisting of fees, penalties or excise taxes.
9 (b) Not public debt under s. 18.01 (4).

10 *~~1432/7.8~~* **SECTION 129.** 18.52 (8) of the statutes is created to read:

11 18.52 (8) “Special fund program” means a state program or purpose with
12 respect to which the legislature has determined that financing with special fund
13 obligations is appropriate and will serve a public purpose.

14 *~~1432/7.9~~* **SECTION 130.** 18.53 (3) of the statutes is renumbered 18.53 (3)
15 (intro.) and amended to read:

16 18.53 (3) (intro.) The commission shall authorize money to be borrowed and
17 evidences of revenue obligation to be issued therefor ~~up to the amounts specified by~~
18 ~~the legislature to purchase, acquire, lease, construct, extend, expand, add to,~~
19 ~~improve, conduct, control, operate or manage such revenue producing enterprises~~
20 ~~or programs as are specified by the legislature as the funds are required.~~ The
21 requirements for funds shall be established by the state department or agency head
22 carrying out program responsibilities for which the revenue obligations have been
23 authorized by the legislature, but shall not exceed the following:

24 *~~1432/7.10~~* **SECTION 131.** 18.53 (3) (a) and (b) of the statutes are created to
25 read:

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1 18.53 (3) (a) In the case of enterprise obligations, the amounts specified by the
2 legislature to purchase, acquire, lease, construct, extend, expand, add to, improve,
3 conduct, control, operate or manage such revenue-producing enterprises or
4 programs as are specified by the legislature.

5 (b) In the case of special fund obligations, the amount specified by the
6 legislature for such expenditures to be paid from special fund obligations.

7 *~~1432/7.11~~* **SECTION 132.** 18.56 (1) of the statutes is renumbered 18.56 and
8 amended to read:

9 **18.56 Revenue bonds obligations.** The commission may authorize, for any
10 of the purposes described in s. 18.53 (3), the issuance of ~~revenue obligation bonds~~
11 revenue obligations. The ~~bonds revenue obligations~~ shall mature at any time not
12 exceeding 50 years from the date thereof as the commission shall determine. The
13 ~~bonds revenue obligations~~ shall be payable only out of the redemption fund provided
14 under ~~sub. s. 18.561 (5) or 18.562 (3)~~ and each ~~bond revenue obligation~~ shall contain
15 on its face a statement to that effect. ~~Any such bonds~~ A revenue obligation may
16 contain a provision authorizing redemption, in whole or in part, at stipulated prices,
17 at the option of the commission and shall provide the method of redeeming the ~~bonds~~.
18 ~~The state and a contracting party may provide in any contract for purchasing or~~
19 ~~acquiring a revenue-producing enterprise or program, that payment shall be made~~
20 ~~in such bonds~~ revenue obligations.

21 *~~1432/7.12~~* **SECTION 133.** 18.56 (2) to (6) of the statutes are renumbered
22 18.561 (2) to (6) and amended to read:

23 18.561 (2) SECURITY INTERESTS OF OWNERS OF ENTERPRISE OBLIGATIONS. There
24 shall be is a mortgage lien upon or security interest in the income and property of
25 each revenue-producing enterprise or program ~~to~~ for the benefit of the holders

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1 ~~owners of the related bonds and to the holders of the coupons of the bonds. The note~~
2 ~~or other instrument evidencing the security interest of a bondholder in a loan made~~
3 ~~or purchased with revenue obligation bonds shall constitute a statutory lien on the~~
4 ~~revenue~~ enterprise obligations. No physical delivery, recordation or other action is
5 required to perfect the security interest. The income and property of the
6 ~~revenue-producing enterprise or program shall remain subject to the lien until~~
7 ~~provision for payment in full of the principal and interest of the bonds~~ enterprise
8 obligations has been made, as provided in the authorizing resolution. Any holder
9 ~~owner of such bonds or attached coupons~~ enterprise obligations may either at law or
10 in equity protect and enforce the lien and compel performance of all duties required
11 by this section. If there is any default in the payment of the principal or interest of
12 any of such ~~bonds~~ enterprise obligations, any court having jurisdiction of the action
13 may appoint a receiver to administer the ~~revenue-producing enterprise or program~~
14 on behalf of the state and the ~~bondholders~~ owners of the enterprise obligations, with
15 power to charge and collect rates sufficient to provide for the payment of the
16 operating expenses and also to pay any ~~bonds or~~ enterprise obligations outstanding
17 against the ~~revenue-producing enterprise or program~~, and to apply the income and
18 revenues thereof in conformity with this subchapter and the authorizing resolution,
19 or the court may declare the whole amount of the ~~bonds~~ enterprise obligations due
20 and payable, if such relief is requested, and may order and direct the sale of the
21 ~~revenue-producing enterprise or program~~. Under any sale so ordered, the purchaser
22 shall be vested with an indeterminate permit to maintain and operate the
23 ~~revenue-producing enterprise or program~~. The legislature may provide for
24 additions, extensions and improvements to a ~~revenue-producing enterprise or~~
25 ~~program to be financed by additional issues of bonds~~ enterprise obligations as

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1 provided by this section. Such additional issues of bonds enterprise obligations shall
2 be subordinate to all prior related issues of bonds enterprise obligations which may
3 have been made under this section, unless the legislature, in the statute authorizing
4 the initial issue of bonds enterprise obligations, permits the issue of additional bonds
5 enterprise obligations on a parity therewith.

6 (3) DEDICATION OF REVENUES. As accurately as possible in advance, the
7 commission and the state department or agency carrying out program
8 responsibilities for which bonds enterprise obligations are to be issued shall
9 determine, and the commission shall fix in the authorizing resolution for such bonds
10 enterprise obligations: the proportion of the revenues of the revenue-producing
11 enterprise or program which shall be necessary for the reasonable and proper
12 operation and maintenance thereof; the proportion of the revenues which shall be set
13 aside as a proper and adequate replacement and reserve fund; and the proportion of
14 the revenues which shall be set aside and applied to the payment of the principal and
15 interest of the bonds enterprise obligations, and shall provide that the revenues be
16 set aside in separate funds. At any time after one year's operation, the state
17 department or agency and the commission may recompute the proportion of the
18 revenues which shall be assignable under this subsection based upon the experience
19 of operation or upon the basis of further financing.

20 (4) REPLACEMENT AND RESERVE FUND. The proportion set aside to the
21 replacement and reserve fund shall be available and shall be used, whenever
22 necessary, to restore any deficiency in the redemption fund for the payment of the
23 principal and interest due on bonds enterprise obligations and for the creation and
24 maintenance of any reserves established by the authorizing resolution to secure such
25 payments. At any time when the redemption fund is sufficient for said purposes,

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1 moneys in the replacement and reserve fund may, subject to available
2 appropriations, be expended either in the revenue-producing enterprise or program
3 or in new acquisitions, constructions, extensions ~~or~~, additions, expansions or
4 improvements. Any accumulations of the replacement and reserve fund may be
5 invested as provided in this subchapter, and if invested, the income from the
6 investment shall be carried in the replacement and reserve fund.

7 (5) REDEMPTION FUND. The proportion which shall be set aside for the payment
8 of the principal and interest of ~~such bonds~~ on the enterprise obligations shall from
9 month to month as they accrue and are received, be set apart and paid into a separate
10 fund in the treasury or in an account maintained by a trustee under sub. (9) (j) to be
11 identified as “the ... redemption fund”. Each redemption fund shall be expended, and
12 all moneys from time to time on hand therein are irrevocably appropriated, in sums
13 sufficient, only for the payment of principal and interest on the ~~revenue enterprise~~
14 obligations giving rise to it and premium, if any, due upon ~~refunding~~ redemption of
15 any such obligations. Moneys in the redemption funds may be commingled only for
16 the purpose of investment with other public funds, but they shall be invested only
17 in investment instruments permitted in s. 25.17 (3) (dr). All such investments shall
18 be the exclusive property of the fund and all earnings on or income from such
19 investments shall be credited to the fund.

20 (6) REDEMPTION FUND SURPLUS. If any surplus is accumulated in any of the
21 redemption funds, subject to any contract rights vested in ~~holders~~ owners of revenue
22 enterprise obligations secured thereby, it shall be paid over to the treasury.

23 *-1432/7.13* **SECTION 134.** 18.56 (7) and (8) of the statutes are renumbered
24 18.561 (7) and (8).

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1 ***-1432/7.14*** SECTION 135. 18.56 (9) (intro.) of the statutes is renumbered
2 18.561 (9) (intro.) and amended to read:

3 18.561 (9) AUTHORIZING RESOLUTION. (intro.) The commission may provide in
4 the authorizing resolution for ~~bonds~~ enterprise obligations or by subsequent action
5 all things necessary to carry into effect this section. Any authorizing resolution shall
6 constitute a contract with the ~~holder~~ owners of any ~~bonds~~ enterprise obligations
7 issued pursuant to ~~such~~ the resolution. Any authorizing resolution may contain such
8 provisions or covenants, without limiting the generality of the power to adopt the
9 resolution, as ~~is~~ are deemed necessary or desirable for the security of ~~bondholders~~
10 the owners of enterprise obligations or the marketability of the ~~bonds~~ enterprise
11 obligations, including ~~but not limited to~~ provisions as to:

12 ***-1432/7.15*** SECTION 136. 18.56 (9) (a) to (j) of the statutes are renumbered
13 18.561 (9) (a) to (j).

14 ***-1432/7.16*** SECTION 137. 18.56 (10) of the statutes is renumbered 18.561 (10)
15 and amended to read:

16 18.561 (10) SINKING FUND. The authorizing resolution may set apart ~~bonds~~
17 enterprise obligations the par value of which are equal to the principal amount of any
18 secured obligation or charge subject to which a revenue-producing enterprise or
19 program is to be purchased or acquired, and shall set aside in a sinking fund from
20 the income of the revenue-producing enterprise or program, a sum sufficient to
21 comply with the requirements of the instrument creating the security, ~~or if interest.~~
22 If the instrument does not make any provision therefor for a sinking fund, the
23 resolution shall fix and determine the amount ~~which~~ that shall be set aside into ~~such~~
24 the sinking fund from month to month for interest on the secured obligation or
25 charge, and a fixed amount or proportion not exceeding a stated sum, which shall be

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1 not less than one percent of the principal, to be set aside into the fund to pay the
2 principal of the secured obligation or charge. Any balance in the fund after satisfying
3 the secured obligations or charge, shall be transferred to the redemption fund. ~~Bonds~~
4 Enterprise obligations set aside for the secured obligation or charge may, from time
5 to time, be issued to an amount sufficient with the amount then in the sinking fund,
6 to pay and retire the secured obligation or charge or any portion thereof. The ~~bonds~~
7 enterprise obligation may be issued in exchange for or satisfaction of the secured
8 obligation or charge, or may be sold in the manner provided in this subchapter, and
9 the proceeds applied in payment of the same at maturity or before maturity by
10 agreement with the ~~holder~~ owner of the secured obligation or charge. The
11 commission and the owners of any revenue-producing enterprise or program
12 acquired or purchased may, upon such terms and conditions as are satisfactory,
13 contract that ~~bonds~~ enterprise obligations to provide for the discharge of the secured
14 obligation or charge, or for the whole purchase price shall be deposited with a trustee
15 or depository and released from the deposit from time to time on such terms and
16 conditions as are necessary to secure the payment of the secured obligation or charge.

17 ***-1432/7.17* SECTION 138.** 18.561 (title) of the statutes is created to read:

18 **18.561 (title) Enterprise obligations.**

19 ***-1432/7.18* SECTION 139.** 18.561 (1) of the statutes is created to read:

20 18.561 (1) PAYMENT WITH REVENUE OBLIGATIONS. The state and a contracting
21 party may provide, in any contract for purchasing or acquiring a revenue-producing
22 enterprise or program, that payment shall be made in revenue obligations.

23 ***-1432/7.19* SECTION 140.** 18.561 (7) (title) of the statutes is created to read:

24 18.561 (7) (title) PAYMENT FOR SERVICES.

25 ***-1432/7.20* SECTION 141.** 18.561 (8) (title) of the statutes is created to read:

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1 18.561 (8) (title) RATES FOR SERVICES.

2 *-1432/7.21* SECTION 142. 18.561 (9) (k) of the statutes is created to read:

3 18.561 (9) (k) Defeasance of the obligations.

4 *-1432/7.22* SECTION 143. 18.562 of the statutes is created to read:

5 **18.562 Special fund obligations. (1) SECURITY INTEREST IN SPECIAL FUND.**

6 There is a security interest, for the benefit of the owners of the special fund
7 obligations, in the amounts that arise after the creation of the special fund program
8 in the special fund related to the special fund obligations. For this purpose, amounts
9 in the special fund shall be accounted for on a first-in, first-out basis. No physical
10 delivery, recordation or other action is required to perfect the security interest. The
11 special fund shall remain subject to the security interest until provision for payment
12 in full of the principal and interest of the special fund obligations has been made, as
13 provided in the authorizing resolution. An owner of special fund obligations may
14 either at law or in equity protect and enforce the security interest and compel
15 performance of all duties required by this section.

16 (2) USE OF SPECIAL FUND MONEYS. The commission and the state agency carrying
17 out the special fund program responsibilities shall jointly determine, and the
18 commission shall fix in the authorizing resolution for the obligations, the conditions
19 under which money in the special fund shall be set aside and applied to the payment
20 of the principal and interest of the obligations, deposited in funds established under
21 the authorizing resolution or made available for other purposes.

22 (3) REDEMPTION FUND. The special fund revenues that are to be set aside for the
23 payment of the principal and interest of the special fund obligations shall be paid into
24 a separate fund in the treasury or in an account maintained by a trustee under sub.
25 (5) (e) to be identified as “the ... redemption fund”. Each redemption fund shall be

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1 expended, and all moneys from time to time on hand therein are irrevocably
2 appropriated, in sums sufficient, only for the payment of principal and interest on
3 the special fund obligations giving rise to it and premium, if any, due upon
4 redemption of any such obligations. Moneys in the redemption funds may be
5 commingled only for the purpose of investment with other public funds, but they
6 shall be invested only in investment instruments permitted in s. 25.17 (3) (dr). All
7 such investments shall be the exclusive property of the fund and all earnings on or
8 income from such investments shall be credited to the fund.

9 (4) SURPLUS. If any surplus is accumulated in any of the redemption funds,
10 subject to contract rights vested in the owners of special fund obligations security
11 thereby, it shall be paid over to the treasury.

12 (5) AUTHORIZING RESOLUTION. The commission may provide in the authorizing
13 resolution for special fund obligations or by subsequent action all things necessary
14 to carry into effect this section. Any authorizing resolution shall constitute a
15 contract with the owners of any special fund obligations issued pursuant to the
16 resolution. An authorizing resolution may contain such provisions or covenants,
17 without limiting the generality of the power to adopt the resolution, as are deemed
18 necessary or desirable for the security of owners of the obligations or the
19 marketability of the obligations, including provisions as to:

20 (a) Employment of consultants.

21 (b) Records and accounts.

22 (c) Establishment of reserve or other funds.

23 (d) Issuance of additional obligations.

24 (e) Deposit of the proceeds of the sale of the obligations or revenues of the
25 special fund in trust, including the appointment of depositories or trustees.

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1 (f) Defeasance of the obligations.

2 ***-1432/7.23* SECTION 144.** 18.57 (title) of the statutes is repealed and
3 recreated to read:

4 **18.57 (title) Funds established for revenue obligations.**

5 ***-1432/7.24* SECTION 145.** 18.57 (1) of the statutes is amended to read:

6 18.57 (1) A separate and distinct fund shall be established in the state treasury
7 or in an account maintained by a trustee under s. ~~18.56~~ 18.561 (9) (j) with respect to
8 each revenue-producing enterprise or program the income from which is to be
9 applied to the payment of any revenue enterprise obligation. A separate and distinct
10 fund shall be established in the state treasury or in an account maintained by a
11 trustee under s. 18.562 (5) (e) with respect to any special fund that is created by the
12 imposition of fees, penalties or excise taxes and is applied to the payment of special
13 fund obligations. All moneys resulting from the issuance of evidences of revenue
14 obligation shall be credited to the appropriate fund or applied for refunding or note
15 renewal purposes, except that moneys which represent premium or accrued interest
16 received on the issuance of evidences shall be credited to the appropriate redemption
17 fund.

18 ***-1432/7.25* SECTION 146.** 18.57 (4) of the statutes is renumbered 18.57 (4)
19 (intro.) and amended to read:

20 18.57 (4) (intro.) If, after all outstanding related revenue obligations have been
21 paid or payment provided for, moneys remain in ~~any such a fund, they~~ created under
22 sub. (1), all of the following shall occur:

23 (a) If the fund created under sub. (1) is in an account maintained by a trustee
24 under s. 18.561 (9) (j) or 18.562 (5) (e), the moneys shall be paid over to the treasury
25 and the,

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1 **(b) The fund created under sub. (1) shall be closed.**

2 *–1432/7.26* **SECTION 147.** 18.58 (1) of the statutes is amended to read:

3 18.58 (1) **MANAGEMENT OF FUNDS AND RECORDS.** All funds established under this
4 subchapter which are deposited in the state treasury shall be managed as provided
5 by law for other state funds, subject to any contract rights vested in ~~holders~~ owners
6 of evidences of revenue obligation secured by such fund. The department of
7 administration shall maintain full and correct records of each fund. The legislative
8 audit bureau shall audit each fund as of January 1 of each year reconciling all
9 transactions and showing the fair market value of all property on hand. All records
10 and audits shall be public documents. All funds established under this subchapter
11 which are deposited with a trustee under s. ~~18.56~~ 18.561 (9) (j) or 18.562 (5) (e) shall
12 be managed in accordance with resolutions authorizing the issuance of revenue
13 obligations, agreements between the commission and the trustee and any contract
14 rights vested in ~~holders of evidence~~ owners of revenue obligations secured by such
15 fund.

16 *–1432/7.27* **SECTION 148.** 18.60 (1) of the statutes is amended to read:

17 18.60 (1) The commission may authorize, for any one or more of the purposes
18 described in s. 18.53 (1), the issuance of revenue–obligation refunding bonds.
19 Refunding bonds may be issued, subject to any contract rights vested in ~~holders~~
20 owners of bonds or notes being refinanced, to refinance more than one issue of bonds
21 or notes notwithstanding that the bonds or notes may have been issued at different
22 times for different purposes and may be secured by the property or income of more
23 than one enterprise or program or may be public debt or building–corporation
24 indebtedness. The principal amount of refunding bonds shall not exceed the sum of:
25 the principal amount of the bonds or notes being refinanced; applicable redemption

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1 premiums; unpaid interest on the bonds or notes to the date of delivery or exchange
2 of the refunding bonds; in the event the proceeds are to be deposited in trust as
3 provided in sub. (3), interest to accrue on the bonds or notes from the date of delivery
4 to the date of maturity or to the redemption date selected by the commission,
5 whichever is earlier; and the expenses incurred in the issuance of the refunding
6 bonds and the payment of the bonds or notes. A determination by the commission
7 that a refinancing is advantageous or that any of the amounts provided in the
8 preceding sentence should be included in the refinancing shall be conclusive.

9 ***-1432/7.28* SECTION 149.** 18.60 (2) of the statutes is amended to read:

10 18.60 (2) If the commission determines to exchange refunding bonds, they may
11 be exchanged privately for and in payment and discharge of any of the outstanding
12 bonds or notes being refinanced. Refunding bonds may be exchanged for a like or
13 greater principal amount of the bonds or notes being exchanged therefor except that
14 the principal amount of the refunding bonds may exceed the principal amount of the
15 bonds or notes being exchanged therefor only to the extent determined by the
16 commission to be necessary or advisable to pay redemption premiums and unpaid
17 interest to the date of exchange not otherwise provided for. The ~~holders~~ owners of
18 the bonds or notes being refunded who elect to exchange need not pay accrued
19 interest on the refunding bonds if and to the extent that interest is accrued and
20 unpaid on the bonds or notes being refunded and to be surrendered. If any of the
21 bonds or notes to be refinanced are to be called for redemption, the commission shall
22 determine which redemption dates shall be used, if more than one date is applicable
23 and shall, prior to the issuance of the refunding bonds, provide for notice of
24 redemption to be given in the manner and at the times required by the proceedings
25 authorizing the outstanding bonds or notes.