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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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1 AN ACT ...; relating to: providing state aid to a public broadcasting corporation,  
2 eliminating the educational communications board and creating a transitional  
3 public broadcasting board.

**Analysis by the Legislative Reference Bureau**

This is a preliminary draft. An analysis may be prepared if the draft is revised for introduction.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

4 SECTION 1. 13.48 (14) (e) of the statutes is amended to read:  
5 13.48 (14) (e) If the state office building located at 3319 West Beltline highway  
6 in Dane county is sold by the state, the building commission shall ensure that the  
7 transferee pays \$476,228 from the proceeds of the sale to the Wisconsin Public  
8 Broadcasting Foundation, if the foundation exists at the time of the transfer and if

1 the secretary of administration does not transfer title to the building under s. 39.87  
2 (2) (a) 2.

3 SECTION 2. 13.48 (31) of the statutes is created to read:

4 13.48 (31) DIGITAL TELEVISION CONVERSION. (a) In this subsection, "broadcasting  
5 corporation" has the meaning given in s. 39.81 (2).

6 (b) 1. <sup>Subject to par. (c), the</sup> building commission may authorize up to \$9,713,700 in general fund  
7 supported borrowing ~~and up to \$1,350,000 in federal grants~~ to aid in the acquisition,  
8 construction, development, enlargement or improvement of facilities and equipment  
9 related to the conversion to digital television for the educational communications  
10 board or, if the federal communications commission has approved the transfer of all  
11 broadcasting licenses held by the educational communications board to the  
12 broadcasting corporation, for the broadcasting corporation. If the federal  
13 communications commission has approved the transfer of all broadcasting licenses  
14 held by the educational communications board to the broadcasting corporation, the  
15 state funding commitment and the awarding of federal grants under this paragraph  
16 shall be in the form of a grant to the broadcasting corporation. Before approving any  
17 such state funding commitment or federal grants, the building commission shall  
18 determine that the educational communications board or, if the federal  
19 communications commission has approved the transfer of all broadcasting licenses  
20 held by the educational communications board to the broadcasting corporation, the  
21 broadcasting corporation has secured additional funding at least equal to \$1,106,400  
22 from nonstate donations for the purpose of digital television conversion.

23 2. If the building commission authorizes a grant to the broadcasting  
24 corporation under subd. 1. and if, for any reason, the facility or equipment that is  
25 acquired, constructed, developed, enlarged or improved with funds from the grant

1 is not used for the purpose of public broadcasting, the broadcasting corporation or,  
2 if ownership of the facility or equipment is sold or otherwise conveyed to another  
3 person, the person shall transfer to the state an ownership interest in the facility or  
4 equipment equal to the amount of the state's grant.

5 (c) ~~The~~ <sup>Subject to par. (e), the</sup> building commission may authorize up to \$2,800,000 in general fund  
6 supported borrowing to aid in the acquisition, construction, development,  
7 enlargement or improvement of facilities and equipment related to the conversion  
8 to digital television for the University of Wisconsin System. Before approving any  
9 such state funding commitment, the building commission shall determine that the  
10 board of regents of the University of Wisconsin System has entered into an  
11 agreement under s. 36.25 (5) (c) 2. and that the board has secured additional funding  
12 at least equal to \$280,000 from nonstate donations for the purpose of digital  
13 television conversion.

14 (d) 1. ~~The~~ <sup>Subject to par. (e), the</sup> building commission may authorize up to \$3,500,000 in general fund  
15 supported borrowing to aid in the acquisition, construction, development,  
16 enlargement or improvement of facilities and equipment related to the conversion  
17 to digital television for the Milwaukee Area Technical College. The state funding  
18 commitment under this paragraph shall be in the form of a grant to the Milwaukee  
19 Area Technical College. Before approving any such state funding commitment, the  
20 building commission shall determine that the district board of the Milwaukee Area  
21 Technical College has entered into an agreement under s. 38.125 (2) (a) and that the  
22 board has secured additional funding at least equal to \$350,000 from nonstate  
23 donations for the purpose of digital television conversion.

24 2. If the building commission authorizes a grant to the Milwaukee Area  
25 Technical College under subd. 1. and if, for any reason, the facility or equipment that

1 is acquired, constructed, developed, enlarged or improved with funds from the grant  
2 is not used for the purpose of public broadcasting, Milwaukee Area Technical College  
3 or, if ownership of the facility or equipment is sold or otherwise conveyed to another  
4 person, the person shall transfer to the state an ownership interest in the facility or  
5 equipment equal to the amount of the state's grant.

Handwritten notes: "Insert 4-6" with an arrow pointing to line 6.

6 SECTION 3. 15.07 (1) (a) 5. of the statutes is amended to read:

7 15.07 (1) (a) 5. The members of the educational communications board  
8 appointed under s. 15.57 ~~(5) and (7)~~ (1) (e) and (h) shall be appointed as provided in  
9 that section.

10 SECTION 4. 15.07 (1) (b) 21. of the statutes is created to read:

11 15.07 (1) (b) 21. The public broadcasting transitional board. This subdivision  
12 does not apply after the first day of the 36th month beginning after the effective date  
13 of this subdivision .... [revisor inserts date].

14 SECTION 5. 15.105 (25) (bm) of the statutes is amended to read:

15 15.105 (25) (bm) A member of the educational communications board. If the  
16 secretary of administration determines that the federal communications  
17 commission has approved the transfer of all broadcasting licenses held by the  
18 educational communications board to the broadcasting corporation, as defined in s.  
19 39.81 (2), this paragraph does not apply on and after the effective date of the last  
20 license transferred as determined by the secretary of administration under s. 39.88  
21 (2).

22 SECTION 6. 15.105 (25) (c) of the statutes is amended to read:

23 15.105 (25) (c) Four or, if the secretary of administration determines that the  
24 federal communications commission has approved the transfer of all broadcasting  
25 licenses held by the educational communications board to the broadcasting

1 corporation, as defined in s. 39.81 (2), on and after the effective date of the last license  
2 transferred as determined by the secretary of administration under s. 39.88 (2), 5  
3 other members.

4 **SECTION 7.** 15.57 of the statutes is renumbered 15.57 (1).

5 **SECTION 8.** 15.57 (2) of the statutes is created to read:

6 15.57 (2) If the secretary of administration determines that the federal  
7 communications commission has approved the transfer of all broadcasting licenses  
8 held by the educational communications board to the broadcasting corporation, as  
9 defined in s. 39.81 (2), this section does not apply on and after the effective date of  
10 the last license transferred as determined by the secretary of administration under  
11 s. 39.88 (2).

12 **SECTION 9.** 15.98 of the statutes is created to read:

13 **15.98 Public broadcasting transitional board; creation.** (1) In this  
14 section:

15 (a) "Broadcasting corporation" has the meaning given in s. 39.81 (2).

16 (b) "Friends group" has the meaning given in s. 39.81 (5).

17 (2) There is created a public broadcasting transitional board consisting of the  
18 following members:

19 (a) The secretary of administration or his or her designee.

20 (b) The state superintendent of public instruction or his or her designee.

21 (c) The president of the ~~board of regents~~ *University of Wisconsin System*  
22 or his or her designee.

23 (d) The director of the technical college system ~~board~~ *board* or his or her designee.

24 (e) The president of the Wisconsin Association of Independent Colleges and  
25 Universities or his or her designee.

specified in s. 38.12(3) (a) 1.

district

1

(f) Except as provided in sub. (4), the director of ~~the~~ district board governing

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the Milwaukee Area Technical College or his or her designee.

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(g) One member of each house of the legislature from the political party with

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the most members in that house, appointed as are members of standing committees.

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(h) One member of each house of the legislature from the political party with

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the 2nd most members in that house, appointed as are members of standing

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committees.

8

(i) Two members appointed by the governor from a list of nominees submitted

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by the Wisconsin Public Radio Association for a 3-year term.

10

(j) One member appointed by the governor from a list of nominees submitted

11

by a friends group organized to raise funds for television station WHA for a 3-year

12

term.

13

(k) One member appointed by the governor from a list of nominees submitted

14

by a friends group organized to raise funds for television stations WMVS and WMVT

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for a 3-year term.

16

(L) One member appointed by the governor who is a representative of public

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elementary and secondary schools for a 3-year term.

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(3) The appointment of the members specified in sub. (2) is subject to senate

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confirmation, except for the appointment of a member who holds an office specified

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in sub. (2) that is subject to senate confirmation.

INSERT 6-20

21

(4) If the district board governing the Milwaukee Area Technical College does

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not enter into an agreement with the broadcasting corporation under s. 38.125 (2)

23

(a) by the date specified in s. 38.125 (2) (a) (intro.), the member specified under sub.

24

(2) (f) shall vacate his or her membership and the governor shall appoint, subject to

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senate confirmation, an individual to serve as a member for a 3-year term.

①

(5) This section does not apply ~~after~~ <sup>beginning on</sup> the first day of the 36th month ~~beginning~~ <sup>commencing</sup> after the effective date of this subsection .... [revisor inserts date].

SECTION 10. 16.25 of the statutes is created to read:

16.25 **Emergency weather warning system.** (1) In this section, "broadcasting corporation" has the meaning given in s. 39.81 (2).

(2) If the secretary determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation, on and after the effective date of the last license transferred ~~as~~ <sup>as</sup> determined by the secretary under s. 39.88 (2), the department shall contract with the broadcasting corporation for the operation of an emergency weather warning system.

SECTION 11. 16.26 of the statutes is created to read:

16.26 **Public broadcasting assets.** (1) In this section:

(a) "Broadcasting corporation" has the meaning given under s. 39.81 (2).

(b) "Shared asset" means an asset of the state that, as determined by the secretary, is used by the educational communications board for the purpose of providing public broadcasting, including a tower, transmitter, transmission facility or other related structure, equipment or property, and that is also used by another agency, as defined in s. 16.70 (1).

(2) If the secretary determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation, the secretary shall negotiate and enter into an agreement to lease each shared asset to the broadcasting corporation. An agreement under this subsection may include an option for the broadcasting corporation to purchase any shared asset.

1           **SECTION 12.** 16.42 (1) (intro.) of the statutes is amended to read:

2           16.42 (1) (intro.) All Except as provided in sub. (3), all agencies, other than the  
3 legislature and the courts, no later than September 15 of each even-numbered year,  
4 in the form and content prescribed by the department shall prepare and forward to  
5 the department and to the legislative fiscal bureau the following program and  
6 financial information:

7           **SECTION 13.** 16.42 (3) of the statutes is created to read:

8           16.42 (3) (a) In this subsection, “zero-based budgeting” means compilation of  
9 a budget in which each component is justified on the basis of cost, need and relation  
10 to ~~the~~ statutory responsibilities of the educational communications board.

11           (b) Beginning with the 2001-03 fiscal biennium, the department shall require  
12 the educational communications board ~~to~~ <sup>of shall</sup> submit budget requests, except requests  
13 regarding the appropriation under s. 20.225 (1) (c), that are prepared using the  
14 principles of zero-based budgeting for each of its activities, units and programs.

15           (c) If the secretary determines that the federal communications commission  
16 has approved the transfer of all broadcasting licenses held by the educational  
17 communications board to the broadcasting corporation, as defined in s. 39.81 (2), this  
18 subsection does not apply <sup>on and</sup> after the effective date of the last license transferred as  
19 determined by the secretary under s. 39.88 (2).

20           **SECTION 14.** 16.973 (1) (a) of the statutes is renumbered 16.973 (1) (ar).

21           **SECTION 15.** 16.973 (1) (ag) of the statutes is created to read:

22           16.973 (1) (ag) “Broadcasting corporation” has the meaning given under s.  
23 39.81 (2).

24           **SECTION 16.** 16.973 (2) (b) of the statutes is amended to read:



1           16.973 (2) (b) Provide such computer services and telecommunications services  
2 to local governmental units and the broadcasting corporation and provide such  
3 telecommunications services to qualified private schools, postsecondary  
4 institutions, museums and zoos as the division considers to be appropriate and as the  
5 division can efficiently and economically provide. The division may exercise this  
6 power only if in doing so it maintains the services it provides at least at the same  
7 levels that it provides prior to exercising this power and it does not increase the rates  
8 chargeable to users served prior to exercise of this power as a result of exercising this  
9 power. The division may charge local governmental units, the broadcasting  
10 corporation and qualified private schools, postsecondary institutions, museums and  
11 zoos for services provided to them under this paragraph in accordance with a  
12 methodology determined by the secretary. Use of telecommunications services by a  
13 qualified private school or postsecondary institution shall be subject to the same  
14 terms and conditions that apply to a municipality using the same services. The  
15 division shall prescribe eligibility requirements for qualified museums and zoos to  
16 receive telecommunications services under this paragraph.

17           **SECTION 17.** 18.04 (2) of the statutes is renumbered 18.04 (2) (a) and amended  
18 to read:

19           18.04 (2) (a) ~~The~~ Except as provided in par. (b), commission shall authorize  
20 public debt to be contracted and evidences of indebtedness to be issued therefor up  
21 to the amounts specified by the legislature to acquire, construct, develop, extend,  
22 enlarge or improve land, waters, property, highways, buildings, equipment or  
23 facilities or to make funds available for veterans' housing loans for the classes of  
24 public purposes specified by the legislature as the funds are required. Said  
25 requirements for funds shall be established by that department or agency head

1 having program responsibilities for which public debt has been authorized by the  
2 legislature.

3 **SECTION 18.** 18.04 (2) (b) of the statutes is created to read:

4 18.04 (2) (b) 1. In this paragraph, “broadcasting corporation” has the meaning  
5 given in s. 39.81 (2).

6 2. If the secretary of administration determines that the federal  
7 communications commission has approved the transfer of all broadcasting licenses  
8 held by the educational communications board to the broadcasting corporation and  
9 if the board of regents of the University of Wisconsin System has not contracted with  
10 the broadcasting corporation for the operation of television stations and for the joint  
11 use of production and broadcast facilities owned by the board, the commission may  
12 not authorize public debt to be contracted to aid in the acquisition, construction,  
13 development, enlargement or improvement of facilities and equipment related to the  
14 conversion to digital television for the University of Wisconsin System.

15 3. If the secretary of administration determines that the federal  
16 communications commission has approved the transfer of all broadcasting licenses  
17 held by the educational communications board to the broadcasting corporation and  
18 if the district board of the Milwaukee Area Technical College has not contracted with  
19 the broadcasting corporation for the operation of television stations and for the joint  
20 use of production and broadcast facilities owned by the board, the commission may  
21 not authorize public debt to be contracted to aid in the acquisition, construction,  
22 development, enlargement or improvement of facilities and equipment related to the  
23 conversion to digital television for the Milwaukee Area Technical College.

24 **SECTION 19.** 19.42 (13) (n) of the statutes is created to read:

25 19.42 (13) (n) The members of the public broadcasting transitional board.

1           **SECTION 20.** 20.218 of the statutes is created to read:

2           **20.218 Public broadcasting corporation.** There is appropriated to the  
3 broadcasting corporation, as defined in s. 39.81 (2), for the following costs:

4           **(1) EDUCATIONAL BROADCASTING AND TRANSMISSIONS.** (a) *General program*  
5 *operations.* The amounts in the schedule for educational broadcasting for schools  
6 and for transmissions to remote and underserved areas of the state.

7           **SECTION 21.** 20.225 (1) (a) of the statutes is amended to read:

8           20.225 (1) (a) *General program operations.* The amounts in the schedule to  
9 carry out its functions other than programming under ss. 39.11 and 39.13. If the  
10 secretary of administration determines that the federal communications  
11 commission has approved the transfer of all broadcasting licenses held by the board  
12 to the broadcasting corporation, as defined in s. 39.81 (2), on and after the effective  
13 date of the last license transferred as determined by the secretary of administration  
14 under s. 39.88 (2), no moneys may be encumbered under this paragraph.

15           **SECTION 22.** 20.225 (1) (b) of the statutes is amended to read:

16           20.225 (1) (b) *Energy costs.* The amounts in the schedule to pay for utilities and  
17 for fuel, heat and air conditioning, and to pay costs incurred under ss. 16.858 and  
18 16.895, by or on behalf of the board, and to repay to the energy efficiency fund loans  
19 made to the board under s. 16.847 (6). If the secretary of administration determines  
20 that the federal communications commission has approved the transfer of all  
21 broadcasting licenses held by the board to the broadcasting corporation, as defined  
22 in s. 39.81 (2), on and after the effective date of the last license transferred as  
23 determined by the secretary of administration under s. 39.88 (2), no moneys may be  
24 encumbered under this paragraph.

25           **SECTION 23.** 20.225 (1) (c) of the statutes is amended to read:

1           20.225 (1) (c) *Principal repayment and interest.* A sum sufficient to reimburse  
2 s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing  
3 the acquisition, construction, development, enlargement or improvement of facilities  
4 approved by the building commission for operation by the educational  
5 communications board. If the secretary of administration determines that the  
6 federal communications commission has approved the transfer of all broadcasting  
7 licenses held by the board to the broadcasting corporation, as defined in s. 39.81 (2),  
8 on and after the effective date of the last license transferred as determined by the  
9 secretary of administration under s. 39.88 (2), no moneys may be encumbered under  
10 this paragraph.

11           **SECTION 24.** 20.225 (1) (d) of the statutes is amended to read:

12           20.225 (1) (d) *Milwaukee area-technical college Area Technical College.* The  
13 amounts in the schedule to contract with Milwaukee ~~area-technical college~~ Area  
14 Technical College under s. 39.11 (18). If the secretary of administration determines  
15 that the federal communications commission has approved the transfer of all  
16 broadcasting licenses held by the board to the broadcasting corporation, as defined  
17 in s. 39.81 (2), on and after the effective date of the last license transferred as  
18 determined by the secretary of administration under s. 39.88 (2), no moneys may be  
19 encumbered under this paragraph.

20           **SECTION 25.** 20.225 (1) (eg) of the statutes is amended to read:

21           20.225 (1) (eg) *Transmitter construction.* As a continuing appropriation, the  
22 amounts in the schedule to construct national weather service transmitters. If the  
23 secretary of administration determines that the federal communications  
24 commission has approved the transfer of all broadcasting licenses held by the board  
25 to the broadcasting corporation, as defined in s. 39.81 (2), on and after the effective

1 date of the last license transferred as determined by the secretary of administration  
2 under s. 39.88 (2), no moneys may be encumbered under this paragraph.

3 **SECTION 26.** 20.225 (1) (er) of the statutes is amended to read:

4 20.225 (1) (er) *Transmitter operation.* The amounts in the schedule to operate  
5 the transmitter constructed with moneys appropriated under par. (eg). If the  
6 secretary of administration determines that the federal communications  
7 commission has approved the transfer of all broadcasting licenses held by the board  
8 to the broadcasting corporation, as defined in s. 39.81 (2), on and after the effective  
9 date of the last license transferred as determined by the secretary of administration  
10 under s. 39.88 (2), no moneys may be encumbered under this paragraph.

11 **SECTION 27.** 20.225 (1) (f) of the statutes is amended to read:

12 20.225 (1) (f) *Programming.* The amounts in the schedule for programming  
13 under s. 39.11. If the secretary of administration determines that the federal  
14 communications commission has approved the transfer of all broadcasting licenses  
15 held by the board to the broadcasting corporation, as defined in s. 39.81 (2), on and  
16 after the effective date of the last license transferred as determined by the secretary  
17 of administration under s. 39.88 (2), no moneys may be encumbered under this  
18 paragraph.

19 **SECTION 28.** 20.225 (1) (g) of the statutes is amended to read:

20 20.225 (1) (g) *Gifts, grants, contracts and leases.* All moneys received from  
21 gifts, grants, contracts and the lease of excess capacity to carry out the purposes for  
22 which received. If the secretary of administration determines that the federal  
23 communications commission has approved the transfer of all broadcasting licenses  
24 held by the board to the broadcasting corporation, as defined in s. 39.81 (2), on and  
25 after the effective date of the last license transferred as determined by the secretary

1 of administration under s. 39.88 (2), no moneys may be encumbered under this  
2 paragraph.

3 SECTION 29. 20.225 (1) (h) of the statutes is amended to read:

4 20.225 (1) (h) *Instructional material.* The amounts in the schedule for  
5 providing instructional materials under s. 39.11 (16). All moneys received from the  
6 sale of instructional material under s. 39.11 (16) and all moneys received under s.  
7 39.115 (1) shall be credited to this appropriation. If the secretary of administration  
8 determines that the federal communications commission has approved the transfer  
9 of all broadcasting licenses held by the board to the broadcasting corporation, as  
10 defined in s. 39.81 (2), on and after the effective date of the last license transferred  
11 as determined by the secretary of administration under s. 39.88 (2), no moneys may  
12 be encumbered under this paragraph.

13 SECTION 30. 20.225 (1) (k) of the statutes is amended to read:

14 20.225 (1) (k) *Funds received from other state agencies.* All moneys received  
15 from other state agencies to carry out the purposes for which received. If the  
16 secretary of administration determines that the federal communications  
17 commission has approved the transfer of all broadcasting licenses held by the board  
18 to the broadcasting corporation, as defined in s. 39.81 (2), on and after the effective  
19 date of the last license transferred as determined by the secretary of administration  
20 under s. 39.88 (2), no moneys may be encumbered under this paragraph.

21 SECTION 31. 20.225 (1) (ka) of the statutes is amended to read:

22 20.225 (1) (ka) *Information technology development projects.* The amounts in  
23 the schedule for the purpose of conducting information technology development  
24 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
25 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation

1 account. If the secretary of administration determines that the federal  
2 communications commission has approved the transfer of all broadcasting licenses  
3 held by the board to the broadcasting corporation, as defined in s. 39.81 (2), on and  
4 after the effective date of the last license transferred as determined by the secretary  
5 of administration under s. 39.88 (2), no moneys may be encumbered under this  
6 paragraph.

7 SECTION 32. 20.225 (1) (kb) of the statutes is amended to read:

8 20.225 (1) (kb) *Emergency weather warning system operation.* From the  
9 moneys received by the department of administration for the provision of state  
10 telecommunications and data processing services and sale of telecommunications  
11 and data processing inventory items primarily to state agencies, the amounts in the  
12 schedule for the operation of the emergency weather warning system under s. 39.11  
13 (21). If the secretary of administration determines that the federal communications  
14 commission has approved the transfer of all broadcasting licenses held by the board  
15 to the broadcasting corporation, as defined in s. 39.81 (2), on and after the effective  
16 date of the last license transferred as determined by the secretary of administration  
17 under s. 39.88 (2), no moneys may be encumbered under this paragraph.

18 SECTION 33. 20.225 (1) (m) of the statutes is amended to read:

19 20.225 (1) (m) *Federal grants.* All moneys received from the federal  
20 government as authorized by the governor under s. 16.54 for the purposes for which  
21 made and received. If the secretary of administration determines that the federal  
22 communications commission has approved the transfer of all broadcasting licenses  
23 held by the board to the broadcasting corporation, as defined in s. 39.81 (2), on and  
24 after the effective date of the last license transferred as determined by the secretary

1 of administration under s. 39.88 (2), no moneys may be encumbered under this  
2 paragraph.

3 SECTION 34. 20.285 (1) (p) of the statutes is created to read:

4 20.285 (1) (p) *Public broadcasting*. All moneys received from the broadcasting  
5 corporation, as defined in s. 39.81 (2), for the purpose of providing services to such  
6 corporation under an agreement under s. 36.25 (5) (c) 2.

7 SECTION 35. 20.505 (1) (aw) of the statutes is created to read:

8 20.505 (1) (aw) *Emergency weather warning system operation*. The amounts  
9 in the schedule to make payments under a contract for the operation of the  
10 emergency weather warning system under s. 16.25 (2).

11 SECTION 36. 20.505 (1) (c) of the statutes is created to read:

12 20.505 (1) (c) *Salaries, fringe benefits, supplies and services for certain*  
13 *employees*. The amounts in the schedule for salaries and fringe benefits of <sup>former</sup> employees  
14 of the ~~department of administration~~ <sup>educational communications board</sup> who were transferred to the department of  
15 administration under s. 39.87 (4) and for the provision of supplies and services for  
16 these employees.

17 SECTION 37. 20.505 (1) (kv) of the statutes is created to read:

18 20.505 (1) (kv) *Public broadcasting corporation grant*. All moneys received  
19 from the educational communications board to be paid as a grant to the broadcasting  
20 corporation, as defined in s. 39.81 (2), if the secretary of administration determines  
21 under s. 39.88 (1) that the federal communications commission has approved the  
22 transfer of all broadcasting licenses held by the educational communications board  
23 to the corporation.

24 SECTION 38. 20.505 (5) (d) of the statutes is created to read:



1           20.505 (5) (d) *Principal repayment and interest for former educational*  
2 *communications board and certain grants made for digital television conversion.* A  
3 sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest  
4 costs that are incurred in financing the acquisition, construction, development,  
5 enlargement or improvement of facilities approved by the building commission for  
6 operation by the educational communications board and in financing any grants  
7 under s. 13.48 (31) that are made to the broadcasting corporation, as defined in s.  
8 39.81 (2). No moneys may be encumbered under this paragraph unless the secretary  
9 of administration first determines under s. 39.88 (1) that the federal communications  
10 commission has approved the transfer of all broadcasting licenses held by the  
11 educational communications board to the broadcasting corporation, as defined in s.  
12 39.81 (2).

13           **SECTION 39.** 20.506 of the statutes is created to read:

14           **20.506 Public broadcasting transitional board.** There is appropriated to  
15 the public broadcasting transitional board for the following programs:

16           (1) **TRANSITIONAL SERVICES.** (a) *General program operations.* The amounts in  
17 the schedule for general program operations related to carrying out the duties under  
18 s. 39.82.

19           **SECTION 40.** 20.506 of the statutes, as affected by 1999 Wisconsin Act .... [this  
20 act], is repealed.

21           **SECTION 41.** 20.866 (1) (u) of the statutes, as affected by 1997 Wisconsin Act  
22 27, section 727, is amended to read:

23           20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys  
24 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (f), 20.190 (1) (c), (d),  
25 (i) and (j), 20.225 (1) (c), 20.245 (1) (e), (2) (e) and (j), (4) (e) and (5) (e), 20.250 (1) (e),

1 20.255 (1) (d), 20.275 (1) (er), (es), (h) and (hb), 20.285 (1) (d), (db), (fh), (ih) and (kd)  
2 and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (aq), (ar), (at), (ba),  
3 (ca), (cb), (cc), (cd), (ce), (ea), (eq) and (er), 20.395 (6) (aq) and (ar), 20.410 (1) (e), (ec)  
4 and (ko) and (3) (e), 20.435 (2) (ee) and (6) (e), 20.465 (1) (d), 20.485 (1) (f) and (go),  
5 (3) (t) and (4) (qm), 20.505 (5) (c), (d), (g) and (kc) and 20.867 (1) (a) and (b) and (3)  
6 (a), (b), (bm), (g), (h), (i) and (q) for the payment of principal and interest on public  
7 debt contracted under subchs. I and IV of ch. 18.

8 **SECTION 42.** 20.866 (2) (s) of the statutes, as affected by 1997 Wisconsin Act 27,  
9 section 727m, is amended to read:

10 20.866 (2) (s) *University of Wisconsin; academic facilities.* From the capital  
11 improvement fund, a sum sufficient for the board of regents of the university of  
12 Wisconsin system to acquire, construct, develop, enlarge or improve university  
13 academic educational facilities and facilities to support such facilities. The state may  
14 contract public debt in an amount not to exceed ~~\$791,009,100~~ \$793,809,100 for this  
15 purpose.

16 **SECTION 43.** 20.866 (2) (ws) of the statutes is created to read:

17 20.866 (2) (ws) *Administration; educational communications facilities.* From  
18 the capital improvement fund, a sum sufficient for the building commission to  
19 provide grants to the broadcasting corporation, as defined in s. 39.81 (2), to acquire,  
20 construct, develop, enlarge or improve educational communications facilities.  
21 Unless the secretary of administration first determines under s. 39.88 (1) that the  
22 federal communications commission has approved the transfer of all broadcasting  
23 licenses held by the educational communications board to the broadcasting  
24 corporation, as defined in s. 39.81 (2), no moneys may be encumbered or public debt  
25 contracted under this paragraph. If the secretary of administration determines that

1 the transfer of licenses has been approved, on and after the effective date of the last  
2 license transferred as determined by the secretary of administration under s. 39.88  
3 (2), the state may, for the purpose of this appropriation, contract public debt in an  
4 amount not to exceed \$18,067,800 less any amount contracted on behalf of the former  
5 educational communications board before the effective date of the last license  
6 transferred as determined by the secretary of administration under s. 39.88 (2).

7 SECTION 44. 20.866 (2) (zbn) of the statutes is created to read:

8 20.866 (2) (zbn) *Milwaukee Area Technical College; digital television*  
9 *conversion*. From the capital improvement fund, a sum sufficient for the building  
10 commission to provide grants to the Milwaukee Area Technical College to aid in the  
11 acquisition, construction, development, enlargement or improvement of facilities  
12 and equipment related to the conversion to digital television. The state may contract  
13 public debt in an amount not to exceed \$3,500,000 for this purpose.

14 SECTION 45. 20.866 (2) (zd) of the statutes is amended to read:

15 20.866 (2) (zd) *Educational communications board; educational*  
16 *communications facilities*. From the capital improvement fund, a sum sufficient for  
17 the educational communications board to acquire, construct, develop, enlarge or  
18 improve educational communications facilities. The state may contract public debt  
19 in an amount not to exceed ~~\$8,354,100~~ \$18,067,800 for this purpose. If the secretary  
20 of administration determines that the federal communications commission has  
21 approved the transfer of all broadcasting licenses held by the educational  
22 communications board to the broadcasting corporation, as defined in s. 39.81 (2), on  
23 and after the effective date of the last license transferred as determined by the  
24 secretary of administration under s. 39.88 (2), the state may not contract public debt  
25 under paragraph.

1           **SECTION 46.** 20.867 (3) (bm) of the statutes is created to read:

2           20.867 (3) (bm) *Principal repayment, interest and rebates.* A sum sufficient to  
3 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred  
4 in financing the acquisition, construction, development, enlargement or  
5 improvement of facilities and equipment related to the conversion to digital  
6 television at Milwaukee Area Technical College, and to make the payments  
7 determined by the building commission under s. 13.488 (1) (m) that are attributable  
8 to the proceeds of obligations incurred in financing the acquisition, construction,  
9 development, enlargement or improvement of facilities and equipment related to the  
10 conversion to digital television at Milwaukee Area Technical College.

11           **SECTION 47.** 20.923 (4) (e) 1e. of the statutes is amended to read:

12           20.923 (4) (e) 1e. Educational communications board: executive director. If the  
13 secretary of administration determines that the federal communications  
14 commission has approved the transfer of all broadcasting licenses held by the  
15 educational communications board to the broadcasting corporation, as defined in s.  
16 39.81 (2), this subdivision does not apply on and after the effective date of the last  
17 license transferred as determined by the secretary of administration under s. 39.88  
18 (2).

19           **SECTION 48.** 20.923 (6) (aj) of the statutes is created to read:

20           20.923 (6) (aj) Administration, department of: all positions specified in s.  
21 230.08 (2) (km).

22           **SECTION 49.** 20.923 (6) (b) of the statutes is amended to read:

23           20.923 (6) (b) Educational communications board: unclassified professional  
24 staff. If the secretary of administration determines that the federal communications  
25 commission has approved the transfer of all broadcasting licenses held by the

1 educational communications board to the broadcasting corporation, as defined in s.  
2 39.81 (2), this paragraph does not apply on and after the effective date of the last  
3 license transferred as determined by the secretary of administration under s. 39.88  
4 (2).

5 **SECTION 50.** 36.25 (5) (a) of the statutes is amended to read:

6 36.25 (5) (a) The board of regents, as licensee, shall, except as provided in an  
7 agreement entered into under par. (c) 2., manage, operate and maintain  
8 broadcasting station WHA and WHA-TV and shall enter into an affiliation  
9 agreement with the educational communications board pursuant to s. 39.14. Except  
10 as provided under par. (b), the an affiliation agreement under this paragraph shall  
11 provide that the board of regents shall grant the educational communications board  
12 the part-time use of equipment and space necessary for the operations of the state  
13 educational radio and television networks. The board of regents shall maintain a  
14 separate account for each revenue source for broadcasting station WHA and for  
15 WHA-TV which permits identification of the functions or activities for which  
16 expenditures are made. The board of regents shall maintain annual records of its  
17 expenditures for programming purposes by type of programming and by source of  
18 revenue.

19 **SECTION 51.** 36.25 (5) (c) of the statutes is created to read:

20 36.25 (5) (c) 1. In this paragraph:

21 a. "Broadcasting corporation" has the meaning given in s. 39.81 (2).

22 b. "Broadcasting station" means any broadcast station for which the board of  
23 regents holds a license.

24 2. No later than the first day of the 12th month beginning after the effective  
25 date of this subdivision .... [revisor inserts date], the board of regents may enter into

1 an agreement with the broadcasting corporation that requires the board of regents  
2 to do each of the following:

3 a. Allow the broadcasting corporation to operate any broadcasting station that  
4 is specified in the agreement.

5 b. Grant the broadcasting corporation operational control over any facility or  
6 asset of the board of regents that is necessary for the operation of a broadcasting  
7 station specified in subd. 2. a., except that the agreement may provide for joint use  
8 by the board of regents and the broadcasting corporation of any production facility  
9 and the agreement shall provide for the joint use by the board of regents and the  
10 broadcasting corporation of one and only one television broadcasting network  
11 facility.

12 c. Maintain the facilities and assets that are necessary for the operation of each  
13 broadcasting station, including a broadcasting station specified in subd. 2. a.

14 d. Retain the license for each broadcasting station.

15 e. Provide administrative services to the broadcasting corporation that are  
16 necessary for the broadcasting corporation to operate the broadcasting stations  
17 specified in subd. 2. a.

18 f. Provide assistance in developing and delivering elementary and secondary  
19 school programming. Any assistance provided under this subd. 2. f. shall be provided  
20 at no cost to private ~~schools~~ <sup>schools and</sup> public elementary and secondary schools.

21 3. An agreement under subd. 2. shall satisfy each of the following:

22 a. The agreement shall remain in effect until the maturity date of any public  
23 debt issued under s. 13.48 (31) (c).

*educational*

1 b. The agreement shall ensure that the board of regents has access to  
2 broadcasting facilities and air time that is equal or greater <sup>to</sup> ~~to~~ the access of the board  
3 of regents prior to the effective date of this subdivision 3. b. .... [revisor inserts date].

4 4. An agreement under subd. 2. may specify the terms, if any, for the  
5 broadcasting corporation to compensate the board of regents for taking an action  
6 specified in subd. 2. a. to e. INSERT 23-5

7 5. An agreement under subd. 2. may not take effect without the approval of the  
8 secretary of administration.

9 6. This paragraph does not apply unless the secretary of administration  
10 determines under s. 39.88 (1) that the federal communications commission has  
11 approved the transfer of all broadcasting licenses held by the educational  
12 communications board to the broadcasting corporation.

13 SECTION 52. 36.25 (5) (d) of the statutes is created to read:

14 36.25 (5) (d) At the request of the transitional board, as defined in s. 39.81 (7),  
15 the board of regents shall <sup>at no charge to the transitional board</sup> provide staff and legal, administrative and technical  
16 assistance for the transitional board to carry out the duties under s. 39.82.

17 SECTION 53. 38.125 of the statutes is renumbered 38.125 (3) and amended to  
18 read:

19 38.125 (3) If the district board governing the Milwaukee area technical college  
20 determines to relinquish its public broadcasting licenses, it shall, subject to the  
21 approval of the federal communications commission, offer to assign the licenses to  
22 the educational communications board, ~~subject to approval of the federal~~  
23 ~~communications commission or, if the secretary of administration determines under~~  
24 s. 39.88 (1) that all the broadcasting licenses held by the educational

1 communications board have been transferred to the broadcasting corporation, to the  
2 broadcasting corporation.

3 SECTION 54. 38.125 (1) of the statutes is created to read:

4 38.125 (1) In this section:

5 (a) "District board" means the district board governing the Milwaukee Area  
6 Technical College.

7 (b) "Broadcasting corporation" has the meaning given in s. 39.81 (2).

8 (c) "Broadcasting station" means any broadcast station for which the district  
9 board holds a license.

10 SECTION 55. 38.125 (2) of the statutes is created to read:

11 38.125 (2) (a) No later than the first day of the 12th month beginning after the  
12 effective date of this paragraph .... [revisor inserts date], the district board may enter  
13 into an agreement with the broadcasting corporation that requires the district board  
14 to do each of the following:

15 1. Allow the broadcasting corporation to operate any broadcasting station that  
16 is specified in the agreement.

17 2. Grant the broadcasting corporation operational control over any facility or  
18 asset of the district board that is necessary for the operation of a broadcasting station  
19 specified in subd. 1., except that the agreement may provide for joint use by the  
20 district board and the broadcasting corporation of any production facility and the  
21 agreement shall provide for the joint use by the district board and the broadcasting  
22 corporation of one and only one television broadcasting network facility.

23 3. Maintain the facilities and assets that are necessary for the operation of each  
24 broadcasting station, including a broadcasting station specified in subd. 1.

25 4. Retain the license for each broadcasting station.

INSERT 24-00



1 (b) An agreement under par. (a) shall satisfy each of the following:

2 1. The agreement shall remain in effect until the maturity date of any public  
3 debt issued under s. 13.48 (31) (d).

4 2. The agreement shall ensure that the district board has access to  
5 broadcasting facilities and air time that is equal or greater <sup>to</sup> ~~than~~ <sup>than</sup> the access of the district  
6 board prior to the effective date of this subdivision ... [revisor inserts date].

7 (c) An agreement under par. (a) may specify the terms, if any, for the  
8 broadcasting corporation to compensate the district board <sup>for</sup> taking an action  
9 specified in par. (a).

INSERT  
25-8

10 (d) An agreement under par. (a) may not take effect without the approval of the  
11 secretary of administration.

12 (e) This subsection does not apply unless the secretary of administration  
13 determines under s. 39.88 (1) that the federal communications commission has  
14 approved the transfer of all broadcasting licenses held by the educational  
15 communications board to the broadcasting corporation.

16 **SECTION 56.** 39.10 of the statutes is created to read:

17 **39.10 Definitions.** In this subchapter:

18 (1) "Broadcasting corporation" has the meaning given in s. 39.81 (2).

19 (2) "Fund-raising corporation" means the corporation organized under s. 39.12  
20 (1).

21 (3) "Transitional board" has the meaning given in s. 39.81 (7).

22 **SECTION 57.** 39.11 (intro.) of the statutes is amended to read:

23 **39.11 Educational communications board; duties.** (intro.) The Except as  
24 provided in a contract entered into under s. 39.115 (4), the educational  
25 communications board shall do each of the following:

1 SECTION 58. 39.11 (22) of the statutes is created to read:

2 39.11 (22) At the request of the transitional board, provide staff and legal,  
3 administrative and technical assistance for the transitional board to carry out the  
4 duties under s. 39.82.

*and at no charge to the transitional board*

5 SECTION 59. 39.115 (4) of the statutes is created to read:

6 39.115 (4) Contract with the broadcasting corporation to manage, operate and  
7 maintain any public broadcasting station for which the educational communications  
8 board holds a license.

9 SECTION 60. 39.12 of the statutes is amended to read:

10 39.12 **Nonstock Fund-raising corporation.** (1) The educational  
11 communications board may organize and maintain a nonstock nonprofit corporation  
12 under ch. 181 for the exclusive purpose of raising funds for the educational  
13 communications board to support the activities of the educational communications  
14 board. Any funds raised by the fund-raising corporation shall be expended to carry  
15 out the purposes for which received.

16 (2) The educational communications board shall enter into a contract with the  
17 fund-raising corporation ~~under sub. (1)~~. The contract shall provide that the  
18 educational communications board may make use of the services of the fund-raising  
19 corporation and that the educational communications board may provide  
20 administrative services to the fund-raising corporation. The type and scope of any  
21 administrative services provided by the educational communications board to the  
22 fund-raising corporation and the educational communications board employes  
23 assigned to perform the services shall be determined by the educational  
24 communications board. The fund-raising corporation may neither employ staff nor  
25 engage in political activities.

1           (2m) The fund-raising corporation ~~under sub. (1)~~ shall donate any real  
2 property to the state within 5 years after acquiring the property unless holding the  
3 property for more than 5 years is consistent with sound business and financial  
4 practices and is approved by the joint committee on finance.

5           (3) The educational communications board, the department of administration,  
6 the legislative fiscal bureau, the legislative audit bureau and the appropriate  
7 committee of each house of the legislature, as determined by the presiding officer,  
8 may examine all records of the fund-raising corporation.

9           (4) The board of directors of ~~any~~ the fund-raising corporation established  
10 ~~under this section~~ shall consist of 5 members, including the executive director of the  
11 educational communications board and 4 members of the educational  
12 communications board, elected by the educational communications board, of which  
13 one shall be a legislator. No 2 members of the board of directors may be from the same  
14 category of educational communications board members under s. 15.57 (1) ~~(a)~~ to ~~(7)~~  
15 (h).

16           (5) ~~Any~~ The fund-raising corporation ~~established under this section~~ shall be  
17 organized so that contributions to it will be deductible from adjusted gross income  
18 under section 170 of the internal revenue code and so that the fund-raising  
19 corporation will be exempt from taxation under section 501 of the internal revenue  
20 code and ss. 71.26 (1) (a) and 71.45 (1).

21           **SECTION 61.** 39.15 of the statutes is created to read:

22           **39.15 Applicability.** If the secretary of administration determines that the  
23 federal communications commission has approved the transfer of all broadcasting  
24 licenses held by the educational communications board to the broadcasting

1 corporation, this subchapter does not apply on and after the effective date of the last  
2 license transferred as determined by the secretary under s. 39.88 (2).

3 **SECTION 62.** Subchapter V of chapter 39 [precedes 39.81] of the statutes is  
4 created to read:

5 **CHAPTER 39**

6 **SUBCHAPTER V**

7 **PUBLIC BROADCASTING**

8 **39.81 Definitions.** In this subchapter:

9 (1) “Association” means the Wisconsin Public Radio Association.

10 (2) “Broadcasting corporation” means the corporation specified in s. 39.82 (1).

11 (3) “Corporate board” means the board of directors of the broadcasting  
12 corporation.

13 (4) “Foundation” means the Wisconsin Public Broadcasting Foundation.

14 (5) “Friends group” means a nonstock, nonprofit corporation described under  
15 section 501 (c) (3) or (4) of the Internal Revenue Code and exempt from taxation  
16 under section 501 (a) of the Internal Revenue Code that is organized to raise funds  
17 for a public broadcasting television station in this state.

18 (6) “Secretary” means the secretary of administration.

19 (7) “Transitional board” means the public broadcasting transitional board.

20 **39.82 Transitional board duties.** The transitional board shall do each of the  
21 following:

22 (1) Draft and file articles of incorporation for a nonstock corporation under ch.  
23 181 and take all actions necessary to exempt the corporation from federal taxation  
24 under section 501 (c) (3) of the Internal Revenue Code.

1           (2) Draft bylaws for adoption by the corporate board under s. 181.0206 (2). The  
 2 bylaws shall specify the method for designating or appointing the directors of the  
 3 corporate board. No later than March 15, 2000, the transitional board shall submit  
 4 a report to the governor and to the chief clerk of each house of the legislature for  
 5 distribution to the legislature under s. 13.172 (2) that describes the bylaws drafted  
 6 under this subsection. *includes and*

7           (3) Prepare an application for submission by the corporate board to the federal  
 8 communications commission to transfer all broadcasting licenses held by the  
 9 educational communications board to the broadcasting corporation.

10          (4) Negotiate an agreement with the association for the transfer to the  
 11 broadcasting corporation of funds raised by the association.

12          (5) Negotiate an agreement with each friends group in this state for the  
 13 transfer to the broadcasting corporation of funds raised by the friends group.

14          (6) If the transitional board requests the staff or legal, administrative or  
 15 technical assistance under s. 36.25 (5)-(d) or 39.11 (22), pay the board of regents of  
 16 the University of Wisconsin System or the educational communications board an  
 17 amount equal to the reasonable cost of the staff or assistance that is provided.

18          **39.83 Transitional plan.** (1) The secretary of administration shall, after  
 19 consulting with the corporate board, prepare a plan for submission to the joint  
 20 committee on finance that specifies each of the following:

21          (a) The transfer of the unencumbered balances of the appropriations to the  
 22 educational communications board to the broadcasting corporation.

23          (b) The transfer of positions *and related funding* from the educational communications board to the  
 24 department of administration.

25          (c) The transfer of assets under s. 39.87 (2) to the broadcasting corporation.

1 (2) If the cochairpersons of the joint committee on finance do not notify the  
 2 secretary of administration within 14 working days after the date of submittal of the  
 3 plan under sub. (1) that the committee has scheduled a meeting for the purpose of  
 4 reviewing the plan, the plan may be implemented as proposed. If, within 14 working  
 5 days after the date of submittal of the plan under sub. (1), the cochairpersons of the  
 6 committee notify the secretary of administration that the committee has scheduled  
 7 a meeting for the purpose of reviewing the proposed plan, the plan may implemented  
 8 only upon approval of the committee.

9 (3) If the joint committee on finance approves a transfer of unencumbered  
 10 balances specified in sub. (1) (a) <sup>and (b)</sup>, the joint committee on finance shall transfer the  
 11 unencumbered balances to the appropriation account <sup>s</sup> under a. ~~20.505(1)(a)~~ <sup>SS. 20.218(1)(a)</sup> and <sup>20.505(1)</sup>  
 12 ~~20.505(1)(b)~~ <sup>(c)</sup>

**39.84 Duties of broadcasting corporation.**

13 ~~If the secretary of~~  
 14 ~~administration determines that the federal communications commission has~~  
 15 ~~approved the transfer of all broadcasting licenses held by the educational~~  
 16 ~~communications board to the broadcasting corporation, the~~ <sup>The</sup> broadcasting corporation

16 shall do each of the following as a condition for receiving state aid under s. 20.218  
 17 (1) (a):

18 (1) Maintain a state system of radio broadcasting for the presentation of  
 19 educational, informational and public service programs, formulate policies  
 20 regulating the operation of such a state system and coordinate the public radio  
 21 activities of the various educational and informational agencies, civic groups, and  
 22 citizens having contributions to make to the public interest and welfare.

23 (2) Protect the public interest in educational television by maintaining  
 24 educational television channels reserved for this state and take such action as is  
 25 necessary to preserve such channels in this state for educational use.

1           (3) Maintain a comprehensive state plan for the orderly operation of a  
2 statewide television system for the presentation of noncommercial instructional  
3 programs that will serve the best interests of the people of the state now and in the  
4 future.

5           (4) Work with the educational agencies and institutions of the state as  
6 reviewer, adviser and coordinator of their joint efforts to meet the educational needs  
7 of the state through radio and television.

8           (5) Furnish leadership in securing adequate funding for statewide joint use of  
9 radio and television for educational and cultural purposes, including funding for  
10 media programming for broadcast over the state networks.

11           (6) Lease, purchase or construct radio and television facilities for joint use with  
12 state and local agencies, including facilities such as broadcast network and  
13 production facilities, network interconnection or relay equipment, mobile units, and  
14 other equipment available for statewide use.

15           (7) Maintain radio and television transmission equipment in order to provide  
16 broadcast service to all areas of this state.

17           (8) Establish and maintain a continuing evaluation of the effectiveness of the  
18 joint efforts of all participating educational institutions in terms of jointly  
19 established goals in the area of educational radio and television.

20           (9) Act as a central clearinghouse and source of information concerning  
21 educational radio and television activities in this state, including the furnishing of  
22 such information to legislators, offices of government, educational institutions and  
23 the general public.

24           **39.85 State aid.** (1) The broadcasting corporation may receive state aid under  
25 s. 20.218 (1) (a) if each of the following is satisfied:

1           (a) The articles of incorporation state that the purpose of the broadcasting  
2 corporation is to provide public broadcasting to this state and that, if the  
3 broadcasting corporation dissolves or discontinues public broadcasting in this state,  
4 the broadcasting corporation shall in good faith take all reasonable measures to  
5 transfer or assign the broadcasting corporation's assets, licenses and rights to an  
6 entity whose purpose is to advance public broadcasting in this state.

7           (b) The broadcasting corporation initially adopts the bylaws drafted by the  
8 transitional board under s. 39.82 (2).

9           (c) The broadcasting corporation permits public inspection and copying of any  
10 record of the corporation, as defined in s. 19.32 (1), to the same extent as required  
11 of, and subject to the same terms and enforcement provisions that apply to, an  
12 authority under subch. II of ch. 19.

13           (d) The broadcasting corporation provides public access to its meetings to the  
14 same extent as is required of, and subject to the same terms and enforcement  
15 provisions that apply to, a governmental body under subch. V of ch. 19.

16           (e) The broadcasting corporation provides the secretary of administration or  
17 his or her designee and the employees of the legislative audit bureau and the  
18 legislative fiscal bureau with access to all of the broadcasting corporation's records,  
19 as defined in s. 19.32 (2), except records identifying the names of private donors.

20           (f) The broadcasting corporation carries out any obligation of the educational  
21 communications board under any contract entered into by the educational  
22 communications board that relates to the provision of public broadcasting in this  
23 state until the contract is modified or rescinded by the broadcasting corporation to  
24 the extent allowed under the contract.



S. 20.218(1)(a)

1 (2) The secretary of administration shall pay aid under ~~s. 20.218~~ to the  
2 broadcasting corporation in instalments, as determined by the secretary.

3 **39.86 Broadcasting corporation reports.** (1) No later than September 15  
4 of each even-numbered year, in the form and content prescribed by the department  
5 of administration, the broadcasting corporation shall, as a condition of receiving  
6 state aid under s. 20.218 (1) (a), prepare and forward to the department of  
7 administration and to the legislative fiscal bureau all of the following information  
8 regarding each program administered by the broadcasting corporation:

INSERT  
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- 9 (a) A clear statement of the purpose or goal for each program.
- 10 (b) Clear statements of specific objectives to be accomplished and, as
- 11 appropriate, the performance measures used by the broadcasting corporation to
- 12 assess progress toward achievement of these objectives.

13 (c) Proposed plans to implement the objectives specified in par. (a) and the  
14 estimated resources needed to carry out the proposed plans.

15 (d) A statement of legislation required to implement proposed programmatic  
16 and financial plans.

as a condition of receiving state aid under s. 20.218

17 (e) Any other fiscal or other information that the secretary of administration  
18 or the governor requires on forms prescribed by the secretary of administration.

(1)  
(a)

19 (2) No later than December 1 of each year, the broadcasting corporation shall  
20 submit a report to the governor and to the chief clerk of each house of the legislature  
21 for distribution to the legislature under s. 13.172 (2) that describes each of the  
22 following:

- 23 (a) Any use of state aid received by the broadcasting corporation for serving
- 24 educational communities, diverse populations and rural and remote areas of the
- 25 state, including a detailed itemization of the use of state aid.

1 (b) Any progress in advancing the transition to digital television and radio,  
2 distance education and other technological innovations.

3 (c) The status of federal funding, private donations, other private fund raising  
4 and any financially beneficial partnerships.

5 (d) The status of the broadcasting corporation's efforts to satisfy the duties  
6 specified in this subchapter.

7 (3) This section does not apply unless the secretary of administration  
8 determines that the federal communications commission has approved the transfer  
9 of all broadcasting licenses held by the educational communications board to the  
10 broadcasting corporation.

11 **39.87 Transfer provisions.** (1) DEFINITIONS. In this section, "state office  
12 building" means the state office building located at 3319 West Beltline Highway in  
13 Dane County.

14 (2) ASSETS. (a) If the secretary of administration determines that the federal  
15 communications commission has approved the transfer of all broadcasting licenses  
16 held by the educational communications board to the broadcasting corporation, each  
17 of the following applies:

18 1. Any asset of the state, other than the state office building and the assets  
19 specified in subd. 3., that is used by the educational communications board and that,  
20 as determined by the secretary of administration, is not a shared asset, as defined  
21 in s. 16.26 (1) (b), is transferred, subject to the approval of the joint committee on  
22 finance under s. 39.83 (2), to the broadcasting corporation. A transfer under this  
23 subdivision shall take effect on on the effective date of the last license transferred as  
24 determined by the secretary of administration under s. 39.88 (2).

1           2. Subject to the approval of the joint committee on finance under s. 39.83 (2),  
2 the secretary of administration shall transfer title to the state office building from  
3 the state to the broadcasting corporation if the broadcasting corporation pays  
4 \$476,228 to the foundation or the foundation waives such payment.

5           3. The assets of the state that, as determined by the secretary of  
6 administration, are used by educational communications board for the operation of  
7 an emergency weather warning system are transferred to the department of  
8 administration.

9           (b) Any asset transferred under par. (a) 1. or 2. shall revert to the state if the  
10 asset is not used for the purpose of providing public broadcasting.

11           (3) EDUCATIONAL COMMUNICATIONS BOARD FUNDS. If the secretary of  
12 administration determines that the federal communications commission has  
13 approved the transfer of all broadcasting licenses held by the educational  
14 communications board to the broadcasting corporation, each of the following applies  
15 on the effective date of the last license transferred as determined by the secretary of  
16 administration under s. 39.88 (2):

INSERT 35-18

17           (a) To the appropriation account under s. 20.218 (1) (a), there is transferred the  
18 unencumbered balance of the appropriation accounts under s. 20.225 (1) (a), (b), (d)  
19 ~~to (ka) and (m), and the amounts in the schedule for the appropriation account under~~  
20 ~~s. 20.218 (1) (a) are increased by the sum of the amounts transferred from the~~  
21 ~~appropriation accounts under s. 20.225 (1) (a), (b), (d) to (ka) and (m).~~

22           (b) To the appropriation account under s. 20.505 (5) (i), there is transferred the  
23 unencumbered balance of the appropriation account under s. 20.225 (1) (kb) and the  
24 amounts in the schedule for the appropriation account under s. 20.505 (5) (i) are

INSEAT 36-2

1 increased by the amount transferred from the appropriation account under s. 20.225  
2 (1) (kb).

3 (4) POSITIONS. If the secretary of administration determines that the federal  
4 communications commission has approved the transfer of all broadcasting licenses  
5 held by the educational communications board to the broadcasting corporation, all  
6 incumbent employes holding positions in the educational communications board are  
7 transferred to the department of administration. Employes transferred under this  
8 subsection have all rights and the same status under subchapter V of chapter 111 and  
9 chapter 230 of the statutes that they enjoyed in the gaming board. Notwithstanding  
10 s. 230.28 (4), no employe so transferred who has attained permanent status in class  
11 may be required to serve a probationary period.

12 **39.88 License transfer determination.** The secretary shall determine each  
13 of the following:

14 (1) Whether the federal communications commission has approved the  
15 transfer of all broadcasting licenses held by the educational communications  
16 commission to the broadcasting corporation.

17 (2) If the secretary determines that the federal communications commission  
18 has approved the transfer of all the broadcasting licences specified in sub. (1), the  
19 effective date of the transfer of the last license transferred to the broadcasting  
20 corporation.

21 **SECTION 63.** 230.08 (2) (e) 3m. of the statutes is amended to read:

22 230.08 (2) (e) 3m. Educational communications board — 4. If the secretary of  
23 administration determines that the federal communications commission has  
24 approved the transfer of all broadcasting licenses held by the educational  
25 communications board to the broadcasting corporation as defined in s. 39.81 (2), this

INSEAT 36-11

1 subdivision does not apply on and after the effective date of the last license  
2 transferred as determined by the secretary of administration under s. 39.88 (2).

3 **SECTION 64.** 230.08 (2) (km) of the statutes is created to read:

4 230.08 (2) (km) Persons employed by the department of administration who  
5 were transferred to the department of administration under s. 39.87 (4) and who  
6 immediately before their transfer occupied a position described under par. (e) 3m.,  
7 (L) 2. or (we).

8 **SECTION 65.** 230.08 (2) (L) 2. of the statutes is amended to read:

9 230.08 (2) (L) 2. Educational communications board, created under s. 15.57 (1).  
10 If the secretary of administration determines that the federal communications  
11 commission has approved the transfer of all broadcasting licenses held by the  
12 educational communications board to the broadcasting corporation, as defined in s.  
13 39.81 (2), this subdivision does not apply on and after the effective date of the last  
14 license transferred as determined by the secretary of administration under s. 39.88  
15 (2).

16 **SECTION 66.** 230.08 (2) (we) of the statutes is amended to read:

17 230.08 (2) (we) Professional staff members of the educational communications  
18 board authorized under s. 39.13 (2). If the secretary of administration determines  
19 that the federal communications commission has approved the transfer of all  
20 broadcasting licenses held by the educational communications board to the  
21 broadcasting corporation, as defined in s. 39.81 (2), this paragraph does not apply on  
22 and after the effective date of the last license transferred as determined by the  
23 secretary of administration under s. 39.88 (2).

24 **SECTION 67.** 230.08 (4) (a) of the statutes is amended to read:

1 230.08 (4) (a) The number of administrator positions specified in sub. (2) (e)  
2 includes all administrator positions specifically authorized by law to be employed  
3 outside the classified service in each department, board or commission and the  
4 historical society. ~~In~~ Except as provided in par. (am), in this paragraph,  
5 “department” has the meaning given under s. 15.01 (5), “board” means the  
6 educational communications board, investment board, public defender board and  
7 technical college system board and “commission” means the public service  
8 commission. Notwithstanding sub. (2) (z), no division administrator position  
9 exceeding the number authorized in sub. (2) (e) may be created in the unclassified  
10 service.

11 **SECTION 68.** 230.08 (4) (am) of the statutes is created to read:

12 230.08 (4) (am) If the secretary of administration determines that the federal  
13 communications commission has approved the transfer of all broadcasting licenses  
14 held by the educational communications board to the broadcasting corporation, as  
15 defined in s. 39.81 (2), on and after the effective date of the last license transferred  
16 as determined by the secretary of administration under s. 39.88 (2), “board” in par.  
17 (a) means the investment board, public defender board and technical college system  
18 board.

19 **SECTION 69. Effective dates.** This act takes effect on the day after publication,  
20 except as follows:

21 (1) The repeal of section 20.506 of the statutes takes effect on the first day of  
22 the 36th month beginning after publication.

23 (END)

1999-2000 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-3203/P2ins  
MDK:.....

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**INSERT 4-6:**

9

(e) During the 1999-2001 fiscal biennium, the building commission may not authorize any general funding supported borrowing to aid in the acquisition, construction, development, enlargement or improvement of a broadcasting network facility or a production facility.

**INSERT 6-20:**

209

and except for the members specified in sub. (2) (b), (g) and (h)

**INSERT 23-5:**

209

for  
or the board of regents to compensate the broadcasting corporation

**INSERT 24-22:**

209

located in a 1st class city

**INSERT 25-8:**

209

for  
or the district board to compensate the broadcasting corporation

**INSERT 33-8:**

209

for which the broadcasting corporation is requesting state aid

**INSERT 35-18:**

209

, (eg), (er) and (f), except for the unencumbered balance of the appropriation accounts that are otherwise transferred under sub. (4)

**INSERT 36-2:**

9

(c) To the appropriation account under s. 20.505 (1) (kv), there is transferred the unencumbered balance of the appropriation accounts under s. 20.225 (1) (g), (h), (k), (ka) and (m), and, to the extent allowed under federal law, the secretary of

↑

↓

1 administration shall pay the broadcasting corporation a grant equal to the amount  
2 of the unencumbered balance of the appropriation account under s. 20.505 (1) (kv).

3 **INSERT 36-11:**

4 (5) DUTIES OF FORMER EDUCATIONAL COMMUNICATIONS BOARD EMPLOYEES. All  
5 employes transferred to the department of administration under sub. (4) shall  
6 provide broadcasting services to the broadcasting corporation if the department of  
7 administration enters into a contract with the broadcasting corporation for such  
8 services. Any such contract shall provide that the services are to be provided to the  
9 broadcasting corporation at no charge to the broadcasting corporation.





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-3203/P2 P3

MDK:jg&cmh:ch

Now

RM has not  
been seen

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 AN ACT <sup>reducing cost</sup>; relating to: providing state aid to a public broadcasting corporation,  
2 eliminating the educational communications board and creating a transitional  
3 public broadcasting board.

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***Analysis by the Legislative Reference Bureau***

This is a preliminary draft. An analysis may be prepared if the draft is revised for introduction.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

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

4 SECTION 1. 13.48 (14) (e) of the statutes is amended to read:

5 13.48 (14) (e) If the state office building located at 3319 West Beltline highway  
6 in Dane county is sold by the state, the building commission shall ensure that the  
7 transferee pays \$476,228 from the proceeds of the sale to the Wisconsin Public  
8 Broadcasting Foundation, if the foundation exists at the time of the transfer and if

1 the secretary of administration does not transfer title to the building under s. 39.87

2 (2)(a) 2.

3 SECTION 2. 13.48 (31) of the statutes is created to read:

4 13.48 (31) DIGITAL TELEVISION CONVERSION. (a) In this subsection, "broadcasting  
5 corporation" has the meaning given in s. 39.81 (2).

6 (b) 1. Subject to par. (e), the building commission may authorize up to  
7 \$9,713,700 in general fund supported borrowing to aid in the acquisition,  
8 construction, development, enlargement or improvement of facilities and equipment  
9 related to the conversion to digital television for the educational communications  
10 board or, if the federal communications commission has approved the transfer of all  
11 broadcasting licenses held by the educational communications board to the  
12 broadcasting corporation, for the broadcasting corporation. If the federal  
13 communications commission has approved the transfer of all broadcasting licenses  
14 held by the educational communications board to the broadcasting corporation, the  
15 state funding commitment under this paragraph shall be in the form of a grant to the  
16 broadcasting corporation. Before approving any such state funding commitment,  
17 the building commission shall determine that the educational communications  
18 board or, if the federal communications commission has approved the transfer of all  
19 broadcasting licenses held by the educational communications board to the  
20 broadcasting corporation, the broadcasting corporation has secured additional  
21 funding at least equal to \$1,106,400 from nonstate donations for the purpose of  
22 digital television conversion.

23 2. If the building commission authorizes a grant to the broadcasting  
24 corporation under subd. 1. and if, for any reason, the facility or equipment that is  
25 acquired, constructed, developed, enlarged or improved with funds from the grant

1 is not used for the purpose of public broadcasting, the broadcasting corporation or,  
2 if ownership of the facility or equipment is sold or otherwise conveyed to another  
3 person, the person shall transfer to the state <sup>shall retain</sup> an ownership interest in the facility or  
4 equipment equal to the amount of the state's grant.

5 (c) Subject to par. (e), the building commission may authorize up to \$2,800,000  
6 in general fund supported borrowing to aid in the acquisition, construction,  
7 development, enlargement or improvement of facilities and equipment related to the  
8 conversion to digital television for the University of Wisconsin System. Before  
9 approving any such state funding commitment, the building commission shall  
10 determine that the board of regents of the University of Wisconsin System has  
11 entered into an agreement under s. 36.25 (5) (c) 2. and that the board has secured  
12 additional funding at least equal to \$280,000 from nonstate donations for the  
13 purpose of digital television conversion.

14 (d) 1. Subject to par. (e), the building commission may authorize up to  
15 \$3,500,000 in general fund supported borrowing to aid in the acquisition,  
16 construction, development, enlargement or improvement of facilities and equipment  
17 related to the conversion to digital television for the Milwaukee Area Technical  
18 College. The state funding commitment under this paragraph shall be in the form  
19 of a grant to the Milwaukee Area Technical College. Before approving any such state  
20 funding commitment, the building commission shall determine that the district  
21 board of the Milwaukee Area Technical College has entered into an agreement under  
22 s. 38.125 (2) (a) and that the board has secured additional funding at least equal to  
23 \$350,000 from nonstate donations for the purpose of digital television conversion.

24 2. If the building commission authorizes a grant to the Milwaukee Area  
25 Technical College under subd. 1. and if, for any reason, the facility or equipment that

1 is acquired, constructed, developed, enlarged or improved with funds from the grant  
2 is not used for the purpose of public broadcasting, Milwaukee Area Technical College  
3 ~~or, if ownership of the facility or equipment is sold or otherwise conveyed to another~~  
4 ~~person, the person shall transfer to the state~~ <sup>shall retain</sup> an ownership interest in the facility or  
5 equipment equal to the amount of the state's grant.

6 (e) During the 1999-2001 fiscal biennium, the building commission may not  
7 authorize any general funding supported borrowing to aid in the acquisition,  
8 construction, development, enlargement or improvement of a broadcasting network  
9 facility or a production facility.

10 SECTION 3. 15.07 (1) (a) 5. of the statutes is amended to read:

11 15.07 (1) (a) 5. The members of the educational communications board  
12 appointed under s. 15.57 ~~(5) and (7)~~ (1) (e) and (h) shall be appointed as provided in  
13 that section.

14 SECTION 4. 15.07 (1) (b) 21. of the statutes is created to read:

15 15.07 (1) (b) 21. The public broadcasting transitional board. This subdivision  
16 does not apply after the first day of the 36th month beginning after the effective date  
17 of this subdivision .... [revisor inserts date].

18 SECTION 5. 15.105 (25) (bm) of the statutes is amended to read:

19 15.105 (25) (bm) A member of the educational communications board. If the  
20 secretary of administration determines that the federal communications  
21 commission has approved the transfer of all broadcasting licenses held by the  
22 educational communications board to the broadcasting corporation, as defined in s.  
23 39.81 (2), this paragraph does not apply on and after the effective date of the last  
24 license transferred as determined by the secretary of administration under s. 39.88  
25 (2).

1 corporation, as defined in s. 39.81 (2), if the secretary of administration determines  
2 under s. 39.88 (1) that the federal communications commission has approved the  
3 transfer of all broadcasting licenses held by the educational communications board  
4 to the corporation.

5 **SECTION 38.** 20.505 (5) (d) of the statutes is created to read:

6 20.505 (5) (d) *Principal repayment and interest for former educational*  
7 *communications board and certain grants made for digital television conversion.* A  
8 sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest  
9 costs that are incurred in financing the acquisition, construction, development,  
10 enlargement or improvement of facilities approved by the building commission for  
11 operation by the educational communications board and in financing any grants  
12 under s. 13.48 (31) that are made to the broadcasting corporation, as defined in s.  
13 39.81 (2). No moneys may be encumbered under this paragraph unless the secretary  
14 of administration first determines under s. 39.88 (1) that the federal communications  
15 commission has approved the transfer of all broadcasting licenses held by the  
16 educational communications board to the broadcasting corporation, as defined in s.  
17 39.81 (2).

18 **SECTION 39.** 20.506 of the statutes is created to read:

19 **20.506 Public broadcasting transitional board.** There is appropriated to  
20 the public broadcasting transitional board for the following programs:

21 (1) TRANSITIONAL SERVICES. (a) *General program operations.* <sup>As a continuing appropriation</sup> ~~The~~ amounts in <sup>the</sup>  
22 the schedule for general program operations related to carrying out the duties under  
23 s. 39.82.

24 **SECTION 40.** 20.506 of the statutes, as affected by 1999 Wisconsin Act .... [this  
25 act], is repealed.

1           (5) ~~Any~~ The fund-raising corporation established under ~~this section~~ shall be  
2 organized so that contributions to it will be deductible from adjusted gross income  
3 under section 170 of the internal revenue code and so that the fund-raising  
4 corporation will be exempt from taxation under section 501 of the internal revenue  
5 code and ss. 71.26 (1) (a) and 71.45 (1).

6           **SECTION 61.** 39.15 of the statutes is created to read:

7           **39.15 Applicability.** If the secretary of administration determines that the  
8 federal communications commission has approved the transfer of all broadcasting  
9 licenses held by the educational communications board to the broadcasting  
10 corporation, this subchapter does not apply on and after the effective date of the last  
11 license transferred as determined by the secretary under s. 39.88 (2).

12           **SECTION 62.** Subchapter V of chapter 39 [precedes 39.81] of the statutes is  
13 created to read:

14                                       **CHAPTER 39**

15                                       **SUBCHAPTER V**

16                                       **PUBLIC BROADCASTING**

17           **39.81 Definitions.** In this subchapter:

18           (1) "Association" means the Wisconsin Public Radio Association.

19           (2) "Broadcasting corporation" means the corporation specified in s. 39.82 (1).

20           (3) "Corporate board" means the board of directors of the broadcasting  
21 corporation.

22           (4) "Foundation" means the Wisconsin Public Broadcasting Foundation.

23           (5) "Friends group" means a nonstock, nonprofit corporation described under  
24 section 501 (c) (3) or (4) of the Internal Revenue Code and exempt from taxation

1           (2) Protect the public interest in educational television by maintaining  
2 educational television channels reserved for this state and take such action as is  
3 necessary to preserve such channels in this state for educational use.

4           (3) Maintain a comprehensive state plan for the orderly operation of a  
5 statewide television system for the presentation of noncommercial instructional  
6 programs that will serve the best interests of the people of the state now and in the  
7 future.

8           (4) Work with the educational agencies and institutions of the state as  
9 reviewer, adviser and coordinator of their joint efforts to meet the educational needs  
10 of the state through radio and television.

11           (5) Furnish leadership in securing adequate funding for statewide joint use of  
12 radio and television for educational and cultural purposes, including funding for  
13 media programming for broadcast over the state networks.

14           (6) Lease, purchase or construct radio and television facilities for joint use with  
15 state and local agencies, including facilities such as broadcast network and  
16 production facilities, network interconnection or relay equipment, mobile units, and  
17 other equipment available for statewide use.

18           (7) Maintain radio and television transmission equipment in order to provide  
19 broadcast service to all areas of this state.

20           (8) Establish and maintain a continuing evaluation of the effectiveness of the  
21 joint efforts of all participating educational institutions in terms of jointly  
22 established goals in the area of educational radio and television.

23           (9) Act as a central clearinghouse and source of information concerning  
24 educational radio and television activities in this state, including the furnishing of

(B)

(- 32)

(9) (10) Provide educational programming for elementary and secondary schools in this state and

1 such information to legislators, offices of government, educational institutions and  
2 the general public.

transmit public radio and television to remote and underserved areas of the state.

3 **39.85 State aid.** (1) The broadcasting corporation may receive state aid under the  
4 s. 20.218 (1) (a) if each of the following is satisfied:

5 (a) The articles of incorporation state that the purpose of the broadcasting  
6 corporation is to provide public broadcasting to this state and that, if the  
7 broadcasting corporation dissolves or discontinues public broadcasting in this state,  
8 the broadcasting corporation shall in good faith take all reasonable measures to  
9 transfer or assign the broadcasting corporation's assets, licenses and rights to an  
10 entity whose purpose is to advance public broadcasting in this state.

11 (b) The broadcasting corporation initially adopts the bylaws drafted by the  
12 transitional board under s. 39.82 (2).

13 (c) The broadcasting corporation permits public inspection and copying of any  
14 record of the corporation, as defined in s. 19.32 (1), to the same extent as required  
15 of, and subject to the same terms and enforcement provisions that apply to, an  
16 authority under subch. II of ch. 19.

17 (d) The broadcasting corporation provides public access to its meetings to the  
18 same extent as is required of, and subject to the same terms and enforcement  
19 provisions that apply to, a governmental body under subch. V of ch. 19.

20 (e) The broadcasting corporation provides the secretary of administration or  
21 his or her designee and the employees of the legislative audit bureau and the  
22 legislative fiscal bureau with access to all of the broadcasting corporation's records,  
23 as defined in s. 19.32 (2), except records identifying the names of private donors.

24 (f) The broadcasting corporation carries out any obligation of the educational  
25 communications board under any contract entered into by the educational



1 governor and to the chief clerk of each house of the legislature for distribution to the  
2 legislature under s. 13.172 (2) that describes each of the following:

3 (a) Any use of state aid received by the broadcasting corporation for serving  
4 educational communities, diverse populations and rural and remote areas of the  
5 state, including a detailed itemization of the use of state aid.

6 (b) Any progress in advancing the transition to digital television and radio,  
7 distance education and other technological innovations.

8 (c) The status of federal funding, private donations, other private fund raising  
9 and any financially beneficial partnerships.

10 (d) The status of the broadcasting corporation's efforts to satisfy the duties  
11 specified in this subchapter.

12 (3) This section does not apply unless the secretary of administration  
13 determines that the federal communications commission has approved the transfer  
14 of all broadcasting licenses held by the educational communications board to the  
15 broadcasting corporation.

16 **39.87 Transfer provisions. (1) DEFINITIONS.** In this section, "state office  
17 building" means the state office building located at 3319 West Beltline Highway in  
18 Dane County.

19 (2) **ASSETS.** (a) If the secretary of administration determines that the federal  
20 communications commission has approved the transfer of all broadcasting licenses  
21 held by the educational communications board to the broadcasting corporation, each  
22 of the following applies:

23 1. Any asset of the state, other than the state office building and the assets  
24 specified in subd. 3., that is used by the educational communications board and that,  
25 as determined by the secretary of administration, is not a shared asset, as defined

1 (b) To the appropriation account under s. 20.505 (5) (i), there is transferred the  
2 unencumbered balance of the appropriation account under s. 20.225 (1) (kb) and the  
3 amounts in the schedule for the appropriation account under s. 20.505 (5) (i) are  
4 increased by the amount transferred from the appropriation account under s. 20.225  
5 (1) (kb).

6 (c) To the appropriation account under s. 20.505 (1) (kv), there is transferred  
7 the unencumbered balance of the appropriation accounts under s. 20.225 (1) (g), (h),  
8 (k), (ka) and (m), and, to the extent allowed under federal law, the secretary of  
9 administration shall pay the broadcasting corporation a grant equal to the amount  
10 of the unencumbered balance of the appropriation account under s. 20.505 (1) (kv).

11 (4) POSITIONS. If the secretary of administration determines that the federal  
12 communications commission has approved the transfer of all broadcasting licenses  
13 held by the educational communications board to the broadcasting corporation, all  
14 incumbent employes holding <sup>positions authorized for the educational communications board and the</sup> ~~positions in the educational communications board~~ <sub>the</sub> are  
15 transferred to the department of administration. Employes transferred under this  
16 subsection have all rights and the same status under subchapter V of chapter 111 and  
17 chapter 230 of the statutes that they enjoyed in the gaming board. Notwithstanding  
18 s. 230.28 (4), no employe so transferred who has attained permanent status in class  
19 may be required to serve a probationary period.

20 (5) DUTIES OF FORMER EDUCATIONAL COMMUNICATIONS BOARD EMPLOYES. All  
21 employes transferred to the department of administration under sub. (4) shall  
22 provide broadcasting services to the broadcasting corporation if the department of  
23 administration enters into a contract with the broadcasting corporation for such  
24 services. Any such contract shall provide that the services are to be provided to the  
25 broadcasting corporation at no charge to the broadcasting corporation.

