



State of Wisconsin
1999 - 2000 LEGISLATURE

Section A

LRBs0095/P2
ALL:all:all

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY SUBSTITUTE AMENDMENT,
TO 1999 ASSEMBLY BILL 133

JH

1 AN ACT ...; relating to: ???

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

✓ 2 *b0223/2.1* SECTION 1c. 6.92 (intro.) of the statutes is renumbered 6.92 and
3 amended to read:

4 **6.92 Inspector making challenge.** Each inspector shall challenge for
5 cause any person offering to vote whom the inspector knows or suspects is not a
6 qualified elector. If a person is challenged as unqualified by an inspector, one of the
7 inspectors shall administer the following oath or affirmation to the person: "You do
8 solemnly swear (or affirm) that you will fully and truly answer all questions put to
9 you regarding your place of residence and qualifications as an elector of this
10 election"; and shall then ask ~~these of the following~~ questions which are appropriate
11 as determined by the board, by rule, to test the person's qualifications.

1 ✓ *b0223/2.1* SECTION 1g. 6.92 (1) to (6) of the statutes are repealed.

2 ✓ *b0223/2.1* SECTION 1n. 6.925 (intro.) of the statutes is renumbered 6.925 and
3 amended to read:

4 **6.925 Elector making challenge in person.** Any elector may challenge for
5 cause any person offering to vote whom the elector knows or suspects is not a
6 qualified elector. If a person is challenged as unqualified by an elector, one of the
7 inspectors may administer the oath or affirmation to the challenged elector under s.
8 6.92 and ask the challenged elector the questions under that section which are
9 appropriate to test the elector's qualifications. In addition, one of the inspectors shall
10 administer the following oath or affirmation to the challenging elector: "You do
11 solemnly swear (or affirm) that you will fully and truly answer all questions put to
12 you regarding the challenged person's place of residence and qualifications as an
13 elector of this election"; and shall then ask ~~those of the following~~ questions which are
14 appropriate as determined by the board, by rule, to test the qualifications of the
15 challenged elector.

16 ✓ *b0223/2.1* SECTION 1r. 6.925 (1) to (6) of the statutes are repealed.

17 ✓ *b0309/3.1* SECTION 1f. 13.101 (4g) of the statutes is repealed.

18 ✓ *b0309/3.1* SECTION 1h. 13.101 (4i) of the statutes is created to read:

19 13.101 (4i) (a) The department of natural resources and the department of
20 agriculture, trade and consumer protection shall present to the committee a schedule
21 for transferring funds from the appropriation account under s. 20.370 (6) (aa) to the
22 appropriation account under s. 20.115 (7) (c) or from the appropriation account under
23 s. 20.370 (6) (aq) to the appropriation account under s. 20.115 (7) (qd), or both, for the
24 purpose of providing funding under s. 92.14 (3) (a).

1 (b) The committee may transfer funds as provided in the schedule under par.
2 (a). If the committee transfers funds from the appropriation account under s. 20.370
3 (6) (aa) to the appropriation account under s. 20.115 (7) (c) in a fiscal year, the
4 amounts in the schedule under s. 20.005 for the appropriation under s. 20.370 (6) (aa)
5 for that fiscal year are decreased by the amount of the transfer. If the committee
6 transfers funds from the appropriation account under s. 20.370 (6) (aq) to the
7 appropriation account under s. 20.115 (7) (qd) in a fiscal year, the amounts in the
8 schedule under s. 20.005 for the appropriation under s. 20.370 (6) (aq) for that fiscal
9 year are decreased by the amount of the transfer and the amounts in the schedule
10 under s. 20.005 for the appropriation under s. 20.115 (7) (qd) for that fiscal year are
11 increased by the amount of the transfer.

12 ✓*b0310/1.1* **SECTION 1e.** 13.101 (11) of the statutes is amended to read:

13 13.101 (11) The committee may approve a clean water fund program interest
14 rate change as specified under s. 281.58 (12) (f), an urban storm water loan program
15 interest rate change as specified in s. 281.595 (11) (b) or a safe drinking water loan
16 program interest rate change as specified under s. 281.61 (11) (b).

17 ✓*b0365/2.1* **SECTION 1e.** 13.101 (4a) of the statutes is repealed.

18 ✓*b0365/2.1* **SECTION 1m.** 13.101 (4b) of the statutes is repealed.

19 ✓*b0384/2.1* **SECTION 1b.** 13.101 (15) of the statutes is created to read:

20 13.101 (15) Notwithstanding sub. (3) (a), if the department of administration
21 requests the joint committee on finance to supplement the appropriation under s.
22 20.505 (1) (ku) from the appropriation under s. 20.865 (4) (g), the committee may
23 supplement the appropriation by not more than \$500,000 in any fiscal year to provide
24 a grant to one or more eligible counties if the committee finds that the proposed
25 grantee or grantees are eligible to receive a grant under s. 16.18. Notwithstanding

1 sub. (3)(a), no finding of emergency is required for the committee to act in accordance
2 with this subsection.

3 ✓*b0519/4.1* SECTION 1b. 1.13 of the statutes is created to read:

4 **1.13 Land use planning activities. (1)** In this section:

5 (a) “Local governmental unit” has the meaning given in s. 1.12 (1) (a).

6 (b) “State agency” has the meaning given in s. 1.12 (1) (b).

7 (2) Each state agency shall ensure that, consistently with other laws, the
8 actions of the agency are designed to further the following goals:

9 (a) Promotion of the redevelopment of lands with existing infrastructure and
10 public services and the maintenance and rehabilitation of existing residential,
11 commercial and industrial structures.

12 (b) Encouragement of neighborhood designs that support a range of
13 transportation choices.

14 (c) Protection of natural areas, including wetlands, wildlife habitats, lakes,
15 woodlands, open spaces and groundwater resources.

16 (d) Protection of economically productive areas, including farmland and
17 forests.

18 (e) Encouragement of land uses, densities and regulations that promote
19 efficient development patterns and relatively low municipal, state governmental
20 and utility costs.

21 (f) Preservation of cultural, historic and archaeological sites.

22 (g) Encouragement of coordination and cooperation among nearby units of
23 government.

24 (h) Building of community identity by maintaining physical separation
25 between urban areas, revitalizing main streets and enforcing design standards.

1 (i) Providing an adequate supply of affordable housing for individuals of all
2 income levels throughout each community.

3 (j) Providing adequate infrastructure and public services and an adequate
4 supply of developable land to meet existing and future market demand for
5 residential, commercial and industrial uses.

6 (k) Promoting the expansion or stabilization of the current economic base and
7 the creation of a range of employment opportunities.

8 (L) Balancing individual property rights with community interests and goals.

9 (m) Planning and development of land uses that create or preserve varied and
10 unique urban and rural communities.

11 (3) Each state agency shall ensure that, consistently with other laws, whenever
12 it administers a law under which a local governmental unit prepares a plan, the
13 actions of the local governmental unit under the plan are designed to further the
14 goals specified in sub. (2), to the extent applicable.

15 ✓ *b0533/4.1* SECTION 2t. 13.48 (15) of the statutes is amended to read:

16 13.48 (15) ACQUISITION OF LEASEHOLD INTERESTS. The Subject to the
17 requirements of s. 20.924 (1) (im) and (j), the building commission shall have the
18 authority to acquire leasehold interests in land and buildings where such authority
19 is not otherwise provided to an agency by law.

20 ✓ *b0682/3.1* SECTION 2s. 13.48 (14) (e) of the statutes is amended to read:

21 13.48 (14) (e) If the state office building located at 3319 West Beltline highway
22 in Dane county is sold by the state, the building commission shall ensure that the
23 transferee pays \$476,228 from the proceeds of the sale to the Wisconsin Public
24 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 ✓✓ ***b0523/3.1* SECTION 3e.** 13.48 (19) of the statutes is renumbered 13.48 (19)

4 (a) and amended to read:

5 13.48 (19) (a) Whenever the building commission determines that the use of
6 innovative types of design and construction processes will make better use of the
7 resources and technology available in the building industry, the building commission
8 may waive any or all of s. 16.855 if such action is in the best interest of the state and
9 if the waiver is accomplished through formal action of the building commission. ~~The~~
10 Subject to the requirements of par. (b) and s. 20.924 (1) (i), the building commission
11 may authorize the lease, lease purchase or acquisition of such facilities constructed
12 in the manner authorized by the building commission. ~~The~~ Subject to the
13 requirements of par. (b) and s. 20.924 (1) (i) and (j), the building commission may also
14 authorize the lease, lease purchase or acquisition of existing facilities in lieu of state
15 construction of any project enumerated in the authorized state building program.

16 ✓✓ ***b0523/3.1* SECTION 3f.** 13.48 (19) (b) of the statutes is created to read:

17 13.48 (19) (b) The building commission may not lease or acquire a building,
18 structure or facility for the purpose of confining persons serving a sentence of
19 imprisonment to the Wisconsin state prisons under ch. 973 unless the person who
20 undertakes construction or conversion of the building, facility or structure has met
21 the requirements of s. 301.19 (2) and has complied with the agreement under s.
22 20.924 (1) (i).

23 ✓✓ ***b0523/3.1* SECTION 3h.** 13.48 (27) of the statutes is amended to read:

24 13.48 (27) LEASE OF CORRECTIONAL FACILITIES. ~~The~~ Subject to the requirements
25 of sub. (19) (b) and s. 20.924 (1) (i), (im) and (j), the building commission may lease

1 any facility meeting the requirements of s. 301.19 (2) for use of the department of
2 corrections as a part of the authorized state building program, with an option to
3 purchase the facility by the state. Any lease shall provide for the facility to be
4 constructed in accordance with requirements and specifications approved by the
5 department of administration and shall permit inspection of the site and facility by
6 agents of the department.

7 ✓ ***b0532/1.1* SECTION 3m.** 13.48 (30) of the statutes is created to read:

8 13.48 (30) AGENCY WORK PLANS FOR CAPITAL BUILDING MAINTENANCE. The building
9 commission shall review work plans of agencies for expenditure of capital building
10 maintenance moneys submitted under s. 16.857 (2) and may approve or disapprove
11 any plan or approve a plan with modifications.

12 ✓ ***b0559/1.1* SECTION 3m.** 13.485 (2) of the statutes is amended to read:

13 13.485 (2) The building commission may, under s. ~~18.56(5) and (9)(j)~~ ss. 18.561
14 and 18.562, deposit in a separate and distinct fund, outside the state treasury, in an
15 account maintained by a trustee, fees and charges derived from the facilities or from
16 agreements entered into under sub. (4). The fees and charges deposited are the
17 trustee's moneys in accordance with the agreement between this state and the
18 trustee or in accordance with the resolution pledging the fees and charges to the
19 repayment of revenue obligations issued under this section.

20 ✓ ***b0633/2.1* SECTION 3g.** 13.489 (1m) of the statutes is created to read:

21 13.489 (1m) APPROVAL OF COMMISSION REQUIRED FOR STUDY OF POTENTIAL MAJOR
22 HIGHWAY PROJECTS. (a) In this subsection:

23 1. "Environmental assessment" means an analysis of a proposed action to
24 determine whether the proposed action constitutes a major action significantly
25 affecting the human environment under s. 1.11 (2) (c).

1 2. “Environmental impact statement” means a detailed statement required
2 under s. 1.11 (2) (c).

3 3. “Major highway project” has the meaning given in s. 84.013 (1) (a).

4 (b) Not later than October 15 of each odd-numbered year, the department of
5 transportation shall provide to the commission a list of potential major highway
6 projects that the department has initially determined may be recommended under
7 par. (c) for approval to prepare an environmental impact statement or an
8 environmental assessment and a list of potential major highway projects that could
9 be studied for possible recommendation under sub. (4). The commission may conduct
10 public hearings on potential major highway projects identified by the department of
11 transportation or by the commission.

12 (c) Not later than March 15 of each even-numbered year, the department of
13 transportation shall report to the commission those potential major highway
14 projects that the department recommends be approved by the commission for
15 preparation of an environmental impact statement or an environmental assessment.

16 (d) Not later than April 15 of each even-numbered year, the commission shall
17 notify the department of those potential major highway projects that the commission
18 approves for preparation of an environmental impact statement or an environmental
19 assessment or shall notify the department that it does not approve any potential
20 major highway projects for preparation of an environmental impact statement or
21 environmental assessment.

22 (e) The department of transportation may not prepare an environmental
23 impact statement or an environmental assessment for a potential major highway
24 project unless the commission notifies the department under par. (d) that the project
25 is approved.

1 ✓✓ *b0165/3.1* **SECTION 3k.** 13.62 (4m) of the statutes is created to read:

2 13.62 (4m) "Budget bill subject" means a subject specified by the board which
3 is included in the executive budget bill or bills introduced under s. 16.47.

4 ✓✓ *b0165/3.1* **SECTION 3m.** 13.62 (8) of the statutes is amended to read:

5 13.62 (8) "Legislative action" means the development, drafting, introduction,
6 consideration, modification, adoption, rejection, review, enactment or defeat of any
7 bill, resolution, amendment, report, nomination, proposed administrative rule or
8 other matter by the legislature or by either house or any committee, subcommittee,
9 joint or select committee thereof, or by a legislator or employe of the legislature
10 acting in an official capacity. "Legislative action" also means the action of the
11 governor in approving or vetoing any bill or portion thereof, and the action of the
12 governor or any agency in the development of a proposal for introduction in the
13 legislature.

14 ✓✓ *b0165/3.1* **SECTION 3mi.** 13.62 (8s) of the statutes is created to read:

15 13.62 (8s) "Legislative proposal" means a bill, resolution or joint resolution.

16 ✓✓ *b0165/3.1* **SECTION 3n.** 13.67 of the statutes is amended to read:

17 **13.67 Identification of legislative and administrative proposals and**
18 **topics.** (1) Except as authorized under s. 13.621, no person may engage in lobbying
19 as a lobbyist on behalf of a principal and no principal may authorize a lobbyist to
20 engage in lobbying on its behalf unless the principal reports to the board, in such
21 manner as the board may prescribe, each bill or legislative proposal, budget bill
22 subject and proposed administrative rule number in connection with which the
23 principal has made or intends to make a lobbying communication or, if the lobbying
24 does not relate to a legislative proposal or proposed administrative rule that has been
25 numbered or a budget bill subject, each topic of a lobbying communication made or

1 intended to be made by the principal. A principal shall describe any topic of a
2 lobbying communication with reasonable specificity, sufficient to identify the subject
3 matter of the lobbying communication and whether the communication is an attempt
4 to influence legislative or administrative action, or both. The principal shall file the
5 report no later than the end of the 15th day after the date on which the principal
6 makes a lobbying communication with respect to a legislative proposal ~~or~~, proposed
7 administrative rule, budget bill subject or other topic not previously reported by the
8 principal under this section during the biennial period for which the principal is
9 registered. ~~With respect to a lobbying communication relating to the executive~~
10 ~~budget bill or bills introduced under s. 16.47, the principal shall further identify from~~
11 ~~among topics provided by the board the topic or topics of its lobbying~~
12 ~~communications, if any.~~ The report shall be made by a person who is identified by
13 the principal under s. 13.64 (1) (e).

14 (2) Any person who is not a principal may, upon payment of the fee prescribed
15 under s. 13.75 (5), register with the board an interest in any ~~bill or~~ legislative
16 proposal, proposed administrative rule, budget bill subject or other topic.

17 ✓ ~~b0165/3.1~~ *SECTION 3o. 13.68 (1) (bn) of the statutes is amended to read:

18 13.68 (1) (bn) For each ~~bill or~~ legislative proposal, proposed administrative
19 rule, budget bill subject or other topic that accounts for 10% or more of the principal's
20 time spent in lobbying during the reporting period, the principal's reasonable
21 estimate of the proportion of its time spent in lobbying associated with that ~~bill or~~
22 legislative proposal, proposed administrative rule. ~~With respect to the executive~~
23 ~~budget bill or bills introduced under s. 16.47, the principal shall further identify from~~
24 ~~topics provided by the board each topic that accounts for 10% or more of the~~
25 ~~principal's time spent in lobbying during the reporting period and the principal's~~

1 reasonable estimate of the proportion of its time spent in lobbying associated with
2 that topic, budget bill subject or other topic.

3 ✓ ***b0165/3.1* SECTION 3p.** 13.685 (4) of the statutes is created to read:

4 13.685 (4) The board shall, by rule, define what constitutes a “topic” for
5 purposes of ss. 13.67 and 13.68 (1) (bn).

6 ✓ ***b0165/3.1* SECTION 3q.** 13.75 (5) of the statutes is amended to read:

7 13.75 (5) Registering an interest in a bill or legislative proposal, proposed
8 administrative rule, budget bill subject or other topic under 13.67 (2), \$10.

9 ✓ ***b0310/1.3* SECTION 3f.** 13.48 (26) of the statutes is amended to read:

10 13.48 (26) ENVIRONMENTAL IMPROVEMENT ANNUAL FINANCE PLAN APPROVAL. The
11 building commission shall review the versions of the biennial finance plan and any
12 amendments to the biennial finance plan submitted to it by the department of
13 natural resources and the department of administration under s. 281.59 (3) (bm) and
14 the recommendations of the joint committee on finance and the standing committees
15 to which the versions of the biennial finance plan and any amendments were
16 submitted under s. 281.59 (3) (bm). The building commission shall consider the
17 extent to which that version of the biennial finance plan that is updated to reflect the
18 adopted biennial budget act will maintain the funding for the clean water fund
19 program and the safe drinking water loan program, in the environmental
20 improvement fund, in perpetuity. The building commission shall consider the extent
21 to which the implementation of the clean water fund program, the safe drinking
22 water loan program, the urban storm water loan program and the land recycling loan
23 program, as set forth in the biennial finance plan updated to reflect the adopted
24 biennial budget act, implements legislative intent on the clean water fund program,
25 the safe drinking water loan program, the urban storm water loan program and the

1 +land recycling loan program. The building commission shall, no later than 60 days
2 after the date of enactment of the biennial budget act, either approve or disapprove
3 the biennial finance plan that is updated to reflect the adopted biennial budget act,
4 except that the building commission may not disapprove those amounts that the
5 legislature approves under s. 281.59 (3e) (a), (3m) (a) ~~and~~, (3s) (a) and (3v) (a). If the
6 building commission disapproves the version of the biennial finance plan that is
7 updated to reflect the adopted biennial budget act, it must notify the department of
8 natural resources and the department of administration of its reasons for
9 disapproving the plan, and those departments must revise that version of the
10 biennial finance plan and submit the revision to the building commission.

11 ✓*-0030/2.1* SECTION 5. 13.94 (4) (a) 1. of the statutes is amended to read:

12 13.94 (4) (a) 1. Every state department, board, examining board, affiliated
13 credentialing board, commission, independent agency, council or office in the
14 executive branch of state government; all bodies created by the legislature in the
15 legislative or judicial branch of state government; any public body corporate and
16 politic created by the legislature including specifically a professional baseball park
17 district and a family care district under s. 46.2895; every Wisconsin works agency
18 under subch. III of ch. 49; every provider of medical assistance under subch. IV of ch.
19 49; technical college district boards; development zones designated under s. 560.71;
20 every county department under s. 51.42 or 51.437; every nonprofit corporation or
21 cooperative to which moneys are specifically appropriated by state law; and every
22 corporation, institution, association or other organization which receives more than
23 50% of its annual budget from appropriations made by state law, including
24 subgrantee or subcontractor recipients of such funds.

25 ✓*-0030/2.2* SECTION 6. 13.94 (4) (b) of the statutes is amended to read:

1 13.94 (4) (b) In performing audits of family care districts under s. 46.2895,
2 Wisconsin works agencies under subch. III of ch. 49, providers of medical assistance
3 under subch. IV of ch. 49, corporations, institutions, associations, or other
4 organizations, and their subgrantees or subcontractors, the legislative audit bureau
5 shall audit only the records and operations of such providers and organizations
6 which pertain to the receipt, disbursement or other handling of appropriations made
7 by state law.

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

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

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

12 **14.18 Assistance from executive branch agencies. (1)** In this section "O
13 executive branch agency" has the meaning given under s. 16.70 (4).

14 **(2)** The governor may enter into a cooperative arrangement with any executive
15 branch agency under which the agency provides assistance to the governor in
16 carrying out his or her responsibilities.

17 ~~*b0163/1.1*~~ SECTION 11m. 14.20 (title) of the statutes is amended to read:

18 **14.20 (title) Literacy improvement aids.**

19 ~~*b0163/1.1*~~ SECTION 11n. 14.20 (3) and (4) of the statutes are repealed.

20 ~~*b0242/2.5*~~ SECTION 11ac. 14.18 of the statutes, as created by 1999 Wisconsin
21 Act (this act), is repealed.

22 ~~*b0509/2.1*~~ SECTION 11g. 14.20 (2) of the statutes is amended to read:

23 14.20 (2) From the ~~appropriation~~ appropriations under s. 20.525 (1) (f) and (kf),
24 the governor may provide a grant to any local governmental unit or nonprofit
25 organization for support of a literacy improvement program.

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space*

1 ✓*b0307/3.2* SECTION 12e. 14.82 (1) (c) of the statutes is repealed.

2 ✓*b0307/3.2* SECTION 12s. 14.82 (1) (d) of the statutes is created to read:

3 14.82 (1) (d) Beginning on July 1, 1999, the total amount that may be expended
4 in a fiscal year from the appropriation account under s. 20.315 (1) (q) for the joint
5 Minnesota–Wisconsin boundary area commission may not exceed the total amount
6 expended by the state of Minnesota in the same fiscal year for the joint
7 Minnesota–Wisconsin boundary area commission.

8 ✓*b0519/4.3* SECTION 12m. 15.01 (4) of the statutes is amended to read:

9 15.01 (4) “Council” means a part–time body appointed to function on a
10 continuing basis for the study, and recommendation of solutions and policy
11 alternatives, of the problems arising in a specified functional area of state
12 government, except the Wisconsin land council has the powers specified in s. 16.965
13 (3) and (5) and the powers granted to agencies under ch. 227, the Milwaukee river
14 revitalization council has the powers and duties specified in s. 23.18, the council on
15 physical disabilities has the powers and duties specified in s. 46.29 (1) and (2), the
16 state council on alcohol and other drug abuse has the powers and duties specified in
17 s. 14.24 and, before January 1, 2001, the council on health care fraud and abuse has
18 the powers and duties specified in s. 146.36.

19 ✓*b0519/4.3* SECTION 12n. 15.01 (4) of the statutes, as affected by 1999
20 Wisconsin Act (this act), is amended to read:

21 15.01 (4) “Council” means a part–time body appointed to function on a
22 continuing basis for the study, and recommendation of solutions and policy
23 alternatives, of the problems arising in a specified functional area of state
24 government, except the ~~Wisconsin land council has the powers specified in s. 16.965~~
25 ~~(3) and (5) and the powers granted to agencies under ch. 227, the Milwaukee river~~

1 revitalization council has the powers and duties specified in s. 23.18, the council on
2 physical disabilities has the powers and duties specified in s. 46.29 (1) and (2), the
3 state council on alcohol and other drug abuse has the powers and duties specified in
4 s. 14.24 and, before January 1, 2001, the council on health care fraud and abuse has
5 the powers and duties specified in s. 146.36.

6 ✓ ~~*1696/7.2*~~ **SECTION 14.** 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 ✓ ~~*b0682/3.4*~~ **SECTION 14m.** 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 ✓ ~~*1922/5.1*~~ **SECTION 15.** 15.07 (2) (k) of the statutes is created to read:

15 15.07 (2) (k) The governor shall serve as chairperson of the governor's
16 work-based learning board.

17 ~~*0400/7.1*~~ **SECTION 20.** 15.105 (24) (title) of the statutes is renumbered

18 15.195 (3) (title).

19 ✓ ~~*0400/7.2*~~ **SECTION 21.** 15.105 (24) (a) of the statutes is renumbered 15.195

20 (3) (a) and amended to read:

21 15.195 (3) (a) *Creation.* There is created a national and community service
22 board which is attached to the department of ~~administration~~ health and family
23 services under s. 15.03.

24 ✓ ~~*0400/7.3*~~ **SECTION 22.** 15.105 (24) (b) and (c) (intro.) and 1. to 4. of the

25 statutes are renumbered 15.195 (3) (b) and (c) (intro.) and 1. to 4.

1 ✓ ~~*-0400/7.4*~~ **SECTION 23.** 15.105 (24) (c) 4m. of the statutes is renumbered
2 15.195 (3) (c) 4m. and amended to read:

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

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

7 ✓ ~~*-0247/1.1*~~ **SECTION 25.** 15.105 (25) (intro.) of the statutes is amended to read:

8 15.105 (25) TECHNOLOGY FOR EDUCATIONAL ACHIEVEMENT IN WISCONSIN BOARD.

9 (intro.) There is created a technology for educational achievement in Wisconsin
10 board which is attached to the department of administration under s. 15.03. The
11 board shall consist of the state superintendent of public instruction or his or her
12 designee, the secretary of administration or his or her designee and the following
13 members appointed for 4-year terms:

14 ✓ ~~*b0682/3.5*~~ **SECTION 26m.** 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 ✓ ~~*b0682/3.5*~~ **SECTION 27m.** 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 ✓~~0030/2.6~~* SECTION 31. 15.197 (5) of the statutes is created to read:

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

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

11 ✓~~0269/3.1~~* SECTION 34. 15.197 (25) (c) of the statutes is amended to read:

12 15.197 (25) (c) This subsection does not apply beginning on July 1, ~~2001~~ 2002.

13 ✓~~0229/1.1~~* SECTION 34f. 15.197 (26) of the statutes is created to read:

14 15.197 (26) SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN
15 COUNCIL. (a) There is created in the department of health and family services a
16 supplemental food program for women, infants and children council. The council
17 shall consist of the following members:

- 18 1. One representative of independent retail grocery stores.
- 19 2. One representative of the food industry warehouse distribution system.
- 20 3. One representative of convenience stores.
- 21 4. One representative of pharmacies.
- 22 5. One representative of financial institutions.
- 23 6. Two participants in the supplemental food program for women, infants and
24 children.
- 25 7. The secretary of health and family services or his or her designee.

1 8. One representative of a community-based hunger prevention program in the
2 city of Milwaukee.

3 (b) The member under par. (a) 7. may not serve as the chairperson of the council.

4 (c) The council shall meet at least 4 times per year.

5 (d) This subsection does not apply beginning on January 1, 2001.

6 ~~§~~**60411/5.1* SECTION 34d.** 15.197 (28) of the statutes is created to read:

7 15.197 (28) TOBACCO CONTROL COUNCIL. (a) There is created a tobacco control
8 council. The council shall consist of the following members:

9 1. The attorney general or his or her designee.

10 2. One majority party senator, one minority party senator, one majority party
11 representative to the assembly and one minority party representative to the
12 assembly, appointed as are the members of standing committees in their respective
13 houses.

14 3. The secretary of health and family services or his or her designee.

15 4. The superintendent of public instruction or his or her designee.

16 5. One physician with expertise in oncology, smoking cessation or public health.

17 6. One student who is enrolled in an institution within the University of
18 Wisconsin System.

19 7. Two high school students, including at least one minority student, as defined
20 in s. 39.40 (1).

21 8. Five representatives of organizations that have as their primary
22 organizational mission reducing the health or economic consequences of tobacco use
23 or ameliorating the effects of tobacco use and reducing the incidence of particular
24 diseases or health conditions associated with tobacco use.

25 9. One local health officer.

1 10. One person who is a minority group member, as defined in s. 560.036 (1)
2 (f).

3 11. One member of the Wisconsin Grocer Association.

4 12. One member of the Wisconsin Health and Hospital Association.

5 (b) The members specified in par. (a) 5. to 12. shall be appointed for 3-year
6 terms, except that if a student member appointed under par. (a) 6. or 7. loses the
7 status upon which the appointment was based, he or she shall cease to be a member
8 of the tobacco control council. The Governor shall designate one of the members
9 appointed under par. (a) 5. to 12. as chairperson of the council.

10 (c) The council shall meet at least 4 times per year. Eleven members constitute
11 a quorum. For the purpose of conducting business and making final
12 recommendations under s. 255.15 (2), a majority vote of the entire council is required.

13 (d) If the council creates subcommittees, one subcommittee shall study the
14 issue of those populations most adversely affected by tobacco.

15 ~~*1922/5.2*~~ **SECTION 35.** 15.223 (2) of the statutes is repealed.

16 ~~*1922/5.3*~~ **SECTION 36.** 15.223 (3) of the statutes is created to read:

17 15.223 (3) **DIVISION OF WORKFORCE EXCELLENCE.** There is created in the
18 department of workforce development a division of workforce excellence.

19 ~~*50569/1.1*~~ **SECTION 36r.** 15.225 (2) (b) of the statutes is amended to read:

20 15.225 (2) (b) *Membership.* The Wisconsin conservation corps board consists
21 of 7 members appointed by the governor from various areas of the state in a manner
22 designed to provide regional, environmental and agricultural representation. One
23 member of the board shall be a member of ~~an area private industry council~~ a local
24 workforce development board established under ~~the job training partnership act, 29~~
25 USC 1501 to 1781 29 USC 2832.

1 ✓ ***-1922/5.4* SECTION 37.** 15.225 (3) of the statutes is created to read:

2 15.225 (3) GOVERNOR'S WORK-BASED LEARNING BOARD. (a) There is created a
3 governor's work-based learning board which is attached to the department of
4 workforce development under s. 15.03.

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

7 1. The governor.

8 2. The state superintendent of public instruction.

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

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

11 5. The secretary of workforce development.

12 6. The administrator of the division of workforce excellence in the department
13 of workforce development.

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

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

16 8m. Two members having experience in secondary vocational education and
17 work-based learning who are not public officers and who do not possess the
18 qualifications of the members under subsds. 7. and 8.

19 9. One member, who is not a public officer and who does not possess the
20 qualifications of the members under subsds. 7. and 8., to represent the interests of the
21 public.

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

24 ✓ ***b0569/1.2* SECTION 37g.** 15.227 (24) of the statutes is repealed.

25 ✓ ***-1696/7.5* SECTION 38.** 15.57 of the statutes is renumbered 15.57 (1).

1 ✓ ***1696/7.6* SECTION 39.** 15.57 (2) of the statutes is created to read:

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

8 ✓ ***b0174/3.2* SECTION 40m.** 15.675 of the statutes is renumbered 15.495 and
9 amended to read:

10 **15.495 Same; attached board.** (1) EDUCATIONAL APPROVAL BOARD. There is
11 created an educational approval board which is attached to the ~~higher educational~~
12 ~~aids board~~ department of veterans affairs under s. 15.03. The board shall consist of
13 not more than 7 members, who shall be representatives of state agencies and other
14 persons with a demonstrated interest in educational programs, appointed to serve
15 at the pleasure of the governor.

16 ✓ ***b0478/2.1* SECTION 40m.** 16.004 (13) of the statutes is created to read:

17 16.004 (13) UNFUNDED PRIOR SERVICE FOR ASSISTANT DISTRICT ATTORNEYS.
18 Beginning in the 1999–2000 fiscal year and ending in the 2003–04 fiscal year, the
19 department shall pay \$80,000 in each fiscal year from the appropriation account
20 under s. 20.475 (1) (d) toward the department’s unfunded prior service liability under
21 the Wisconsin retirement system that results from granting the creditable service
22 under s. 40.02 (17) (gm).

23 ✓ ***b0682/3.7* SECTION 40m.** 15.98 of the statutes is created to read:

24 **15.98 Public broadcasting transitional board; creation.** (1) In this
25 section:

- 1 (a) "Broadcasting corporation" has the meaning given in s. 39.81 (2).
- 2 (b) "Friends group" has the meaning given in s. 39.81 (5).
- 3 (2) There is created a public broadcasting transitional board consisting of the
- 4 following members:
- 5 (a) The secretary of administration or his or her designee.
- 6 (b) The state superintendent of public instruction or his or her designee.
- 7 (c) The president of the University of Wisconsin System or his or her designee.
- 8 (d) The director of the technical college system or his or her designee.
- 9 (e) The president of the Wisconsin Association of Independent Colleges and
- 10 Universities or his or her designee.
- 11 (f) Except as provided in sub. (4), the district director specified in s. 38.12 (3)
- 12 (a) 1. of the Milwaukee Area Technical College district or his or her designee.
- 13 (g) One member of each house of the legislature from the political party with
- 14 the most members in that house, appointed as are members of standing committees.
- 15 (h) One member of each house of the legislature from the political party with
- 16 the 2nd most members in that house, appointed as are members of standing
- 17 committees.
- 18 (i) Two members appointed by the governor from a list of nominees submitted
- 19 by the Wisconsin Public Radio Association, for 3-year terms.
- 20 (j) One member appointed by the governor from a list of nominees submitted
- 21 by a friends group organized to raise funds for television station WHA, for a 3-year
- 22 term.
- 23 (k) One member appointed by the governor from a list of nominees submitted
- 24 by a friends group organized to raise funds for television stations WMVS and WMVT,
- 25 for a 3-year term.

1 (L) One member appointed by the governor who is a representative of public
2 elementary and secondary schools, for a 3-year term.

3 (3) The appointment of the members specified in sub. (2) is subject to senate
4 confirmation, except for the appointment of a member who holds an office specified
5 in sub. (2) that is subject to senate confirmation and except for the members specified
6 in sub. (2) (b), (g) and (h).

7 (4) If the district board governing the Milwaukee Area Technical College does
8 not enter into an agreement with the broadcasting corporation under s. 38.125 (2)
9 (a) by the date specified in s. 38.125 (2) (a) (intro.), the member specified under sub.
10 (2) (f) shall vacate his or her membership and the governor shall appoint, subject to
11 senate confirmation, an individual to serve as a member for a 3-year term.

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

14 ~~*-0030/2.8*~~ SECTION 41. 16.009 (2) (p) of the statutes is created to read:

15 16.009 (2) (p) Contract with one or more organizations to provide advocacy
16 services to potential or actual recipients of the family care benefit, as defined in s.
17 46.2805 (4), or their families or guardians. The board and contract organizations
18 under this paragraph shall assist these persons in protecting their rights under all
19 applicable federal statutes and regulations and state statutes and rules. An
20 organization with which the board contracts for these services may not be a provider,
21 nor an affiliate of a provider, of long-term care services, a resource center under s.
22 46.283 or a care management organization under s. 46.284. For potential or actual
23 recipients of the family care benefit, advocacy services required under this
24 paragraph shall include all of the following:

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

3 2. Providing advice and assistance in preparing and filing complaints,
4 grievances and appeals of complaints or grievances.

5 3. Providing negotiation and mediation.

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

8 5. Providing individual case advocacy services in administrative hearings and
9 legal representation for judicial proceedings regarding family care services or
10 benefits.

11 ~~*0829/1.1*~~ SECTION 42. 16.0095 of the statutes is repealed.

12 ~~*b0618/3.1*~~ SECTION 43h. 16.023 (1m) of the statutes is created to read:

13 16.023 (1m) (a) In this subsection:

14 1. "Land rights" means a holder's nonpossessory interest in land that imposes
15 a limitation or affirmative obligation the purpose of which is to retain or protect
16 natural, scenic or open space values of land, assuring the availability of land for
17 agricultural, forest, wildlife habitat or open space use, protecting natural resources
18 or maintaining or enhancing air or water quality.

19 2. "Political subdivision" means a city, village, town or county.

20 3. "Public funds" means funds of the United States, this state or of a political
21 subdivision, or an instrumentality, agency or subunit of any of the foregoing.

22 4. "Transaction" means a conveyance of land rights that use public funds to
23 accomplish the conveyance.

24 (b) Not later than January 1, 2000, the council shall develop and distribute a
25 form, that is in triplicate, to each register of deeds, the department of natural

1 resources and the department of revenue that contains space for the following
2 information:

- 3 1. The name and address of each party that is involved in a transaction.
- 4 2. The date of the transaction.
- 5 3. The approximate size of the parcel to which the land rights relate.
- 6 4. The approximate total size of the parcel of which the land rights constitute
7 a portion.
- 8 5. The classification of the parcel under s. 70.32 (2) (a) to which the land rights
9 relate.
- 10 6. The amount paid by the purchaser for the land rights.
- 11 7. The source of the public funds that were used in the conveyance of the land
12 rights.

13 (c) For a transaction that is completed after June 30, 2000, a person who is a
14 party to a transaction, as a purchaser or purchaser's agent or as a seller or seller's
15 agent, shall prepare and sign the form described in par. (b). The person who prepares
16 and signs the form shall send one copy of the form to the council and record one copy
17 with the register of deeds of the county in which the transaction is recorded.

18 (d) A register of deeds, the department of natural resources and the department
19 of revenue shall make the form available to any person who requests one.

20 (e) The council shall post the form on the Internet when a site for a statewide
21 computerized land information system is created and makes such a posting possible.

22 ✓*b0618/3.1* SECTION 43j. 16.023 (3) of the statutes is amended to read:

23 16.023 (3) Subsections (1) and to (2) do not apply after August 31, 2003.

24 ✓*1618/3.1* SECTION 44. 16.15 (4) of the statutes is repealed.

25 ✓*b0384/2.3* SECTION 45m. 16.18 of the statutes is created to read:

1 **16.18 Management assistance grants to certain counties.** (1) In this
2 section, “eligible county” means a county that has a geographic area of less than 400
3 square miles and that contains no incorporated municipal territory.

4 (2) An eligible county may apply to the department for a management
5 assistance grant annually in each state fiscal year for the purpose of assisting the
6 county in funding one or more of the following functions:

7 (a) Public security.

8 (b) Public health.

9 (c) Public infrastructure.

10 (d) Public employe training.

11 (e) Economic development.

12 (3) No eligible county may receive a grant under this section unless the county
13 maintains its financial records in accordance with accounting procedures
14 established by the department of revenue, and unless the county submits to the
15 department a detailed expenditure plan that identifies how the grant proceeds are
16 proposed to be expended and how the proposed expenditures will enable the county
17 to meet its goals for execution of the functions specified in sub. (2) for which the grant
18 is requested.

19 (4) The department shall make grants to eligible counties from the
20 appropriation under s. 20.505 (1) (ku).

21 (5) No county may receive a grant under this section in an amount exceeding
22 \$500,000 in any state fiscal year.

23 ✓*-0400/7.7* **SECTION 46.** 16.22 (title), (1) and (2) (intro.) and (a) to (g) of the
24 statutes are renumbered 46.78 (title), (1) and (2) (intro.) and (a) to (g).

1 ✓ ~~*0400/7.6*~~ **SECTION 47.** 16.22 of the statutes, as affected by 1999 Wisconsin
2 Act (this act), is repealed.

3 ✓ ~~*0400/7.8*~~ **SECTION 48.** 16.22 (2) (h) of the statutes is renumbered 46.78 (2)
4 (h) and amended to read:

5 46.78 (2) (h) From the appropriations under s. ~~20.505 (4) (j) and (p)~~ 20.435 (3)
6 (~~gb~~) and (p), award grants to persons providing national service programs, giving
7 priority to the greatest extent practicable to persons providing youth corps programs.

8 ✓ ~~*0400/7.9*~~ **SECTION 49.** 16.22 (2) (i) to (k) of the statutes are renumbered
9 46.78 (2) (i) to (k).

10 ✓ ~~*0400/7.10*~~ **SECTION 50.** 16.22 (2) (kL) of the statutes, as created by 1997
11 Wisconsin Act 237, section 4w, is renumbered 16.22 and amended to read:

12 ✓ **16.22 Wisconsin promise challenge grants.** From the appropriation under
13 s. 20.505 (4) (1) (fm), award Wisconsin promise challenge grants and provide training
14 and technical assistance under 1997 Wisconsin Act 237, section 9101 (1z) (b) and (h).

15 ✓ ~~*0400/7.11*~~ **SECTION 51.** 16.22 (2) (L) and (3) of the statutes are renumbered
16 46.78 (2) (L) and (3).

17 ✓ ~~*b0163/1.2*~~ **SECTION 51m.** 16.23 of the statutes is repealed.

18 ✓ ~~*-1806/3.1*~~ **SECTION 52.** 16.24 (title) and (1) of the statutes are renumbered
19 14.63 (title) and (1), and 14.63 (1) (b), as renumbered, is amended to read:

20 14.63 (1) (b) "Institution of higher education" means a public or private
21 institution of higher education that is accredited by an accrediting association
22 recognized by the ~~department~~ state treasurer, and a proprietary school approved by

23 the educational approval board under s. ~~39.51~~ 45.54.

24 ✓ ~~*-1806/3.2*~~ **SECTION 53.** 16.24 (2) of the statutes is renumbered 14.63 (2), and
25 14.63 (2) (intro.) and (b), as renumbered, are amended to read:

plain

1 14.63 (2) WEIGHTED AVERAGE TUITION; TUITION UNIT COST. (intro.) Annually, the
2 ~~department state treasurer~~ and the board jointly shall determine all of the following:

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

10 ~~*-1806/3.3*~~ SECTION 54. 16.24 (3) of the statutes is renumbered 14.63 (3), and
11 14.63 (3) (a) (intro.) and (d), as renumbered, are amended to read:

12 14.63 (3) (a) (intro.) The ~~department state treasurer~~ shall contract with an
13 individual, a trust or a legal guardian for the sale of tuition units to that individual,
14 trust or legal guardian if all of the following apply:

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

18 ~~*-1806/3.4*~~ SECTION 55. 16.24 (4) of the statutes is renumbered 14.63 (4) and
19 amended to read:

20 14.63 (4) NUMBER OF TUITION UNITS PURCHASED. A person who enters into a
21 contract under sub. (3) may purchase tuition units at any time and in any number,
22 except that the total number of tuition units purchased on behalf of a single
23 beneficiary may not exceed the number necessary to pay for 4 years of full-time
24 attendance, including mandatory student fees, as a resident undergraduate at the
25 institution within the University of Wisconsin System that has the highest resident

1 undergraduate tuition, as determined by the ~~department~~ state treasurer, in the
2 anticipated academic years of their use.

3 ✓*-1806/3.5* **SECTION 56.** 16.24 (5) of the statutes is renumbered 14.63 (5), and
4 14.63 (5) (a) and (b) (intro.) and 2., as renumbered, are amended to read:

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

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

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

17 ✓*-1806/3.6* **SECTION 57.** 16.24 (6) of the statutes is renumbered 14.63 (6), and
18 14.63 (6) (a) 5. and (b), as renumbered, are amended to read:

19 14.63 (6) (a) 5. Other circumstances determined by the ~~department~~ state
20 treasurer to be grounds for termination.

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

1 ✓ ~~*1806/3.7*~~ **SECTION 58.** 16.24 (7) of the statutes is renumbered 14.63 (7), and
2 14.63 (7) (a) (intro.), 3., 4. and 5. and (b), as renumbered, are amended to read:

3 14.63 (7) (a) (intro.) Except as provided in sub. (7m), the ~~department~~ state
4 treasurer shall do all of the following:

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

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

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

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

22 ✓ ~~*1806/3.8*~~ **SECTION 59.** 16.24 (7m) of the statutes is renumbered 14.63 (7m),
23 and 14.63 (7m) (a) (intro.), (b) and (c), as renumbered, are amended to read:

24 14.63 (7m) (a) (intro.) The ~~department~~ state treasurer may adjust the value of
25 a tuition unit based on the actual earnings attributable to the tuition unit less the

1 costs of administering the program under this section that are attributable to the
2 tuition unit if any of the following applies:

3 (b) The ~~department~~ state treasurer may not increase the value of a tuition unit
4 under par. (a) to an amount that exceeds the value of a tuition unit that was
5 purchased at a similar time, held for a similar period and used or refunded in the
6 anticipated academic year of the beneficiary's attendance, as specified in the
7 contract.

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

13 ~~1806/3.9~~* **SECTION 60.** 16.24 (8) of the statutes is renumbered 14.63 (8) and
14 amended to read:

15 14.63 (8) EXEMPTION FROM GARNISHMENT, ATTACHMENT AND EXECUTION. Moneys
16 deposited in the tuition trust fund and a beneficiary's right to the payment of tuition
17 and mandatory student fees under this section are not subject to garnishment,
18 attachment, execution or any other process of law.

19 ~~1806/3.10~~* **SECTION 61.** 16.24 (9) to (11) of the statutes are renumbered 14.63
20 (9) to (11), and 14.63 (9), (10), (10m) and (11) (b), as renumbered, are amended to read:

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

1 (10) REPORTS. (a) Annually, the ~~department~~ state treasurer shall submit a
2 report to the governor, and to the appropriate standing committees of the legislature
3 under s. 13.172 (3), on the program under this section. The report shall include any
4 recommendations for changes to the program that the ~~department~~ state treasurer
5 determines are necessary to ensure the sufficiency of the tuition trust fund to meet
6 the ~~department's~~ state treasurer's obligations under this section.

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

13 (10m) REPAYMENT TO GENERAL FUND. The secretary of administration shall
14 transfer from the tuition trust fund to the general fund an amount equal to the
15 amount encumbered from the ~~appropriation~~ appropriations under s. 20.505 (9) (a),
16 1995 stats., and s. 20.585 (2) (a) when the secretary of administration determines
17 that funds in the tuition trust fund are sufficient to make the transfer. The secretary
18 of administration may make the transfer in instalments.

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

22 ✓*-1806/3.11* SECTION 62. 16.24 (12) and (13) of the statutes are renumbered
23 14.63 (12) and (13), and 14.63 (12) (title), (a) (intro.) and (b) (intro.) and (13), as
24 renumbered, are amended to read:

1 14.63 (12) (title) ADDITIONAL DEPARTMENT DUTIES AND POWERS OF THE STATE
2 TREASURER.

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

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

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

9 ✓*-1696/7.7* SECTION 63. 16.25 of the statutes is created to read:

10 **16.25 Emergency weather warning system.** (1) In this section,
11 “broadcasting corporation” has the meaning given in s. 39.81 (2).

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

18 ✓*b0682/3.8* SECTION 63m. 16.26 of the statutes is created to read:

19 **16.26 Public broadcasting assets.** (1) In this section:

20 (a) “Broadcasting corporation” has the meaning given under s. 39.81 (2).

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

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

7 ✓*b0292/2.1* SECTION 63m. 16.255 of the statutes is created to read:

8 **16.255 Contributions to Boys and Girls Clubs of Wisconsin.** The
9 secretary of administration shall make payments from the appropriation under s.
10 20.505 (3) (j) to the Boys and Girls Clubs of Wisconsin.

11 ✓b0417/2.1* SECTION 64. 16.339 (2) (a) of the statutes is amended to read:

12 16.339 (2) (a) From the appropriation under s. 20.505 (7) (dm), the department
13 may award a grant ~~that does not exceed \$50,000~~ to an eligible applicant for the
14 purpose of providing transitional housing and associated supportive services to
15 homeless individuals and families if the conditions under par. (b) are satisfied. The
16 department shall ensure that the funds for the grants are reasonably balanced
17 among geographic areas of the state, consistent with the quality of applications
18 submitted.

19 ✓*b0238/4.1* SECTION 64g. 16.366 (title), (1) and (2) of the statutes are
20 renumbered 101.935 (title), (1) and (2), and 101.935 (2) (d) and (e), as renumbered,
21 are amended to read:

22 101.935 (2) (d) A permit may not be issued under this subsection until all
23 applicable fees have been paid. If the payment is by check or other draft drawn upon
24 an account containing insufficient funds, the permit applicant shall, within 15 days
25 after receipt of notice from the department of the insufficiency, pay by cashier's check

1 or other certified draft, money order or cash the fees ~~from~~ to the department, late fees
2 and processing charges that are specified by rules promulgated by the department.
3 If the permit applicant fails to pay all applicable fees, late fees and the processing
4 charges within 15 days after the applicant receives notice of the insufficiency, the
5 permit is void. In an appeal concerning voiding of a permit under this paragraph,
6 the burden is on the permit applicant to show that the entire applicable fees, late fees
7 and processing charges have been paid. During any appeal process concerning a
8 payment dispute, operation of the mobile home park in question is considered to be
9 operation without a permit.

10 (e) Section 254.69 (2), as it applies to an agent for the department of health and
11 family services in the administration of s. 254.47, applies to an agent for the
12 department of ~~administration~~ commerce in the administration of this section.

13 ✓*b0238/4.1* **SECTION 64m.** 16.366 (2m) of the statutes is renumbered 101.935
14 (2m), and 101.935 (2m) (a) 1., as renumbered, is amended to read:

15 101.935 (2m) (a) 1. Upon completion of the construction of a ~~new~~ mobile home
16 park.

17 ✓*b0238/4.1* **SECTION 64r.** 16.366 (3) of the statutes is renumbered 101.935 (3)
18 and amended to read:

19 101.935 (3) The department may promulgate rules and issue orders to
20 administer and enforce this section. ~~A person who violates this section or a~~
21 ~~regulation or order under this section may be required to forfeit not less than \$10 nor~~
22 ~~more than \$250 for each offense. Each day of continued violation constitutes a~~
23 ~~separate offense.~~

24 ✓*b0266/4.1* **SECTION 65m.** 16.40 (21) of the statutes is created to read:

1 16.40 (21) ADMINISTRATIVE SERVICES PROVIDED TO THE BOARD OF COMMISSIONERS
2 OF PUBLIC LANDS. Render an accounting to the board of commissioners of public lands
3 for the costs of all administrative services provided by the department and other
4 state agencies, as defined in s. 20.001 (1), to the board. All moneys received from the
5 board under s. 24.64 for the costs of administrative services provided by the
6 department and other state agencies shall be deposited in the general fund.

7 ✓ **SECTION 68b.** 16.42 (1) (intro.) of the statutes is amended to read:

8 16.42 (1) (intro.) All Except as provided in sub. (3), all agencies, other than the
9 legislature and the courts, no later than September 15 of each even-numbered year,
10 in the form and content prescribed by the department, shall prepare and forward to
11 the department and to the legislative fiscal bureau the following program and
12 financial information:

13 ✓ **b0682/3.10* SECTION 68m.** 16.42 (3) of the statutes is created to read:

14 16.42 (3) (a) In this subsection, “zero-based budgeting” means compilation of
15 a budget in which each component is justified on the basis of cost, need and relation
16 to statutory responsibilities.

17 (b) Beginning with the 2001–03 fiscal biennium, the educational
18 communications board shall submit budget requests, except requests regarding the
19 appropriation under s. 20.225 (1) (c), that are prepared using the principles of
20 zero-based budgeting for each of its activities, units and programs.

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

1 ~~/*0605/3.1*~~ **SECTION 78.** 16.54 (2) (a) 2. of the statutes is amended to read:

2 16.54 (2) (a) 2. Whenever a block grant is made to this state under any federal
3 law enacted after August 31, 1995, which authorizes the distribution of block grants
4 for the purposes for which the grant is made, the governor shall not administer and
5 no board, commission or department may encumber or expend moneys received as
6 a part of the grant unless the governor first notifies the cochairpersons of the joint
7 committee on finance, in writing, that the grant has been made. The notice shall
8 contain a description of the purposes proposed by the governor for expenditure of the
9 moneys received as a part of the grant. If the cochairpersons of the committee do not
10 notify the governor that the committee has scheduled a meeting for the purpose of
11 reviewing the proposed expenditure of grant moneys within 14 working days after
12 the date of the governor's notification, the moneys may be expended as proposed by
13 the governor. If, within 14 working days after the date of the governor's notification,
14 the cochairpersons of the committee notify the governor that the committee has
15 scheduled a meeting for the purpose of reviewing the proposed expenditure of grant
16 moneys, no moneys received as a part of the grant may be expended without the
17 approval of the committee. This subdivision does not apply to the expenditure of
18 block grant funds that are allocated under s. 49.175.

19 ~~/*b0602/1.1*~~ **SECTION 78q.** 16.54 (11) of the statutes is renumbered 16.54 (11)
20 (a) and amended to read:

21 16.54 (11) (a) The Except as provided in par. (b), the state board, commission
22 or department designated by the governor under sub. (2) to administer federal
23 payments in lieu of taxes on national forest lands shall distribute those payments to
24 towns, cities and villages, but not to counties, that provide general governmental
25 services and contain national forest lands. That distribution shall reflect the level

1 of services provided by, and the number of acres of national forest land within, the
2 town, city or village in accordance with 31 USC 6907.

3 ~~1~~[✓]**0602/1.1* SECTION 78r.** 16.54 (11) (b) of the statutes is created to read:

4 16.54 (11) (b) If permitted under federal law, all moneys accepted by the
5 governor under sub. (1) that are designated as federal payments in lieu of taxes on
6 national forest lands shall be entirely distributed to school districts that contain
7 national forest lands within their boundaries. The distribution shall reflect the
8 number of acres of national forest land that are located within the school district.

9 ~~1~~[✓]**0607/5.1* SECTION 79.** 16.54 (12) of the statutes is created to read:

10 16.54 (12) (a) The department of health and family services may not expend
11 or encumber any moneys received under s. 20.435 (8) (mm) unless the department
12 of health and family services submits a plan for the expenditure of the moneys to the
13 department of administration and the department of administration approves the
14 plan.

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

19 (c) The department of administration may approve any plan submitted under
20 par. (a) or (b) in whole or in part. If the department approves any such plan in whole
21 or part, the department shall notify the cochairpersons of the joint committee on
22 finance, in writing, of the department's action under this paragraph.

23 (d) At the end of each fiscal year, the department of administration shall
24 determine the amount of moneys that remain in the appropriation accounts under
25 ss. 20.435 (8) (mm) and 20.445 (3) (mm) that have not been approved for

1 encumbrance or expenditure by the department pursuant to a plan submitted under
2 par. (a) or (b) and shall require that such moneys be lapsed to the general fund. The
3 department shall notify the cochairpersons of the joint committee on finance, in
4 writing, of the department's action under this paragraph.

5 ~~60528/2.1~~* **SECTION 79e.** 16.54 (13) of the statutes is created to read:

6 16.54 (13) (a) If the state receives any interest payments from the federal
7 government relating to the timing of expenditures by the state pursuant to a federal
8 government grant program or federal government contract, the payments shall be
9 credited to the general fund as general purpose revenue — earned.

10 (b) If the state is required to pay any interest payments to the federal
11 government relating to the timing of expenditures by the state pursuant to a federal
12 government grant program or federal government contract, the secretary shall notify
13 the cochairpersons of the joint committee on finance, in writing, that the state is
14 required to pay an interest payment. The notice shall contain an accounting of the
15 amount of interest that the state is required to pay. If the cochairpersons of the
16 committee do not notify the secretary that the committee has scheduled a meeting
17 for the purpose of reviewing the proposed payment of interest within 14 working
18 days after the date of the secretary's notification, the payment may be made as
19 proposed by the secretary. If, within 14 working days after the date of the secretary's
20 notification, the cochairpersons of the committee notify the secretary that the
21 committee has scheduled a meeting for the purpose of reviewing the proposed
22 interest payment, no interest payment may be made without the approval of the
23 committee.

24 ~~60365/2.3~~* **SECTION 81m.** 16.702 (4) of the statutes is amended to read:

1 16.702 (4) The department shall deposit all revenues received from fees
2 assessed under this section in the ~~information technology investment~~ VendorNet
3 fund.

4 ~~b0576/1.2~~* SECTION 82m. 16.72 (2) (b) of the statutes is amended to read:

5 16.72 (2) (b) Except as provided in ~~s. ss. 16.751 and~~ 565.25 (2) (a) 4., the
6 department shall prepare or review specifications for all materials, supplies,
7 equipment, other permanent personal property and contractual services not
8 purchased under standard specifications. Such “nonstandard specifications” may be
9 generic or performance specifications, or both, prepared to describe in detail the
10 article which the state desires to purchase either by its physical properties or
11 programmatic utility. When appropriate for such nonstandard items or services,
12 trade names may be used to identify what the state requires, but wherever possible
13 2 or more trade names shall be designated and the trade name of any Wisconsin
14 producer, distributor or supplier shall appear first.

15 ~~b0576/1.2~~* SECTION 82p. 16.72 (2) (d) of the statutes is amended to read:

16 16.72 (2) (d) ~~To~~ Except as permitted in s. 16.751, to the extent possible, the
17 department and any other designated purchasing agent under s. 16.71 (1) shall write
18 specifications for the purchase of materials, supplies, commodities, equipment and
19 contractual services so as to permit their purchase from prison industries, as created
20 under s. 303.01 (1).

21 ~~-1618/3.2~~* SECTION 84. 16.72 (6) and (7) of the statutes are repealed.

22 ~~b0576/1.3~~* SECTION 85m. 16.75 (1) (a) 1. of the statutes is amended to read:

23 16.75 (1) (a) 1. All orders awarded or contracts made by the department for all
24 materials, supplies, equipment and contractual services to be provided to any
25 agency, except as otherwise provided in par. (c) and subs. (2), (2g), (2m), (3m), (3t),

1 (6), (7), (8) and (9) and ss. 16.73 (4) (a), 16.751, 16.754, 50.05 (7) (f), 287.15 (7) and
2 301.265, shall be awarded to the lowest responsible bidder, taking into consideration
3 life cycle cost estimates under sub. (1m), when appropriate, the location of the
4 agency, the quantities of the articles to be supplied, their conformity with the
5 specifications, and the purposes for which they are required and the date of delivery.

6 ✓**b0576/1.3* SECTION 86m.** 16.75 (2m) (g) of the statutes is amended to read:

7 16.75 (2m) (g) After receiving each offerer's best and final offer, the department
8 shall determine which proposal is most advantageous and shall award the order or
9 contract to the person who offered it. The department's determination shall be based
10 only on price and the other evaluation factors specified in the request for proposals.
11 The department shall state in writing the reason for the award and shall place the
12 statement in the contract file. This paragraph does not apply to procurements under
13 s. 16.751.

14 ✓**b0576/1.3* SECTION 89m.** 16.751 of the statutes is created to read:

15 ✓**16.751 Information technology purchases by investment board.** (1) In
16 this section, "information technology" has the meaning given under s. 16.97 (6).

17 (2) The requirements of ss. 16.72 (2) (b) and (d) and 16.75 (1) (a) 1. and (2m)
18 (g) do not apply to procurements by the investment board for information technology
19 purposes.

20 ✓***-1495/4.1* SECTION 93.** 16.76 (4) (a) of the statutes is amended to read:

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

1

remove underline; make sure 2 spaces between "(ag)" and "The"
(ag) The department may pay or agree to pay to the lesser under a master lease

2

a sum substantially equivalent to or in excess of the aggregate value of goods

3

involved property or services obtained and it may be agreed that the department or

4

delete 1 space if there are 2
one or more agencies will become, or for no other or nominal consideration has the

5

option to become, the owner of ~~goods leased or to be leased~~ property obtained or to

6

be obtained under a master lease upon full compliance with ~~the its~~ terms of the

7

agreement.

8

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

9

16.76 (4) (b) ~~The~~ Except as provided in par. (h), the department may enter into

10

a master lease whenever the department determines that it is advantageous to the

11

state to do so. If the master lease provides for payments to be made by the state from

12

moneys that have not been appropriated at the time that the master lease is entered

13

into, the master lease shall contain the statement required under s. 16.75 (3).

14

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

15

16.76 (4) (c) Payments under a master lease may include interest payable at

16

a fixed or variable rate as the master lease may provide. The department may enter

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into agreements and ancillary arrangements which the department determines to

18

be necessary to facilitate the use of a master lease, ~~including liquidity facilities,~~

19

~~remarketing or dealer agreements, letter of credit agreements, insurance policies,~~

20

~~interest rate guaranty agreements, reimbursement agreements and indexing~~

21

~~agreements.~~

22

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

23

16.76 (4) (e) The department may grant ~~the lesser~~ a perfected security interest

24

in ~~goods leased~~ property obtained or to be leased obtained under each a master lease.

1 The department shall record and preserve evidence of the security interest in its
2 offices at all times during which the master lease is in effect.

3 ✓ ~~*-1495/4.6*~~ **SECTION 98.** 16.76 (4) (f) of the statutes is amended to read:

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

17 ✓ ~~*-1495/4.7*~~ **SECTION 99.** 16.76 (4) (g) of the statutes is created to read:

18 16.76 (4) (g) Sections 16.705 and 16.75 do not apply to agreements or ancillary
19 agreements under par. (c) or contracts for fiscal agent services under par. (f).

20 ✓ ~~*-1495/4.8*~~ **SECTION 100.** 16.76 (4) (h) of the statutes is created to read:

21 16.76 (4) (h) A master lease may not be used to obtain a facility for use or
22 occupancy by the state or an agency or instrumentality of the state or to obtain an
23 internal improvement.

24 ✓ ~~*-1495/4.10*~~ **SECTION 102.** 16.76 (4) (j) of the statutes is created to read:

1 16.76 (4) (j) If a master lease is used to finance payments to be made under an
2 energy conservation construction project as provided in s. 16.858 (2), payments
3 under the lease may not be conditioned upon any payment required to be made by
4 the contractor pursuant to an energy conservation audit.

5 ✓*b0532/1.2* SECTION 105m. 16.857 of the statutes is created to read:

6 ✓16.857 Agency building maintenance. (1) In this section, “agency” has the
7 meaning given under s. 16.70 (1).

8 (2) The department shall require each agency to which moneys are
9 appropriated in any fiscal period for capital building maintenance purposes to
10 submit a work plan to the department describing the agency’s proposal for
11 expenditure of those moneys. The plan shall be submitted for such period as the
12 secretary may require, and shall be filed no later than the date prescribed by the
13 secretary. Upon approval of a work plan by the department, the department shall
14 forward the plan to the building commission for its review and approval under s.
15 13.48 (30).

16 (3) Notwithstanding s. 16.50 (2), the secretary may withhold approval of any
17 proposed expenditure under s. 16.50 (2) by any agency for any significant capital
18 building maintenance project, as determined by the secretary, if a project does not
19 conform to a work plan approved by the department and the building commission.

20 (4) Following the end of each fiscal year, the department shall submit a report
21 to the joint committee on finance concerning the expenditure of capital building
22 maintenance moneys by each agency and capital building maintenance work
23 completed by each agency during the preceding fiscal year.

24 ✓*1495/4.11* SECTION 106. 16.858 (2) of the statutes is renumbered 16.858 (2)
25 (a) and amended to read:

1 16.858 (2) (a) ~~Any A~~ contract under sub. (1) ~~shall require~~ may provide for the
2 construction work to be financed by the state or by the contractor to undertake the
3 construction work at its own expense. The contract shall provide for the state to pay
4 a ~~maximum~~ stated amount, which shall include any financing costs incurred by the
5 contractor. The ~~maximum~~ stated amount may not exceed the minimum savings
6 determined under the audit to be realized by the state within the period specified in
7 the audit. The state shall make payments under the contract as the savings
8 identified in the audit are realized by the state, in the amounts actually realized, but
9 not to exceed the lesser of the ~~maximum~~ stated amount or the actual amount of the
10 savings realized by the state within the period specified in the audit. If the
11 department provides financing for construction work, the department may finance
12 any portion of the cost of the work under a master lease entered into as provided
13 under s. 16.76 (4). If the department provides financing for the construction work
14 and the stated amount to be paid by the state under the contract is greater than the
15 amount of the savings realized by the state within the period specified in the audit
16 under sub. (1), the contract shall require the contractor to remit the difference to the
17 department.

18 (b) The department shall charge the cost of the payments made by the state to
19 the contractor to the applicable appropriation for fuel and utility costs at the
20 building, structure or facility where the work is performed in the amounts equivalent
21 to the savings that accrue to the state under that appropriation from expenditures
22 not made as a result of the construction work, as determined by the department in
23 accordance with the contract. The department may also charge its costs for
24 negotiation ~~and~~, administration and financing of the contract to the same
25 appropriation.

1 ✓ ***-1495/4.12* SECTION 107.** 16.858 (4) of the statutes is amended to read:

2 16.858 (4) No later than January 1 of each year, the secretary shall report to
3 the cochairpersons of the joint committee on finance identifying any construction
4 work for which the department has contracted under this section for which ~~the state~~
5 ~~has not made its final payment~~ has not been made as of the date of the preceding
6 report, together with the actual energy cost savings realized by the state as a result
7 of the contract to date, or the estimated energy cost savings to be realized by the state
8 if the total savings to be realized in the audit under sub. (1) have not yet been
9 realized, ~~and~~ the date on which the state made its final payment under the contract
10 or, if the final payment has not been made, the latest date on which the state is
11 obligated to make its final payment under the contract, and any amount that
12 remains payable to the state under the contract.

13 ✓ ***-1623/1.1* SECTION 109.** 16.956 of the statutes is repealed.

14 ✓ ***-1413/3.1* SECTION 110.** 16.964 (6) of the statutes is created to read:

15 16.964 (6) (a) In this subsection, “tribe” means a federally recognized American
16 Indian tribe or band in this state.

17 (b) From the appropriation under s. 20.505 (6) (ks), the office shall provide
18 grants to tribes to fund tribal law enforcement operations. To be eligible for a grant
19 under this subsection, a tribe must submit an application for a grant to the office that
20 includes a proposed plan for expenditure of the grant moneys. The office shall review
21 any application and plan submitted to determine whether that application and plan
22 meet the criteria established under par. (c). The office shall review the use of grant
23 money provided under this subsection to ensure that the money is used according to
24 the approved plan.

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

4 ✓*b0428/2.3* SECTION 110j. 16.964 (7) of the statutes is created to read:

5 16.964 (7) (a) From the appropriation under s. 20.505 (6) (kq), the office shall
6 provide grants to counties to fund county law enforcement services. The office may
7 make a grant to a county under this subsection only if all of the following apply:

8 1. The county borders one or more federally recognized Indian reservations.

9 2. The county has not established a cooperative county–tribal law enforcement
10 program under s. 165.90 with each federally recognized Indian tribe or band that has
11 a reservation bordering the county.

12 3. The county demonstrates a need for the law enforcement services to be
13 funded with the grant.

14 4. The county submits an application for a grant and a proposed plan that
15 shows how the county will use the grant moneys to fund law enforcement services.

16 (b) The office shall review an application for a grant and plan submitted under
17 par. (a) 4. to determine if the application and plan meet the requirements of par. (a)
18 1. to 3. and the criteria established under par. (c). The office may not award an
19 annual grant in excess of \$50,000 to any county under this subsection.

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

23 ✓*b0428/2.3* SECTION 110k. 16.964 (8) of the statutes is created to read:

24 16.964 (8) From the appropriation under s. 20.505 (6) (ks), the office shall make
25 the following grants:

1 (a) To the Stockbridge–Munsee Indian tribe, \$175,000 in each fiscal year for a
2 public safety initiative.

3 (b) To the St. Croix Chippewa Indian tribe, \$150,000 in each fiscal year to
4 develop law enforcement capabilities on the reservation and trust lands of the tribe.

5 ✓ *b0519/4.5* **SECTION 110m.** 16.965 (title), (1) and (2) of the statutes are created
6 to read:

7 **16.965 (title) Planning grants to local governmental units.** (1) In this
8 section:

9 (a) “Local governmental unit” means a county, city, village, town or regional
10 planning commission.

11 (b) “Smart growth area” means an area that will enable the development and
12 redevelopment of lands with existing infrastructure and municipal, state and utility
13 services, where practicable, and that will encourage efficient development patterns
14 that are both contiguous to existing development and at densities which have
15 relatively low municipal, state governmental and utility costs.

16 (c) “Supporting agency” means the department of administration, the
17 department of agriculture, trade and consumer protection, the department of
18 commerce, the department of natural resources, the department of revenue and the
19 board of regents of the University of Wisconsin System.

20 (2) From the appropriation under s. 20.505 (1) (kh), the department may
21 provide grants to local governmental units to be used to finance the cost of planning
22 activities, including contracting for planning consultant services, public planning
23 sessions and other planning outreach and educational activities, or for the purchase
24 of computerized planning data, planning software or the hardware required to
25 utilize that data or software. The department may require any local governmental

1 unit that receives a grant under this section to finance not more than 25% of the cost
2 of the product or service to be funded by the grant from the resources of the local
3 governmental unit. A local governmental unit that desires to receive a grant under
4 this subsection shall file an application with the department. The application shall
5 contain a complete statement of the expenditures proposed to be made for the
6 purposes of the grant. No local governmental unit is eligible to receive a grant under
7 this subsection unless the local governmental unit agrees to utilize the grant to
8 finance planning for all of the purposes specified in s. 66.0295 (2).

9 ✓ ***b0519/4.5* SECTION 110n.** 16.965 (title), (1) and (2) of the statutes, as created
10 by 1999 Wisconsin Act (this act), are repealed.

11 ✓ ***b0519/4.5* SECTION 110no.** 16.965 (3) of the statutes is created to read:

12 16.965 (3) Prior to awarding a grant to a local governmental unit under sub.
13 (2), the department shall forward a statement of the expenditures proposed to be
14 made under the grant to the Wisconsin land council for its written approval. The
15 council may approve or disapprove any proposed grant.

16 ✓ ***b0519/4.5* SECTION 110p.** 16.965 (3) of the statutes, as created by 1999
17 Wisconsin Act (this act), is repealed.

18 ✓ ***b0519/4.5* SECTION 110q.** 16.965 (4) of the statutes is created to read:

19 16.965 (4) In determining whether to approve a proposed grant, greater
20 precedence shall be accorded to applications of local governmental units that contain
21 one or more of the following elements:

22 (a) Planning efforts that address the interests of overlapping or neighboring
23 jurisdictions.

24 (b) Planning efforts that contain a specific description of the means by which
25 one or more of the following goals will be achieved:

1 1. Promotion of the redevelopment of lands with existing infrastructure and
2 public services and the maintenance and rehabilitation of existing residential,
3 commercial and industrial structures.

4 2. Encouragement of neighborhood designs that support a range of
5 transportation choices.

6 3. Protection of natural areas, including wetlands, wildlife habitats, lakes,
7 woodlands, open spaces and groundwater resources.

8 4. Protection of economically productive areas, including farmland and forests.

9 5. Encouragement of land uses, densities and regulations that promote
10 efficient development patterns and relatively low municipal, state governmental
11 and utility costs.

12 6. Preservation of cultural, historic and archaeological sites.

13 7. Encouragement of coordination and cooperation among nearby units of
14 government.

15 8. Building of community identity by maintaining physical separation between
16 urban areas, revitalizing main streets and enforcing design standards.

17 9. Providing an adequate supply of affordable housing for individuals of all
18 income levels throughout each community.

19 10. Providing adequate infrastructure and public services and an adequate
20 supply of developable land to meet existing and future market demand for
21 residential, commercial and industrial uses.

22 11. Promoting the expansion or stabilization of the current economic base and
23 the creation of a range of employment opportunities.

24 12. Balancing individual property rights with community interests and goals.

1 13. Planning and development of land uses that create or preserve varied and
2 unique urban and rural communities.

3 (c) Planning efforts that identify smart growth areas.

4 (d) Planning efforts, including subsequent updates and amendments, that
5 include development of implementing ordinances, including ordinances pertaining
6 to zoning, subdivisions and land division.

7 (e) Planning efforts for which completion is contemplated within 30 months of
8 the date on which a grant would be awarded.

9 (f) Planning efforts that provide opportunities for public participation.

10 ~~*b0519/4.5*~~ **SECTION 110r.** 16.965 (4) of the statutes, as created by 1999
11 Wisconsin Act (this act), is repealed.

12 ~~*b0519/4.5*~~ **SECTION 110s.** 16.965 (5) of the statutes is created to read:

13 16.965 (5) The Wisconsin land council may promulgate rules specifying the
14 methodology whereby precedence will be accorded to applications in awarding
15 grants under sub. (2).

16 ~~*b0519/4.5*~~ **SECTION 110t.** 16.965 (5) of the statutes, as created by 1999
17 Wisconsin Act (this act), is repealed.

18 ~~*b0519/4.5*~~ **SECTION 110u.** 16.965 (6) of the statutes is created to read:

19 16.965 (6) The department shall assess each supporting agency \$250,000 per
20 year to support planning assistance provided to local governmental units. Each
21 supporting agency shall charge the cost of its assessment to the agency's
22 appropriations for general program operations from general purpose revenue in the
23 amounts specified by the secretary.

24 ~~*b0519/4.5*~~ **SECTION 110v.** 16.965 (6) of the statutes, as created by 1999
25 Wisconsin Act (this act), is repealed.

1 ✓ ***b0519/4.5* SECTION 110w.** 16.9651 of the statutes is created to read:

2 **16.9651 Transportation planning grants to local governmental units.**

3 (1) In this section, “local governmental unit” means a county, city, village, town or
4 regional planning commission.

5 (2) From the appropriation under s. 20.505 (1) (z), the department may provide
6 grants to local governmental units to be used to finance the cost of planning activities
7 related to the transportation element, as described in s. 66.0295 (2) (c), of a
8 comprehensive plan, as defined in s. 66.0295 (1) (a), including contracting for
9 planning consultant services, public planning sessions and other planning outreach
10 and educational activities, or for the purchase of computerized planning data,
11 planning software or the hardware required to utilize that data or software. The
12 department may require any local governmental unit that receives a grant under
13 this section to finance not more than 25% of the cost of the product or service to be
14 funded by the grant from the resources of the local governmental unit. Prior to
15 awarding a grant under this section, the department shall forward a detailed
16 statement of the proposed expenditures to be made under the grant to the secretary
17 of transportation and obtain his or her written approval of the proposed
18 expenditures.

19 ✓ ***b0504/3.1* SECTION 114m.** 16.967 (11) of the statutes is created to read:

20 **16.967 (11) SOIL SURVEYS AND MAPPING.** (a) The board may conduct soil surveys
21 and soil mapping activities. The board may assess any state agency for any amount
22 that the board determines to be required to conduct soil surveys and soil mapping
23 activities. For this purpose, the board may assess state agencies on a premium basis
24 and pay costs incurred on an actual basis. The board shall credit all moneys received

1 from state agencies under this paragraph to the appropriation account under s.
2 20.505 (1) (kt).

3 (b) The board may contract with the board of commissioners of public lands to
4 perform soil surveys and soil mapping activities on lands under the jurisdiction of
5 the board of commissioners of public lands.

6 ✓ ***b0504/3.1* SECTION 114n.** 16.967 (11) of the statutes, as created by 1999
7 Wisconsin Act (this act), is repealed.

8 ✓ ***b0365/2.4* SECTION 114m.** 16.971 (5) of the statutes is repealed.

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

10 16.971 (9) In conjunction with the public defender board, the director of state
11 courts, the departments of corrections and justice and district attorneys, the division
12 may maintain, promote and coordinate automated justice information systems that
13 are compatible among counties and the officers and agencies specified in this
14 subsection, using the moneys appropriated under s. 20.505 (1) (ja) and, (kp) and (kq).
15 When acting under this subsection, the division shall give priority to assisting
16 counties that show the greatest need for additional assistant district attorney
17 positions based on the weighted prosecutor caseload measurement formula
18 developed by the department of administration under s. 978.042 (1), unless such a
19 county informs the division that it does not want to be given priority in receiving
20 assistance. The division shall annually report to the legislature under s. 13.172 (2)
21 concerning the division's efforts to improve and increase the efficiency of integration
22 of justice information systems.

23 ✓ ***b0682/3.11* SECTION 215e.** 16.973 (1) (a) of the statutes is renumbered 16.973
24 (1) (ar).

25 ✓ ***b0682/3.11* SECTION 115m.** 16.973 (1) (ag) of the statutes is created to read:

1 16.973 (1) (ag) "Broadcasting corporation" has the meaning given under s.
2 39.81 (2).

3 ✓ **b0682/3.11* SECTION 115s.** 16.973 (2) (b) of the statutes is amended to read:

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

→ *****NOTE: The treatment of s. 18.04 (2), and 18.04 (2) (b) is contained in 99b0530.

20 ✓ **-0250/4.1* SECTION 116.** 16.974 (7) of the statutes is amended to read:

21 16.974 (7) (a) ~~Subject to s. 196.218 (4r) (f), coordinate~~ Coordinate with the
22 technology for educational achievement in Wisconsin board to provide school
23 districts, and cooperative educational service agencies ~~and technical college districts~~

1 with telecommunications access under s. ~~196.218 (4r)~~ 44.73 and contract with
2 telecommunications providers to provide such access.

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

8 (c) Coordinate with the technology for educational achievement in Wisconsin
9 board to provide private schools with telecommunications access under s. ~~196.218~~
10 ~~(4r)~~ 44.73 and contract with telecommunications providers to provide such access.

11 ✓~~1507/3.1~~* SECTION 117. 16.974 (7) (d) of the statutes is created to read:

12 16.974 (7) (d) Coordinate with the technology for educational achievement in
13 Wisconsin board to provide the Wisconsin School for the Visually Handicapped and
14 the Wisconsin School for the Deaf with telecommunications access under s. 44.73 and
15 contract with telecommunications providers to provide such access.

16 ✓~~b0500/2.1~~* SECTION 117m. 16.98 (4) of the statutes is created to read:

17 16.98 (4) From the appropriation under s. 20.505 (1) (fo), the department may
18 provide grants to any organization with which the department contracts to operate
19 the program under sub. (1).

20 ✓~~0030/2.9~~* SECTION 118. 17.13 (intro.) of the statutes is amended to read:

21 **17.13 Removal of village, town, town sanitary district, school district**
22 **and, technical college and family care district officers.** (intro.) Officers of
23 towns, town sanitary districts, villages, school districts ~~and,~~ technical college
24 districts and family care districts may be removed as follows:

25 ✓~~0030/2.10~~* SECTION 119. 17.13 (4) of the statutes is created to read:

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

4 ~~1~~*-0030/2.11* SECTION 120. 17.15 (5) of the statutes is created to read:

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

8 ~~1~~*-0030/2.12* SECTION 121. 17.27 (3m) of the statutes is created to read:

9 17.27 (3m) FAMILY CARE DISTRICT BOARD. If a vacancy occurs in the position of
10 any appointed member of a family care district board, the appointing authority shall
11 appoint to serve for the residue of the unexpired term a person who meets the
12 applicable requirements under s. 46.2895 (3) (b).

13 ~~1~~*-1432/7.1* SECTION 122. 18.51 of the statutes is amended to read:

14 **18.51 Provisions applicable.** The following sections apply to this
15 subchapter, except that all references to “public debt” or “debt” ~~are deemed shall be~~
16 read to refer to a “revenue obligation” and all references to “evidences of
17 indebtedness” shall be read to refer to “evidences of revenue obligation”: ss. 18.02,
18 18.03, 18.06 (8), 18.07, 18.10 (1), (2), (4) to (9) and (11) and 18.17.

19 ~~1~~*-1432/7.2* SECTION 123. 18.52 (2m) (intro.) of the statutes is created to read:

20 18.52 (2m) (intro.) “Enterprise obligation” means every undertaking by the
21 state to repay a certain amount of borrowed money that is all of the following:

22 ~~1~~*-1432/7.3* SECTION 124. 18.52 (5) (intro.) of the statutes is renumbered 18.52
23 (5) and amended to read:

24 18.52 (5) “Revenue obligation” means ~~every undertaking by the state to repay~~
25 ~~a certain amount of borrowed money which is:~~ an enterprise obligation or a special

1 fund obligation. A revenue obligation may be both an enterprise obligation and a
2 special fund obligation.

3 ✓ ~~*-1432/7.4*~~ **SECTION 125.** 18.52 (5) (a) of the statutes is renumbered 18.52 (2m)
4 (a) and amended to read:

5 18.52 (2m) (a) Created for the purpose of purchasing, acquiring, leasing,
6 constructing, extending, expanding, adding to, improving, conducting, controlling,
7 operating or managing a revenue-producing enterprise or program;

8 ✓ ~~*-1432/7.5*~~ **SECTION 126.** 18.52 (5) (b) of the statutes is renumbered 18.52 (2m)
9 (b) and amended to read:

10 ✓ 18.52 (2m) (b) Payable solely from and secured solely by the property or income
11 or both of the enterprise or program; and.

12 ✓ ~~*-1432/7.6*~~ **SECTION 127.** 18.52 (5) (c) of the statutes is renumbered 18.52 (2m)
13 (c).

14 ✓ ~~*-1432/7.7*~~ **SECTION 128.** 18.52 (7) of the statutes is created to read:

15 18.52 (7) “Special fund obligation” means every undertaking by the state to
16 repay a certain amount of borrowed money that is all of the following:

17 (a) Payable from a special fund consisting of fees, penalties or excise taxes.

18 (b) Not public debt under s. 18.01 (4).

19 ✓ ~~*-1432/7.8*~~ **SECTION 129.** 18.52 (8) of the statutes is created to read:

20 18.52 (8) “Special fund program” means a state program or purpose with
21 respect to which the legislature has determined that financing with special fund
22 obligations is appropriate and will serve a public purpose.

23 ✓ ~~*-1432/7.9*~~ **SECTION 130.** 18.53 (3) of the statutes is renumbered 18.53 (3)
24 (intro.) and amended to read:

1 18.53 (3) (intro.) The commission shall authorize money to be borrowed and
2 evidences of revenue obligation to be issued ~~therefor up to the amounts specified by~~
3 ~~the legislature to purchase, acquire, lease, construct, extend, expand, add to,~~
4 ~~improve, conduct, control, operate or manage such revenue-producing enterprises~~
5 ~~or programs as are specified by the legislature as the funds are required.~~ The
6 requirements for funds shall be established by the state department or agency head
7 carrying out program responsibilities for which the revenue obligations have been
8 authorized by the legislature., but shall not exceed the following:

9 ✓*-1432/7.10* **SECTION 131.** 18.53 (3) (a) and (b) of the statutes are created to
10 read:

11 18.53 (3) (a) In the case of enterprise obligations, the amounts specified by the
12 legislature to purchase, acquire, lease, construct, extend, expand, add to, improve,
13 conduct, control, operate or manage such revenue-producing enterprises or
14 programs as are specified by the legislature.

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

17 ✓*b0559/1.3* **SECTION 131m.** 18.55 (3) of the statutes is amended to read:

18 18.55 (3) (title) ~~REVENUE OBLIGATION BONDS~~ REVENUE OBLIGATIONS.
19 ~~Revenue obligation bonds~~ Revenue obligations may be sold at either public or
20 private sale. The commission may provide in the authorizing resolution for
21 refunding ~~bonds~~ obligations that they be exchanged privately in payment and
22 discharge of any of the outstanding bonds or notes being refunded. All
23 ~~revenue obligation bonds~~ revenue obligations sold at public sale shall be noticed as
24 provided in the authorizing resolution. Any or all bids received at public sale may
25 be rejected.

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

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

15 ✓~~1432/7.12~~* SECTION 133. 18.56 (2) to (6) of the statutes are renumbered
16 18.561 (2) to (6) and amended to read:

17 **18.561 (2) SECURITY INTERESTS OF OWNERS OF ENTERPRISE OBLIGATIONS.** There
18 ~~shall be~~ is a mortgage lien upon or security interest in the income and property of
19 each revenue-producing enterprise or program ~~to~~ for the benefit of the holders
20 owners of the related bonds and to the holders of the coupons of the bonds. The note
21 ~~or other instrument evidencing the security interest of a bondholder in a loan made~~
22 ~~or purchased with revenue obligation bonds shall constitute a statutory lien on the~~
23 ~~revenue~~ enterprise obligations. No physical delivery, recordation or other action is
24 required to perfect the security interest. The income and property of the
25 revenue-producing enterprise or program shall remain subject to the lien until

1 provision for payment in full of the principal and interest of the ~~bonds~~ enterprise
2 obligations has been made, as provided in the authorizing resolution. Any holder
3 owner of such ~~bonds or attached coupons~~ enterprise obligations may either at law or
4 in equity protect and enforce the lien and compel performance of all duties required
5 by this section. If there is any default in the payment of the principal or interest of
6 any of such ~~bonds~~ enterprise obligations, any court having jurisdiction of the action
7 may appoint a receiver to administer the revenue-producing enterprise or program
8 on behalf of the state and the ~~bondholders~~ owners of the enterprise obligations, with
9 power to charge and collect rates sufficient to provide for the payment of the
10 operating expenses and also to pay any ~~bonds or~~ enterprise obligations outstanding
11 against the revenue-producing enterprise or program, and to apply the income and
12 revenues thereof in conformity with this subchapter and the authorizing resolution,
13 or the court may declare the whole amount of the ~~bonds~~ enterprise obligations due
14 and payable, if such relief is requested, and may order and direct the sale of the
15 revenue-producing enterprise or program. Under any sale so ordered, the purchaser
16 shall be vested with an indeterminate permit to maintain and operate the
17 revenue-producing enterprise or program. The legislature may provide for
18 additions, extensions and improvements to a revenue-producing enterprise or
19 program to be financed by additional issues of ~~bonds~~ enterprise obligations as
20 provided by this section. Such additional issues of ~~bonds~~ enterprise obligations shall
21 be subordinate to all prior related issues of ~~bonds~~ enterprise obligations which may
22 have been made under this section, unless the legislature, in the statute authorizing
23 the initial issue of ~~bonds~~ enterprise obligations, permits the issue of additional ~~bonds~~
24 enterprise obligations on a parity therewith.

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

15 (4) REPLACEMENT AND RESERVE FUND. The proportion set aside to the
16 replacement and reserve fund shall be available and shall be used, whenever
17 necessary, to restore any deficiency in the redemption fund for the payment of the
18 principal and interest due on bonds enterprise obligations and for the creation and
19 maintenance of any reserves established by the authorizing resolution to secure such
20 payments. At any time when the redemption fund is sufficient for said purposes,
21 moneys in the replacement and reserve fund may, subject to available
22 appropriations, be expended either in the revenue-producing enterprise or program
23 or in new acquisitions, constructions, extensions ~~or~~, additions, expansions or
24 improvements. Any accumulations of the replacement and reserve fund may be

1 invested as provided in this subchapter, and if invested, the income from the
2 investment shall be carried in the replacement and reserve fund.

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

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

20 ✓*-1432/7.13* SECTION 134. 18.56 (7) and (8) of the statutes are renumbered
21 18.561 (7) and (8).

22 ✓*-1432/7.14* SECTION 135. 18.56 (9) (intro.) of the statutes is renumbered
23 18.561 (9) and amended to read:

24 (24) 18.561 (9) AUTHORIZING RESOLUTION. The commission may provide in the
25 authorizing resolution for ~~bonds~~ enterprise obligations or by subsequent action all

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1 things necessary to carry into effect this section. Any authorizing resolution shall
2 constitute a contract with the ~~holder~~ owners of any ~~bonds~~ enterprise obligations
3 issued pursuant to ~~such~~ the resolution. Any authorizing resolution may contain such
4 provisions or covenants, without limiting the generality of the power to adopt the
5 resolution, as ~~is~~ are deemed necessary or desirable for the security of ~~bondholders~~
6 the owners of enterprise obligations or the marketability of the ~~bonds~~, ~~including but~~
7 ~~not limited to provisions as to:~~ enterprise obligations.

8 ✓ **b0559/1.8* SECTION 136m.** 18.56 (9) (a) to (j) of the statutes are repealed.

9 ✓ **1432/7.16* SECTION 137.** 18.56 (10) of the statutes is renumbered 18.561 (10)

10 and amended to read:

11 18.561 (10) SINKING FUND. The authorizing resolution may set apart ~~bonds~~
12 enterprise obligations the par value of which are equal to the principal amount of any
13 secured obligation or charge subject to which a revenue-producing enterprise or
14 program is to be purchased or acquired, and shall set aside in a sinking fund from
15 the income of the revenue-producing enterprise or program, a sum sufficient to
16 comply with the requirements of the instrument creating the security, ~~or if interest.~~
17 If the instrument does not make any provision ~~therefor~~ for a sinking fund, the
18 resolution shall fix and determine the amount ~~which that~~ shall be set aside into ~~such~~
19 the sinking fund from month to month for interest on the secured obligation or
20 charge, and a fixed amount or proportion not exceeding a stated sum, which shall be
21 not less than one percent of the principal, to be set aside into the fund to pay the
22 principal of the secured obligation or charge. Any balance in the fund after satisfying
23 the secured obligations or charge, shall be transferred to the redemption fund. ~~Bonds~~
24 Enterprise obligations set aside for the secured obligation or charge may, from time
25 to time, be issued to an amount sufficient with the amount then in the sinking fund,

1 to pay and retire the secured obligation or charge or any portion thereof. The ~~bonds~~
2 enterprise obligations may be issued in exchange for or satisfaction of the secured
3 obligation or charge, or may be sold in the manner provided in this subchapter, and
4 the proceeds applied in payment of the same at maturity or before maturity by
5 agreement with the ~~holder~~ owner of the secured obligation or charge. The
6 commission and the owners of any revenue-producing enterprise or program
7 acquired or purchased may, upon such terms and conditions as are satisfactory,
8 contract that ~~bonds~~ enterprise obligations to provide for the discharge of the secured
9 obligation or charge, or for the whole purchase price shall be deposited with a trustee
10 or depository and released from the deposit from time to time on such terms and
11 conditions as are necessary to secure the payment of the secured obligation or charge.

12 ✓~~-1432/7.17~~* SECTION 138. 18.561 (title) of the statutes is created to read:

13 **18.561 (title) Enterprise obligations.**

14 ✓~~-1432/7.18~~* SECTION 139. 18.561 (1) of the statutes is created to read:

15 18.561 (1) PAYMENT WITH REVENUE OBLIGATIONS. The state and a contracting
16 party may provide, in any contract for purchasing or acquiring a revenue-producing
17 enterprise or program, that payment shall be made in revenue obligations.

18 *~~1432/7.19~~* SECTION 140. 18.561 (7) (title) of the statutes is created to read:

19 18.561 (7) (title) PAYMENT FOR SERVICES.

20 *~~1432/7.20~~* SECTION 141. 18.561 (8) (title) of the statutes is created to read:

21 18.561 (8) (title) RATES FOR SERVICES.

22 *~~1432/7.22~~* SECTION 143. 18.562 of the statutes is created to read:

23 **18.562 Special fund obligations. (1) SECURITY INTEREST IN SPECIAL FUND.**

24 There is a security interest, for the benefit of the owners of the special fund
25 obligations, in the amounts that arise after the creation of the special fund program

1 in the special fund related to the special fund obligations. For this purpose, amounts
 2 in the special fund shall be accounted for on a first-in, first-out basis. No physical
 3 delivery, recordation or other action is required to perfect the security interest. The
 4 special fund shall remain subject to the security interest until provision for payment
 5 in full of the principal and interest of the special fund obligations has been made, as
 6 provided in the authorizing resolution. An owner of special fund obligations may
 7 either at law or in equity protect and enforce the security interest and compel
 8 performance of all duties required by this section.

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

15 (3) REDEMPTION FUND. The special fund revenues that are to be set aside for the
 16 payment of the principal and interest of the special fund obligations shall be paid into
 17 a separate fund in the treasury or in an account maintained by a trustee ~~under sub-~~

18 (5)(e) appointed for that purpose in the authorizing resolution to be identified as "the
 19 ... redemption fund". Each redemption fund shall be expended, and all moneys from
 20 time to time on hand therein are irrevocably appropriated, in sums sufficient, only
 21 for the payment of principal and interest on the special fund obligations giving rise
 22 to it and premium, if any, due upon redemption of any such obligations. Moneys in
 23 the redemption funds may be commingled only for the purpose of investment with
 24 other public funds, but they shall be invested only in investment instruments
 25 permitted in s. 25.17 (3) (dr). All such investments shall be the exclusive property

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1 of the fund and all earnings on or income from such investments shall be credited to
2 the fund.

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

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

14 ✓*-1432/7.23* SECTION 144. 18.57 (title) of the statutes is repealed and
15 recreated to read:

16 18.57 (title) **Funds established for revenue obligations.**

17 ✓*-1432/7.24* SECTION 145. 18.57 (1) of the statutes is amended to read:

18 18.57 (1) A separate and distinct fund shall be established in the state treasury
19 or in an account maintained by a trustee under s. 18.56 appointed for that purpose
20 by the authorizing resolution with respect to each revenue-producing enterprise or
21 program the income from which is to be applied to the payment of any revenue
22 enterprise obligation. A separate and distinct fund shall be established in the state
23 treasury or in an account maintained by a trustee appointed for that purpose by the
24 authorizing resolution with respect to any special fund that is created by the
25 imposition of fees, penalties or excise taxes and is applied to the payment of special

1 fund obligations. All moneys resulting from the issuance of evidences of revenue
2 obligation shall be credited to the appropriate fund or applied for refunding or note
3 renewal purposes, except that moneys which represent premium or accrued interest
4 received on the issuance of evidences shall be credited to the appropriate redemption
5 fund.

6 ✓ ***-1432/7.25* SECTION 146.** 18.57 (4) of the statutes is renumbered 18.57 (4)
7 (intro.) and amended to read:

8 18.57 (4) (intro.) If, after all outstanding related revenue obligations have been
9 paid or payment provided for, moneys remain in ~~any such a fund, they~~ created under
10 sub. (1), all of the following shall occur:

11 (a) If the fund created under sub. (1) is in an account maintained by a trustee
12 appointed by an authorizing resolution, the moneys shall be paid over to the treasury
13 and the,

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

15 ✓ ***-1432/7.26* SECTION 147.** 18.58 (1) of the statutes is amended to read:

16 18.58 (1) MANAGEMENT OF FUNDS AND RECORDS. All funds established under this
17 subchapter which are deposited in the state treasury shall be managed as provided
18 by law for other state funds, subject to any contract rights vested in ~~holders~~ owners
19 of evidences of revenue obligation secured by such fund. The department of
20 administration shall maintain full and correct records of each fund. The legislative
21 audit bureau shall audit each fund as of January 1 of each year reconciling all
22 transactions and showing the fair market value of all property on hand. All records
23 and audits shall be public documents. All funds established under this subchapter

24 which are deposited with a trustee under s. 18.56 (9) (j) appointed for that purpose
25 by the authorizing resolution shall be managed in accordance with resolutions

plain

1 authorizing the issuance of revenue obligations, agreements between the
2 commission and the trustee and any contract rights vested in ~~holders of evidence~~
3 owners of revenue obligations secured by such fund.

4 ✓ *b0559/1.20* SECTION 147m. 18.60 (title) of the statutes is amended to read:

5 **18.60 (title) Refunding bonds obligations.**

6 ✓ *-1432/7.27* SECTION 148. 18.60 (1) of the statutes is amended to read:

7 18.60 (1) The commission may authorize, for any one or more of the purposes
8 described in s. 18.53 (1), the issuance of revenue ~~obligation~~ refunding ~~bonds~~
9 obligations. Refunding ~~bonds~~ obligations may be issued, subject to any contract
10 rights vested in ~~holders~~ owners of ~~bonds~~ obligations or notes being refinanced, to
11 refinance more than one issue of ~~bonds~~ obligations or notes notwithstanding that the
12 ~~bonds~~ obligations or notes may have been issued at different times for different
13 purposes and may be secured by the property or income of more than one enterprise
14 or program or special fund or may be public debt or building ~~corporation~~
15 indebtedness. The principal amount of refunding ~~bonds~~ obligations shall not exceed
16 the sum of: the principal amount of the ~~bonds~~ obligations or notes being refinanced; applicable
17 redemption premiums; unpaid interest on the ~~bonds~~ obligations or notes to the date
18 of delivery or exchange of the refunding ~~bonds~~ obligations; in the event the proceeds
19 are to be deposited in trust as provided in sub. (3), interest to accrue on the ~~bonds~~
20 obligations or notes from the date of delivery to the date of maturity or to the
21 redemption date selected by the commission, whichever is earlier; and the expenses
22 incurred in the issuance of the refunding ~~bonds~~ obligations and the payment of the
23 ~~bonds~~ obligations or notes. A determination by the commission that a refinancing
24 is advantageous or that any of the amounts provided in the preceding sentence
25 should be included in the refinancing shall be conclusive.

1 ✓ ~~*-1432/7.28*~~ **SECTION 149.** 18.60 (2) of the statutes is amended to read:

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

20 ✓ ~~*b0559/1.31*~~ **SECTION 149g.** 18.60 (3) of the statutes is amended to read:

21 18.60 (3) The principal proceeds from the sale of any refunding ~~bonds~~
22 obligations shall be applied either to the immediate payment and retirement of the
23 ~~bonds~~ obligations or notes being refinanced or, if the ~~bonds~~ obligations or notes have
24 not matured and are not presently redeemable, to the creation of a trust for and shall
25 be pledged to the payment of the ~~bonds~~ obligations or notes being refinanced. If a

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

1 available to pay interest, applicable premiums and principal on the bonds
2 obligations or notes being refinanced.

3 ✓ ***b0559/1.31* SECTION 149r.** 18.60 (4) of the statutes is amended to read:

4 18.60 (4) The commission may in addition to the other powers conferred by this
5 subchapter, include a provision in any authorizing resolution for refunding bonds
6 obligations pledging all or any part of the special fund or income of any enterprise
7 or program originally financed from the proceeds of any of the bonds obligations or
8 notes being refinanced, or pledging all or any part of the surplus income derived from
9 the investment of any trust created under sub. (3), or both.

10 ✓ ***-1432/7.29* SECTION 150.** 18.60 (5) of the statutes is renumbered 18.60 (5)
11 (intro.) and amended to read:

12 18.60 (5) (intro.) All of the following provisions of ~~s. 18.56~~ that are not
13 inconsistent with the express provisions of this section shall apply to refunding
14 bonds obligations, except that the maximum permissible term shall be 50 years from
15 the date of original issue of the oldest note or bond obligation issue being refunded.;

16 ✓ ***-1432/7.30* SECTION 151.** 18.60 (5) (a) to (c) of the statutes are created to read:

17 18.60 (5) (a) Section 18.56.

18 (b) In the case of enterprise obligations, s. 18.561.

19 (c) In the case of special fund obligations, s. 18.562.

20 ✓ ***-1432/7.31* SECTION 152.** 18.61 (2) of the statutes is amended to read:

21 18.61 (2) The state pledges and agrees with the holders owners of any evidences
22 of revenue ~~obligation~~ obligations that the state will not limit or alter its powers to
23 fulfill the terms of any agreements made with the holders owners or in any way
24 impair the rights and remedies of the holders owners until the revenue obligations,
25 together with interest including interest on any unpaid instalments of interest, and

1 all costs and expenses in connection with any action or proceeding by or on behalf of
2 the ~~holders~~ owners, are fully met and discharged. The commission may include this
3 pledge and agreement of the state in any agreement with the ~~holders of notes or~~
4 ~~bonds and in any evidence~~ owners of revenue obligation.

5 ***-1432/7.32* SECTION 153.** 18.61 (3) (a) of the statutes is amended to read:

6 18.61 (3) (a) If the state fails to pay any revenue obligation in accordance with
7 its terms, and default continues for a period of 30 days or if the state fails or refuses
8 to comply with this subchapter or defaults in any agreement made with the ~~holders~~
9 owners of any issue of revenue obligations, the ~~holders~~ owners of 25% in aggregate
10 principal amount of the revenue obligations of the issue then outstanding by
11 instrument recorded in the office of the register of deeds of Dane county and approved
12 or acknowledged in the same manner as a deed to be recorded may appoint a trustee
13 to represent the ~~holders~~ owners of the ~~notes or bonds~~ revenue obligations for the
14 purposes specifically provided in the instrument.