

(A) cont.
2

1 insufficient moneys in the general account to make full payment of a grant, the state
2 treasurer shall supplement the general account from the appropriation under s.
3 20.855 (4) (ba) in an amount sufficient to make full payment of the grant. Except as
4 provided in subs. (4m) and (10), the amount of each grant is the amount specified in
5 sub. (9).

6 **SECTION 1km. 11.50 (4m)** of the statutes is created to read:

7 **11.50 (4m) GRANTS FOR PRIMARY CAMPAIGNS.** If an eligible candidate who
8 qualifies to receive a grant in a spring, general, or special election was opposed in the
9 spring or September primary, or in a special primary, by a candidate who qualified
10 to have his or her name appear on the primary ballot and the eligible candidate won
11 nomination in that primary, the board shall award to that candidate the primary
12 grant specified in sub. (9) (a) at the same time that grants are distributed under that
13 paragraph for the spring, general, or special election, provided that the candidate
14 has filed with the board, no later than the time specified in s. 8.10 (2) (a), 8.15 (1),
15 8.20 (8) (a), or 8.50 (3) (a) nomination papers containing at least the following number
16 of valid signatures of electors for the office that the candidate seeks:

- 17 (a) For candidates for statewide offices, not less than 4,000 electors.
18 (b) For candidates for state senator, not less than 800 electors.
19 (c) For candidates for representative to the assembly, not less than 400 electors.

20 **SECTION 1kn. 11.50 (5)** of the statutes is amended to read:

21 **11.50 (5) TIME OF DISBURSEMENT.** The state treasurer shall make the
22 disbursements of grants under sub. (9) (a) to the campaign depository account of each
23 eligible candidate under subs. (3) and (4) by the end of the 3rd business day following
24 notice from the board under s. 7.08 (2) (c) or (cm). If an eligible candidate notifies the
25 state treasurer of the information required to make electronic transfers to the

1 candidate's campaign depository account, the state treasurer shall transfer to the
2 candidate any supplemental grants under sub. (9) (b), (ba), or (bb) for which the
3 candidate qualifies immediately following notice from the board under s. 7.08 (2) (c)
4 or (cm). Eligible candidates for governor and lieutenant governor of the same
5 political party may combine accounts if desired.

6 **SECTION 1kp.** 11.50 (6) of the statutes is amended to read:

7 11.50 (6) EXCESS MONEYS. If the amounts which are to be apportioned to each
8 eligible candidate ~~under subs. (3) and (4)~~ are more than the amount which a
9 candidate may accept under sub. (9), or more than the amount which a candidate
10 elects to accept under sub. (10), the excess moneys shall be retained in the fund.

11 **SECTION 1kq.** 11.50 (9) (title) of the statutes is amended to read:

12 11.50 (9) (title) ~~LIMITATION ON~~ AMOUNT OF GRANTS.

13 **SECTION 1kr.** 11.50 (9) of the statutes is renumbered 11.50 (9) (a) and amended
14 to read:

15 11.50 (9) (a) ~~The~~ Except as provided in this paragraph and pars. (b), (ba), and
16 (bb) the total grant available to an eligible candidate may not exceed an amount
17 equal to the lesser of 45% of the disbursement level specified for the office that the
18 candidate seeks, as determined under s. 11.31 (1) and adjusted under s. 11.31 (9) but
19 without respect to any adjustment under s. 11.31 (1m) or that amount which, when
20 added to all other contributions accepted from sources other than individuals,
21 political party committees and legislative campaign committees by the candidate, is
22 equal to 45% of the disbursement level specified for the applicable office that the
23 candidate seeks, as determined under s. 11.31 (1) and adjusted as provided under s.
24 11.31 (9) but without respect to any adjustment under s. 11.31 (1m). Except as
25 provided in pars. (b), (ba), and (bb), the total grant available to an eligible candidate

1 who qualifies for a grant for primary campaign expenses under sub. (4m) may not
2 exceed an amount equal to the lesser of 55% of the disbursement level specified for
3 the office that the candidate seeks, as determined under s. 11.31 (1) and adjusted
4 under s. 11.31 (9), but without respect to any adjustment under s. 11.31 (1m), or that
5 amount which, when added to all other contributions accepted by the candidate, is
6 equal to the disbursement level specified for the office that the candidate seeks, as
7 determined under s. 11.31 (1) and adjusted under s. 11.31 (9) but without respect to
8 any adjustment under s. 11.31 (1m). The board shall scrutinize accounts and reports
9 and records kept under this chapter to assure that applicable limitations under ss.
10 11.26 (9) and 11.31 are not exceeded and any violation is reported. No candidate or
11 campaign treasurer may accept grants exceeding the amount authorized by this
12 subsection.

13 **SECTION 1ks.** 11.50 (9) (b), (ba) and (bb) of the statutes are created to read:

14 11.50 (9) (b) If an eligible candidate who accepts a grant is opposed by one or
15 more candidates in a general or special election whose names are certified under s.
16 7.08 (2) (a) or 8.50 (1) (d) to appear on the ballot, and if a committee intends to receive
17 or receives any contribution or contributions that are intended to be used or that are
18 used to oppose the election of the eligible candidate who accepts a grant or to support
19 a certified opponent of that candidate without cooperation or consultation with any
20 certified opposing candidate or such a candidate's agent or authorized committee,
21 and not in concert with, or at the request or suggestion of any certified opposing
22 candidate's agent or authorized committee, then the board shall make an additional
23 grant to the eligible candidate who accepts a grant in an amount equal to the total
24 amount of contributions received for the purpose of advocating the election of the

1 certified opposing candidate or for the purpose of opposing the election of the eligible
2 candidate who accepts the grant, as reported by committees under s. 11.12 (6) (c).

3 (ba) If an eligible candidate at a primary or election, or both, who accepts a
4 grant is opposed by one or more candidates who are required, or whose personal
5 campaign committees are required, to file a report under s. 11.12 (8), then the board
6 shall make an additional grant to the eligible candidate who accepts a grant in an
7 amount equal to the total amount or value of disbursements, as reported under s.
8 11.12 (8), made by the opposing candidate or candidates exceeding the amount
9 specified under s. 11.31 (1) (a) to (de), (e), or (f) for the office which the candidate
10 seeks, as adjusted under s. 11.31 (9) but without respect to any adjustment under s.
11 11.31 (1m) .

12 (bb) If the sum of the aggregate disbursements made by committees against an
13 eligible candidate who accepts a grant and of the disbursements made by committees
14 for that candidate's opponent, as reported under s. 11.12 (6) (c), exceed 10% of the
15 amount specified under s. 11.31 (1) (a) to (de), (e), or (f) for the office that the eligible
16 candidate seeks as adjusted under s. 11.31 (9), but without respect to any adjustment
17 under s. 11.31 (1m), then the board shall make an additional grant to the eligible
18 candidate in an amount equal to the total amount of such disbursements made by
19 each committee to the extent that such amount exceeds the amount of any additional
20 grant provided under par. (b) attributable to contributions received or intended to be
21 received.

22 **SECTION 1kt.** 11.50 (11) (a) of the statutes is amended to read:

23 11.50 (11) (a) ~~No~~ Except as authorized for candidates who are awarded grants
24 under sub. (4m), no grant may be utilized in any primary.

25 **SECTION 1ku.** 11.50 (11) (e) of the statutes is amended to read:

1 11.50 (11) (e) No candidate may expend, authorize the expenditure of or incur
2 any obligation to expend any grant if he or she violates the pledge required under
3 sub. (2) (a) as a precondition to receipt of a grant, ~~except as authorized in sub. (2) (h)~~
4 ~~or (i).~~

5 **SECTION 1kv.** 11.50 (14) of the statutes is created to read:

6 11.50 (14) CERTIFICATIONS TO SECRETARY OF REVENUE. (a) In each
7 even-numbered year, the board shall certify to the secretary of revenue:

8 1. No later than July 1, the name of each political party that qualifies under
9 sub. (1) (am) 1. as an eligible political party as of the preceding June 1 and whose
10 state chairperson has filed a request to establish an account for the party under sub.
11 (2s) (a).

12 2. No later than December 15, the name of each political party that qualifies
13 under sub. (1) (am) 2. as an eligible political party as of the date of the preceding
14 general election.

15 (b) As soon as possible after receiving a valid application from an eligible
16 candidate under sub. (2) (a) and determining that the candidate is eligible to receive
17 a grant, the board shall certify to the secretary of revenue the full name of that
18 candidate as the name appears on the candidate's nomination papers.

19 (c) In each certification under this subsection, the board shall specify the
20 expiration date of the certification.

21 **SECTION 1kw.** 11.60 (3s) and (3t) of the statutes are created to read:

22 11.60 (3s) Notwithstanding sub. (1), if any candidate or committee, other than
23 a conduit, accepts a contribution, makes a disbursement, or incurs an obligation to
24 make a disbursement for the purpose of supporting or opposing a candidate for an
25 office specified in s. 11.31 (1) (a) to (de), (e), or (f) without first registering under s.

1 11.05 (1), (2), or (2g) to the extent required under s. 11.05 (1), (2), and (2g), or without
2 reporting the information required under s. 11.12 (6) (c) or (8) or 11.20 (3) or (4) with
3 respect to that contribution, disbursement, or obligation, to the extent required
4 under ss. 11.12 (6) (c) and (8) and 11.20 (3) and (4), the candidate or other individual
5 or committee may be required to forfeit not more than \$500 per day for each day of
6 continued violation.

7 (3t) Notwithstanding sub. (1), if any candidate or committee, other than a
8 conduit, accepts one or more contributions, makes one or more disbursements, or
9 incurs one or more obligations to make disbursements for the purpose of supporting
10 or opposing a candidate for an office specified in s. 11.31 (1) (a) to (de), (e), or (f) in
11 an amount or value that differs from the amount reported by that individual or
12 committee under s. 11.12 (6) (c) or (8) or 11.20 (3) or (4):

13 (a) By more than 5% but not more than 10% cumulatively, the candidate or
14 other individual or committee shall forfeit 4 times the amount or value of the
15 difference.

16 (b) By more than 10% but not more than 15% cumulatively, the candidate or
17 other individual or committee shall forfeit 6 times the amount or value of the
18 difference.

19 (c) By more than 15% cumulatively, the candidate or other individual or
20 committee shall forfeit 8 times the amount of the difference.

21 **SECTION 1kx.** 11.60 (4) of the statutes is amended to read:

22 11.60 (4) Actions under this section arising out of an election for state office or
23 a statewide referendum may be brought by the board or by the district attorney of
24 the county where the violation is alleged to have occurred, except as specified in s.
25 11.38. Actions under this section arising out of an election for local office or local

1 referendum may be brought by the district attorney of the county where the violation
2 is alleged to have occurred. Actions under this section arising out of an election for
3 county office or a county referendum may be brought by the county board of election
4 commissioners of the county wherein the violation is alleged to have occurred. In
5 addition, whenever a candidate or personal campaign committee or agent of a
6 candidate is alleged to have violated this chapter, action may be brought by the
7 district attorney of any county any part of which is contained within the jurisdiction
8 or district in which the candidate seeks election. If a violation concerns a district
9 attorney or circuit judge or candidate for such offices, the action shall be brought by
10 the attorney general. If a violation concerns the attorney general or a candidate for
11 such office, the governor may appoint special counsel under s. 14.11 (2) to bring suit
12 in behalf of the state. The counsel shall be independent of the attorney general and
13 need not be a state employe at the time of appointment.”.

14 **6.** Page 3, line 12: after that line insert:

15 “SECTION 1pc. 6.87 (2) (form) of the statutes is amended to read:

16 6.87 (2) (form)

17 [STATE OF

18 County of]

19 or

20 [(name of foreign country and city or other jurisdictional unit)]

21 I,, certify subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false
22 statements, that I am a resident of the [.... ward of the] (town) (village) of, or of
23 the aldermanic district in the city of, residing at* in said city, the county
24 of, state of Wisconsin, and am entitled to vote in the (ward) (election district) at

1 the election to be held on; that I am not voting at any other location in this election;
2 that I am unable or unwilling to appear at the polling place in the (ward) (election
3 district) on election day or have changed my residence within the state from one ward
4 or election district to another within 10 days before the election. ~~An elector who~~
5 ~~provides an identification serial number issued under s. 6.47 (3) need not provide a~~
6 ~~street address.~~ I certify that I exhibited the enclosed ballot unmarked to the witness,
7 that I then in (his) (her) presence and in the presence of no other person marked the
8 ballot and enclosed and sealed the same in this envelope in such a manner that no
9 one but myself and any person rendering assistance under s. 6.87 (5), Wis. Stats., if
10 I requested assistance, could know how I voted.

11 Signed

12 Identification serial number, if any:

13 The witness shall execute the following:

14 I, the undersigned witness, subject to the penalties of s. 12.60 (1) (b), Wis.
15 Stats., for false statements, certify that the above statements are true and the voting
16 procedure was executed as there stated. I am not a candidate for any office on the
17 enclosed ballot (except in the case of an incumbent municipal clerk). I did not solicit
18 or advise the elector to vote for or against any candidate or measure.

19(Name)

20(Address)**

21 * — An elector who provides an identification serial number issued under s.
22 6.47 (3), Wis. Stats., need not provide a street address.

23 ** — If this form is executed before 2 special voting deputies under s. 6.875 (6),
24 Wis. Stats., both deputies shall witness and sign.

25 **SECTION 1pe.** 6.875 (1) (at) of the statutes is amended to read:

1 6.875 (1) (at) “Qualified retirement home” means a retirement home that
2 qualifies under sub. (2) ~~(b)~~ (c) to utilize the procedures under this section.

3 **SECTION 1pg.** 6.875 (2) (a) of the statutes is amended to read:

4 6.875 (2) (a) The procedures prescribed in this section are the exclusive means
5 of absentee voting for electors who are occupants of nursing homes ~~or~~, qualified
6 community-based residential facilities or qualified retirement homes.

7 **SECTION 1pj.** 6.875 (6) of the statutes, as affected by 2001 Wisconsin Act 16,
8 is amended to read:

9 6.875 (6) Special voting deputies in each municipality shall, not later than 5
10 p.m. on the Friday preceding an election, arrange one or more convenient times with
11 the administrator of each nursing home ~~or~~, qualified retirement home, and qualified
12 community-based residential facility in the municipality from which one or more
13 occupants have filed an application under s. 6.86 to conduct absentee voting for the
14 election. The time may be no earlier than the 4th Monday preceding the election and
15 no later than 5 p.m. on the Monday preceding the election. Upon request of a relative
16 of an occupant of a nursing home or qualified retirement home or qualified
17 community-based residential facility, the administrator may notify the relative of
18 the time or times at which special voting deputies will conduct absentee voting at the
19 home or facility, and permit the relative to be present in the room where the voting
20 is conducted. At the designated time, 2 deputies appointed under sub. (4) shall visit
21 the ~~nursing home or qualified retirement home or qualified community-based~~
22 ~~residential~~ facility. The municipal clerk or executive director of the board of election
23 commissioners shall issue a supply of absentee ballots to the deputies sufficient to
24 provide for the number of valid applications received by the clerk, and a reasonable
25 additional number of ballots. The municipal clerk or executive director shall keep

1 a careful record of all ballots issued to the deputies and shall require the deputies to
2 return every ballot issued to them. The deputies shall personally offer each elector
3 who has filed a proper application the opportunity to cast his or her absentee ballot.
4 If an elector is present who has not filed a proper application, the 2 deputies may
5 accept an application from the elector and shall issue a ballot to the elector if the
6 elector is qualified and the application is proper. The deputies shall ~~administer each~~
7 witness the oath certification and may, upon request of the elector, assist the elector
8 in marking the elector's ballot. Upon request of the elector, a relative of the elector
9 who is present in the room may assist the elector in marking the elector's ballot. All
10 voting shall be conducted in the presence of the deputies. No individual other than
11 a deputy may ~~administer~~ witness the oath certification and no individual other than
12 a deputy or relative of an elector may render voting assistance to the elector. Upon
13 completion of the voting, the deputies shall promptly deliver, either personally or by
14 1st class mail, any absentee ballot applications and the sealed certificate envelope
15 containing each ballot to the clerk or board of election commissioners of the
16 municipality in which the elector casting the ballot resides, within such time as will
17 permit delivery to the polling place serving the elector's residence on election day.
18 Personal delivery may be made by the deputies no later than noon on election day.
19 If a qualified elector is not able to cast his or her ballot on 2 separate visits by the
20 deputies to the ~~nursing home or qualified retirement home~~ facility, they shall so
21 inform the municipal clerk or executive director of the board of election
22 commissioners, who may then send the ballot to the elector no later than 5 p.m. on
23 the Friday preceding the election.

24 **SECTION 1pL.** 6.88 (1) of the statutes is amended to read:

1 6.88 (1) When an absentee ballot arrives at the office of the municipal clerk,
2 the clerk shall enclose it, unopened, in a carrier envelope which shall be securely
3 sealed and endorsed with the name and official title of the clerk, and the words “This
4 envelope contains the ballot of an absent elector and must be opened at the polls
5 during polling hours on election day”. If the ballot was received by the elector by
6 facsimile transmission or electronic mail and is accompanied by a separate
7 certificate, the clerk shall enclose the ballot in a certificate envelope and securely
8 append the completed certificate to the outside of the envelope before enclosing the
9 ballot in the carrier envelope. The clerk shall keep the ballot in the clerk’s office until
10 delivered, as required in sub. (2).

11 **SECTION 1pn.** 6.92 of the statutes is renumbered 6.92 (1) and amended to read:

12 6.92 (1) ~~Each~~ Except as provided in sub. (2), each inspector shall challenge for
13 cause any person offering to vote whom the inspector knows or suspects is not a
14 qualified elector. If a person is challenged as unqualified by an inspector, one of the
15 inspectors shall administer the following oath or affirmation to the person: “You do
16 solemnly swear (or affirm) that you will fully and truly answer all questions put to
17 you regarding your place of residence and qualifications as an elector of this
18 election”; and shall then ask questions which are appropriate as determined by the
19 board, by rule, to test the person’s qualifications.

20 **SECTION 1po.** 6.92 (2) of the statutes is created to read:

21 6.92 (2) An inspector appointed under s. 7.30 (2) (am) may not challenge any
22 person offering to vote.

23 **SECTION 1pp.** 7.03 (1) (a) of the statutes, as affected by 2001 Wisconsin Act 16,
24 is amended to read:

1 7.03 (1) (a) ~~A~~ Except as authorized under this paragraph, a reasonable daily
2 compensation shall be paid to each inspector, voting machine custodian, automatic
3 tabulating equipment technician, member of a board of canvassers, messenger, and
4 tabulator who is employed and performing duties under chs. 5 to 12. Daily
5 compensation shall also be provided to officials and trainees for attendance at
6 training sessions and examinations required by the board under s. 7.31.
7 Alternatively, such election officials and trainees may be paid by the hour at a
8 proportionate rate for each hour actually worked. Any election official or trainee may
9 choose to volunteer his or her services by filing with the municipal clerk of the
10 municipality in which he or she serves a written declination to accept compensation.
11 The volunteer status of the election official or trainee remains effective until the
12 official or trainee files a written revocation with the municipal clerk.

13 **SECTION 1pr.** 7.03 (1) (b), (bm), (c) and (d) of the statutes are amended to read:

14 7.03 (1) (b) Except as provided in par. (bm), ~~payment~~ any compensation owed
15 shall be ~~made~~ paid by the municipality in which the election is held, except that any
16 compensation payable to a technician, messenger, tabulator, or member of the board
17 of canvassers who is employed to perform services for the county shall be paid by the
18 county and compensation payable to any messenger or tabulator who is employed to
19 perform services for the state shall be paid by the board.

20 (bm) Whenever a special election is called by a county or by a school district,
21 a technical college district, a sewerage district, a sanitary district, or a public inland
22 lake protection and rehabilitation district, the county or district shall pay the
23 compensation of all election officials performing duties in those municipalities, as
24 determined under sub. (2).

1 (c) If a central counting location serving more than one municipality is utilized
2 under s. 7.51 (1), the cost of compensation of election officials at the location shall be
3 proportionately divided between the municipalities utilizing the location, except
4 that if all municipalities within a county utilize the location, the compensation shall
5 be paid by the county.

6 (d) ~~Special~~ Except as otherwise provided in par. (a), special registration
7 deputies appointed under s. 6.55 (6), special voting deputies appointed under s. 6.875
8 (4) and officials and trainees who attend training sessions under s. 7.15 (1) (e) or 7.25
9 (5) may also be compensated by the municipality where they serve at the option of
10 the municipality.

11 **SECTION 1pt.** 7.08 (3) (intro.) and (4) of the statutes are amended to read:

12 7.08 (3) ELECTION MANUAL. (intro.) Prepare and publish separate from the
13 election laws an election manual written so as to be easily understood by the general
14 public explaining the duties of the election officials, together with notes and
15 references to the statutes as the board considers advisable. ~~The manual shall be~~
16 ~~furnished by the board free to each county and municipal clerk or board of election~~
17 ~~commissioners and others in such manner as it deems most likely to promote the~~
18 ~~public welfare.~~ The election manual shall:

19 (4) ELECTION LAWS. Publish the election laws. ~~The board shall furnish the~~
20 ~~election laws free to each county and municipal clerk and board of election~~
21 ~~commissioners in sufficient supply to provide one copy for reference at each office and~~
22 ~~at each polling place.~~ The board shall sell or distribute or arrange for the sale or
23 distribution of copies of the election laws to county and municipal clerks and boards
24 of election commissioners and members of the public.

25 **SECTION 1pv.** 7.08 (5) of the statutes is created to read:

1 7.08 (5) DISTRICT MAPS. Distribute, upon request and free of charge, to any
2 candidate for representative in Congress, state senator, or representative to the
3 assembly a copy of the map or maps received under s. 16.96 (3) (b) showing district
4 boundaries.

5 **SECTION 1px.** 7.30 (2) (a) of the statutes is amended to read:

6 7.30 (2) (a) Only election officials appointed under this section may conduct an
7 election. Except as authorized in s. 7.15 (1) (k), each inspector shall be a qualified
8 elector ~~in of the ward or wards, or the election district,~~ for which the polling place is
9 established. Special registration deputies appointed under s. 6.55 (6) and election
10 officials ~~serving more than one ward or when necessary who are appointed~~ to fill a
11 vacancy under par. (b) need not be a resident of ~~that~~ the ward or wards, or the election
12 district, but shall be a resident of the municipality. Special registration deputies may
13 be appointed to serve more than one polling place. All officials shall be able to read
14 and write the English language, be capable, be of good understanding, and may not
15 be a candidate for any office to be voted for at an election at which they serve. In 1st
16 class cities, they may hold no public office other than notary public. Except as
17 authorized under sub. (4) (c), all inspectors shall be affiliated with one of the 2
18 recognized political parties which received the largest number of votes for president,
19 or governor in nonpresidential general election years, in the ward or combination of
20 wards served by the polling place at the last election. The party which received the
21 largest number of votes is entitled to one more inspector than the party receiving the
22 next largest number of votes at each polling place. The same election officials may
23 serve the electors of more than one ward where wards are combined under s. 5.15 (6)
24 (b). If a municipality is not divided into wards, the ward requirements in this
25 paragraph apply to the municipality at large.

1 **SECTION 1rc.** 7.30 (2) (am) of the statutes is created to read:

2 7.30 (2) (am) Except as otherwise provided in this paragraph, a pupil who is
3 16 or 17 years of age, who is enrolled in grades 9 to 12 in a public or private school,
4 and who has at least a 3.0 grade point average or the equivalent may serve as an
5 inspector at the polling place serving the pupil's residence, with the approval of the
6 pupil's parent or guardian and of the principal of the school in which the pupil is
7 enrolled. A pupil may serve as an inspector at a polling place under this paragraph
8 only if at least one election official at the polling place other than the chief inspector
9 is a qualified elector of this state. No pupil may serve as chief inspector at a polling
10 place under this paragraph. Before appointment by any municipality of a pupil as
11 an inspector under this paragraph, the municipal clerk shall obtain written
12 authorization from the pupil's parent or guardian and from the principal of the school
13 where the pupil is enrolled for the pupil to serve for the entire term for which he or
14 she is appointed. Upon appointment of a pupil to serve as an inspector, the municipal
15 clerk shall notify the principal of the school where the pupil is enrolled of the date
16 of expiration of the pupil's term of office.

17 **SECTION 1re.** 7.30 (4) (b) 1. of the statutes is amended to read:

18 7.30 (4) (b) 1. In cities where there is a board of election commissioners, the
19 aldermanic district committeemen or committeewomen under s. 8.17 of each of the
20 2 dominant recognized political parties shall submit a certified list no later than
21 November 30 of each even-numbered year containing the names of at least as many
22 electors nominees as there are inspectors from that party for each of the voting wards
23 in the aldermanic district. The chairperson may designate any individual whose
24 name is submitted as a first choice nominee. The board of election commissioners
25 shall appoint, no later than December 31 of even-numbered years, at least 5

1 inspectors for each ward. The board of election commissioners shall appoint all first
2 choice nominees for so long as positions are available, unless nonappointment is
3 authorized under par. (e), and shall appoint other individuals in its discretion. The
4 board of election commissioners may designate such alternates as it deems
5 advisable.

6 **SECTION 1rg.** 7.30 (6) (b) of the statutes, as affected by 2001 Wisconsin Act 16,
7 is amended to read:

8 7.30 (6) (b) Prior to the first election following the appointment of the
9 inspectors, the ~~inspectors at each polling place~~ municipal clerk shall ~~elect~~ appoint
10 one of ~~their number~~ the inspectors at each polling place to ~~act~~ serve as chief inspector.
11 No person may serve as chief inspector at any election who is not certified by the
12 board under s. 7.31 at the time of the election. The chief inspector shall hold the
13 position for the remainder of the term unless the inspector is removed by the clerk
14 or the inspector ceases to be certified under s. 7.31, except that whenever wards are
15 combined or separated under s. 5.15 (6) (b), the ~~inspectors~~ municipal clerk shall ~~elect~~
16 a new chief appoint another inspector who is certified under s. 7.31 to serve as chief
17 inspector at each polling place designated under s. 5.15 (6) (b). If a vacancy occurs
18 in the position of chief inspector at any polling place, the municipal clerk shall
19 appoint one of the other inspectors who is certified under s. 7.31 to fill the vacancy.

20 **SECTION 1rj.** 7.33 (2) of the statutes is amended to read:

21 7.33 (2) Service as an election official under this chapter shall be mandatory
22 upon all ~~qualified electors~~ individuals appointed, during the full 2-year term, after
23 which they shall be exempt from further service as an election official, under this
24 chapter, until 3 terms of 2 years each have elapsed. Municipal clerks may grant
25 exemptions from service at any time.

1 **SECTION 1rL.** 7.41 (4) of the statutes, as affected by 2001 Wisconsin Act 39, is
2 amended to read:

3 7.41 (4) No individual exercising the right under sub. (1) may view the
4 confidential portion of a registration list maintained under s. 6.36 (4) or a poll list
5 maintained under s. 6.79 (6). However, the inspectors shall disclose to such an
6 individual, upon request, the existence of such a list, the number of electors whose
7 names appear on the list, and the number of those electors who have voted at any
8 point in the proceedings. No ~~observer~~ such individual may view the
9 ~~certificate-affidavit form~~ certificate of an absent elector who obtains a confidential
10 listing under s. 6.47 (2).

11 **SECTION 1rn.** 7.51 (1) of the statutes is amended to read:

12 7.51 (1) CANVASS PROCEDURE. Immediately after the polls close the inspectors
13 shall proceed to canvass publicly all votes received at the polling place. In any
14 municipality where an electronic voting system is used, the municipal governing
15 body or board of election commissioners may provide or authorize the municipal
16 clerk or executive director of the board of election commissioners to provide for the
17 adjournment of the canvass to one or more central counting locations for specified
18 polling places in the manner prescribed in subch. III of ch. 5. No central counting
19 location may be used to count votes at a polling place where an electronic voting
20 system is not employed. The canvass, whether conducted at the polling place or at
21 ~~the~~ a central counting location, shall continue without adjournment until the
22 canvass is completed and the return statements are made. The inspectors shall not
23 permit access to the name of any elector who has obtained a confidential listing under
24 s. 6.47 (2) during the canvass, except as authorized in s. 6.47 (8).

25 **SECTION 1rp.** 7.60 (2) of the statutes is amended to read:

1 7.60 (2) COUNTY BOARD OF CANVASSERS. The county clerk and 2 qualified electors
2 of the county appointed by the clerk constitute the county board of canvassers. The
3 members of the board of canvassers shall serve for 2-year terms commencing on
4 January 1 of each odd-numbered year, except that any member who is appointed to
5 fill a permanent vacancy shall serve for the unexpired term of the original appointee.
6 One member of the board of canvassers shall belong to a political party other than
7 the clerk's. If The county clerk shall designate a deputy clerk who shall perform the
8 clerk's duties as a member of the board of canvassers in the event that the county
9 clerk's office is vacant, if the clerk cannot perform his or her duties, or if the clerk is
10 a candidate at an election being canvassed, the county clerk shall designate a deputy
11 clerk to perform the clerk's duties. If the county clerk and designated deputy clerk
12 are both unable to perform their duties, the county executive or, if there is no county
13 executive, the chairperson of the county board of supervisors shall designate another
14 qualified elector of the county to perform the clerk's duties. If a member other than
15 the clerk cannot perform his or her duties, the clerk shall appoint another member
16 to serve. No person may serve on the county board of canvassers if the person is a
17 candidate for an office to be canvassed by that board. If lists of candidates for the
18 county board of canvassers are submitted to the county clerk by political party county
19 committees, the lists shall consist of at least 3 names and the clerk shall choose the
20 board members from the lists. Where there is a county board of election
21 commissioners, it shall serve as the board of canvassers. If the county board of
22 election commissioners serves as the board of canvassers, the executive director of
23 the county board of election commissioners shall serve as a member of the board of
24 canvassers to fill a temporary vacancy on that board.

25 **SECTION 1rr.** 8.15 (4) (a) of the statutes is amended to read:

1 8.15 (4) (a) The certification of a qualified elector stating his or her residence
2 with street and number, if any, shall appear at the bottom of each nomination paper,
3 stating he or she personally circulated the nomination paper and personally
4 obtained each of the signatures; he or she knows they are electors of the ward,
5 aldermanic district, municipality or county, as the nomination papers require; he or
6 she knows they signed the paper with full knowledge of its content; he or she knows
7 their respective residences given; he or she knows each signer signed on the date
8 stated opposite his or her name; and, that he or she, the circulator, resides within the
9 district which the candidate named therein will represent, if elected; that he or she
10 intends to support the candidate; and that he or she is aware that falsifying the
11 certification is punishable under s. 12.13 (3) (a), Wis. stats. The circulator shall
12 indicate the date that he or she makes the certification next to his or her signature.

13 The certification may be made by the candidate or any qualified elector.

14 **SECTION 1rt.** 8.15 (9) of the statutes is repealed.

15 **SECTION 1rv.** 8.20 (10) of the statutes is repealed.

16 **SECTION 1rx.** 8.21 of the statutes is amended to read:

17 **8.21 Declaration of candidacy.** Each candidate, except a candidate for
18 presidential elector under s. 8.20 (2) (d), shall file a declaration of candidacy, no later
19 than the latest time provided for filing nomination papers under s. 8.10 (2) (a), 8.15
20 (1), 8.20 (8) (a) or 8.50 (3) (a), or the time provided under s. 8.16 (2) or 8.35 (2) (c).
21 A candidate shall file the declaration with the officer or agency with which
22 nomination papers are filed for the office which the candidate seeks, or if nomination
23 papers are not required, with the clerk or board of election commissioners of the
24 jurisdiction in which the candidate seeks office. The declaration shall be sworn to
25 before any officer authorized to administer oaths. The declaration shall contain the

1 name of the candidate in the form specified under s. 8.10 (2) (b) for candidates for
2 nonpartisan office or s. 8.15 (5) (a) or 8.20 (2) (a) for candidates for partisan office,
3 and shall state that the signer is a candidate for a named office, that he or she meets
4 or will at the time he or she assumes office meet applicable age, citizenship, residency
5 or voting qualification requirements, if any, prescribed by the constitutions and laws
6 of the United States and of this state, and that he or she will otherwise qualify for
7 office if nominated and elected. The declaration shall include the candidate's name
8 in the form in which it will appear on the ballot. Each candidate for state and local
9 office shall include in the declaration a statement that he or she has not been
10 convicted of any ~~infamous crime~~ misdemeanor designated under state or federal law
11 as a violation of the public trust or any felony for which he or she has not been
12 pardoned ~~and a list of all felony convictions for which he or she has not been~~
13 ~~pardoned~~. In addition, each candidate for state or local office shall include in the
14 declaration a statement that discloses his or her municipality of residence for voting
15 purposes, and the street and number, if any, on which the candidate resides. The
16 declaration is valid with or without the seal of the officer who administers the oath.
17 A candidate for state or local office shall file an amended declaration under oath with
18 the same officer or agency if any information contained in the declaration changes
19 at any time after the original declaration is filed and before the candidate assumes
20 office or is defeated for election or nomination.

21 **SECTION 1tc.** 8.40 (2) of the statutes is amended to read:

22 8.40 (2) The certification of a qualified elector stating his or her residence with
23 street and number, if any, shall appear at the bottom of each separate sheet of each
24 petition specified in sub. (1), stating that he or she personally circulated the petition
25 and personally obtained each of the signatures; that the circulator knows that they

1 are electors of the jurisdiction or district in which the petition is circulated; that the
2 circulator knows that they signed the paper with full knowledge of its content; that
3 the circulator knows their respective residences given; that the circulator knows that
4 each signer signed on the date stated opposite his or her name; that the circulator
5 resides within the jurisdiction or district in which the petition is circulated; and that
6 the circulator is aware that falsifying the certification is punishable under s. 12.13
7 (3) (a). The circulator shall indicate the date that he or she makes the certification
8 next to his or her signature.

9 **SECTION 1te.** 9.10 (2) (e) 3. of the statutes is amended to read:

10 9.10 (2) (e) 3. The signature is dated after the date of the notarization
11 certification contained on the petition sheet.

12 **SECTION 1tg.** 9.10 (2) (em) 4. and 5. of the statutes are repealed.

13 **SECTION 1tj.** 9.10 (2) (o) of the statutes is repealed.

14 **SECTION 1tL.** 9.10 (2) (r) 1. to 3. of the statutes are repealed.

15 **SECTION 1tn.** 9.10 (4) (d) of the statutes is amended to read:

16 9.10 (4) (d) The Promptly upon receipt of a certificate under par. (a), the
17 governing body, school board, or board of election commissioners upon receiving the
18 certificate shall call an a recall election. The recall election shall be held on the
19 Tuesday of the 6th week commencing after the date of on which the certificate. If is
20 filed, except that if Tuesday is a legal holiday, the recall election shall be held on the
21 first day after Tuesday which is not a legal holiday.

22 **SECTION 1tp.** 10.06 (3) (am) of the statutes is amended to read:

23 10.06 (3) (am) As soon as possible following the deadline for filing nomination
24 papers for any municipal election when there is to be an election for a county or state
25 office or a county or statewide referendum, but no later than 2 3 days after such

1 deadline, the municipal clerk of each municipality in which voting machines or
2 ballots containing the names of candidates for both local offices and national, state
3 or county offices are used shall certify the list of candidates for municipal office to the
4 county clerk if a primary is required, unless the municipality prepares its own ballots
5 under s. 7.15 (2) (c).

6 **SECTION 1tr.** 10.06 (3) (bm) of the statutes is amended to read:

7 10.06 (3) (bm) As soon as possible following the municipal canvass of the
8 primary vote or the qualification of the candidates under s. 8.05 (1) (j) when a
9 municipal caucus ~~when is held,~~ if there is to be an election for a county or state office
10 or a county or statewide referendum, but no later than ~~2~~ 3 days after such date, the
11 municipal clerk of each municipality in which voting machines or ballots containing
12 the names of candidates for both local offices and national, state or county offices are
13 used shall certify the list of candidates for municipal office and municipal referenda
14 appearing on the ballot to the county clerk, unless the municipality prepares its own
15 ballots under s. 7.15 (2) (c).

16 **SECTION 1tt.** 11.21 (3) of the statutes is amended to read:

17 11.21 (3) Prepare and publish for the use of persons required to file reports and
18 statements under this chapter a manual setting forth simply and concisely
19 recommended uniform methods of bookkeeping and reporting. ~~The board shall~~
20 ~~furnish a copy of the manual without charge, upon request, to all persons who are~~
21 ~~required to file reports or statements with the board, and shall distribute or arrange~~
22 ~~for the distribution of copies of the manual for use by other filing officers.~~

23 **SECTION 1tv.** 11.21 (14) of the statutes is amended to read:

24 11.21 (14) Prepare, publish and periodically revise as necessary a manual
25 simply and concisely describing the filing and registration requirements established

1 in this chapter in detail, as well as other major provisions of this chapter and ch. 12.
2 ~~The board shall furnish a copy of the manual without charge, upon request, to all~~
3 ~~persons who are required to file reports or statements with the board, and shall~~
4 ~~distribute or arrange for the distribution of copies of the manual for use by other~~
5 ~~filing officers.”.~~

6 **7.** Page 3, line 12: after that line insert:

7 “SECTION 1f. 6.24 (5) of the statutes is amended to read:

8 6.24 (5) BALLOTS. The board shall prescribe a special ballot for use under this
9 section whenever necessary. Official ballots prescribed for use in the presidential
10 preference primary may also be used. The ballot shall be designed to comply with
11 the requirements prescribed under ss. ~~5.60 (8)~~ 5.58 (2r), 5.62, and 5.64 (1) insofar as
12 applicable. All ballots shall be limited to national offices only.

13 SECTION 1h. 8.12 (1) and (3) of the statutes are amended to read:

14 8.12 (1) SELECTION OF NAMES FOR BALLOT. (a) No later than 5 p.m. on the ~~first~~
15 ~~3rd~~ Tuesday in January ~~November~~, or the next day if Tuesday is a holiday, ~~in~~ of the
16 year before each year in which electors for president and vice president are to be
17 elected, the state chairperson of each recognized political party listed on the official
18 ballot at the last gubernatorial election whose candidate for governor received at
19 least 10% of the total votes cast for that office may certify to the board that the party
20 will participate in the presidential preference primary. For each party filing such a
21 certification, the voters of this state shall at the spring election ~~primary~~ primary be given an
22 opportunity to express their preference for the person to be the presidential
23 candidate of that party.

1 (b) On the last 2nd Tuesday in ~~January in~~ December of the year before each year
2 in which electors for president and vice president are to be elected, there shall be
3 convened in the capitol a committee consisting of, for each party filing a certification
4 under this subsection, the state chairperson of that state party organization or the
5 chairperson's designee, one national committeeman and one national
6 committeewoman designated by the state chairperson; the speaker and the minority
7 leader of the assembly or their designees, and the president and the minority leader
8 of the senate or their designees. All designations shall be made in writing to the
9 board. This committee shall organize by selecting an additional member who shall
10 be the chairperson and shall determine, and certify to the board, no later than on the
11 Friday following the last ~~Tuesday in January~~ date on which the committee convenes
12 under this paragraph, the names of all candidates of the political parties represented
13 on the committee for the office of president of the United States. The committee shall
14 place the names of all candidates whose candidacy is generally advocated or
15 recognized in the national news media throughout the United States on the ballot,
16 and may, in addition, place the names of other candidates on the ballot. The
17 committee shall have sole discretion to determine that a candidacy is generally
18 advocated or recognized in the national news media throughout the United States.

19 (c) No later than 5 p.m. on the ~~3rd~~ first Tuesday in ~~February~~ January of each
20 presidential election year, any person seeking the nomination by the national
21 convention of a political party filing a certification under this subsection for the office
22 of president of the United States, or any committee organized in this state on behalf
23 of and with the consent of such person, may submit to the board a petition to have
24 the person's name appear on the presidential preference ballot. The petition may be
25 circulated no sooner than the last 2nd Tuesday in ~~January of~~ December preceding

1 such year and shall be signed by a number of qualified electors equal in each
2 congressional district to not less than 1,000 signatures nor more than 1,500
3 signatures. The form of the petition shall conform to the requirements of s. 8.40. All
4 signers on each separate petition paper shall reside in the same congressional
5 district.

6 (d) The board shall forthwith contact each person whose name has been placed
7 in nomination under par. (b) and notify him or her that his or her name will appear
8 on the Wisconsin presidential preference ballot unless he or she files, no later than
9 5 p.m. on the ~~3rd~~ first Tuesday in ~~February~~ January of such year, with the board, a
10 disclaimer stating without qualification that he or she is not and does not intend to
11 become a candidate for the office of president of the United States at the forthcoming
12 presidential election. The disclaimer may be filed with the board by certified mail,
13 by telegram, or in person.

14 (3) REPORTING OF RESULTS. No later than ~~May 15~~ the 2nd Tuesday following the
15 presidential preference ~~vote~~ primary, the board shall notify each state party
16 organization chairperson under sub. (1) (b) of the results of the presidential
17 preference ~~vote-cast~~ primary within the state and within each congressional district.

18 **SECTION 1jc.** 10.06 (1) (e) of the statutes is amended to read:

19 10.06 (1) (e) As soon as possible following the state canvass of the spring
20 primary vote, but no later than the first Tuesday in March, the board shall send a
21 type B notice certifying to each county clerk the list of candidates for the spring
22 election. When no state spring primary is held or when the only primary held is the
23 presidential preference primary, this notice shall be sent under par. (c). The board
24 shall also in any case send a certified list of candidates under s. 11.50 to the state
25 treasurer pursuant to s. 7.08 (2) (c). When there is a referendum, the board shall send

1 type A and C notices certifying each question to the county clerks as soon as possible,
2 but no later than the first Tuesday in March.

3 **SECTION 1je.** 10.06 (2) (b) of the statutes is amended to read:

4 10.06 (2) (b) Upon receipt of the type B notice from the board preceding the
5 spring election, each county clerk shall add any county offices, prepare the ballots,
6 and send notice to each municipal clerk of the coming spring primary. When there
7 is no state spring primary within the county and there is no presidential preference
8 primary scheduled for the date of the spring primary, but there is to be a county
9 spring primary, the county clerk shall prepare the ballots and send notice to each
10 municipal clerk.

11 **SECTION 1jg.** 10.06 (2) (d) of the statutes is amended to read:

12 10.06 (2) (d) On the Monday preceding the spring primary, when held, the
13 county clerk shall publish a type B notice. In a year in which a presidential
14 preference primary is held, the county clerk shall also publish notice of the
15 presidential preference primary.

16 **SECTION 1jj.** 10.06 (2) (g) of the statutes is amended to read:

17 10.06 (2) (g) On the Monday preceding the spring election, the county clerk
18 shall publish a type B notice containing the same information prescribed in par. (a).
19 ~~In those years in which a presidential preference primary is held, the county clerk~~
20 ~~shall also publish notice of the primary.~~ In addition, the county clerk shall publish
21 a type C notice on the Monday preceding the spring election for all state and county
22 referenda to be voted upon by electors of the county.”.

23 **8.** Page 3, line 14: delete lines 14 to 17 and substitute:

1 “11.61 (1) (a) Whoever intentionally violates s. 11.05 (1), (2), ~~or (2g) or (2r)~~, 11.07
2 (1) or (5), 11.10 (1), 11.12 (5), 11.23 (6), or 11.24 (1) ~~may be fined not more than \$10,000~~
3 ~~or imprisoned not more than 4 years and 6 months or both~~ is guilty of a Class I
4 felony.”

5 **9.** Page 5, line 4: after that line insert:

6 “**SECTION 7m.** 13.101 (6) (a) of the statutes is amended to read:

7 13.101 (6) (a) As an emergency measure necessitated by decreased state
8 revenues and to prevent the necessity for a state tax on general property, the
9 committee may reduce any appropriation made to any board, commission,
10 department, or the University of Wisconsin System, or to any other state agency or
11 activity, by such amount as it deems feasible, not exceeding 25% of the
12 appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and
13 (cr), 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax), and (6) (aq)
14 and, (ar), and (at), 20.435 (6) (a) and (7) (da), and 20.445 (3) (a) and (dz) or for forestry
15 purposes under s. 20.370 (1), or any other moneys distributed to any county, city,
16 village, town, or school district. Appropriations of receipts and of a sum sufficient
17 shall for the purposes of this section be regarded as equivalent to the amounts
18 expended under such appropriations in the prior fiscal year which ended June 30.
19 All functions of said state agencies shall be continued in an efficient manner, but
20 because of the uncertainties of the existing situation no public funds should be
21 expended or obligations incurred unless there shall be adequate revenues to meet the
22 expenditures therefor. For such reason the committee may make reductions of such
23 appropriations as in its judgment will secure sound financial operations of the

1 administration for said state agencies and at the same time interfere least with their
2 services and activities.”.

3 **10.** Page 5, line 4: after that line insert:

4 “**SECTION 7m.** 13.101 (14) of the statutes, as affected by 2001 Wisconsin Act 16,
5 is amended to read:

6 13.101 (14) With the concurrence of the joint committee on information policy
7 and technology, direct the department of ~~electronic government~~ administration to
8 report to the committee concerning any specific information technology system
9 project in accordance with s. 13.58 (5) (b) 4.”.

10 **11.** Page 7, line 9: delete lines 9 to 20.

11 **12.** Page 8, line 1: delete lines 1 to 2.

12 **13.** Page 8, line 2: after that line insert:

13 “**SECTION 9m.** 13.625 (3m) of the statutes is created to read:

14 13.625 (3m) No elective state official and no personal campaign committee of
15 an elective state official may solicit a lobbyist or principal to arrange for another
16 person to make a campaign contribution to that official or personal campaign
17 committee or to another elective state official or the personal campaign committee
18 of that official.”.

19 **14.** Page 8, line 2: after that line insert:

20 “**SECTION 9m.** 13.58 (5) (a) 5. of the statutes, as affected by 2001 Wisconsin Act
21 16, is amended to read:

22 13.58 (5) (a) 5. Upon receipt of strategic plans from the department of ~~electronic~~
23 government administration, the joint committee on legislative organization and the

1 director of state courts, review and transmit comments concerning the plans to the
2 entities submitting the plans.

3 **SECTION 9n.** 13.58 (5) (b) 4. (intro.) of the statutes, as affected by 2001
4 Wisconsin Act 16, is amended to read:

5 13.58 (5) (b) 4. (intro.) With the concurrence of the joint committee on finance,
6 direct the department of ~~electronic government~~ administration to report
7 semiannually to the committee and the joint committee on finance concerning any
8 specific information technology system project which is being designed, developed,
9 tested or implemented and which the committees anticipate will have a total cost to
10 the state exceeding \$1,000,000 in the current or any succeeding fiscal biennium. The
11 report shall include all of the following:”

12 **15.** Page 8, line 8: after that line insert:

13 “**SECTION 11m.** 13.94 (1) (bm), (bp) and (br) of the statutes are created to read:

14 13.94 (1) (bm) 1. Conduct a management and performance evaluation audit of
15 every large program at least once each 5 years. In this paragraph “large program”
16 means a program, as described in s. 20.003 (3), under s. 20.255 (2), 20.285 (1), 20.292
17 (1), 20.395 (1), (2), or (3), 20.410 (1) or (3), 20.435 (2), (3), (4), or (6), 20.445 (1) or (3),
18 or 20.835 (1), (2), (3), or (4).

19 2. The audit must include an appraisal of all management practices, operating
20 procedures, and organizational structures related to the program. The audit may be
21 conducted in conjunction with the audit under par. (b) or separately. Within 30 days
22 after completion of the audit, the bureau shall file with the joint legislative audit
23 committee, the appropriate standing committees, and the joint committee on
24 legislative organization, under s. 13.172 (3), the governor, the department of

1 administration, the legislative reference bureau, the joint committee on finance, the
2 legislative fiscal bureau, and the state department, board, commission, or
3 independent agency that administers the program audited, a detailed report thereof,
4 including its recommendations for improvement and efficiency and including
5 specific instances, if any, of illegal or improper expenditures.

6 (bp) 1. Conduct a management and performance evaluation audit to review
7 supervisor-to-staff ratios in every large agency at least once each 5 years. In this
8 paragraph “large agency” means an agency created under ch. 15 and that has more
9 than 100 full-time equivalent positions.

10 2. The audit may be conducted in conjunction with the audit under par. (b) or
11 (bm) or separately. Within 30 days after completion of the audit, the bureau shall file
12 with the joint legislative audit committee, the appropriate standing committees, and
13 the joint committee on legislative organization, under s. 13.172 (3), the governor, the
14 department of administration, the legislative reference bureau, the joint committee
15 on finance, the legislative fiscal bureau, and the state department, board,
16 commission, or independent agency audited, a detailed report thereof, including its
17 recommendations for improvement and efficiency.

18 (br) Maintain a toll-free telephone number with voice mail at the bureau’s
19 office to receive reports of fraud, waste, or abuse in state government. The bureau
20 shall relay these reports to the appropriate bureau employee for investigation. The
21 bureau shall publicize the toll-free telephone number on the bureau’s website. The
22 bureau shall maintain records that permit the release of information provided by
23 informants while protecting the identity of the informant. Any records maintained
24 by the bureau which relate to the identity of informants shall be only for the
25 confidential use of the bureau in the administration of this section, unless the

1 informant expressly agrees to release the records. Appearance in court as a witness
2 shall not be considered consent by an informant to release confidential records
3 maintained by the bureau.”.

4 **16.** Page 8, line 8: after that line insert:

5 “**SECTION 10m.** 13.90 (6) of the statutes, as affected by 2001 Wisconsin Act 16,
6 is amended to read:

7 13.90 (6) The joint committee on legislative organization shall adopt, revise
8 biennially and submit to the cochairpersons of the joint committee on information
9 policy and technology, the governor and the ~~chief information officer~~ administrator
10 of the division of electronic government in the department of administration, no later
11 than September 15 of each even-numbered year, a strategic plan for the utilization
12 of information technology to carry out the functions of the legislature and legislative
13 service agencies, as defined in s. 16.70 (6). The plan shall address the business needs
14 of the legislature and legislative service agencies and shall identify all resources
15 relating to information technology which the legislature and legislative service
16 agencies desire to acquire, contingent upon funding availability, the priority for such
17 acquisitions and the justification for such acquisitions. The plan shall also identify
18 any changes in the functioning of the legislature and legislative service agencies
19 under the plan.

20 **SECTION 10p.** 13.93 (2) (h) of the statutes, as affected by 2001 Wisconsin Act
21 16, is amended to read:

22 13.93 (2) (h) Approve specifications and scheduling for computer databases
23 containing the Wisconsin statutes and for the printing of the Wisconsin statutes as
24 prescribed in ss. ~~22.03~~ 16.971 (6) and 35.56 (5).

1 **SECTION 11m.** 14.20 (1) (a) of the statutes, as affected by 2001 Wisconsin Act
2 16, is amended to read:

3 14.20 (1) (a) “Local governmental unit” has the meaning given in s. ~~22.01~~ 16.97
4 (7).”.

5 **17.** Page 8, line 8: after that line insert:

6 “**SECTION 12e.** 14.46 of the statutes is repealed.

7 **SECTION 12m.** 14.58 (1) (b) of the statutes is repealed.

8 **SECTION 12r.** 14.62 of the statutes is repealed.”.

9 **18.** Page 8, line 21: after that line insert:

10 “**SECTION 13m.** 15.105 (25) of the statutes is repealed.”.

11 **19.** Page 8, line 21: after that line insert:

12 “**SECTION 13g.** 15.07 (1) (cm) of the statutes is amended to read:

13 15.07 (1) (cm) The term of one member of the ethics board shall expire on each
14 May 1. The terms of 3 members of the development finance board appointed under
15 s. 15.155 (1) (a) 6. shall expire on May 1 of every even-numbered year and the terms
16 of the other 3 members appointed under s. 15.155 (1) (a) 6. shall expire on May 1 of
17 every odd-numbered year. The terms of the 3 members of the land and water
18 conservation board appointed under s. ~~15.135~~ 15.345 (4) (b) 2. shall expire on
19 January 1. The term of the member of the land and water conservation board
20 appointed under s. ~~15.135~~ 15.345 (4) (b) 2m. shall expire on May 1 of an
21 even-numbered year. The terms of members of the real estate board shall expire on
22 July 1. The terms of the appraiser members of the real estate appraisers board and
23 the terms of the auctioneer and auction company representative members of the
24 auctioneer board shall expire on May 1 in an even-numbered year.”.

1 **20.** Page 8, line 21: after that line insert:

2 “**SECTION 13m.** 15.01 (4) of the statutes, as affected by 2001 Wisconsin Act 16,
3 is amended to read:

4 15.01 (4) “Council” means a part-time body appointed to function on a
5 continuing basis for the study, and recommendation of solutions and policy
6 alternatives, of the problems arising in a specified functional area of state
7 government, except the Wisconsin land council has the powers specified in s. 16.965
8 (3) and (5) and the powers granted to agencies under ch. 227, the Milwaukee River
9 revitalization council has the powers and duties specified in s. 23.18, the council on
10 physical disabilities has the powers and duties specified in s. 46.29 (1) and (2), the
11 state council on alcohol and other drug abuse has the powers and duties specified in
12 s. 14.24, the Wisconsin tribal-state council has the powers and duties specified in ss.
13 15.107 (18) and 16.025, and, before January 1, 2001, the council on health care fraud
14 and abuse has the powers and duties specified in s. 146.36.”.

15 **21.** Page 8, line 21: after that line insert:

16 “**SECTION 13m.** 15.07 (2) (L) of the statutes, as created by 2001 Wisconsin Act
17 16, is amended to read:

18 15.07 (2) (L) The governor shall serve as chairperson of the information
19 technology management board and the ~~chief information officer~~ administrator of the
20 division of electronic government in the department of administration shall serve as
21 secretary of that board.

22 **SECTION 13p.** 15.103 (6) of the statutes is created to read:

23 15.103 (6) There is created in the department of administration a division of
24 electronic government.”.

1 **22.** Page 8, line 21: after that line insert:

2 “**SECTION 13c.** 15.04 (2) of the statutes is repealed.

3 **SECTION 13g.** 15.04 (3) of the statutes is repealed.

4 **SECTION 13m.** 15.05 (3) of the statutes is repealed.

5 **SECTION 13p.** 15.05 (5) of the statutes is repealed.

6 **SECTION 13s.** 15.06 (4m) of the statutes is repealed.

7 **SECTION 13w.** 15.06 (9) of the statutes is repealed.”

8 **23.** Page 10, line 6: after that line insert:

9 “**SECTION 14cg.** 15.135 (4) of the statutes is renumbered 15.345 (4) and 15.345
10 (4) (am), as renumbered, is amended to read:

11 15.345 (4) (am) *Creation.* There is created a land and water conservation board
12 which is attached to the department of agriculture, trade and consumer protection
13 natural resources under s. 15.03.”

14 **24.** Page 10, line 6: after that line insert:

15 “**SECTION 14b.** 15.107 (18) of the statutes is created to read:

16 15.107 (18) WISCONSIN TRIBAL-STATE COUNCIL. (a) There is created a Wisconsin
17 tribal-state council which is attached to the department of administration under s.
18 15.03.

19 (b) The council shall consist of the following:

20 1. Eleven members, one each of whom shall be appointed by the elected
21 governing body of each of the 11 federally recognized American Indian tribes and
22 bands in this state.

23 2. Three members, appointed by the governor, representing state departments
24 and agencies that have extensive interactions with tribal governments.

- 1 3. The attorney general or his or her designee.
- 2 4. The state superintendent of public instruction or his or her designee.
- 3 5. One member of the senate, appointed by the senate majority leader.
- 4 6. One member of the senate, appointed by the senate minority leader.
- 5 7. One member of the assembly, appointed by the speaker of the assembly.
- 6 8. One member of the assembly, appointed by the assembly minority leader.
- 7 9. One member, appointed by the governor, representing a county government.
- 8 10. One member, appointed by the governor, representing a municipal
9 government.

10 (c) The members shall serve at the pleasure of the appointing authorities.

11 (d) At its first meeting in each year, the council shall elect one cochairperson
12 from among the members appointed under par. (b) 1. and one cochairperson from
13 among the members appointed under par. (b) 2. to 10. and may elect a secretary from
14 among its members. The council may not elect a chairperson or vice chairperson.

15 (e) The council shall meet at least quarterly at a location determined by the
16 council or either cochairperson and shall meet at the call of either cochairperson or
17 a majority of its members. The secretary of administration may not require the
18 council to meet and may not determine the council's meeting place. Either or both
19 cochairpersons may preside at a meeting of the council.

20 (f) The council shall appoint an executive director outside the classified service
21 to serve at its pleasure.

22 (g) The council shall perform the functions specified under ss. 15.09 (5) and
23 16.025.”.

24 **25.** Page 10, line 6: after that line insert:

1 **“SECTION 14b.** 15.107 (7) (f) of the statutes, as affected by 2001 Wisconsin Act
2 16, is amended to read:

3 15.107 (7) (f) A representative of the ~~department~~ division of electronic
4 government in the department of administration.”.

5 **26.** Page 10, line 8: after that line insert:

6 **“SECTION 14g.** 15.21 of the statutes, as created by 2001 Wisconsin Act 16, is
7 repealed.

8 **SECTION 14h.** 15.215 (title) of the statutes, as created by 2001 Wisconsin Act
9 16, is repealed.

10 **SECTION 14i.** 15.215 (1) of the statutes, as created by 2001 Wisconsin Act 16,
11 is renumbered 15.105 (27) and amended to read:

12 15.105 (27) INFORMATION TECHNOLOGY MANAGEMENT BOARD. There is created an
13 information technology management board which is attached to the department of
14 ~~electronic government~~ administration under s. 15.03. The board shall consist of the
15 governor, the cochairpersons of the joint committee on information policy and
16 technology or a member of the legislature from the same house as a cochairperson
17 designated by that cochairperson, one member of the minority party in each house
18 of the legislature, appointed in the same manner as members of standing committees
19 are appointed, the secretary of administration, 2 heads of departments or
20 independent agencies appointed to serve at the pleasure of the governor, 2 other
21 members appointed to serve for 4-year terms, and the ~~chief information officer~~
22 administrator of the division of electronic government in the department of
23 administration.”.

24 **27.** Page 10, line 8: after that line insert:

1 **“SECTION 14h.** 15.347 (18) of the statutes is created to read:

2 15.347 (18) INVASIVE SPECIES COUNCIL. (a) There is created an invasive species
3 council, attached to the department of natural resources under s. 15.03.

4 (b) The council consists of the following members:

5 1. The secretary of natural resources or his or her designee.

6 2. The secretary of administration or his or her designee.

7 3. The secretary of agriculture, trade and consumer protection or his or her
8 designee.

9 4. The secretary of commerce or his or her designee.

10 5. The secretary of tourism or his or her designee.

11 6. The secretary of transportation or his or her designee.

12 7. Seven other members appointed by the governor to serve 5-year terms.

13 (c) The members appointed under par. (b) 7. shall represent public and private
14 interests that are affected by the presence of invasive species in this state.”.

15 **28.** Page 10, line 13: after that line insert:

16 **“SECTION 14p.** 16.025 of the statutes is created to read:

17 **16.025 Wisconsin tribal–state council.** (1) In this section:

18 (a) “Agency” means any office, department, agency, institution of higher
19 education, association, society, or other body in state government created or
20 authorized to be created by the constitution or any law which is entitled to expend
21 moneys appropriated by law, including the legislature and the courts, but not
22 including an authority.

23 (b) “Authority” means a body created under ch. 231, 232, 233, 234, or 235.

24 (2) The Wisconsin tribal–state council shall do all of the following:

1 (a) Facilitate the resolution of disputes, disagreements, and
2 misunderstandings between state government and tribal governments by
3 coordinating communication between the appropriate representatives of the state
4 and tribal governments.

5 (b) Serve as an information clearinghouse regarding state–tribal relations and
6 state programs that affect tribal governments and American Indians.

7 (c) Serve as a resource to agencies, authorities, and the legislature on matters
8 involving state–tribal relations, including providing staff support to task forces or
9 committees.

10 (d) Monitor state executive branch policies and practices that affect tribal
11 governments and American Indians.

12 (e) Develop recommendations for state executive branch policies.

13 (f) Monitor agreements between state government and tribal governments.

14 (g) Support and coordinate communication between agency and authority
15 liaisons who work with tribes, to promote smooth delivery of state services to tribal
16 governments and American Indians and to avoid duplication of effort. The council
17 shall review the adequacy of existing state liaison positions and recommend any
18 changes in the number of liaison positions as it considers necessary.

19 (h) Monitor state legislation that potentially may affect tribal governments or
20 American Indians.

21 (i) Develop recommendations for state legislation.

22 (j) Provide training to state officials and employees concerning the legal status
23 of American Indian tribes and bands, legal and practical aspects of relations between
24 tribal governments and the state and federal governments, and issues affecting
25 state–tribal relations. The council shall provide training to state executive branch

1 officials and employees at least once annually. The council shall provide training to
2 state legislators and legislative employees at least once at the start of each legislative
3 session.

4 (k) In lieu of the report under s. 15.09 (7), submit a biennial report on the
5 council's activities to the governor, to the special committee on state-tribal relations,
6 and to the chief clerk of each house of the legislature for distribution to the
7 appropriate standing committees under s. 13.172 (3).

8 (3) All agencies and authorities shall fully cooperate with and assist the
9 Wisconsin tribal-state council. To that end, a representative of an agency or
10 authority shall, upon request of the council or its executive director, do all of the
11 following:

12 (a) Provide information on program policies, procedures, practices, and
13 services affecting American Indians or tribal governments.

14 (b) Present recommendations to the council.

15 (c) Attend meetings and provide staff assistance needed by the council.

16 (d) Inform the agency or authority of issues concerning the council.”

17 **29.** Page 11, line 1: delete lines 1 and 2.

18 **30.** Page 11, line 2: after that line insert:

19 “SECTION 17m. 16.43 of the statutes, as affected by 2001 Wisconsin Act 16, is
20 amended to read:

21 **16.43 Budget compiled.** The secretary shall compile and submit to the
22 governor or the governor-elect and to each person elected to serve in the legislature
23 during the next biennium, not later than November 20 of each even-numbered year,
24 a compilation giving all of the data required by s. 16.46 to be included in the state

1 budget report, except the recommendations of the governor and the explanation
2 thereof. The secretary shall not include in the compilation any provision for the
3 development or implementation of an information technology development project
4 for an executive branch agency that is not consistent with the strategic plan of the
5 agency, as approved under s. ~~22.13~~ 16.976.”.

6 **31.** Page 11, line 2: after that line insert:

7 “**SECTION 16g.** 16.519 (4) of the statutes, as created by 2001 Wisconsin Act 16,
8 is amended to read:

9 16.519 (4) If the state has not received in fiscal year 2002–03 at least
10 ~~\$15,345,100~~ \$25,345,100 under the tobacco settlement agreement, because the
11 secretary, under s. 16.63, has sold the state’s right to receive any of the payments
12 under the tobacco settlement agreement, the secretary shall transfer from the
13 general fund to the tobacco control fund an amount equal to ~~\$15,345,100~~ \$25,345,100
14 less any payments received under the tobacco settlement agreement and deposited
15 in the tobacco control fund in that fiscal year.”.

16 **32.** Page 11, line 2: after that line insert:

17 “**SECTION 17fw.** 16.501 (2) of the statutes is amended to read:

18 16.501 (2) Forward Wisconsin, Inc., shall expend funds appropriated under s.
19 20.143 (1) (bm) and (bp) in adherence with the uniform travel schedule amounts
20 approved under s. 20.916 (8). Forward Wisconsin, Inc., may not expend funds
21 appropriated under s. 20.143 (1) (bm) or (bp) on entertainment, foreign travel, or
22 payments to persons not providing goods or services to Forward Wisconsin, Inc., or
23 for other purposes prohibited by contract between Forward Wisconsin, Inc., and the
24 department.

1 **SECTION 17fx.** 16.501 (2) of the statutes, as affected by 2001 Wisconsin Act
2 (this act), is amended to read:

3 16.501 (2) Forward Wisconsin, Inc., shall expend funds appropriated under s.
4 20.143 (1) (bm) ~~and (bp)~~ in adherence with the uniform travel schedule amounts
5 approved under s. 20.916 (8). Forward Wisconsin, Inc., may not expend funds
6 appropriated under s. 20.143 (1) (bm) ~~or (bp)~~ on entertainment, foreign travel, or
7 payments to persons not providing goods or services to Forward Wisconsin, Inc., or
8 for other purposes prohibited by contract between Forward Wisconsin, Inc., and the
9 department.”.

10 **33.** Page 11, line 2: after that line insert:

11 **“SECTION 17c.** 16.518 (3) (a) of the statutes, as created by 2001 Wisconsin Act
12 16, is amended to read:

13 16.518 (3) (a) Subject to par. (b), if the amount of moneys projected to be
14 deposited in the general fund during the fiscal year that are designated as “Taxes”
15 in the summary is less than the amount of such moneys actually deposited in the
16 general fund during the fiscal year, the secretary shall annually transfer from the
17 general fund to the budget stabilization fund ~~50%~~ 100% of the amount calculated
18 under sub. (2).”.

19 **34.** Page 11, line 9: after that line insert:

20 **“SECTION 23p.** 19.42 (3m), (4g) and (4r) of the statutes are created to read:

21 19.42 (3m) “Candidate,” except as otherwise provided, has the meaning given
22 in s. 11.01 (1).

23 (4g) “Clearly identified,” when used in reference to a communication
24 containing a reference to a person, means one of the following:

1 (a) The person's name appears.

2 (b) A photograph or drawing of the person appears.

3 (c) The identity of the person is apparent by unambiguous reference.

4 (4r) "Communication" means a message transmitted by means of a printed
5 advertisement, billboard, handbill, sample ballot, radio or television advertisement,
6 telephone call, or any medium that may be utilized for the purpose of disseminating
7 or broadcasting a message, but not including a poll conducted solely for the purpose
8 of identifying or collecting data concerning the attitudes or preferences of electors."

9 **35.** Page 11, line 9: after that line insert:

10 "SECTION 20r. 16.70 (3m) of the statutes is amended to read:

11 16.70 (3m) "Educational technology" has the meaning given in s. 44.70 (3)
12 115.997 (3).

13 SECTION 20rm. 16.71 (4) of the statutes, as affected by 2001 Wisconsin Act 16,
14 is amended to read:

15 16.71 (4) ~~With the approval of the department of electronic government, the~~
16 The department of administration shall delegate authority to the technology for
17 educational achievement in Wisconsin board department of public instruction to
18 make purchases of educational technology equipment for use by school districts,
19 cooperative educational service agencies and public educational institutions in this
20 state, upon request of the board department of public instruction.

21 SECTION 20s. 16.72 (8) of the statutes, as affected by 2001 Wisconsin Act 16,
22 is amended to read:

23 16.72 (8) The department may purchase educational technology materials,
24 supplies, equipment or contractual services from orders placed with the department

Fix
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1 by the technology for educational achievement in Wisconsin board department of
2 public instruction on behalf of school districts, cooperative educational service
3 agencies, technical college districts and the board of regents of the University of
4 Wisconsin System.

5 SECTION 23m. 16.974^{(17) to (4)} of the statutes, as affected by 2001 Wisconsin Act 16, ~~is~~ are
6 renumbered 16.971⁽¹³⁾ to ⁽¹⁶⁾ and amended to read:

7 ~~16.974 Duties of the department. The department shall.~~

8 ^(B) ~~16.971~~ ⁽¹³⁾ Coordinate with the technology for educational achievement in Wisconsin
9 board department of public instruction to provide secured correctional facilities, as
10 defined in s. 44.70 ~~(3r)~~ ⁽¹⁴⁾ 115.997 ^(3r), school districts and cooperative educational
11 service agencies with telecommunications access under s. 44.73 ~~115.9995~~ and
12 contract with telecommunications providers to provide such access.

13 ~~Subject to s. 44.73 (5), coordinate~~ ^(B) ~~Coordinate~~ with the technology for
14 educational achievement in Wisconsin board department of public instruction to
15 provide private colleges, technical college districts, public library boards and public
16 library systems with telecommunications access under s. 44.73 ~~115.9995~~ and
17 contract with telecommunications providers to provide such access.

18 ⁽¹⁵⁾ ~~Coordinate~~ with the technology for educational achievement in Wisconsin
19 board department of public instruction to provide private schools with
20 telecommunications access under s. 44.73 ~~115.9995~~ and contract with
21 telecommunications providers to provide such access.

22 ⁽¹⁶⁾ ~~Coordinate~~ with the technology for educational achievement in Wisconsin
23 board department of public instruction to provide the Wisconsin Center for the Blind
24 and Visually Impaired and the Wisconsin School for the Deaf with

1 telecommunications access under s. ~~44.73~~ 115.9995 and contract with
2 telecommunications providers to provide such access.”.

3 **36.** Page 11, line 9: after that line insert:

4 **“SECTION 20p.** 16.85 (10m) of the statutes is created to read:

5 16.85 (10m) To investigate the potential to incorporate and use distributed
6 generation units in any state building project that is expected to involve an
7 expenditure of \$5,000,000 or more in connection with the planning process for the
8 long-range state building program under sub. (10). In conducting its investigation,
9 the department shall consider the cost effectiveness of such use, the potential for
10 such use to increase statewide power generation capacity, and the potential for cost
11 savings to be realized by the state from such use. The department shall report the
12 results of its investigation, together with its recommendations and the reasons
13 therefor, to the building commission prior to consideration of the project by the
14 commission. In this subsection, “distributed generation unit” means any form of
15 energy generation that may be used by electric consumers for the generation of
16 electric power.”.

17 **37.** Page 11, line 9: after that line insert:

18 **“SECTION 20n.** 16.61 (2) (af) of the statutes, as affected by 2001 Wisconsin Act
19 16, is amended to read:

20 16.61 (2) (af) “Form” has the meaning specified in s. ~~22.01~~ 16.97 (5p).

21 **SECTION 20p.** 16.61 (3n) of the statutes, as affected by 2001 Wisconsin Act 16,
22 is amended to read:

23 16.61 (3n) **EXEMPT FORMS.** The board may not receive or investigate complaints
24 about the forms specified in s. ~~22.03~~ 16.971 (2m).

1 **SECTION 20q.** 16.70 (4m) of the statutes, as created by 2001 Wisconsin Act 16,
2 is amended to read:

3 16.70 (4m) “Information technology” has the meaning given in s. ~~22.01~~ 16.97
4 (6).

5 **SECTION 20r.** 16.70 (15) of the statutes, as created by 2001 Wisconsin Act 16,
6 is amended to read:

7 16.70 (15) “Telecommunications” has the meaning given in s. ~~22.01~~ 16.97 (10).

8 **SECTION 20s.** 16.71 (1m) of the statutes, as created by 2001 Wisconsin Act 16,
9 is amended to read:

10 16.71 (1m) The department shall not delegate to any executive branch agency,
11 other than the board of regents of the University of Wisconsin System, the authority
12 to enter into any contract for materials, supplies, equipment, or contractual services
13 relating to information technology or telecommunications prior to review and
14 approval of the contract by the ~~chief information officer~~ administrator of the division
15 of electronic government. No executive branch agency, other than the board of
16 regents of the University of Wisconsin System, may enter into any such contract
17 without review and approval of the contract by the ~~chief information officer~~
18 administrator of the division of electronic government.

19 **SECTION 20sd.** 16.71 (2m) of the statutes, as created by 2001 Wisconsin Act 16,
20 is repealed.

21 ~~**SECTION 20sp.** 16.71 (4) of the statutes, as affected by 2001 Wisconsin Act 16,~~
22 is amended to read:

23 16.71 (4) ~~With the approval of the department of electronic government, the~~
24 ~~The department of administration shall delegate authority to the technology for~~
25 ~~educational achievement in Wisconsin board to make purchases of educational~~

1 technology equipment for use by school districts, cooperative educational service
2 agencies and public educational institutions in this state, upon request of the board.

3 **SECTION 20t.** 16.72 (2) (a) of the statutes, as affected by 2001 Wisconsin Act 16,
4 is amended to read:

5 16.72 (2) (a) The department of ~~administration~~ shall prepare standard
6 specifications, as far as possible, for all state purchases. By “standard specifications”
7 is meant a specification, either chemical or physical or both, prepared to describe in
8 detail the article which the state desires to purchase, and trade names shall not be
9 used. On the formulation, adoption and modification of any standard specifications,
10 the department of administration shall also seek and be accorded without cost, the
11 assistance, advice and cooperation of other agencies and officers. Each specification
12 adopted for any commodity shall, insofar as possible, satisfy the requirements of any
13 and all agencies which use it in common. Any specifications for the purchase of
14 materials, supplies, equipment, or contractual services for information technology
15 or telecommunications purposes are subject to the approval of the ~~chief information~~
16 ~~officer~~ administrator of the division of electronic government.

17 **SECTION 20tf.** 16.72 (2) (b) of the statutes, as affected by 2001 Wisconsin Act
18 16, is amended to read:

19 16.72 (2) (b) Except as provided in ~~par. (a) and~~ ss. 16.25 (4) (b), 16.751 and
20 565.25 (2) (a) 4., the department shall prepare or review specifications for all
21 materials, supplies, equipment, other permanent personal property and contractual
22 services not purchased under standard specifications. Such “nonstandard
23 specifications” may be generic or performance specifications, or both, prepared to
24 describe in detail the article which the state desires to purchase either by its physical
25 properties or programmatic utility. When appropriate for such nonstandard items

1 or services, trade names may be used to identify what the state requires, but
2 wherever possible 2 or more trade names shall be designated and the trade name of
3 any Wisconsin producer, distributor or supplier shall appear first.

4 **SECTION 20tm.** 16.72 (4) (a) of the statutes, as affected by 2001 Wisconsin Act
5 16, is amended to read:

6 16.72 (4) (a) Except as provided in ~~ss. 16.71 and s.~~ 16.74 or as otherwise
7 provided in this subchapter and the rules promulgated under s. 16.74 and this
8 subchapter, all supplies, materials, equipment and contractual services shall be
9 purchased for and furnished to any agency only upon requisition to the department.
10 The department shall prescribe the form, contents, number and disposition of
11 requisitions and shall promulgate rules as to time and manner of submitting such
12 requisitions for processing. No agency or officer may engage any person to perform
13 contractual services without the specific prior approval of the department for each
14 such engagement. Purchases of supplies, materials, equipment or contractual
15 services by ~~the department of electronic government,~~ the legislature, the courts or
16 legislative service or judicial branch agencies do not require approval under this
17 paragraph.

18 **SECTION 20ts.** 16.75 (3t) (a) of the statutes, as affected by 2001 Wisconsin Act
19 16, is amended to read:

20 16.75 (3t) (a) In this subsection, “form” has the meaning given under s. ~~22.01~~
21 16.97 (5p).

22 **SECTION 20u.** 16.75 (6) (am) of the statutes, as affected by 2001 Wisconsin Act
23 16, is amended to read:

24 16.75 (6) (am) Subsections (1) and (3t) do not apply to procurements by the
25 ~~department~~ division of electronic government. Annually not later than October 1,

1 the ~~department~~ division of electronic government shall report to the ~~department of~~
2 ~~administration~~ secretary, in the form specified by the secretary, concerning all
3 procurements by the ~~department of electronic government~~ division during the
4 preceding fiscal year that were not made in accordance with the requirements of
5 subs. (1) and (3t).

6 **SECTION 20uc.** 16.752 (12) (i) of the statutes, as affected by 2001 Wisconsin Act
7 16, is amended to read:

8 16.752 (12) (i) Paragraph (a) does not apply to procurements by the ~~department~~
9 division of electronic government.

10 **SECTION 20uL.** 16.78 of the statutes, as affected by 2001 Wisconsin Act 16, is
11 amended to read:

12 **16.78 Purchases from ~~department~~ division of electronic government.**

13 (1) Every agency other than the board of regents of the University of Wisconsin
14 System ~~and or~~ or an agency making purchases under s. 16.74 shall make all
15 purchases of materials, supplies, equipment, and contractual services relating to
16 information technology or telecommunications from the ~~department~~ division of
17 electronic government, unless the ~~department~~ division of electronic government
18 requires the agency to purchase the materials, supplies, equipment, or contractual
19 services pursuant to a master contract established under s. ~~22.05~~ 16.972 (2) (h), or
20 grants written authorization to the agency to procure the materials, supplies,
21 equipment, or contractual services under s. 16.75 (1) or (2m), to purchase the
22 materials, supplies, equipment, or contractual services from another agency or to
23 provide the materials, supplies, equipment, or contractual services to itself. The
24 board of regents of the University of Wisconsin System may make purchases of
25 materials, supplies, equipment, and contractual services relating to information

1 technology or telecommunications from the ~~department~~ division of electronic
2 government.

3 (2) Sections 16.705 to 16.767 and 16.77 (1) do not apply to the purchase of
4 materials, supplies, equipment, or contractual services by any agency from the
5 ~~department~~ division of electronic government under sub. (1).

6 **SECTION 23c.** Subchapter VII (title) of chapter 16 [precedes s. 16.97] of the
7 statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

8 **CHAPTER 16**

9 **SUBCHAPTER VII**

10 **EDUCATIONAL TECHNOLOGY**

11 **ELECTRONIC GOVERNMENT**

12 **SECTION 23d.** 16.97 of the statutes, as affected by 2001 Wisconsin Act 16, is
13 repealed and recreated to read:

14 **16.97 Definitions.** In this subchapter:

15 (1) “Administrator” means the administrator of the division.

16 (5) “Division” means the division of electronic government.

17 **SECTION 23f.** 16.974 (intro.) of the statutes, as affected by 2001 Wisconsin Act
18 16, is repealed.

19 **SECTION 23g.** 16.974 (1) to (4) of the statutes, as affected by 2001 Wisconsin Act
20 16, are renumbered 16.971 (13) to (16). ✓

21 **SECTION 23h.** 19.36 (4) of the statutes, as affected by 2001 Wisconsin Act 16,
22 is amended to read:

23 19.36 (4) **COMPUTER PROGRAMS AND DATA.** A computer program, as defined in s.
24 22.03 16.971 (4) (c), is not subject to examination or copying under s. 19.35 (1), but
25 the material used as input for a computer program or the material produced as a

1 product of the computer program is subject to the right of examination and copying,
2 except as otherwise provided in s. 19.35 or this section.”.

3 **38.** Page 11, line 9: after that line insert:

4 “**SECTION 21r.** 17.025 (4) (c) of the statutes is amended to read:

5 17.025 (4) (c) *Secretary of state; state treasurer.* When the temporary vacancy
6 exists in the office of secretary of state or in the office of state treasurer, the duties
7 of the office shall be assumed, respectively, by the first emergency interim successor
8 designated under s. 166.08 (4) or, if no such designation has been made for the
9 respective office, then by ~~a deputy~~ an individual appointed by the governor.

10 **SECTION 21t.** 17.025 (4) (d) of the statutes is amended to read:

11 17.025 (4) (d) *Attorney general; state superintendent.* When the temporary
12 vacancy exists in the office of attorney general or in the office of state superintendent
13 of public instruction, the duties of the office shall be assumed, ~~respectively, by the~~
14 ~~deputy under s. 15.04 (2) or, if such office is vacant, by a deputy~~ by an individual
15 appointed by the governor.

16 **SECTION 23c.** 19.01 (4) (a) 10. of the statutes is repealed.

17 **SECTION 23h.** 19.42 (10) (L) of the statutes is amended to read:

18 19.42 (10) (L) The executive director, ~~executive assistant to the executive~~
19 ~~director,~~ internal auditor, chief investment officer, chief financial officer, chief legal
20 counsel, chief risk officer and investment directors of the investment board.”.

21 **39.** Page 11, line 9: after that line insert:

22 “**SECTION 20r.** 16.705 (2m) of the statutes is created to read:

23 16.705 (2m) The department shall review each proposed contract for
24 contractual services that provides for expenditure of more than \$150,000 or which