

1 for the construction of the museum shall be in the form of a construction grant to
2 Racine County. Before approving any state funding commitment for the museum
3 and before awarding the construction grant under this paragraph, the building
4 commission shall determine that Racine County has secured additional funding
5 commitments of at least \$1,000,000 from nonstate revenue sources.

6 (b) If the building commission authorizes a grant to Racine County under par.
7 (a) and if, for any reason, the facility that is constructed with funds from the grant
8 is not used as a Discovery Place museum as part of the Heritage museum, the state
9 shall retain an ownership interest in the facility equal to the amount of the state's
10 grant.

11 *b0853/1.1* SECTION 108m. 13.48 (35) of the statutes is created to read:

12 13.48 (35) HR ACADEMY, INC., YOUTH AND FAMILY CENTER. (a) The building
13 commission may authorize up to \$1,500,000 in general fund supported borrowing to
14 aid in the construction of a youth and family center for HR Academy, Inc., in the city
15 of Milwaukee. The state funding commitment under this paragraph shall be in the
16 form of a grant to HR Academy, Inc. Before approving any such state funding
17 commitment, the building commission shall determine that HR Academy, Inc., has
18 secured additional funding at least equal to \$3,500,000 from nonstate donations for
19 the purpose of constructing a youth and family center.

20 (b) If the building commission authorizes a grant to HR Academy, Inc., under
21 par. (a) and if, for any reason, the facility that is constructed with funds from the
22 grant is not used as a youth and family center, the state shall retain an ownership
23 interest in the facility equal to the amount of the state's grant.

24 *b0842/1.1* SECTION 108o. 13.489 (2) of the statutes is amended to read:

1 13.489 (2) DEPARTMENT TO REPORT PROPOSED PROJECTS. Subject to s. 85.05, the
2 department of transportation shall report to the commission not later than
3 September 15 of each even-numbered year and at such other times as required under
4 s. 84.013 (6) concerning its recommendations for adjustments in the major highway
5 projects program under s. 84.013. If the report under this subsection includes a
6 recommendation to enumerate one or more major highway projects under s. 84.013
7 (3), the department of transportation shall provide a life cycle cost statement for each
8 proposed project to the governor, the transportation projects commission, the
9 building commission, and the joint committee on finance. The life cycle cost
10 statement shall include an estimate of the costs of constructing, maintaining,
11 resurfacing, minor and major reconditioning, policing, plowing, painting, signing,
12 and reconstructing the major highway project until the first reconstruction of the
13 project is completed.

14 *–1857/5.2* SECTION 109. 13.58 (5) (a) 5. of the statutes is amended to read:

15 13.58 (5) (a) 5. Upon receipt of strategic plans from the department of
16 ~~administration~~ electronic government, the joint committee on legislative
17 organization and the director of state courts, review and transmit comments
18 concerning the plans to the entities submitting the plans.

19 *–1857/5.3* SECTION 110. 13.58 (5) (b) 1. of the statutes is amended to read:

20 13.58 (5) (b) 1. Direct the ~~subunit in the department of administration with~~
21 ~~policy-making responsibility related to information technology~~ electronic
22 government to conduct studies or prepare reports on items related to the committee's
23 duties under par. (a).

24 *–1857/5.4* SECTION 111. 13.58 (5) (b) 4. (intro.) of the statutes is amended to
25 read:

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

8 *–1335/7.5* SECTION 112. 13.62 (2) of the statutes is amended to read:

9 13.62 (2) “Agency” means any board, commission, department, office, society,
10 institution of higher education, council or committee in the state government, or any
11 authority created in ch. 231, 232, 233 ~~or~~, 234, or 237, except that the term does not
12 include a council or committee of the legislature.

13 *–1857/5.5* SECTION 113. 13.90 (6) of the statutes is amended to read:

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

1 *~~1857/5.6~~* **SECTION 114.** 13.93 (2) (h) of the statutes is amended to read:

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

5 ***b0474/4.1*** **SECTION 114g.** 13.94 (4) (a) 1. of the statutes is amended to read:

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

21 ***b0474/4.1*** **SECTION 114r.** 13.95 (intro.) of the statutes is amended to read:

22 **13.95 Legislative fiscal bureau.** (intro.) There is created a bureau to be
23 known as the “Legislative Fiscal Bureau” headed by a director. The fiscal bureau
24 shall be strictly nonpartisan and shall at all times observe the confidential nature
25 of the research requests received by it; however, with the prior approval of the

1 requester in each instance, the bureau may duplicate the results of its research for
2 distribution. Subject to s. 230.35 (4) (a) and (f), the director or the director's
3 designated employees shall at all times, with or without notice, have access to all
4 state agencies and, the University of Wisconsin Hospitals and Clinics Authority, and
5 the Fox River Navigational System Authority and to any books, records or other
6 documents maintained by such agencies or ~~the authority~~ authorities and relating to
7 their expenditures, revenues, operations and structure.

8 *b2013/2.2* SECTION 114v. 13.95 (1) (dm) of the statutes is created to read:

9 13.95 (1) (dm) When required to do so under s. 13.0975 (2), prepare prison
10 impact assessments for bills or bill drafts.

11 *-1717/5.1* SECTION 115. 13.95 (1m) of the statutes is created to read:

12 13.95 (1m) DUTIES OF THE BUREAU; BIENNIAL BUDGET BILL. (a) In this subsection,
13 “version of the biennial budget bill or bills” means the executive biennial budget bill
14 or bills, as modified by an amendment offered by the joint committee on finance, as
15 engrossed by the first house, as concurred in and amended by the 2nd house or as
16 nonconcurrent in by the 2nd house, or as reported by any committee on conference.

17 (b) The legislative fiscal bureau shall prepare a statement of estimated general
18 purpose revenue receipts and expenditures in the biennium following the succeeding
19 biennium based on recommendations in each version of the biennial budget bill or
20 bills. The statement shall contain all of the following:

21 1. For the 2nd year of the succeeding biennium, a comparison of the following:

22 a. The amount of moneys projected to be deposited in the general fund during
23 the fiscal year that are designated as “Revenues and Transfers” in the summary in
24 s. 20.005 (1), as published in each version of the biennial budget bill or bills, less the

1 amount designated as the “Opening Balance” in the summary, and adjusted by any
2 one–time deposit of revenues in the general fund.

3 b. The amount of moneys designated as “Total Expenditures” in the summary
4 in s. 20.005 (1), as published in each version of the biennial budget bill or bills,
5 adjusted by any one–time expenditure of general purpose revenue in excess of
6 \$5,000,000.

7 2. An estimate of the cost of any provision in each version of the biennial budget
8 bill or bills that would, without the enactment of subsequent legislation, increase
9 general purpose revenue expenditures or that would decrease the amount of
10 revenues deposited in the general fund in the biennium following the succeeding
11 biennium.

12 3. a. An estimate of the increase in general purpose revenue spending that will
13 be required in the biennium following the succeeding biennium for all of the
14 following: general equalization school aids; appropriations to the department of
15 corrections; the medical assistance program under subch. IV of ch. 49; the amount
16 designated as “Compensation Reserves” in the summary under s. 20.005 (1), as
17 printed in the revised schedule that is approved under s. 20.004 (2) for that fiscal
18 biennium; and public debt contracted under subchs. I and IV of ch. 18.

19 b. For the purpose of making the calculation under subd. 3. a., the bureau shall
20 assume that the increase in general purpose revenue spending between the
21 succeeding biennium and the biennium following the succeeding biennium for each
22 of the items identified in subd. 3. a. is the same as that between the current biennium
23 and the succeeding biennium for these items, as proposed in each version of the
24 biennial budget bill or bills.

1 4. An estimate of the difference between the amount of tax revenues that will
2 be deposited in the general fund in the biennium following the succeeding biennium
3 and the amount of tax revenues that are deposited in the general fund in the
4 succeeding biennium. For the purpose of making this calculation, the bureau shall:

5 a. Assume that the amount of tax revenues that are deposited in the general
6 fund in the succeeding biennium is the amount designated as “Taxes” in the
7 summary in s. 20.005 (1), as published in each version of the biennial budget bill or
8 bills.

9 b. Assume that the annual increase in tax revenues that are deposited in the
10 general fund in each fiscal year of the biennium following the succeeding biennium
11 is the average of the annual increase for each of the 10 preceding fiscal years.

12 c. Adjust the estimate of the amount of tax revenues that are deposited in the
13 general fund in the biennium following the succeeding biennium by any provision in
14 each version of the biennial budget bill or bills that would affect the amount of tax
15 revenues that are deposited in the general fund in the biennium.

16 5. a. A comparison of the following: the amount of moneys that are designated
17 as “Revenues and Transfers” in the summary in s. 20.005 (1), as published in each
18 version of the biennial budget bill or bills, and that are available for appropriation
19 in the 2nd year of the succeeding biennium; and an amount that equals the sum of
20 the amount of moneys designated as “Total Expenditures” in the summary in s.
21 20.005 (1), as published in each version of the biennial budget bill or bills, for the 2nd
22 year of the succeeding biennium and the amount required to fund the increase in
23 general purpose revenue spending in the biennium following the succeeding
24 biennium for each of the items identified in subd. 3. a.

1 b. The bureau shall present this comparison in the format used for the
2 statement of the condition of the general fund in the statement prepared under s.
3 20.005 (1).

4 6. A summary of the amount of additional general purpose revenues that will
5 be available in the biennium following the succeeding biennium for increased
6 expenditures or tax reductions, other than the amount calculated in subd. 4.

7 ***-1552/5.1* SECTION 117.** 14.019 (2) of the statutes is amended to read:

8 14.019 (2) EFFECT OF APPROPRIATION. Subsection (1) continues to apply to any
9 nonstatutory committee created by the governor even if a part of its expenses is later
10 defrayed from state funds, whether under the general appropriation of s. 20.505 (3)
11 (a) (4) (ba) or under an appropriation enacted specifically for the purposes of such
12 committee.

13 ***-1552/5.2* SECTION 118.** 14.019 (4) of the statutes is amended to read:

14 14.019 (4) PROGRAM FEES. The governor may authorize any committee created
15 under this section to charge a fee for materials and services provided by it in the
16 course of carrying out its responsibilities. The fee may not exceed the actual cost of
17 the materials or services provided. All fees shall be ~~deposited in~~ credited to the
18 appropriation account for the ~~appropriation made~~ under s. 20.505 (3) (4) (h).

19 ***-1857/5.7* SECTION 119.** 14.20 (1) (a) of the statutes is amended to read:

20 14.20 (1) (a) "Local governmental unit" has the meaning given in s. ~~16.97~~ 22.01
21 (7).

22 ***b0348/1.1* SECTION 120g.** 14.26 (5g) (c) of the statutes is repealed.

23 ***b0348/1.1* SECTION 120r.** 14.26 (5g) (e) of the statutes is repealed.

24 ***-1552/5.3* SECTION 121.** 14.26 (7) of the statutes is repealed.

25 ***-1694/11.1* SECTION 122.** 14.28 of the statutes is repealed.

1 ***b0311/3.1* SECTION 124m.** 14.63 (10m) of the statutes is repealed.

2 ***b0311/3.2* SECTION 126m.** 14.65 of the statutes is created to read:

3 **14.65 Repayment to the general fund.** (1) The secretary of administration
4 shall transfer from the tuition trust fund or the college savings program trust fund
5 to the general fund an amount equal to the amount expended from the
6 appropriations under s. 20.505 (9) (a), 1995 stats., and s. 20.585 (2) (a) and (am) when
7 the secretary of administration determines that funds in the tuition trust fund or the
8 college savings program trust fund are sufficient to make the transfer. The secretary
9 of administration may make the transfer in installments.

10 (2) Annually, by June 1, the state treasurer shall submit a report to the
11 secretary of administration and the joint committee on finance on the amount
12 available for repayment under sub. (1), the amount repaid under sub. (1), and the
13 outstanding balance under sub. (1).

14 ***b1684/1.3* SECTION 126s.** 14.82 of the statutes is repealed.

15 ***-1552/5.4* SECTION 127.** 14.90 (2) of the statutes is amended to read:

16 14.90 (2) The members of the commission shall serve without compensation
17 but shall be reimbursed from the appropriation under s. 20.505 (3) ~~(a)~~ (4) (ba) for
18 actual and necessary expenses incurred in the performance of their duties. The
19 commission has the powers granted and the duties ~~granted~~ and imposed under s.
20 39.80.

21 ***-1552/5.5* SECTION 128.** 14.90 (3) of the statutes is amended to read:

22 14.90 (3) From the appropriation under s. 20.505 (3) ~~(a)~~ (4) (ba), the department
23 of administration shall pay the costs of membership in and costs associated with the
24 midwestern higher education compact.

25 ***-0473/3.1* SECTION 129.** 15.01 (2) of the statutes is amended to read:

1 15.01 (2) “Commission” means a 3-member governing body in charge of a
2 department or independent agency or of a division or other subunit within a
3 department, except for the Wisconsin waterways commission which shall consist of
4 5 members, the parole commission which shall consist of ~~6~~ 8 members, and the Fox
5 River management commission which shall consist of 7 members. A Wisconsin group
6 created for participation in a continuing interstate body, or the interstate body itself,
7 shall be known as a “commission”, but is not a commission for purposes of s. 15.06.
8 The parole commission created under s. 15.145 (1) shall be known as a “commission”,
9 but is not a commission for purposes of s. 15.06.

10 *~~1634/P6.1~~* SECTION 130. 15.01 (4) of the statutes, as affected by 1999
11 Wisconsin Act 9, section 12n, is repealed and recreated to read:

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

22 *~~1335/7.6~~* SECTION 131. 15.06 (1) (e) of the statutes is repealed.

23 *~~1335/7.7~~* SECTION 132. 15.06 (3) (a) 4. of the statutes is repealed.

24 *~~1857/5.8~~* SECTION 135. 15.07 (2) (L) of the statutes is created to read:

1 15.07 (2) (L) The governor shall serve as chairperson of the information
2 technology management board and the chief information officer shall serve as
3 secretary of that board.

4 ***-1857/5.9*** SECTION 136. 15.07 (3) (bm) 4. of the statutes is created to read:

5 15.07 (3) (bm) 4. The information technology management board shall meet at
6 least 4 times each year and may meet at other times on the call of the chairperson.

7 ***-1857/5.10*** SECTION 137. 15.103 (3) of the statutes is repealed.

8 ***-1857/5.11*** SECTION 138. 15.103 (5) of the statutes is repealed.

9 ***-0932/1.1*** SECTION 139. 15.105 (3) of the statutes is amended to read:

10 15.105 (3) DEPOSITORY SELECTION BOARD. There is created a depository selection
11 board which is attached to the department of administration under s. 15.03. The
12 depository selection board shall consist of the state treasurer, the secretary of
13 administration, and the ~~executive director of the investment board~~ secretary of
14 revenue or their designees.

15 ***-1857/5.12*** SECTION 162. 15.107 (7) (f) of the statutes is amended to read:

16 15.107 (7) (f) A representative of the ~~unit in the department of administration~~
17 ~~that deals with information technology~~ electronic government.

18 ***-1634/P6.4*** SECTION 163. 15.107 (16) (b) 14. of the statutes is created to read:

19 15.107 (16) (b) 14. One member who is a representative from a public utility.

20 ***-1634/P6.5*** SECTION 164. 15.107 (16) (b) 15. of the statutes is created to read:

21 15.107 (16) (b) 15. One member who represents a professional land information
22 organization.

23 ***-1634/P6.6*** SECTION 165. 15.107 (16) (b) 16. of the statutes is created to read:

24 15.107 (16) (b) 16. One member who is nominated by a statewide association
25 whose purposes include support of a network of statewide land information systems.

1 ***-1634/P6.7*** SECTION 166. 15.107 (16) (d) of the statutes is amended to read:

2 15.107 (16) (d) *Terms, chairperson.* The members listed under par. (b) 8. to ~~13.~~
3 16. shall be appointed for 5-year terms. The governor shall appoint the chairperson
4 of the council, who shall serve at the pleasure of the governor.

5 ***-1634/P6.8*** SECTION 167. 15.107 (16) (e) of the statutes is repealed.

6 ***b1461/3.1*** SECTION 168. 15.137 (1) of the statutes is created to read:

7 15.137 (1) AGRICULTURAL PRODUCER SECURITY COUNCIL. (a) There is created in
8 the department of agriculture, trade and consumer protection an agricultural
9 producer security council consisting of the following members appointed by the
10 secretary of agriculture for 3-year terms:

11 1. One person representing the Farmers' Educational and Cooperative Union
12 of America, Wisconsin Division.

13 2. One person representing the Midwest Food Processors Association, Inc.

14 3. One person representing the National Farmers' Organization, Inc.

15 4. One person representing the Wisconsin Agri-Service Association, Inc.

16 5. One person representing the Wisconsin Cheese Makers Association.

17 6. One person representing both the Wisconsin Corn Growers Association, Inc.,
18 and the Wisconsin Soybean Association, Inc.

19 7. One person representing the Wisconsin Dairy Products Association, Inc.

20 8. One person representing the Wisconsin Farm Bureau Federation.

21 9. One person representing the Wisconsin Federation of Cooperatives.

22 10. One person representing the Wisconsin Potato and Vegetable Growers
23 Association, Inc.

24 (b) Each organization identified in par. (a) shall nominate 2 persons to
25 represent that organization on the agricultural producer security council. The

1 secretary of agriculture, trade and consumer protection shall appoint members from
2 among the nominees.

3 ***b0552/1.1* SECTION 168e.** 15.137 (2) of the statutes is created to read:

4 15.137 (2) FOOD ADVISORY COUNCIL. There is created in the department of
5 agriculture, trade and consumer protection a food advisory council consisting of
6 representatives of consumers, representatives of retail and wholesale grocers,
7 representatives of academic institutions, representatives of the federal department
8 of health and human services, representatives of the food industry or food industry
9 associations, and employees of the department of agriculture, trade and consumer
10 protection, all appointed by the secretary of agriculture, trade and consumer
11 protection.

12 ***-0473/3.2* SECTION 169.** 15.145 (1) of the statutes is amended to read:

13 15.145 (1) PAROLE COMMISSION. There is created in the department of
14 corrections a parole commission consisting of ~~6~~ 8 members. Members shall have
15 knowledge of or experience in corrections or criminal justice. The members shall
16 include a chairperson who is nominated by the governor, and with the advice and
17 consent of the senate appointed, for a 2-year term expiring March 1 of the
18 odd-numbered years, subject to removal under s. 17.07 (3m), and ~~5~~ the remaining
19 members in the classified service appointed by the chairperson.

20 ***b1568/1.1* SECTION 170d.** 15.157 (3) of the statutes is amended to read:

21 15.157 (3) DWELLING CODE COUNCIL. There is created in the department of
22 commerce, a dwelling code council, consisting of ~~17~~ 18 members appointed for
23 staggered 3-year terms. Four members shall be representatives of building trade
24 labor organizations; 4 members shall be certified building inspectors employed by
25 local units of government; 2 members shall be representatives of building contractors

1 actively engaged in on-site construction of one- and 2-family housing; 2 members
2 shall be representatives of manufacturers or installers of manufactured one- and
3 2-family housing; one member shall be an architect, engineer or designer actively
4 engaged in the design or evaluation of one- and 2-family housing; 2 members shall
5 represent the construction material supply industry; one member shall represent
6 remodeling contractors actively engaged in the remodeling of one-family and
7 2-family housing; and 2 members shall represent the public, one of whom shall
8 represent persons with disabilities, as defined in s. 106.50 (1m) (g). An employee of
9 the department designated by the secretary of commerce shall serve as nonvoting
10 secretary of the council. The council shall meet at least twice a year. Eleven members
11 of the council shall constitute a quorum. For the purpose of conducting business a
12 majority vote of the council is required.

13 *~~0645/3.1~~ SECTION 171. 15.157 (8) (intro.) of the statutes is amended to read:

14 15.157 (8) RURAL HEALTH DEVELOPMENT COUNCIL. (intro.) There is created in the
15 department of commerce a rural health development council consisting of ~~11~~ 13
16 members nominated by the governor, and with the advice and consent of the senate
17 appointed, for 5-year terms, and the secretaries of commerce and health and family
18 services, or their designees. The appointed members shall include all of the
19 following:

20 *~~0645/3.2~~ SECTION 172. 15.157 (8) (g) of the statutes is amended to read:

21 15.157 (8) (g) A physician licensed under ch. 448 ~~and~~, a dentist licensed under
22 ch. 447, a nurse licensed under ch. 441, ~~both and~~ a dental hygienist licensed under
23 ch. 447, all of whom practice in a rural area, and a representative of public health
24 services.

1 ***b0276/2.1* SECTION 173p.** 15.195 (1) of the statutes is renumbered 15.195 (1)
2 (intro.) and amended to read:

3 15.195 (1) TOBACCO CONTROL BOARD. (intro.) There is created a tobacco control
4 board attached to the department of health and family services under s. 15.03. The
5 tobacco control board shall consist of 15 members and shall include all of the
6 following:

7 ***b0276/2.1* SECTION 173r.** 15.195 (1) (a) of the statutes is created to read:

8 15.195 (1) (a) One majority party senator, one minority party senator, one
9 majority party representative to the assembly, and one minority party
10 representative to the assembly, appointed as are the members of standing
11 committees in their respective houses.

12 ***b0276/2.1* SECTION 173s.** 15.195 (1) (b) of the statutes is created to read:

13 15.195 (1) (b) The attorney general or his or her designee.

14 ***-0515/4.1* SECTION 174.** 15.195 (5) of the statutes is renumbered 15.105 (11)
15 and amended to read:

16 15.105 (11) ADOLESCENT PREGNANCY PREVENTION AND PREGNANCY SERVICES BOARD.
17 There is created an adolescent pregnancy prevention and pregnancy services board
18 which is attached to the department of ~~health and family services~~ administration
19 under s. 15.03. The board shall consist of 13 members. Notwithstanding s. 15.07 (2)
20 (intro.), one member shall be the executive director of the women's council under s.
21 16.01, who shall be a nonvoting member and shall serve permanently as chairperson
22 of the board. Six members shall be state employees who are appointed for
23 membership by the women's council and shall be nonvoting members. The
24 remaining 6 members shall be appointed for 3-year terms, shall represent an equal
25 balance of points of view on pregnancy prevention and pregnancy services and shall

1 be persons who are nominated for membership by statewide organizations that
2 together represent an equal balance of points of view on pregnancy prevention and
3 pregnancy services.

4 ***b1402/1.1* SECTION 174g.** 15.197 (11n) (cm) of the statutes is created to read:

5 15.197 (11n) (cm) Four members of the legislature, of which one each is
6 designated by the speaker of the assembly, the senate majority leader, and the
7 minority leader in each house of the legislature and appointed by the governor.

8 ***b1402/1.1* SECTION 174h.** 15.197 (11n) (e) of the statutes is created to read:

9 15.197 (11n) (e) By January 31 of each year, the council shall prepare a report
10 for the preceding calendar year and shall submit the report to the legislature under
11 s. 13.172 (2). The report shall evaluate the waiting lists compiled by the department
12 of health and family services for services for persons with developmental disabilities.

13 ***b1545/2.1* SECTION 174p.** 15.197 (25) (c) of the statutes is amended to read:

14 15.197 (25) (c) This subsection does not apply beginning on July 1, ~~2002~~ 2004.

15 ***-1857/5.13* SECTION 175.** 15.21 of the statutes is created to read:

16 **15.21 Department of electronic government; creation.** There is created
17 a department of electronic government under the direction and supervision of the
18 secretary of electronic government, who shall be known as the “chief information
19 officer.”

20 ***-1857/5.14* SECTION 176.** 15.215 of the statutes is created to read:

21 **15.215 Same; attached boards. (1) INFORMATION TECHNOLOGY MANAGEMENT**
22 **BOARD.** There is created an information technology management board which is
23 attached to the department of electronic government under s. 15.03. The board shall
24 consist of the governor, the cochairpersons of the joint committee on information
25 policy and technology or a member of the legislature from the same house as a

1 cochairperson designated by that cochairperson, one member of the minority party
2 in each house of the legislature, appointed in the same manner as members of
3 standing committees are appointed, the secretary of administration, 2 heads of
4 departments or independent agencies appointed to serve at the pleasure of the
5 governor, 2 other members appointed to serve for 4-year terms, and the chief
6 information officer, who shall serve as a nonvoting member.

7 *–1834/2.1* SECTION 177. 15.223 (3) of the statutes is repealed.

8 *b0350/2.4* SECTION 178d. 15.225 (2) (b) of the statutes is amended to read:

9 15.225 (2) (b) *Membership*. The Wisconsin conservation corps board consists
10 of 7 members appointed by the governor from various areas of the state in a manner
11 designed to provide regional, environmental and agricultural representation. One
12 member of the board shall be a member or employee of a local workforce development
13 board established under 29 USC 2832.

14 *b2221/3.4* SECTION 178f. 15.225 (2) (c) of the statutes is amended to read:

15 15.225 (2) (c) *Liaison representatives*. The secretary of agriculture, trade and
16 consumer protection, the secretary of health and family services, the secretary of
17 workforce development, the secretary of natural resources, the secretary of forestry,
18 and the chancellor of the University of Wisconsin–Extension, or a designee of such
19 a secretary or the chancellor, shall serve as liaison representatives to the Wisconsin
20 conservation corps board, and provide information to and assist the board. The
21 liaison representatives are not board members and may not vote on any board
22 decision or action.

23 *–1834/2.2* SECTION 179. 15.225 (3) (b) 6. of the statutes is amended to read:

24 15.225 (3) (b) 6. The An administrator of the a division of workforce excellence
25 in the department of workforce development, designated by the governor.

1 ***b0632/1.1* SECTION 179q.** 15.34 of the statutes is amended to read:

2 **15.34 Department of natural resources; creation.** (1) There is created a
3 department of natural resources under the direction and supervision of the natural
4 resources board.

5 (2) (a) The natural resources board shall consist of 7 members appointed for
6 staggered 6-year terms.

7 (b) At least 3 members of the natural resources board shall be from the territory
8 north, and at least 3 members of the board shall be from the territory south, of a line
9 running east and west through the south limits of the city of Stevens Point.

10 (c) No person may be appointed to the natural resources board, or remain a
11 member thereof, who is a permit holder or of the board, who receives, or has during
12 the previous 2 years received, a significant portion of his or her income directly or
13 indirectly from permit holders of or applicants for permits issued by the department.
14 For purposes of this section, "permit holders" or "applicants for under ch. 283, except
15 that this paragraph does not apply to permits issued under s. 283.33.

16 (e) The restrictions in pars. (c) and (d) do not apply with respect to permits "
17 shall not include or licenses held or applied for by agencies, departments, or
18 subdivisions of this state.

19 ***b0632/1.1* SECTION 179r.** 15.34 (2) (d) of the statutes is created to read:

20 15.34 (2) (d) The majority of members of the natural resources board may not
21 derive a significant portion of their incomes from persons who are subject to permits
22 or enforcement orders under ch. 285. Each board member shall inform the governor
23 of any significant change in the income that he or she derives from persons who are
24 subject to permits or enforcement orders under ch. 285.

25 ***b2221/3.5* SECTION 179t.** 15.343 of the statutes is repealed.

1 ***-1335/7.8*** SECTION 180. 15.345 (5) of the statutes is amended to read:

2 15.345 (5) FOX RIVER MANAGEMENT COMMISSION. There is created in the
3 department of natural resources a Fox River management commission consisting of
4 7 members. The commission shall cease to exist on the day after the date on which
5 the state and the Fox River Navigational System Authority enter into the lease
6 agreement specified in s. 237.06.

7 ***b2193/1.1*** SECTION 181m. 15.377 (2) of the statutes is created to read:

8 15.377 (2) DEAF AND HARD-OF-HEARING EDUCATION COUNCIL. There is created a
9 deaf and hard-of-hearing education council in the department of public instruction.
10 The council shall consist of the following members, at least 3 of whom must be
11 hearing impaired, appointed by the state superintendent of public instruction for
12 3-year terms:

13 (a) Two parents of children who are hearing impaired.

14 (b) One licensed teacher of pupils who are hearing impaired.

15 (c) One person who is licensed as a speech-language pathologist under subch.

16 II of ch. 459.

17 (d) One school district special education director.

18 (e) One person who is licensed as an audiologist under subch. II of ch. 459 and
19 whose expertise is in educational audiology.

20 (f) One person who is experienced in educating the hearing impaired, or in
21 educating teachers of the hearing impaired, and is affiliated with an institution of
22 higher education.

23 (g) One person who is an instructor in a technical college interpreter training
24 program.

25 (h) One person employed as an educational interpreter.

1 (i) Three other members.

2 *b1560/1.1* SECTION 182g. 15.405 (6) (a) of the statutes, as affected by 1997
3 Wisconsin Act 96, is repealed and recreated to read:

4 15.405 (6) (a) Six dentists who are licensed under ch. 447.

5 *b1560/1.1* SECTION 182i. 15.405 (6) (b) of the statutes, as affected by 1997
6 Wisconsin Act 96, is repealed and recreated to read:

7 15.405 (6) (b) Three dental hygienists who are licensed under ch. 447.

8 Notwithstanding s. 15.08 (1m) (a), the dental hygienist members may participate in
9 the preparation and grading of licensing examinations for dental hygienists.

10 *b0267/1.1* SECTION 182q. 15.405 (9) of the statutes is renumbered 15.405 (9)
11 (a) (intro.) and amended to read:

12 15.405 (9) (a) (intro.) There is created a pharmacy examining board in the
13 department of regulation and licensing. ~~The pharmacy examining board shall~~
14 ~~consist of, consisting of the following~~ 7 members appointed for staggered 4-year
15 terms:

16 1. Five of the members shall be who are licensed to practice pharmacy in this
17 state.

18 2. Two public members shall be ~~public members~~.

19 *b0267/1.1* SECTION 182r. 15.405 (9) (b) of the statutes is created to read:

20 15.405 (9) (b) Of the members of the pharmacy examining board who are
21 licensed to practice pharmacy, one shall be employed in a pharmacy that provides
22 pharmaceutical services primarily on an inpatient basis, including a pharmacy in a
23 hospital, nursing home, correctional facility, or other institution.

24 *b1554/1.1* SECTION 183h. 15.445 (4) (a) 1. of the statutes is amended to read:

1 15.445 (4) (a) 1. Two representatives to the assembly, one recommended by the
2 speaker of the assembly and one recommended by the minority leader of the
3 assembly. ~~This subdivision does not apply after June 30, 2003.~~

4 ***b1554/1.1* SECTION 183i.** 15.445 (4) (a) 2. of the statutes is amended to read:

5 15.445 (4) (a) 2. Two senators, one recommended by the majority leader of the
6 senate and one recommended by the minority leader of the senate. ~~This subdivision
7 does not apply after June 30, 2003.~~

8 ***b2221/3.6* SECTION 183m.** 15.45 of the statutes is created to read:

9 **15.45 Department of forestry.** There is created a department of forestry
10 under the direction and supervision of the secretary of forestry.

11 ***b1505/4.1* SECTION 187d.** 15.915 (3) of the statutes is repealed.

12 ***b0590/2.1* SECTION 187g.** 15.915 (6) (b) 6. h. of the statutes is created to read:

13 15.915 (6) (b) 6. h. Forestry.

14 ***b0590/2.1* SECTION 187r.** 15.915 (6) (b) 6. i. of the statutes is created to read:

15 15.915 (6) (b) 6. i. Energy industry.

16 ***-1335/7.9* SECTION 189.** 16.002 (2) of the statutes is amended to read:

17 16.002 (2) “Departments” means constitutional offices, departments and
18 independent agencies and includes all societies, associations and other agencies of
19 state government for which appropriations are made by law, but not including
20 authorities created in chs. 231, 232, 233, 234, 235, and 237.

21 ***-1335/7.10* SECTION 190.** 16.004 (4) of the statutes is amended to read:

22 16.004 (4) FREEDOM OF ACCESS. The secretary and such employees of the
23 department as the secretary designates may enter into the offices of state agencies
24 and authorities created under chs. 231, 233 and, 234, and 237, and may examine
25 their books and accounts and any other matter which in the secretary’s judgment

1 should be examined and may interrogate the agency's employees publicly or
2 privately relative thereto.

3 ***-1335/7.11* SECTION 191.** 16.004 (5) of the statutes is amended to read:

4 16.004 (5) AGENCIES AND EMPLOYEES TO COOPERATE. All state agencies and
5 authorities created under chs. 231, 233 and, 234, and 237, and their officers and
6 employees, shall cooperate with the secretary and shall comply with every request
7 of the secretary relating to his or her functions.

8 ***-1335/7.12* SECTION 192.** 16.004 (12) (a) of the statutes is amended to read:

9 16.004 (12) (a) In this subsection, "state agency" means an association,
10 authority, board, department, commission, independent agency, institution, office,
11 society or other body in state government created or authorized to be created by the
12 constitution or any law, including the legislature, the office of the governor and the
13 courts, but excluding the University of Wisconsin Hospitals and Clinics Authority
14 and the Fox River Navigational System Authority.

15 ***-1728/1.1* SECTION 193.** 16.004 (14) of the statutes is renumbered 38.04 (19)
16 and amended to read:

17 38.04 (19) ~~GRANTS TO TECHNICAL COLLEGES~~ CAPACITY BUILDING PROGRAM. From
18 the appropriation under s. ~~20.505 (4) (e)~~ 20.292 (1) (cm), the ~~secretary~~ board shall
19 award grants to ~~technical college~~ district boards to develop or expand programs in
20 occupational areas in which there is a high demand for workers, and to make capital
21 expenditures that are necessary for such development or expansion, as determined
22 by the secretary.

23 ***-1335/7.13* SECTION 194.** 16.008 (2) of the statutes is amended to read:

24 16.008 (2) The state shall pay for extraordinary police services provided
25 directly to state facilities, as defined in s. 70.119 (3) (e), in response to a request of

1 a state officer or agency responsible for the operation and preservation of such
2 facilities. The University of Wisconsin Hospitals and Clinics Authority shall pay for
3 extraordinary police services provided to facilities of the authority described in s.
4 70.11 (38). The Fox River Navigational System Authority shall pay for extraordinary
5 police services provided to the navigational system, as defined in s. 237.01 (4).
6 Municipalities or counties which provide extraordinary police services to state
7 facilities may submit claims to the claims board for actual additional costs related
8 to wage and disability payments, pensions and worker's compensation payments,
9 damage to equipment and clothing, replacement of expendable supplies, medical and
10 transportation expense and other necessary expenses. The clerk of the municipality
11 or county submitting a claim shall also transmit an itemized statement of charges
12 and a statement which identifies the facility served and the person who requested
13 the services. The board shall obtain a review of the claim and recommendations from
14 the agency responsible for the facility prior to proceeding under s. 16.007 (3), (5) and
15 (6).

16 *b0670/3.5* SECTION 200b. 16.023 (2) of the statutes is amended to read:

17 16.023 (2) In conjunction with the working group established under sub. (1) (L)
18 1., the council shall, not later than one year after October 14, 1997, develop
19 evaluation criteria for its functions under sub. (1). The council shall complete a
20 report that contains an evaluation of its functions and activities not later than
21 September 1, ~~2002~~ 2006, and shall submit the report to the chief clerk of each house
22 of the legislature, for distribution to the legislature under s. 13.172 (2), and to the
23 governor. ~~The report shall also include a recommendation as to whether the council~~
24 ~~should continue in existence past its sunset date specified in s. 15.107 (16) (c) and,~~

1 if so, a recommendation as to whether any structural modifications should be made
2 to the council's functions or to the state's land use programs.

3 ***b0670/3.6* SECTION 201c.** 16.023 (3) of the statutes is amended to read:

4 16.023 (3) Subsections (1) and (2) do not apply after August 31, ~~2003~~ 2007.

5 ***-1335/7.14* SECTION 202.** 16.045 (1) (a) of the statutes is amended to read:

6 16.045 (1) (a) "Agency" means an office, department, independent agency,
7 institution of higher education, association, society or other body in state
8 government created or authorized to be created by the constitution or any law, which
9 is entitled to expend moneys appropriated by law, including the legislature and the
10 courts, but not including an authority created in ch. 231, 232, 233, 234 ~~or~~, 235, or 237.

11 ***-1552/5.6* SECTION 222.** 16.339 (2) (a) of the statutes is amended to read:

12 16.339 (2) (a) From the appropriation under s. 20.505 (7) ~~(dm)~~ (fm), the
13 department may award a grant to an eligible applicant for the purpose of providing
14 transitional housing and associated supportive services to homeless individuals and
15 families if the conditions under par. (b) are satisfied. The department shall ensure
16 that the funds for the grants are reasonably balanced among geographic areas of the
17 state, consistent with the quality of applications submitted.

18 ***-1552/5.7* SECTION 223.** 16.352 (2) (a) of the statutes is amended to read:

19 16.352 (2) (a) From the appropriations under s. 20.505 (7) (fm) and ~~(gm)~~ (h),
20 the department shall award grants to eligible applicants for the purpose of
21 supplementing the operating budgets of agencies and shelter facilities that have or
22 anticipate a need for additional funding because of the renovation or expansion of an
23 existing shelter facility, the development of an existing building into a shelter facility,
24 the expansion of shelter services for homeless persons, or an inability to obtain
25 adequate funding to continue the provision of an existing level of services.

1 ***-1552/5.8*** SECTION 224. 16.352 (2) (b) (intro.) of the statutes is amended to
2 read:

3 16.352 (2) (b) (intro.) The department shall allocate funds from the
4 appropriations under s. 20.505 (7) (fm) and ~~(gm)~~ (h) for temporary shelter for
5 homeless individuals and families as follows:

6 ***-1552/5.10*** SECTION 226. 16.40 (14) of the statutes is amended to read:

7 16.40 (14) COMMITTEES. Perform administrative services required to properly
8 account for the finances of committees created by law or executive order. The
9 governor may authorize each committee to make expenditures from the
10 appropriation under s. 20.505 ~~(3)(a)~~ (4)(ba) not exceeding \$2,000 per fiscal year. The
11 governor shall report such authorized expenditures to the joint committee on finance
12 at the next quarterly meeting of the committee. If the governor desires to authorize
13 expenditures of more than \$2,000 per fiscal year by a committee, the governor shall
14 submit to the joint committee on finance for its approval a complete budget for all
15 expenditures made or to be made by the committee. The budget may cover a period
16 encompassing more than one fiscal year or biennium during the governor's term of
17 office. If the joint committee on finance approves a budget authorizing expenditures
18 of more than \$2,000 per fiscal year by such a committee, the governor may authorize
19 the expenditures to be made within the limits of the appropriation under s. 20.505
20 ~~(3)(a)~~ (4)(ba) in accordance with the approved budget during the period covered by
21 the budget. If after the joint committee on finance approves a budget for such a
22 committee the governor desires to authorize expenditures in excess of the authorized
23 expenditures under the approved budget, the governor shall submit a modified
24 budget for the committee to the joint committee on finance. If the joint committee
25 on finance approves a modified budget, the governor may authorize additional

1 expenditures to be made within the limits of the appropriation under s. 20.505 (3)
2 (a) (4) (ba) in accordance with the modified budget during the period covered by the
3 modified budget.

4 ***b2033/1.1* SECTION 226c.** 16.40 (15) of the statutes is repealed.

5 ***-1552/5.11* SECTION 227.** 16.40 (17) of the statutes is amended to read:

6 16.40 (17) INTERSTATE BODIES. Perform administrative services required to
7 properly account for dues and related expenses for state participation in national or
8 regional interstate governmental bodies specified in s. 20.505 (3) ~~(a) (4) (ba)~~ or
9 determined by the governor.

10 ***b0593/6.4* SECTION 227m.** 16.40 (20m) of the statutes is created to read:

11 16.40 (20m) ANTICIPATED OPERATING AND DEBT SERVICE COSTS; BUILDING PROJECTS.
12 Provide the building commission with a statement of the amount of the anticipated
13 annual operating costs or the amount of any increased annual operating costs, plus
14 the amount of any increased annual debt service costs, generated by each proposed
15 state building project requiring enumeration in the authorized state building
16 program in the first full year following completion of the project, and the amount of
17 such costs to be funded from each revenue source under s. 20.001 (2).

18 ***b0483/2.1* SECTION 227p.** 16.40 (23) of the statutes is created to read:

19 16.40 (23) UNIVERSITY OF WISCONSIN–GREEN BAY PROGRAMMING. Provide funding
20 from the appropriation under s. 20.505 (1) (km) to finance programming at the
21 University of Wisconsin–Green Bay that is jointly developed by the Oneida Tribe and
22 the University of Wisconsin–Green Bay.

23 ***b1865/2.1* SECTION 227q.** 16.40 (23m) of the statutes is created to read:

24 16.40 (23m) PURCHASING CARD REBATES. Authorize any state agency to use
25 purchasing cards for purchases that do not exceed \$5,000. If the state receives any

1 rebates from a purchasing card issuer for purchases made with a purchasing card,
2 the department shall deposit the rebate in the fund from which the appropriation is
3 made for payment of the obligation incurred as a result of the purchase.

4 *b1505/4.2* SECTION 227r. 16.40 (24) of the statutes is created to read:

5 16.40 (24) GRANTS TO WISCONSIN PATIENT SAFETY INSTITUTE, INC. Annually,
6 provide grants to the Wisconsin Patient Safety Institute, Inc., for collection, analysis,
7 and dissemination of information about patient safety and training of health care
8 providers and their employees directed toward improving patient safety. The
9 department shall ensure that no grant moneys provided under this subsection are
10 expended for the purpose of entertainment, foreign travel, or payments to persons
11 not providing goods or services to the Wisconsin Patient Safety Institute, Inc. In this
12 subsection, “health care provider” means any of the following:

- 13 (a) A nurse licensed under ch. 441.
14 (b) A chiropractor licensed under ch. 446.
15 (c) A dentist licensed under ch. 447.
16 (d) A physician, physician assistant, or respiratory care practitioner licensed
17 or certified under subch. II of ch. 448.
18 (e) A physical therapist licensed under subch. III of ch. 448.
19 (f) A podiatrist licensed under subch. IV of ch. 448.
20 (g) A dietitian certified under subch. V of ch. 448.
21 (h) An athletic trainer licensed under subch. VI of ch. 448.
22 (i) An occupational therapist or occupational therapy assistant licensed under
23 subch. VII of ch. 448.
24 (j) An optometrist licensed under ch. 449.
25 (k) A pharmacist licensed under ch. 450.

1 (L) An acupuncturist certified under ch. 451.

2 (m) A psychologist licensed under ch. 455.

3 (n) A massage therapist or bodyworker issued a license of registration under
4 subch. XI of ch. 440.

5 ***-1335/7.15* SECTION 228.** 16.41 (4) of the statutes is amended to read:

6 16.41 (4) In this section, “authority” means a body created under ch. 231, 233
7 ~~or, 234, or 237.~~

8 ***b0090/1.1* SECTION 229b.** 16.417 (1) (b) of the statutes is amended to read:

9 16.417 (1) (b) “Authority” means a body created under ch. 231, 232, 233, 234
10 ~~or, 235 or 237.~~

11 ***-1857/5.15* SECTION 230.** 16.43 of the statutes is amended to read:

12 **16.43 Budget compiled.** The secretary shall compile and submit to the
13 governor or the governor–elect and to each person elected to serve in the legislature
14 during the next biennium, not later than November 20 of each even–numbered year,
15 a compilation giving all of the data required by s. 16.46 to be included in the state
16 budget report, except the recommendations of the governor and the explanation
17 thereof. The secretary shall not include in the compilation any provision for the
18 development or implementation of an information technology development project
19 for an executive branch agency that is not consistent with the strategic plan of the
20 agency, as approved under s. 22.13.

21 ***-1717/5.2* SECTION 231.** 16.46 (5m) of the statutes is created to read:

22 16.46 (5m) A statement of estimated general purpose revenue receipts and
23 expenditures in the biennium following the succeeding biennium based on
24 recommendations in the budget bill or bills. The statement shall contain all of the
25 following:

1 (a) For the 2nd year of the succeeding biennium, a comparison of the following:

2 1. The amount of moneys projected to be deposited in the general fund during
3 the fiscal year that are designated as “Revenues and Transfers” in the summary in
4 s. 20.005 (1), as published in the biennial budget bill or bills, less the amount
5 designated as the “Opening Balance” in the summary, and adjusted by any one-time
6 deposit of revenues in the general fund.

7 2. The amount of moneys designated as “Total Expenditures” in the summary
8 in s. 20.005 (1), as published in the biennial budget bill or bills, adjusted by any
9 one-time expenditure of general purpose revenue in excess of \$5,000,000.

10 (b) An estimate of the cost of any provision in the biennial budget bill or bills
11 that would, without the enactment of subsequent legislation, increase general
12 purpose revenue expenditures or that would decrease the amount of revenues
13 deposited in the general fund in the biennium following the succeeding biennium.

14 (c) 1. An estimate of the increase in general purpose revenue spending that will
15 be required in the biennium following the succeeding biennium for all of the
16 following:

17 a. General equalization school aids.

18 b. Appropriations to the department of corrections.

19 c. The medical assistance program under subch. IV of ch. 49.

20 d. The amount designated as “Compensation Reserves” in the summary under
21 s. 20.005 (1), as printed in the revised schedule that is approved under s. 20.004 (2)
22 for that fiscal biennium.

23 e. Public debt contracted under subchs. I and IV of ch. 18.

24 2. For the purpose of making the calculation under subd. 1., the secretary shall
25 assume that the increase in general purpose revenue spending between the

1 succeeding biennium and the biennium following the succeeding biennium for each
2 of the items identified in subd. 1. a. to 1. e. is the same as that between the current
3 biennium and the succeeding biennium for these items, as proposed in the biennial
4 budget bill or bills.

5 (d) An estimate of the difference between the amount of tax revenues that will
6 be deposited in the general fund in the biennium following the succeeding biennium
7 and the amount of tax revenues that are deposited in the general fund in the
8 succeeding biennium. For the purpose of making this calculation, the secretary
9 shall:

10 1. Assume that the amount of tax revenues that are deposited in the general
11 fund in the succeeding biennium is the amount designated as “Taxes” in the
12 summary in s. 20.005 (1), as published in the biennial budget bill or bills.

13 2. Assume that the annual increase in tax revenues that are deposited in the
14 general fund in each fiscal year of the biennium following the succeeding biennium
15 is the average of the annual increase for each of the 10 preceding fiscal years.

16 3. Adjust the estimate of the amount of tax revenues that are deposited in the
17 general fund in the biennium following the succeeding biennium by any provision in
18 the biennial budget bill or bills that would affect the amount of tax revenues that are
19 deposited in the general fund in the biennium.

20 (e) 1. A comparison of the following:

21 a. The amount of moneys that are designated as “Revenues and Transfers” in
22 the summary in s. 20.005 (1), as published in the biennial budget bill or bills, and that
23 are available for appropriation in the 2nd year of the succeeding biennium.

24 b. An amount that equals the sum of the amount of moneys designated as “Total
25 Expenditures” in the summary in s. 20.005 (1), as published in the biennial budget

1 bill or bills, for the 2nd year of the succeeding biennium and the amount required to
2 fund the increase in general purpose revenue spending in the biennium following the
3 succeeding biennium for each of the items identified in par. (c) 1. a. to 1. e.

4 2. The secretary shall present this comparison in the format used for the
5 statement of the condition of the general fund in the statement prepared under s.
6 20.005 (1).

7 (f) A summary of the amount of additional general purpose revenues that will
8 be available in the biennium following the succeeding biennium for increased
9 expenditures or tax reductions, other than the amount calculated in par. (d).

10 ***-1717/5.3* SECTION 232.** 16.46 (9) of the statutes is created to read:

11 16.46 (9) A comparison of the state's budgetary surplus or deficit according to
12 generally accepted accounting principles, as reported in any audited financial report
13 prepared by the department for the most recent fiscal year, and the estimated change
14 in the surplus or deficit based on recommendations in the biennial budget bill or bills.
15 For the purpose of this calculation, the secretary shall increase or decrease the
16 surplus or deficit by the amount designated as "Gross Balances" that appears in the
17 2nd year of the biennium in the summary in s. 20.005 (1), as published in the biennial
18 budget bill or bills.

19 ***-0886/3.2* SECTION 234.** 16.50 (1) (b) of the statutes is amended to read:

20 16.50 (1) (b) This subsection does not apply to appropriations under ss. 20.255
21 (2) (ac) and ~~(q)~~, 20.835, and 20.865 (4).

22 ***-1857/5.16* SECTION 235.** 16.50 (3) of the statutes is amended to read:

23 16.50 (3) LIMITATION ON INCREASE OF FORCE AND SALARIES. No department, except
24 the legislature or the courts, may increase the pay of any employee, expend money
25 or incur any obligation except in accordance with the estimate that is submitted to

1 the secretary as provided in sub. (1) and approved by the secretary or the governor.
2 No change in the number of full-time equivalent positions authorized through the
3 biennial budget process or other legislative act may be made without the approval
4 of the joint committee on finance, except for position changes made by the governor
5 under s. 16.505 (1) (c) or (2), by the University of Wisconsin Hospitals and Clinics
6 Board under s. 16.505 (2n) or by the board of regents of the University of Wisconsin
7 System under s. 16.505 (2m) or (2p). The secretary may withhold, in total or in part,
8 the funding for any position, as defined in s. 230.03 (11), as well as the funding for
9 part-time or limited term employees until such time as the secretary determines
10 that the filling of the position or the expending of funds is consistent with s. 16.505
11 and with the intent of the legislature as established by law or in budget
12 determinations, or the intent of the joint committee on finance in creating or
13 abolishing positions under s. 13.10, the intent of the governor in creating or
14 abolishing positions under s. 16.505 (1) (c) or (2) or the intent of the board of regents
15 of the University of Wisconsin System in creating or abolishing positions under s.
16 16.505 (2m) or (2p). Until the release of funding occurs, recruitment or certification
17 for the position may not be undertaken. The secretary shall submit a quarterly
18 report to the joint committee on finance of any position changes made by the governor
19 under s. 16.505 (1) (c). No pay increase may be approved unless it is at the rate or
20 within the pay ranges prescribed in the compensation plan or as provided in a
21 collective bargaining agreement under subch. V of ch. 111. At the request of the
22 secretary of employment relations, the secretary of administration may authorize
23 the temporary creation of pool or surplus positions under any source of funds if the
24 secretary of employment relations determines that temporary positions are
25 necessary to maintain adequate staffing levels for high turnover classifications, in

1 anticipation of attrition, to fill positions for which recruitment is difficult. Surplus
2 or pool positions authorized by the secretary shall be reported quarterly to the joint
3 committee on finance in conjunction with the report required under s. 16.54 (8).

4 ***-1256/5.1* SECTION 236.** 16.50 (7) (b) of the statutes is amended to read:

5 16.50 (7) (b) Following such notification, the governor shall submit a bill
6 containing his or her recommendations for correcting the imbalance between
7 projected revenues and authorized expenditures, including a recommendation as to
8 whether moneys should be transferred from the budget stabilization fund to the
9 general fund. If the legislature is not in a floorperiod at the time of the secretary's
10 notification, the governor shall call a special session of the legislature to take up the
11 matter of the projected revenue shortfall and the governor shall submit his or her bill
12 for consideration at that session.

13 ***-1857/5.17* SECTION 239.** 16.505 (1) (intro.) of the statutes is amended to
14 read:

15 16.505 (1) (intro.) Except as provided in subs. (2), (2m) ~~and~~, (2n), and (2p), no
16 position, as defined in s. 230.03 (11), regardless of funding source or type, may be
17 created or abolished unless authorized by one of the following:

18 ***b1372/1.1* SECTION 240m.** 16.505 (2m) of the statutes is amended to read:

19 16.505 (2m) The board of regents of the University of Wisconsin System may
20 create or abolish a full-time equivalent position or portion thereof from revenues
21 appropriated under s. 20.285 (1) (~~gs~~), (h), (ip), (iz), (j), (~~kc~~), (m), (n), or (u) or (3) (iz)
22 or (n) and may create or abolish a full-time equivalent position or portion thereof
23 from revenues appropriated under s. 20.285 (1) (im) that are generated from
24 increased enrollment and from courses for which the academic fees or tuition
25 charged equals the full cost of offering the courses. No later than the last day of the

1 month following completion of each calendar quarter, the board of regents shall
2 report to the department and the cochairpersons of the joint committee on finance
3 concerning the number of full-time equivalent positions created or abolished by the
4 board under this subsection during the preceding calendar quarter and the source
5 of funding for each such position.

6 ***-1773/3.3* SECTION 242.** 16.505 (2p) of the statutes is created to read:

7 16.505 (2p) (a) Subject to par. (b), the board of regents of the University of
8 Wisconsin System may create or abolish a full-time equivalent academic staff or
9 faculty position or portion thereof from revenues appropriated under s. 20.285 (1) (a).
10 Annually, no later than the September 30 following completion of the fiscal year, the
11 board of regents shall report to the department and the cochairpersons of the joint
12 committee on finance concerning the number of full-time equivalent positions
13 created or abolished by the board under this subsection during the preceding fiscal
14 year.

15 (b) The board of regents may not create or abolish any position under par. (a)
16 until the board and the department have entered into a memorandum of
17 understanding that establishes a methodology for identifying and accounting for the
18 cost of funding any positions that are created, including any amounts that the board
19 may include in a certification to the department under s. 20.928 (1). The board and
20 the department shall enter into the memorandum of understanding no later than
21 September 1, 2002.

22 (c) Notwithstanding s. 20.928 (1), in certifying the sum of moneys needed to pay
23 any costs associated with a position that is created under par. (a), the board of regents
24 may only certify the sum that is permitted under the memorandum of understanding
25 entered into under par. (b).

1 (d) Notwithstanding s. 16.42 (1), in submitting information under s. 16.42 for
2 the biennial budget bill or bills, the board of regents may only include that portion
3 of the cost of funding the positions created under par. (a) that is permitted under the
4 memorandum of understanding entered into under par. (b).

5 ***-1256/5.2* SECTION 245.** 16.518 of the statutes is created to read:

6 **16.518 Transfers to the budget stabilization fund and the cash building**
7 **projects fund.** (1) In this section, “summary” means the amount shown in the
8 summary in s. 20.005 (1), as published in the biennial budget act or acts.

9 (2) Annually, the secretary shall calculate the difference between the amount
10 of moneys projected to be deposited in the general fund during the fiscal year that
11 are designated as “Taxes” in the summary and the amount of such moneys actually
12 deposited in the general fund during the fiscal year.

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

18 (b) 1. If the balance of the budget stabilization fund on June 30 of the fiscal year
19 is at least equal to 5% of the estimated expenditures from the general fund during
20 the fiscal year, as reported in the summary, the secretary may not make the transfer
21 under par. (a).

22 2. If the amount transferred under par. (a) would cause the general fund
23 balance on June 30 of the fiscal year to be less than the general fund balance that is
24 required under s. 20.003 (4) for that fiscal year, the secretary shall reduce the amount
25 transferred under par. (a) to the amount that would cause the general fund balance

1 to be equal to the minimum general fund balance that is required under s. 20.003 (4)
2 for that fiscal year.

3 (4) If the amount of moneys projected to be deposited in the general fund during
4 the fiscal year that are designated as “Taxes” in the summary is less than the amount
5 of such moneys actually deposited in the general fund during the fiscal year,
6 annually the secretary shall calculate the difference between the amount calculated
7 under sub. (2) and the amount transferred to the budget stabilization fund under
8 sub. (3). If the difference between the amounts is at least \$115,000,000, the secretary
9 shall transfer from the general fund to the cash building projects fund the amount
10 that exceeds \$115,000,000.

11 ***-1528/8.1* SECTION 246.** 16.519 of the statutes is created to read:

12 **16.519 Fund transfers relating to tobacco settlement agreement. (1)**

13 In this section, “tobacco settlement agreement” means the Attorneys General Master
14 Tobacco Settlement Agreement of November 23, 1998.

15 (3) If the state has not received in fiscal year 2001–02 at least \$6,032,300 under
16 the tobacco settlement agreement, because the secretary, under s. 16.63, has sold the
17 state’s right to receive any of the payments under the tobacco settlement agreement,
18 the secretary shall transfer from the general fund to the tobacco control fund an
19 amount equal to \$6,032,300 less any payments received under the tobacco
20 settlement agreement and deposited in the tobacco control fund in that fiscal year.

21 (4) If the state has not received in fiscal year 2002–03 at least \$15,345,100
22 under the tobacco settlement agreement, because the secretary, under s. 16.63, has
23 sold the state’s right to receive any of the payments under the tobacco settlement
24 agreement, the secretary shall transfer from the general fund to the tobacco control

1 fund an amount equal to \$15,345,100 less any payments received under the tobacco
2 settlement agreement and deposited in the tobacco control fund in that fiscal year.

3 ***b0545/1.1* SECTION 248t.** 16.52 (6) (a) of the statutes is amended to read:

4 16.52 (6) (a) Except as authorized in s. 16.74, all purchase orders, contracts,
5 or printing orders for any agency as defined in s. 16.70 (1) shall, before any liability
6 is incurred thereon, be submitted to the secretary for his or her approval as to legality
7 of purpose and sufficiency of appropriated and allotted funds therefor. In all cases
8 the date of the contract or order governs the fiscal year to which the contract or order
9 is chargeable, unless the secretary determines that the purpose of the contract or
10 order is to prevent lapsing of appropriations or to otherwise circumvent budgetary
11 intent. Upon such approval, the secretary shall immediately encumber all contracts
12 or orders, and indicate the fiscal year to which they are chargeable, except that, for
13 contracts for services funded from the appropriation under s. 20.435 (2) (bj), the
14 secretary may encumber less than the amount of the contract if it is expected that
15 billing for that contract may be submitted in the next fiscal year.

16 ***-1335/7.16* SECTION 249.** 16.52 (7) of the statutes is amended to read:

17 16.52 (7) PETTY CASH ACCOUNT. With the approval of the secretary, each agency
18 which is authorized to maintain a contingent fund under s. 20.920 may establish a
19 petty cash account from its contingent fund. The procedure for operation and
20 maintenance of petty cash accounts and the character of expenditures therefrom
21 shall be prescribed by the secretary. In this subsection, “agency” means an office,
22 department, independent agency, institution of higher education, association,
23 society or other body in state government created or authorized to be created by the
24 constitution or any law, which is entitled to expend moneys appropriated by law,

1 including the legislature and the courts, but not including an authority created in
2 ch. 231, 233 ~~or~~, 234, or 237.

3 ***-0886/3.3* SECTION 250.** 16.52 (10) of the statutes is amended to read:

4 16.52 (10) DEPARTMENT OF PUBLIC INSTRUCTION. The provisions of sub. (2) with
5 respect to refunds and sub. (5) (a) with respect to reimbursements for the prior fiscal
6 year shall not apply to the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) ~~and~~
7 (q).

8 ***-1335/7.17* SECTION 253.** 16.528 (1) (a) of the statutes is amended to read:

9 16.528 (1) (a) “Agency” means an office, department, independent agency,
10 institution of higher education, association, society or other body in state
11 government created or authorized to be created by the constitution or any law, which
12 is entitled to expend moneys appropriated by law, including the legislature and the
13 courts, but not including an authority created in ch. 231, 233 ~~or~~, 234, or 237.

14 ***-1335/7.18* SECTION 254.** 16.53 (2) of the statutes is amended to read:

15 16.53 (2) IMPROPER INVOICES. If an agency receives an improperly completed
16 invoice, the agency shall notify the sender of the invoice within 10 working days after
17 it receives the invoice of the reason it is improperly completed. In this subsection,
18 “agency” means an office, department, independent 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 created in ch. 231, 233 ~~or~~, 234, or 237.

23 ***-1839/1.1* SECTION 255.** 16.53 (14) of the statutes is created to read:

24 16.53 (14) REVIEW OF PROPOSED INCORPORATIONS AND ANNEXATIONS. The
25 department may prescribe and collect a fee for review of any petition for

1 incorporation of a municipality under s. 66.0203 or any petition for annexation of
2 municipal territory under s. 66.0217. The fee shall be paid by the person or persons
3 filing the petition for incorporation or by the person or persons filing the notice of the
4 proposed annexation.

5 ***b0364/2.1* SECTION 255p.** 16.54 (2) (a) 2. of the statutes is amended to read:

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

24 ***-1335/7.19* SECTION 256.** 16.54 (9) (a) 1. of the statutes is amended to read:

1 16.54 (9) (a) 1. “Agency” means an office, department, independent agency,
2 institution of higher education, association, society or other body in state
3 government created or authorized to be created by the constitution or any law, which
4 is entitled to expend moneys appropriated by law, including the legislature and the
5 courts, but not including an authority created in ch. 231, 233 ~~or~~, 234, or 237.

6 ***-0179/3.1*** SECTION 257. 16.54 (13) of the statutes is created to read:

7 16.54 (13) (a) If the state receives any interest payments from the federal
8 government relating to the timing of transfers of federal grant funds for programs
9 that are funded with moneys from the general fund and that are covered in an
10 agreement between the federal department of the treasury and the state under the
11 federal Cash Management Improvement Act of 1990, as amended, the payments,
12 less applicable administrative costs, shall be deposited in the general fund as general
13 purpose revenue — earned.

14 (b) If the state is required to pay any interest payments to the federal
15 government relating to the timing of transfers of federal grant funds for programs
16 that are funded with moneys from the general fund and that are covered in an
17 agreement between the federal department of the treasury and the state under the
18 federal Cash Management Improvement Act of 1990, as amended, the secretary
19 shall notify the cochairpersons of the joint committee on finance, in writing, that the
20 state is required to pay an interest payment. The notice shall contain an accounting
21 of the amount of interest that the state is required to pay.

22 ***-1554/1.1*** SECTION 258. 16.545 (9) of the statutes is amended to read:

23 16.545 (9) ~~To process applications for grants from the federal government upon~~
24 ~~request of any agency~~ initiate contacts with the federal government for the purpose
25 of facilitating participation by agencies, as defined in s. 16.70 (1), in federal aid

1 programs, to assist those agencies in applying for such aid, and to facilitate
2 influencing the federal government to make policy changes that will be beneficial to
3 this state. The department may assess to an agency for whom it processes an
4 application to which it provides services under this subsection a fee for the expenses
5 incurred by the department in performing this service providing those services.

6 *~~1857/5.24~~* SECTION 259. 16.61 (2) (af) of the statutes is amended to read:

7 16.61 (2) (af) "Form" has the meaning specified in s. ~~16.97~~ 22.01 (5p).

8 *~~1857/5.25~~* SECTION 260. 16.61 (3n) of the statutes is amended to read:

9 16.61 (3n) EXEMPT FORMS. The board may not receive or investigate complaints
10 about the forms specified in s. ~~16.971~~ 22.03 (2m).

11 *~~1555/2.1~~* SECTION 264. 16.62 (2) of the statutes is amended to read:

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

16 *~~1555/2.2~~* SECTION 265. 16.62 (3) of the statutes is amended to read:

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

20 *~~1528/8.2~~* SECTION 266. 16.63 of the statutes is created to read:

21 **16.63 Sale of state's rights to tobacco settlement agreement payments.**

22 (1) In this section:

23 (a) "Purchaser" means any person who has purchased the state's right to
24 receive any of the payments under the tobacco settlement agreement.

1 (b) “Tobacco settlement agreement” means the Attorneys General Master
2 Tobacco Settlement Agreement of November 23, 1998.

3 (c) “Tobacco settlement revenues” means the right to receive settlement
4 payments arising from or pursuant to the tobacco settlement agreement and all
5 direct or indirect proceeds of that right.

6 (2) The secretary may sell for cash or other consideration the state’s right to
7 receive any of the payments under the tobacco settlement agreement.

8 (3) The secretary may organize one or more nonstock corporations under ch.
9 181 or limited liability companies under ch. 183 for any purpose related to the sale
10 of the state’s right to receive any of the payments under the tobacco settlement
11 agreement and may take any action necessary to facilitate and complete the sale.

12 (3m) 1. If the secretary sells the state’s right to receive any of the payments
13 under the tobacco settlement agreement, the secretary shall require, as a condition
14 of the sale, that the purchaser notify the secretary if any bonds or other obligations
15 are issued that are secured by any of the payments and provide the secretary with
16 all information on the distribution of the bond or obligation proceeds.

17 2. The secretary shall submit a report to the joint committee on finance that
18 includes all of the information provided to the secretary by the purchaser under subd.

19 1.

20 (4) (a) Tobacco settlement revenues may not be deemed proceeds of any
21 property which is not tobacco settlement revenues.

22 (b) Except as otherwise provided in this subsection, the creation, perfection,
23 and enforcement of security interests in tobacco settlement revenues are governed
24 by ch. 409. Notwithstanding ch. 409, with regard to creating, perfecting, and
25 enforcing a valid security interest in tobacco settlement revenues:

1 1. If this state or the Wisconsin health and educational facilities authority is
2 the debtor in the transaction, the proper place to file the required financing
3 statement to perfect the security interest is the department of financial institutions.

4 2. The required financing statement shall include a description of collateral
5 that describes the collateral as general intangibles consisting of the right to receive
6 settlement payments arising from or pursuant to the tobacco settlement agreement
7 and all proceeds of that right. The required financing statement may include any
8 additional description of collateral that is legally sufficient under the laws of this
9 state.

10 3. The tobacco settlement revenues are general intangibles for purposes of ch.
11 409.

12 4. A security interest perfected under this paragraph is enforceable against the
13 debtor, any assignee or grantee, and all third parties, including creditors under any
14 lien obtained by judicial proceedings, subject only to the rights of any third parties
15 holding security interests in the tobacco settlement revenues previously perfected
16 under this paragraph. Unless the applicable security agreement provides otherwise,
17 a perfected security interest in the tobacco settlement revenues is a continuously
18 perfected security interest in all tobacco settlement revenues existing on the date of
19 the agreement or arising after the date of the agreement. A security interest
20 perfected under this paragraph has priority over any other lien created by operation
21 of law or otherwise, which subsequently attaches to the tobacco settlement revenues.

22 5. The priority of a security interest created under this paragraph is not
23 affected by the commingling of proceeds arising from the tobacco settlement
24 revenues with other amounts.

1 (c) The sale, assignment, and transfer of tobacco settlement revenues are
2 governed by this paragraph. All of the following apply to a sale, assignment, or
3 transfer under this paragraph:

4 1. The sale, assignment, or transfer is an absolute transfer of, and not a pledge
5 of or secured transaction relating to, the seller's right, title, and interest in, to, and
6 under the tobacco settlement revenues, if the documents governing the transaction
7 expressly state that the transaction is a sale or other absolute transfer. After such
8 a transaction, the tobacco settlement revenues are not subject to any claims of the
9 seller or the seller's creditors, other than creditors holding a prior security interest
10 in the tobacco settlement revenues perfected under par. (b).

11 2. The characterization of the sale, assignment, or transfer as an absolute
12 transfer under subd. 1. and the corresponding characterization of the purchaser's
13 property interest is not affected by any of the following factors:

14 a. Commingling of amounts arising with respect to the tobacco settlement
15 revenues with other amounts.

16 b. The retention by the seller of a partial or residual interest, including an
17 equity interest, in the tobacco settlement revenues, whether direct or indirect, or
18 whether subordinate or otherwise.

19 c. The sale, assignment, or transfer of only a portion of the tobacco settlement
20 revenues or an undivided interest in the tobacco settlement revenues.

21 d. Any recourse that the purchaser or its assignees may have against the seller.

22 e. Whether the seller is responsible for collecting payments due under the
23 tobacco settlement revenues or for otherwise enforcing any of the tobacco settlement
24 revenues or retains legal title to the tobacco settlement revenues for the purpose of
25 these collection activities.

1 f. The treatment of the sale, assignment, or transfer for tax purposes.

2 3. The sale, assignment, or transfer is perfected automatically as against third
3 parties, including any third parties with liens created by operation of law or
4 otherwise, upon attachment under ch. 409.

5 4. Nothing in this subsection precludes consideration of the factors listed in
6 subd. 2. a. to e. in determining whether the sale, assignment, or transfer is a sale for
7 tax purposes. The characterization of the sale, assignment, or transfer as an
8 absolute transfer under subd. 1. may not be considered in determining whether the
9 sale, assignment, or transfer is a sale for tax purposes.

10 (5) If the secretary sells the state's right to receive any of the payments under
11 the tobacco settlement agreement, the state pledges to and agrees with any
12 purchaser or subsequent transferee of the state's right to receive any of the payments
13 under the tobacco settlement agreement that the state will not limit or alter its
14 powers to fulfill the terms of the tobacco settlement agreement, nor will the state in
15 any way impair the rights and remedies provided under the tobacco settlement
16 agreement. The state also pledges to and agrees with any purchaser or subsequent
17 transferee of the state's right to receive any of the payments under the tobacco
18 settlement agreement that the state will pay all costs and expenses in connection
19 with any action or proceeding brought by or on behalf of the purchaser or any
20 subsequent transferee related to the state's not fulfilling the terms of the tobacco
21 settlement agreement. The secretary may include this pledge and agreement of the
22 state in any contract that is entered into by the secretary under this section.

23 (6) If the secretary sells the state's right to receive any of the payments under
24 the tobacco settlement agreement, the state pledges to and agrees with any
25 purchaser or subsequent transferee of the state's right to receive any of the payments

1 under the tobacco settlement agreement that the state will not limit or alter the
2 powers of the secretary under this section until any contract that is entered into
3 under this section is fully performed, unless adequate provision is made by law for
4 the protection of the rights and remedies of the purchaser or any subsequent
5 transferee under the contract. The secretary may include this pledge and agreement
6 of the state in any contract that is entered into by the secretary under this section.

7 (8) This subsection and subs. (8m) and (9) shall govern all civil claims, suits,
8 proceedings, and actions brought against the state relating to the sale of the state's
9 right to receive any of the payments under the tobacco settlement agreement. If the
10 state fails to comply with this section or the terms of any agreement relating to the
11 sale of the state's right to receive any of the payments under the tobacco settlement
12 agreement, an action to compel compliance may be commenced against the state.

13 (8m) If the recovery of a money judgment against the state is necessary to give
14 the plaintiff in an action under sub. (8) complete relief, a claim for the money
15 damages may be joined with the claim commenced under sub. (8).

16 (9) Sections 16.007, 16.53, and 775.01 do not apply to claims against the state
17 under sub. (8) or (8m). If there is a final judgment against the state in such an action,
18 the judgment shall be paid as provided in s. 775.04 together with interest at the rate
19 of 10% per year from the date such payment was judged to have been due until the
20 date of payment of the judgment.

21 *-1335/7.20* SECTION 267. 16.70 (2) of the statutes is amended to read:

22 16.70 (2) "Authority" means a body created under ch. 231, 232, 233 ~~or~~, 234, 235,
23 or 237.

24 *b0593/6.5* SECTION 267m. 16.70 (3) of the statutes is amended to read:

1 16.70 (3) "Contractual services" includes all services, materials to be furnished
2 by a service provider in connection with services, and any limited trades work
3 involving less than ~~\$20,000~~ \$30,000 to be done for or furnished to the state or any
4 agency.

5 *~~1857/5.26~~* SECTION 268. 16.70 (4m) of the statutes is created to read:

6 16.70 (4m) "Information technology" has the meaning given in s. 22.01 (6).

7 *~~1857/5.27~~* SECTION 269. 16.70 (15) of the statutes is created to read:

8 16.70 (15) "Telecommunications" has the meaning given in s. 22.01 (10).

9 *~~b2225/1.1~~* SECTION 270. 16.701 of the statutes is renumbered 16.701 (1).

10 *~~b2225/1.1~~* SECTION 271. 16.701 (2) of the statutes is created to read:

11 16.701 (2) The department may permit prospective vendors to provide product
12 or service information through the service established under sub. (1). The
13 department may prescribe fees or establish fees through a competitive process for the
14 use of the service under this subsection.

15 *~~b2225/1.1~~* SECTION 272. 16.7015 of the statutes is amended to read:

16 **16.7015 Bidders list.** ~~The department or any agency to which the department~~
17 ~~delegates purchasing authority under s. 16.71 (1) may maintain a bidders list which.~~
18 Any agency to which the department delegates purchasing authority under s. 16.71
19 (1) may maintain a bidders list if authorized by the delegation. The bidders list shall
20 include the names and addresses of all persons who request to be notified of bids or
21 competitive sealed proposals, excluding those to be awarded under s. 16.75 (1) (c) or
22 (2m) (c), that are solicited by the department or other agency for the procurement of
23 materials, supplies, equipment or contractual services under this subchapter. Any
24 list maintained by the department may include the names and addresses of any
25 person who requests to be notified of bids or competitive sealed proposals ~~to be that~~

1 are solicited by any agency. The department or other agency shall notify each person
2 on its list of all ~~requests for~~ bids or competitive sealed proposals that are solicited by
3 the department or other agency. The department or other agency may remove any
4 person from its list for cause.

5 ***-1857/5.28* SECTION 273.** 16.71 (1) of the statutes is amended to read:

6 16.71 (1) Except as otherwise required under this section and s. 16.78 or as
7 authorized in s. 16.74, the department shall purchase and may delegate to special
8 designated agents the authority to purchase all necessary materials, supplies,
9 equipment, all other permanent personal property and miscellaneous capital, and
10 contractual services and all other expense of a consumable nature for all agencies.
11 In making any delegation, the department shall require the agent to adhere to all
12 requirements imposed upon the department in making purchases under this
13 subchapter. All materials, services and other things and expense furnished to any
14 agency and interest paid under s. 16.528 shall be charged to the proper appropriation
15 of the agency to which furnished.

16 ***-1857/5.29* SECTION 274.** 16.71 (1m) of the statutes is created to read:

17 16.71 (1m) The department shall not delegate to any executive branch agency,
18 other than the board of regents of the University of Wisconsin System, the authority
19 to enter into any contract for materials, supplies, equipment, or contractual services
20 relating to information technology or telecommunications prior to review and
21 approval of the contract by the chief information officer. No executive branch agency,
22 other than the board of regents of the University of Wisconsin System, may enter into
23 any such contract without review and approval of the contract by the chief
24 information officer.

25 ***-1857/5.30* SECTION 275.** 16.71 (2m) of the statutes is created to read:

1 16.71 (2m) The department of administration shall delegate authority to make
2 all purchases for the department of electronic government to the department of
3 electronic government. This delegation may not be withdrawn, but the department
4 of electronic government may elect to make any purchase through the department
5 of administration.

6 ***b0473/1.1* SECTION 275m.** 16.71 (2s) of the statutes is created to read:

7 16.71 (2s) The department shall delegate authority to the ethics board to make
8 purchases authorized under s. 22.03 (2) (n).

9 ***-1857/5.31* SECTION 276.** 16.71 (4) of the statutes is amended to read:

10 16.71 (4) The With the approval of the department of electronic government,
11 the department of administration shall delegate authority to the technology for
12 educational achievement in Wisconsin board to make purchases of educational
13 technology equipment for use by school districts, cooperative educational service
14 agencies and public educational institutions in this state, upon request of the board.

15 ***-1823/3.4* SECTION 277.** 16.71 (6) of the statutes is created to read:

16 16.71 (6) The department may assess any agency or municipality to which it
17 provides services under this subchapter for the cost of the services provided to the
18 agency or municipality. The department may also identify savings that the
19 department determines to have been realized by an agency to which it provides
20 services under this subchapter and may assess the agency for not more than the
21 amount of the savings identified by the department.

22 ***-1857/5.32* SECTION 278.** 16.72 (2) (a) of the statutes is amended to read:

23 16.72 (2) (a) The department of administration shall prepare standard
24 specifications, as far as possible, for all state purchases. By “standard specifications”
25 is meant a specification, either chemical or physical or both, prepared to describe in

1 detail the article which the state desires to purchase, and trade names shall not be
2 used. On the formulation, adoption and modification of any standard specifications,
3 the department of administration shall also seek and be accorded without cost, the
4 assistance, advice and cooperation of other agencies and officers. Each specification
5 adopted for any commodity shall, insofar as possible, satisfy the requirements of any
6 and all agencies which use it in common. Any specifications for the purchase of
7 materials, supplies, equipment, or contractual services for information technology
8 or telecommunications purposes are subject to the approval of the chief information
9 officer.

10 ***-1857/5.33* SECTION 279.** 16.72 (2) (b) of the statutes is amended to read:

11 16.72 (2) (b) Except as provided in par. (a) and ss. 16.25 (4) (b), 16.751 and
12 565.25 (2) (a) 4., the department shall prepare or review specifications for all
13 materials, supplies, equipment, other permanent personal property and contractual
14 services not purchased under standard specifications. Such “nonstandard
15 specifications” may be generic or performance specifications, or both, prepared to
16 describe in detail the article which the state desires to purchase either by its physical
17 properties or programmatic utility. When appropriate for such nonstandard items
18 or services, trade names may be used to identify what the state requires, but
19 wherever possible 2 or more trade names shall be designated and the trade name of
20 any Wisconsin producer, distributor or supplier shall appear first.

21 ***-1857/5.34* SECTION 280.** 16.72 (2) (d) of the statutes is amended to read:

22 16.72 (2) (d) Except as permitted in ~~s.~~ ss. 16.75 (6) (am) and 16.751, to the extent
23 possible, the department and any other designated purchasing agent under s. 16.71
24 (1) shall write specifications for the purchase of materials, supplies, commodities,