equipment and contractual services so as to permit their purchase from prison industries, as created under s. 303.01 (1).

\*-1857/5.35\* Section 281. 16.72 (4) (a) of the statutes is amended to read:

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

\*-1857/5.36\* Section 282. 16.72 (8) of the statutes is amended to read:

16.72 (8) The division of information technology services of the department may purchase educational technology materials, supplies, equipment or contractual services from orders placed with the department by the technology for educational achievement in Wisconsin board on behalf of school districts, cooperative educational service agencies, technical college districts and the board of regents of the University of Wisconsin System.

\*b1602/1.1\* Section 282m. 16.73 (6) of the statutes is created to read:

16.73 (6) The department shall administer a program to facilitate purchases of large equipment that is needed by municipalities. The department shall purchase

large equipment as a part of the program. The department may, by rule, prescribe requirements for participation in the program and for participation in specific purchases under the program.

\*-0166/4.1\* Section 285. 16.75 (1) (a) 1. of the statutes is amended to read: 16.75 (1) (a) 1. All orders awarded or contracts made by the department for all materials, supplies, equipment, and contractual services to be provided to any agency, except as otherwise provided in par. (c) and subs. (2), (2g), (2m), (3m), (3t), (6), (7), (8), and (9) and ss. 16.73 (4) (a), 16.751, 16.754, 16.964 (8), 50.05 (7) (f), and 287.15 (7) and 301.265, shall be awarded to the lowest responsible bidder, taking into consideration life cycle cost estimates under sub. (1m), when appropriate, the location of the agency, the quantities of the articles to be supplied, their conformity with the specifications, and the purposes for which they are required and the date of delivery.

\*b2225/1.2\* Section 286. 16.75 (1) (a) 3. of the statutes is amended to read:

16.75 (1) (a) 3. Bids may be received only in accordance with such specifications as are adopted by the department as provided in this subsection. Any or all bids may be rejected. Each Whenever sealed bids are invited, each bid, with the name of the bidder, shall be entered on a record, and each record with the successful bid indicated shall, after the award or letting of the contract, be opened to public inspection. Where a low bid is rejected, a complete written record shall be compiled and filed, giving the reason in full for such action. Any waiver of sealed, advertised bids as provided in sub. (2m) or (6) shall be entered on a record kept by the department and open to public inspection.

\*b2225/1.2\* Section 287. 16.75 (1) (b) of the statutes is amended to read:

16.75 (1) (b) When the estimated cost exceeds \$25,000, the department shall invite bids to be submitted. The department shall either solicit sealed bids to be opened publicly at a specified date and time, or shall solicit bidding by auction to be conducted electronically at a specified date and time. Whenever bids are invited, due notice inviting bids shall be published as a class 2 notice, under ch. 985, and the bids or posted on the Internet at a site determined or approved by the department. The bid opening or auction shall not be opened until occur at least 7 days from after the date of the last day of publication insertion of the notice or at least 7 days after the date of posting on the Internet. The official advertisement notice shall specify whether sealed bids are invited or bids will be accepted by auction, and shall give a clear description of the materials, supplies, equipment, or service contractual services to be purchased, the amount of the any bond, share draft, check, or other draft to be submitted as surety with the bid or prior to the auction, and the date of and time that the public opening or the auction will be held.

\*b2225/1.2\* Section 288. 16.75 (1) (cm) of the statutes is created to read:

16.75 (1) (cm) If bids are solicited by auction, the award may be made in accordance with simplified competitive procedures established by the department for such transactions.

\***b2225/1.2**\* **Section 289.** 16.75 (2) (a) of the statutes is amended to read:

16.75 (2) (a) When the department of administration believes that it is to the best interests of the state to purchase certain patented or proprietary articles, other than printing and stationery, it may purchase said articles without the usual statutory procedure. All but all equipment shall be purchased from the lowest and best bidder as determined by the bids and a comparison of the any detailed specifications submitted with the bids, and after due advertisement as hereinbefore

provided notice, whenever notice is required under this section. Where the low bid or bids are rejected, a complete written record shall be compiled and filed, giving the reasons in full for such action.

\***b2225/1.2**\* **Section 290.** 16.75 (2m) (b) of the statutes is amended to read:

16.75 (2m) (b) When the estimated cost exceeds \$25,000, the department shall publish a class 2 notice under ch. ch 985 inviting may invite competitive sealed proposals by publishing a class 2 notice under ch. 985 or by posting notice on the Internet at a site determined or approved by the department. The advertisement notice shall describe the materials, supplies, equipment, or service contractual services to be purchased, the intent to solicit make the procurement by solicitation of proposals rather than by solicitation of bids, any requirement for surety and the date the proposals will be opened, which shall be at least 7 days after the date of the last insertion of the notice or at least 7 days after the date of posting on the Internet.

\*-1857/5.37\* Section 291. 16.75 (3t) (a) of the statutes is amended to read:

16.75 (3t) (a) In this subsection, "form" has the meaning given under s. 16.97 22.01 (5p).

\*-1857/5.38\* SECTION 292. 16.75 (3t) (c) (intro.) of the statutes is amended to read:

16.75 (3t) (c) (intro.) The department of corrections shall periodically provide to the department of administration a current list of all materials, supplies, equipment or contractual services, excluding commodities, that are supplied by prison industries, as created under s. 303.01. The department of administration shall distribute the list to all designated purchasing agents under s. 16.71 (1). Prior Except as otherwise provided in sub. (6) (am), prior to seeking bids or competitive sealed proposals with respect to the purchase of any materials, supplies, equipment

or contractual services enumerated in the list, the department of administration or any other designated purchasing agent under s. 16.71 (1) shall offer prison industries the opportunity to supply the materials, supplies, equipment or contractual services if the department of corrections is able to provide them at a price comparable to one which may be obtained through competitive bidding or competitive sealed proposals and is able to conform to the specifications, provided the specifications are written in accordance with s. 16.72 (2) (d). If the department of administration or other purchasing agent is unable to determine whether the price of prison industries is comparable, it may solicit bids or competitive proposals before awarding the order or contract. This paragraph does not apply to the printing of the following forms:

\*-1857/5.39\* Section 293. 16.75 (6) (am) 1. of the statutes is repealed.

\*-1857/5.40\* Section 294. 16.75 (6) (am) 2. of the statutes is renumbered 16.75 (6) (am) and amended to read:

16.75 (6) (am) Subsections (1) and (3t) do not apply to major procurements by the department of electronic government. Annually not later than October 1, the department of electronic government shall report to the department of administration, in the form specified by the secretary, concerning all procurements by the department of electronic government during the preceding fiscal year that were not made in accordance with the requirements of subs. (1) and (3t).

\*b2225/1.3\* Section 295. 16.75 (6) (c) of the statutes is amended to read:

16.75 (6) (c) If the secretary determines that it is in the best interest of this state to do so, he or she may, with the approval of the governor, waive the requirements of subs. (1) to (5) and may purchase supplies, material, equipment, or contractual services, other than printing and stationery, from a private source other than a source specified in par. (b). Except as provided in sub. (2g) (c), if the cost of the

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purchase is expected to exceed \$25,000, the department shall <u>first</u> publish a class 2 notice under ch. 985 or post a notice on the Internet at the site determined or approved by the department under sub. (1) (b) describing the materials, supplies, equipment, or contractual services to be purchased, stating the intent to make the purchase from a private source without soliciting bids or competitive sealed proposals and stating the date on which the contract or purchase order will be awarded. The date of the award shall be at least 7 days after the date of the last insertion or the date of posting on the Internet.

- \*-1857/5.41\* Section 296. 16.751 (1) of the statutes is repealed.
- \*-1857/5.42\* SECTION 297. 16.751 (2) of the statutes is renumbered 16.751 and amended to read:
- 16.751 Information technology purchases by investment board. The requirements of ss. 16.72 (2) (b) and (d) and 16.75 (1) (a) 1. and (2m) (g) do not apply to procurements authorized to be made by the investment board under s. 16.78 (1) for information technology purposes.
- \*-1857/5.43\* Section 298. 16.752 (12) (i) of the statutes is amended to read:
  16.752 (12) (i) Paragraph (a) does not apply to major procurements, as defined in s. 16.75 (6) (am) by the department of electronic government.
  - \*-1335/7.21\* Section 299. 16.765 (1) of the statutes is amended to read:
- 16.765 (1) Contracting agencies, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, and the Bradley Center Sports and Entertainment Corporation shall include in all contracts executed by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. 51.01 (5), sexual

orientation as defined in s. 111.32 (13m) or national origin and, except with respect to sexual orientation, obligating the contractor to take affirmative action to ensure equal employment opportunities.

\*-1335/7.22\* Section 300. 16.765 (2) of the statutes is amended to read:

16.765 (2) Contracting agencies, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, and the Bradley Center Sports and Entertainment Corporation shall include the following provision in every contract executed by them: "In connection with the performance of work under this contract, the contractor agrees not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. 51.01 (5), sexual orientation or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Except with respect to sexual orientation, the contractor further agrees to take affirmative action to ensure equal employment opportunities. The contractor agrees to post in conspicuous places, available for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause".

\*-1335/7.23\* Section 301. 16.765 (4) of the statutes is amended to read:

16.765 (4) Contracting agencies, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, and the Bradley Center Sports and Entertainment Corporation shall take appropriate action to revise the standard government contract forms under this section.

\*-1335/7.24\* Section 302. 16.765 (5) of the statutes is amended to read:

16.765 (5) The head of each contracting agency and the boards of directors of the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, and the Bradley Center Sports and Entertainment Corporation shall be primarily responsible for obtaining compliance by any contractor with the nondiscrimination and affirmative action provisions prescribed by this section, according to procedures recommended by the department. The department shall make recommendations to the contracting agencies and the boards of directors of the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, and the Bradley Center Sports and Entertainment Corporation for improving and making more effective the nondiscrimination and affirmative action provisions of contracts. The department shall promulgate such rules as may be necessary for the performance of its functions under this section.

\*-1335/7.25\* Section 303. 16.765 (6) of the statutes is amended to read:

16.765 (6) The department may receive complaints of alleged violations of the nondiscrimination provisions of such contracts. The department shall investigate and determine whether a violation of this section has occurred. The department may delegate this authority to the contracting agency, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, or the Bradley Center Sports and Entertainment Corporation for processing in accordance with the department's procedures.

\*-1335/7.26\* SECTION 304. 16.765 (7) (intro.) of the statutes is amended to read:

16.765 (7) (intro.) When a violation of this section has been determined by the department, the contracting agency, the University of Wisconsin Hospitals and

Clinics Authority, the Fox River Navigational System Authority, or the Bradley Center Sports and Entertainment Corporation, the contracting agency, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, or the Bradley Center Sports and Entertainment Corporation shall:

\*-1335/7.27\* Section 305. 16.765 (7) (d) of the statutes is amended to read:

16.765 (7) (d) Direct the violating party to take immediate steps to prevent further violations of this section and to report its corrective action to the contracting agency, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, or the Bradley center sports and entertainment corporation.

\*-1335/7.28\* Section 306. 16.765 (8) of the statutes is amended to read:

16.765 (8) If further violations of this section are committed during the term of the contract, the contracting agency, the Fox River Navigational System Authority, or the Bradley Center Sports and Entertainment Corporation may permit the violating party to complete the contract, after complying with this section, but thereafter the contracting agency, the Fox River Navigational System Authority, or the Bradley Center Sports and Entertainment Corporation shall request the department to place the name of the party on the ineligible list for state contracts, or the contracting agency, the Fox River Navigational System Authority, or the Bradley Center Sports and Entertainment Corporation may terminate the contract without liability for the uncompleted portion or any materials or services purchased or paid for by the contracting party for use in completing the contract.

\*-1857/5.44\* SECTION 307. 16.78 of the statutes is amended to read:

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16.78 Purchases from division of information technology services department of electronic government. (1) Every agency other than the board of regents of the University of Wisconsin system and an agency making purchases under s. 16.74 shall purchase all computer make all purchases of materials, supplies, equipment, and contractual services relating to information technology or telecommunications from the division of information technology services in the department of administration electronic government, unless the division department of electronic government requires the agency to purchase the materials, supplies, equipment, or contractual services pursuant to a master contract established under s. 22.05 (2) (h), or grants written authorization to the agency to procure the materials, supplies, equipment, or contractual services under s. 16.75 (1) or (2m), to purchase the materials, supplies, equipment, or contractual services from another agency or to provide the materials, supplies, equipment, or contractual services to itself. The board of regents of the University of Wisconsin system may purchase computer services from the division of information technology services make purchases of materials, supplies, equipment, and contractual services relating to information technology or telecommunications from the department of electronic government.

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

\*-1857/5.45\* Section 308. 16.80 of the statutes is renumbered 22.19.

\*-1335/7.29\* Section 310. 16.838 (1) (b) of the statutes is amended to read:

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16.838 (1) (b) "Authority" means a body created under ch. 231, 232, 233, 234 or, 235, or 237.

\*-1555/2.3\* Section 311. 16.84 (14) of the statutes is amended to read:

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

\*-1335/7.30\* Section 312. 16.845 (1) of the statutes is amended to read:

16.845 (1) Rule; Penalty. Except as elsewhere expressly prohibited, the managing authority of any facility owned by the state or by the University of Wisconsin Hospitals and Clinics Authority or leased from the state by the Fox River Navigational System Authority may permit its use for free discussion of public questions, or for civic, social, recreational or athletic activities. No such use shall be permitted if it would unduly burden the managing authority or interfere with the prime use of such facility. The applicant for use shall be liable to the state or, to the Fox River Navigational System Authority, or to the University of Wisconsin Hospitals and Clinics Authority for any injury done to its property, for any expense arising out of any such use and for such sum as the managing authority may charge for such use. All such sums payable to the state shall be paid into the general fund and credited to the appropriation account for the operation of the facility used. The managing authority may permit such use notwithstanding the fact that a reasonable admission fee may be charged to the public. Whoever does or attempts to do an act for which a permit is required under this section without first obtaining the permit may be fined not more than \$100 or imprisoned not more than 30 days or both. This subsection applies only to those facilities for which a procedure for obtaining a permit has been established by the managing authority.

*-1553/2.2* Section 313.	16.847(1)(a) of the statutes is repealed.
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- \*-1553/2.3\* Section 314. 16.847 (2) to (7) of the statutes are repealed.
- \*-1553/2.4\* SECTION 315. 16.847 (8) (a) of the statutes is renumbered 16.847 (8) and amended to read:

16.847 (8) Repayment agreements. As a condition of receiving a loan under sub. (6), an agency shall enter into an agreement to repay the loan from utility expenses saved by the energy efficiency project. The agreement shall specify the annual repayment amount and the appropriation to which the loan shall be repaid. Annually, the The department may annually transfer the specified repayment amount from an appropriation described in the agreement to the same account in repayments under agreements to obtain loans from the energy efficiency fund from which the loan was made under s. 16.847 (6), 1999 stats., from the appropriations specified in the agreements to the general fund. The amount of each annual repayment shall equal the amount of annual savings in utility expenses realized as a result of the energy efficiency project that was funded by a loan. The department shall determine the amount of annual savings in utility expenses saved realized as a result of an energy efficiency project.

- \*-1553/2.5\* Section 316. 16.847 (8) (b) of the statutes is repealed.
- \*-1553/2.6\* Section 317. 16.847 (9) of the statutes is repealed.
  - \*-1553/2.7\* Section 318. 16.85 (1) of the statutes is amended to read:

16.85 (1) To take charge of and supervise all engineering or architectural services or construction work as defined in s. 16.87 performed by, or for, the state, or any department, board, institution, commission or officer thereof, including nonprofit—sharing corporations organized for the purpose of assisting the state in the construction and acquisition of new buildings or improvements and additions to

existing buildings as contemplated under ss. 13.488, 36.09 and 36.11, except the engineering, architectural and construction work of the department of transportation, the engineering service performed by the department of commerce, department of revenue, public service commission, department of health and family services and other departments, boards and commissions when the service is not related to the maintenance, and construction and planning of the physical properties of the state, and energy efficiency projects of the energy efficiency program under s. 16.847. The department shall adopt the architectural and engineering design proposed by the state fair park board for any project to be constructed for the board, if the design and specifications conform to applicable laws, rules, codes and regulations. The department shall not authorize construction work for any state office facility in the city of Madison after May 11, 1990, unless the department first provides suitable space for a day care center primarily for use by children of state employees.

\*-1335/7.31\* Section 319. 16.85 (2) of the statutes is amended to read:

16.85 (2) To furnish engineering, architectural, project management and other building construction services whenever requisitions therefor are presented to the department by any agency. The department may deposit moneys received from the provision of these services in the account under s. 20.505 (1) (kc) or in the general fund as general purpose revenue — earned. In this subsection, "agency" means an office, department, independent agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in ch. 231, 233 er, 234, or 237.

\***b0593/6.7**\* **Section 319m.** 16.85 (6) of the statutes is amended to read:

16.85 (6) To approve the appointment of a principal engineer or architect for departments, boards and commissions and when such continuous service is needed. No such engineer or architect shall be employed without the written approval of the secretary. This subsection does not apply to the state fair park board.

\*b1084/1.1\* Section 319s. 16.85 (10m) of the statutes is created to read:

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

\*-1335/7.32\* Section 321. 16.85 (16) of the statutes is created to read:

16.85 (16) To review and approve the design and specifications of any rehabilitation or repair project of the Fox River Navigational System Authority on state-owned land, to approve the decision to proceed with the project, and to periodically review the progress of the project during construction to assure compliance with the approved design and specifications.

\*b0957/1.1\* Section 321j. 16.854 (1) (a) of the statutes is amended to read:

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16.854 (1) (a) "Minority business" has the meaning given in s. 560.036 (1) (e) means a business that is certified by the department of commerce under s. 560.036 (2).

\*b0572/1.1\* Section 321m. 16.855 (19) of the statutes is amended to read:

16.855 (19) As the work progresses under any contract for construction the department, from time to time, shall grant to the contractor an estimate of the amount and proportionate value of the work done, which shall entitle the contractor to receive the amount thereof, less the retaining, from the proper fund. On all construction projects, the retainage shall be an amount equal to 10% 5% of said estimate until 50% of the work has been completed. At 50% completion, no additional amounts shall be retained, and partial payments shall be made in full to the contractor unless the architect or engineer certifies that the job is not proceeding satisfactorily. At 50% completion or any time thereafter when the progress of the work is not satisfactory, additional amounts may be retained but in no event shall the total retainage be more than  $\frac{10\%}{5\%}$  of the value of the work completed. Upon substantial completion of the work, an amount retained may be paid to the contractor. For the purposes of this section, estimates may include any fabricated or manufactured materials and components specified, previously paid for by contractor and delivered to the work or properly stored and suitable for incorporation in the work embraced in the contract. This subsection does not apply to contracts awarded under s. 16.858.

\*-1335/7.33\* Section 322. 16.865 (8) of the statutes is amended to read:

16.865 (8) Annually in each fiscal year, allocate as a charge to each agency a proportionate share of the estimated costs attributable to programs administered by the agency to be paid from the appropriation under s. 20.505 (2) (k). The department

may charge premiums to agencies to finance costs under this subsection and pay the costs from the appropriation on an actual basis. The department shall deposit all collections under this subsection in the appropriation account under s. 20.505 (2) (k). Costs assessed under this subsection may include judgments, investigative and adjustment fees, data processing and staff support costs, program administration costs, litigation costs and the cost of insurance contracts under sub. (5). In this subsection, "agency" means an office, department, independent agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in ch. 231, 232, 233, 234 er, 235, or 237.

\*b0593/6.8\* Section 322e. 16.87 (2) of the statutes is amended to read:

16.87 (2) A contract for engineering services or architectural services or a contract involving an expenditure of \$2,500 \$10,000 or more for construction work, or \$20,000 \$30,000 or more for limited trades work, to be done for or furnished to the state or a department, board, commission or officer of the state is exempt from the requirements of ss. 16.705 and 16.75. The department shall attempt to ensure that 5% of the total amount expended under this section in each fiscal year is paid to minority businesses, as defined under s. 16.75 (3m) (a).

\*b0593/6.8\* Section 322g. 16.87 (3) of the statutes is amended to read:

16.87 (3) Except as provided in sub. (4), a contract under sub. (2) is not valid or effectual for any purpose until it is endorsed in writing and approved by the secretary or the secretary's designated assistant and, if the contract involves an expenditure over \$30,000 \$60,000, approved by the governor. Except as provided in sub. (4), no payment or compensation for work done under any contract involving

following:

\$2,500 or more, except a highway contract, may be made unless the written claim is
audited and approved by the secretary or the secretary's designee. Any change order
to a contract requiring approval under this subsection requires the prior approval by
the secretary or the secretary's designated assistant and, if the change order involves
an expenditure over \$30,000 \$60,000, the approval of the governor.
*b0593/6.8* Section 322i. 16.87 (5) of the statutes is repealed.
*b1764/2.1* Section 322m. 16.95 (16) of the statutes is created to read:
16.95 (16) Require public utilities to provide the department with energy
billing and use data regarding public schools, if the department determines that the
data would facilitate any effort by the department to administer or provide energy
assistance for public schools, including any effort to direct energy assistance to public
schools with the highest energy costs.
*-1552/5.12* Section 324. 16.957 (2) (a) (intro.) of the statutes is amended to
read:
16.957 (2) (a) Low-income programs. (intro.) After holding a hearing,
establish programs to be administered by the department for awarding grants from
the appropriation under s. $20.505 \frac{10}{20} \frac{3}{10}$ (r) to provide low–income assistance. In
each fiscal year, the amount awarded under this paragraph shall be sufficient to
ensure that an amount equal to 47% of the sum of the following is spent for
weatherization and other energy conservation services:
*-1552/5.13* Section 325. 16.957 (2) (b) 1. of the statutes is amended to read:
16.957 (2) (b) 1. Subject to subd. 2., after holding a hearing, establish programs
for awarding grants from the appropriation under s. 20.505 (10) (3) (s) for each of the

- a. Proposals for providing energy conservation or efficiency services. In awarding grants under this subd. 1. a., the department shall give priority to proposals directed at the sectors of energy conservation or efficiency markets that are least competitive and at promoting environmental protection, electric system reliability, or rural economic development. In each fiscal year, 1.75% of the appropriation under s. 20.505 (10) (3) (s) shall be awarded in grants for research and development proposals regarding the environmental impacts of the electric industry.
- b. Proposals for encouraging the development or use of customer applications of renewable resources, including educating customers or members about renewable resources or encouraging uses of renewable resources by customers or members or encouraging research technology transfers. In each fiscal year, the department shall ensure that 4.5% of the appropriation under s. 20.505 (10) (3) (s) is awarded in grants under this subd. 1. b.

\***b0751/2.1**\* **Section 327n.** 16.964 (1) (i) of the statutes is created to read:

16.964 (1) (i) From the appropriations under s. 20.505 (6) (kp) and (p), allocate \$250,000 annually to the department of transportation for the purpose of awarding grants under s. 85.53.

\*b0628/2.1\* Section 328g. 16.964 (4) of the statutes is amended to read:

16.964 (4) In regard to any grant the office makes to any local unit of government for which the state is providing matching funds from moneys under s. 20.505 (6) (kp), the local unit of government shall provide matching funds equal to at least 10%. This subsection does not apply to grants made to improve the enforcement of laws regarding controlled substances commonly known as club drugs, including ecstasy, and to educate the public regarding the nature and impact

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of those controlled substances and the criminal penalties that apply to possessing, manufacturing, distributing, or delivering them unlawfully.

\*-1634/P6.16\* Section 332. 16.965 (2) of the statutes is amended to read:

16.965 (2) From the appropriation appropriations under s. ss. 20.505 (1) (cm) and (if), the department may provide grants to local governmental units to be used to finance the cost of planning activities, including contracting for planning consultant services, public planning sessions and other planning outreach and educational activities, or for the purchase of computerized planning data, planning software or the hardware required to utilize that data or software. The department shall require any local governmental unit that receives a grant under this section to finance a percentage of the cost of the product or service to be funded by the grant from the resources of the local governmental unit. The department shall determine the percentage of the cost to be funded by a local governmental unit based on the number of applications for grants and the availability of funding to finance grants for the fiscal year in which grants are to be provided. A local governmental unit that desires to receive a grant under this subsection shall file an application with the department. The application shall contain a complete statement of the expenditures proposed to be made for the purposes of the grant. The department shall establish a deadline for receipt of applications. Immediately following the deadline, all applications received by the department are open to public inspection. No local governmental unit is eligible to receive a grant under this subsection unless the local governmental unit agrees to utilize the grant to finance planning for all of the purposes specified in s. 66.0295 66.1001 (2).

\*b0670/3.9\* Section 342m. 16.966 (5) of the statutes is created to read:

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16.966 <b>(5)</b>	Notwithstanding s. 16.705 (1), the department shall enter into	a
contract for the	operation and maintenance of the land information system under	s.
16.967 (6m).		

\*b0670/3.9\* Section 342n. 16.966 (5) of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

\*b0669/1.1\* Section 343m. 16.967 (6) of the statutes, as affected by 1997 Wisconsin Act 27, section 141am, is amended to read:

16.967 (6) REPORTS. By March 31, 1990, and biennially thereafter of each year, the department of administration, the department of agriculture, trade and consumer protection, the department of commerce, the department of health and family services, the department of natural resources, the department of tourism, the department of revenue, the department of transportation, the board of regents of the University of Wisconsin System, the public service commission and the board of curators of the historical society shall each submit to the board a plan to integrate land information to enable such information to be readily translatable, retrievable and geographically referenced for use by any state, local governmental unit or public The plans shall include the information that will be needed by local governmental units to prepare comprehensive plans containing the planning elements required under s. 66.1001 (2). Upon receipt of this information, the board shall integrate the information to enable the information to be used to meet land information data needs. The integrated information shall be readily translatable, retrievable, and geographically referenced to enable members of the public to use the information.

\*b2221/3.7\* SECTION 343p. 16.967 (6) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

16.967 (6) REPORTS. By March 31 of each year, the department of
administration, the department of agriculture, trade and consumer protection, the
department of commerce, the department of forestry, the department of health and
family services, the department of natural resources, the department of tourism, the
department of revenue, the department of transportation, the board of regents of the
University of Wisconsin System, the public service commission and the board of
curators of the historical society shall each submit to the board a plan to integrate
land information to enable such information to be readily translatable, retrievable
and geographically referenced for use by any state, local governmental unit or public
utility. The plans shall include the information that will be needed by local
governmental units to prepare comprehensive plans containing the planning
elements required under s. 66.1001 (2). Upon receipt of this information, the board
shall integrate the information to enable the information to be used to meet land
information data needs. The integrated information shall be readily translatable,
retrievable, and geographically referenced to enable members of the public to use the
information.

\*b0670/3.10\* Section 343r. 16.967 (6m) of the statutes is created to read:

16.967 (6m) State Land information system. The board shall promulgate rules governing the creation and maintenance of a state land information system.

\*b0670/3.10\* Section 343t. 16.967 (7) (a) 5. of the statutes is created to read:

16.967 (7) (a) 5. To support technological developments and improvements for the purpose of providing Internet—accessible housing assessment and sales data.

\*-1857/5.46\* Section 345. Subchapter VII (title) of chapter 16 [precedes 16.97] of the statutes is amended to read:

1	SUBCHAPTER VII
2	INFORMATION EDUCATIONAL
3	TECHNOLOGY
4	*-1857/5.47* Section 346. 16.97 (intro.) of the statutes is renumbered 22.01
5	(intro.) and amended to read:
6	22.01 Definitions. (intro.) In this subchapter chapter:
7	*-1857/5.48* Section 347. 16.97 (1) to (9) of the statutes are renumbered 22.01
8	(1) to (9).
9	*-1857/5.49* Section 348. 16.97 (10) of the statutes is renumbered 16.97 and
10	amended to read:
11	16.97 <u>Definition</u> . "Telecommunications" means the electronic movement of
12	information in any form from one point to another In this subchapter,
13	"telecommunications" has the meaning given in s. 22.01 (10).
14	*-1857/5.50* Section 349. 16.971 (title) of the statutes is renumbered 22.03
15	(title).
16	*-1857/5.51* Section 350. 16.971 (1) of the statutes is repealed.
17	*-1857/5.52* Section 351. 16.971 (1m) of the statutes is renumbered 22.03 (2)
18	(a) and amended to read:
19	22.03 (2) (a) The department shall ensure Ensure that an adequate level of
20	information technology services is made available to all agencies by providing
21	systems analysis and application programming services to augment agency
22	resources, as requested. The department shall also ensure that executive branch
23	agencies, other than the board of regents of the University of Wisconsin System,
24	make effective and efficient use of the information technology resources of the state.
25	The department shall in cooperation with agencies establish policies procedures

1	and planning processes, for the administration of information technology services,
2	which executive branch agencies shall follow. The policies, procedures and processes
3	shall address the needs of agencies, other than the board of regents of the University
4	of Wisconsin System, to carry out their functions. The department shall monitor
5	adherence to these policies, procedures and processes.
6	*-1857/5.53* Section 352. 16.971 (2) (intro.) of the statutes is renumbered
7	22.03 (2) (intro.) and amended to read:
8	22.03 (2) (intro.) The division department shall:
9	*-1857/5.54* Section 353. 16.971 (2) (a) of the statutes is renumbered 22.03
10	(2) (ae) and amended to read:
11	22.03 (2) (ae) Except as provided in sub. (2m), review and approve, modify or
12	reject all forms approved by a records and forms officer for jurisdiction, authority,
13	standardization of design and nonduplication of existing forms. Unless the division
14	department rejects for cause or modifies the form within 20 working days after
15	receipt, it is considered approved. The division's department's rejection of any form
16	is appealable to the public records board. If the head of an agency certifies to the
17	division department that the form is needed on a temporary basis, approval by the
18	division department is not required.
19	*-1857/5.55* Section 354. 16.971 (2) (am) to (k) of the statutes are
20	renumbered 22.03 (2) (am) to (k).
21	*-1857/5.56* Section 355. 16.971 (2) (L) to (m) of the statutes are renumbered
22	22.03 (2) (L) to (m) and amended to read:
23	22.03 (2) (L) Require each executive branch agency, other than the board of
24	regents of the University of Wisconsin System, to adopt, revise biennially, and
25	submit for its approval, to the department, in a form specified by the department, no

later than March 1 of each year, a strategic plan for the utilization of information technology to carry out the functions of the agency. As a part of each plan, the division shall require each executive branch agency to address the business needs of the agency and to identify all proposed information technology development projects that serve those business needs, the priority for undertaking such projects and the justification for each project, including the anticipated benefits of the project. Each plan shall identify any changes in the functioning of the agency under the plan. The division shall consult with the joint committee on information policy and technology in providing guidance for and scheduling of planning by executive branch agencies in the succeeding fiscal year for review and approval under s. 22.13.

(Lm) No later than 60 days after enactment of each biennial budget act, require each executive branch agency, other than the board of regents of the University of Wisconsin System, that receives funding under that act for an information technology development project to file with the division department an amendment to its strategic plan for the utilization of information technology under par. (L). The amendment shall identify each information technology development project for which funding is provided under that act and shall specify, in a form prescribed by the secretary chief information officer, the benefits that the agency expects to realize from undertaking the project.

(m) Assist in coordination and integration of the plans of executive branch agencies relating to information technology approved under par. (L) and, using these plans and the statewide long-range telecommunications plan under s. 16.99 22.41 (2) (a), formulate and revise biennially a consistent statewide strategic plan for the use and application of information technology. The division department shall, no later than September 15 of each even-numbered year, submit the statewide strategic

plan to the cochairpersons of the joint committee on information policy and technology and the governor.

\***b0473/1.2**\* **SECTION 355m.** 16.971 (2) (n) of the statutes is renumbered 22.03 (2) (n) and amended to read:

22.03 (2) (n) Maintain an information technology resource center to provide appropriate technical assistance and training to small agencies. If funding is made available to the ethics board under this paragraph, the department shall permit the ethics board to utilize the funding to procure technical assistance or training from any source.

\*-1857/5.57\* SECTION 356. 16.971 (2m) of the statutes is renumbered 22.03 (2m).

\*b0224/3.25\* Section 357ab. 16.971 (3) of the statutes is renumbered 22.03 (3) and amended to read:

22.03 (3) (a) The secretary chief information officer shall notify the joint committee on finance in writing of the proposed acquisition of any information technology resource that the department considers major or that is likely to result in a substantive change of service, and that was not considered in the regular budgeting process and is to be financed from general purpose revenues or corresponding revenues in a segregated fund. If the cochairpersons of the committee do not notify the secretary chief information officer that the committee has scheduled a meeting for the purpose of reviewing the proposed acquisition within 14 working days after the date of the secretary's officer's notification, the department may approve acquisition of the resource. If, within 14 working days after the date of the secretary's officer's notification, the cochairpersons of the committee notify the secretary officer that the committee has scheduled a meeting for the purpose of

reviewing the proposed acquisition, the department shall not approve acquisition of the resource unless the acquisition is approved by the committee.

- (b) The secretary chief information officer shall promptly notify the joint committee on finance in writing of the proposed acquisition of any information technology resource that the department considers major or that is likely to result in a substantive change in service, and that was not considered in the regular budgeting process and is to be financed from program revenues or corresponding revenues from program receipts in a segregated fund.
- 9 \*-1857/5.59\* Section 358. 16.971 (4) of the statutes is renumbered 22.03 (4).
- \*-1857/5.59\* SECTION 358m. 16.971 (6) of the statutes is renumbered 22.03

  (6).
  - \*-1857/5.60\* SECTION 359. 16.971 (9) of the statutes is renumbered 22.03 (9) and amended to read:
  - 22.03 (9) In conjunction with the public defender board, the director of state courts, the departments of corrections and justice and district attorneys, the division department of electronic government may maintain, promote and coordinate automated justice information systems that are compatible among counties and the officers and agencies specified in this subsection, using the moneys appropriated under s. 20.505 20.530 (1) (ja), (kp) and (kq). The division department of electronic government shall annually report to the legislature under s. 13.172 (2) concerning the division's department's efforts to improve and increase the efficiency of integration of justice information systems.
  - \*-1857/5.61\* Section 360. 16.971 (11) of the statutes is renumbered 22.03 (11) and amended to read:

1	22.03 (11) The division department may charge executive branch agencies for
2	information technology development and management services provided to them by
3	the division department under this section.
4	*-1857/5.62* Section 361. 16.973 (title) of the statutes is renumbered 22.05
5	(title) and amended to read:
6	22.05 (title) Powers of the division of information technology services
7	department.
8	*-1857/5.63* Section 362. 16.973 (1) (intro.) and (b) to (d) of the statutes are
9	renumbered 22.05 (1) (intro.) and (b) to (d).
10	*-1857/5* Section 363. 16.973 (1) (a) of the statutes is renumbered 22.05 (1)
11	(ag).
12	*-1857/5.64* SECTION 364. 16.973 (2) (intro.) and (a) to (d) of the statutes are
13	renumbered 22.05 (2) (intro.) and (a) to (d) and amended to read:
14	22.05 (2) (intro.) The division of information technology services department
15	may:
16	(a) Provide such telecommunications services to agencies as the division
17	department considers to be appropriate.
18	(b) Provide such computer services and telecommunications services to local
19	governmental units and the broadcasting corporation and provide such
20	telecommunications services to qualified private schools, postsecondary
21	institutions, museums and zoos, as the division department considers to be
22	appropriate and as the division department can efficiently and economically provide.
23	The division department may exercise this power only if in doing so it maintains the
24	services it provides at least at the same levels that it provides prior to exercising this

power and it does not increase the rates chargeable to users served prior to exercise

of this power as a result of exercising this power. The division department may charge local governmental units, the broadcasting corporation, and qualified private schools, postsecondary institutions, museums and zoos, for services provided to them under this paragraph in accordance with a methodology determined by the secretary chief information officer. Use of telecommunications services by a qualified private school or postsecondary institution shall be subject to the same terms and conditions that apply to a municipality using the same services. The division department shall prescribe eligibility requirements for qualified museums and zoos to receive telecommunications services under this paragraph.

- (c) Provide such supercomputer services to agencies, local governmental units and entities in the private sector as the division department considers to be appropriate and as the division department can efficiently and economically provide. The division department may exercise this power only if in doing so it maintains the services it provides at least at the same levels that it provides prior to exercising this power and it does not increase the rates chargeable to users served prior to exercise of this power as a result of exercising this power. The division department may charge agencies, local governmental units and entities in the private sector for services provided to them under this paragraph in accordance with a methodology determined by the secretary chief information officer.
- (d) Undertake such studies, contract for the performance of such studies, and appoint such councils and committees for advisory purposes as the division department considers appropriate to ensure that the division's department's plans, capital investments and operating priorities meet the needs of state government and ef agencies and of local governmental units and entities in the private sector served by the division department. The division department may compensate members of

1	any council or committee for their services and may reimburse such members for
2	their actual and necessary expenses incurred in the discharge of their duties.
3	*-1857/5.65* Section 365. 16.973 (2) (e) of the statutes is renumbered 22.05
4	(2) (e).
5	*-1857/5.66* Section 366. 16.974 (intro.) of the statutes is amended to read:
6	16.974 Duties of the division of information technology services
7	department. (intro.) The division of information technology services department
8	shall:
9	*-1857/5.67* Section 367. 16.974 (1) of the statutes is renumbered 22.07 (1)
10	and amended to read:
11	22.07 (1) Provide or contract with a public or private entity to provide computer
12	services to agencies. The division department may charge agencies for services
13	provided to them under this subsection in accordance with a methodology
14	determined by the secretary chief information officer.
15	*-1857/5.68* Section 368. 16.974 (3) of the statutes is renumbered 22.07 (3).
16	*-1857/5.69* Section 369. 16.974 (4) to (6) of the statutes are renumbered
17	22.07 (4) to (6) and amended to read:
18	22.07 (4) Ensure responsiveness to the needs of agencies for delivery of
19	high-quality information technology processing services on an efficient and
20	economical basis, while not unduly affecting the privacy of individuals who are the
21	subjects of the information being processed by the division department.
22	(5) Utilize all feasible technical means to ensure the security of all information
23	submitted to the division department for processing by agencies, local governmental
24	units and entities in the private sector.

1	(6) With the advice of the ethics board, adopt and enforce standards of ethical
2	conduct applicable to its paid consultants which are similar to the standards
3	prescribed in subch. III of ch. 19, except that the division department shall not
4	require its paid consultants to file statements of economic interests.
5	*-1857/5.70* Section 370. 16.974 (7) (a) of the statutes is renumbered 16.974
6	(1) and amended to read:
7	16.974 (1) Coordinate with the technology for educational achievement in
8	Wisconsin board to provide secured correctional facilities, as defined in s. 44.70 (3r),
9	school districts and cooperative educational service agencies with
10	telecommunications access under s. 44.73 and contract with telecommunications
11	providers to provide such access.
12	*b2193/1.2* Section 371b. 16.974 (7) (b) to (d) of the statutes are renumbered
13	16.974 (2) to (4), and 16.974 (4), as renumbered, is amended to read:
14	16.974 (4) Coordinate with the technology for educational achievement in
15	Wisconsin board to provide the Wisconsin Center for the Blind and Visually Impaired
16	and the Wisconsin School Educational Services Program for the Deaf and Hard of
17	Hearing with telecommunications access under s. 44.73 and contract with
18	telecommunications providers to provide such access.
19	*-1857/5.72* Section 372. 16.975 of the statutes is renumbered 22.11 and
20	amended to read:
21	22.11 Access to information. The division of information technology services
22	department shall withhold from access under s. 19.35 (1) all information submitted
23	to the division department by agencies, authorities, units of the federal government,
24	local governmental units or entities in the private sector for the purpose of
25	processing. The division department may not process such information without the

consent of the agency, authority, unit or other entity which submitted the
information and may not withhold such information from the agency, authority, unit
or other entity or from any other person authorized by the agency, authority, unit or
entity to have access to the information. The agency, authority, unit or other entity
submitting the information remains the custodian of the information while it is in
the custody of the division department and access to such information by that agency,
authority, unit or entity or any other person shall be determined by that agency,
authority, unit or other entity and in accordance with law.

- \*-1857/5.73\* Section 373. 16.979 of the statutes is renumbered 16.006.
- \*-1857/5.74\* SECTION 374. Subchapter IX (title) of chapter 16 [precedes 16.99] of the statutes is repealed.
- \*-1857/5.75\* Section 375. 16.99 (title) of the statutes is renumbered 22.41 (title).
  - \*-1857/5.76\* SECTION 376. 16.99 (1) of the statutes is repealed.
- \*-1857/5.77\* SECTION 377. 16.99 (2) (intro.) and (a) of the statutes are renumbered 22.41 (2) (intro.) and (a) and amended to read:
- 22.41 (2) (intro.) Powers and duties. (intro.) The department shall ensure maximum utility, cost-benefit and operational efficiency of all telecommunications systems and activities of this state, and those which interface with cities, counties, villages, towns, other states and the federal government. The department, with the assistance and cooperation of all other departments agencies, shall:
- (a) Develop and maintain a statewide long-range telecommunications plan, which will serve as a major element for budget preparation, as guidance for technical implementation and as a means of ensuring the maximum use of shared systems by

- departments agencies when this would result in operational or economic improvements or both.
- \*-1857/5.78\* SECTION 378. 16.99 (2) (b) to (e) of the statutes are renumbered 22.41 (2) (b) to (e).
  - \*-1857/5.79\* SECTION 379. 16.99 (2) (f) of the statutes is renumbered 22.41 (2) (f) and amended to read:
  - 22.41 (2) (f) Perform the functions of agency telecommunications officer for those departments agencies with no designated focal point for telecommunications planning, coordination, technical review and procurement.
    - \*-1857/5.80\* Section 380. 16.99 (3) of the statutes is renumbered 22.41 (3).
    - \*-1335/7.34\* Section 381. 17.15 (4) of the statutes is repealed.
      - \*-1335/7.35\* Section 382. 17.27 (1r) of the statutes is repealed.
      - \*b0593/6.9\* Section 382b. 18.561 (5) of the statutes is amended to read:

18.561 (5) REDEMPTION FUND. The proportion which shall be set aside for the payment of the principal and interest on the enterprise obligations shall from month to month as they accrue and are received, be set apart and paid into a separate fund in the treasury or in an account maintained by a trustee appointed for that purpose in the authorizing resolution to be identified as "the ... redemption fund". Each redemption fund shall be expended, and all moneys from time to time on hand therein are irrevocably appropriated, in sums sufficient, only for the payment of principal and interest on the enterprise obligations giving rise to it and premium, if any, due upon redemption of any such obligations, and for other obligations that are secured by the property or income, or both, of the enterprise or program. Moneys in the redemption funds may be commingled only for the purpose of investment with other public funds, but they shall be invested only in investment instruments

permitted in s. 25.17 (3) (dr). All such investments shall be the exclusive property of the fund and all earnings on or income from such investments shall be credited to the fund.

\***b0593/6.9**\* **Section 382e.** 18.562 (3) of the statutes is amended to read:

18.562 (3) REDEMPTION FUND. The special fund revenues that are to be set aside for the payment of the principal and interest of the special fund obligations shall be paid into a separate fund in the treasury or in an account maintained by a trustee appointed for that purpose in the authorizing resolution to be identified as "the ... redemption fund". Each redemption fund shall be expended, and all moneys from time to time on hand therein are irrevocably appropriated, in sums sufficient, only for the payment of principal and interest on the special fund obligations giving rise to it and premium, if any, due upon redemption of any such obligations, and for other obligations that are secured by any fees, penalties, or excise taxes deposited in the special fund. Moneys in the redemption funds may be commingled only for the purpose of investment with other public funds, but they shall be invested only in investment instruments permitted in s. 25.17 (3) (dr). All such investments shall be the exclusive property of the fund and all earnings on or income from such investments shall be credited to the fund.

\*b0593/6.9\* Section 382h. 18.57 (1) of the statutes is amended to read:

18.57 (1) A separate and distinct fund shall be established in the state treasury or in an account maintained by a trustee appointed for that purpose by the authorizing resolution with respect to each revenue-producing enterprise or program the income from which is to be applied to the payment of any enterprise obligation. A separate and distinct fund shall be established in the state treasury or in an account maintained by a trustee appointed for that purpose by the

authorizing resolution with respect to any special fund that is created by the imposition of fees, penalties or excise taxes and is applied to the payment of special fund obligations. All moneys resulting from the issuance of evidences of revenue obligation shall be credited to the appropriate fund er, applied for refunding or note renewal purposes, or to make deposits to reserve funds, except that moneys which represent premium or accrued interest received on the issuance of evidences shall be credited to the appropriate redemption fund.

\*b0593/6.9\* Section 382L. 18.57 (2) of the statutes is amended to read:

18.57 (2) Moneys in such funds may be expended, pursuant to appropriations, only for the purposes and in the amounts for which borrowed, for the payment of the principal of and interest on related revenue obligations, to make deposits to reserve funds, and for expenses incurred in issuing such obligations.

\*b0593/6.9\* Section 382p. 18.57 (3) of the statutes is amended to read:

18.57 (3) Moneys in such funds may be commingled only for the purpose of investment with other public funds, but they shall be invested only in investment instruments permitted in s. 25.17 (3) (dg) (b) or in environmental improvement fund investment instruments permitted in s. 281.59 (2m). All such investments shall be the exclusive property of such fund and all earnings on or income from investments shall be credited to such fund and shall become available for any of the purposes under sub. (2) and for the payment of interest on related revenue obligations.

\*b0593/6.9\* Section 382r. 18.59 (2) of the statutes is amended to read:

18.59 (2) All original revenue—obligation bond anticipation notes, or any renewal, shall mature within 5 years from the date of issue of the original notes. The notes shall be named revenue—bond anticipation notes and shall recite on their face that they are payable solely from the proceeds of revenue—obligation bonds to be

issued under this subchapter. The aggregate amount of such notes outstanding
including interest to accrue shall not exceed the aggregate principal amount of the
bonds in anticipation of the sale of which they are issued. The rate of interest borne
by the notes shall not exceed any maximum rate of interest authorized to be borne
by the bonds. No lien shall be created or attached with respect to any property of the
state as a consequence of the issuance of such notes except as provided in sub. (4).
* <b>b0593/6.9</b> * <b>Section 382u.</b> 18.59 (3) of the statutes is repealed.
*b2053/2.2* Section 382wd. 19.32 (1d) (b) of the statutes is repealed.
*b2053/2.2* Section 382we. 19.32 (1d) (c) of the statutes is amended to read:
19.32 (1d) (c) A secure mental health unit or facility established or unit for the
institutional care of sexually violent persons specified under s. 980.065 (2).
*b2053/2.2* Section 382wf. 19.35 (1) (am) 2. c. of the statutes is amended to
read:
19.35 (1) (am) 2. c. Endanger the security, including the security of the
19.35 (1) (am) 2. c. Endanger the security, including the security of the population or staff, of any state prison under s. 302.01, jail, as defined in s. 165.85
population or staff, of any state prison under s. 302.01, jail, as defined in s. 165.85
population or staff, of any state prison under s. 302.01, jail, as defined in s. 165.85 (2) (bg), secured correctional facility, as defined in s. 938.02 (15m), secured child
population or staff, of any state prison under s. 302.01, jail, as defined in s. 165.85 (2) (bg), secured correctional facility, as defined in s. 938.02 (15m), secured child caring institution, as defined in s. 938.02 (15g), secured group home, as defined in
population or staff, of any state prison under s. 302.01, jail, as defined in s. 165.85 (2) (bg), secured correctional facility, as defined in s. 938.02 (15m), secured child caring institution, as defined in s. 938.02 (15g), secured group home, as defined in s. 938.02 (15p), mental health institute, as defined in s. 51.01 (12), or center for the
population or staff, of any state prison under s. 302.01, jail, as defined in s. 165.85 (2) (bg), secured correctional facility, as defined in s. 938.02 (15m), secured child caring institution, as defined in s. 938.02 (15g), secured group home, as defined in s. 938.02 (15p), mental health institute, as defined in s. 51.01 (12), or center for the developmentally disabled, as defined in s. 51.01 (3), or facility, specified under s.
population or staff, of any state prison under s. 302.01, jail, as defined in s. 165.85 (2) (bg), secured correctional facility, as defined in s. 938.02 (15m), secured child caring institution, as defined in s. 938.02 (15g), secured group home, as defined in s. 938.02 (15p), mental health institute, as defined in s. 51.01 (12), or center for the developmentally disabled, as defined in s. 51.01 (3), or facility, specified under s. 980.065, for the institutional care of sexually violent persons.
population or staff, of any state prison under s. 302.01, jail, as defined in s. 165.85 (2) (bg), secured correctional facility, as defined in s. 938.02 (15m), secured child caring institution, as defined in s. 938.02 (15g), secured group home, as defined in s. 938.02 (15p), mental health institute, as defined in s. 51.01 (12), or center for the developmentally disabled, as defined in s. 51.01 (3), or facility, specified under s. 980.065, for the institutional care of sexually violent persons.  *-1857/5.81* Section 383. 19.36 (4) of the statutes is amended to read:

	product of the computer program is subject to the right of examination and copying,
	except as otherwise provided in s. 19.35 or this section.
	*-1335/7.36* Section 385. 19.42 (10) (o) of the statutes is created to read:
	19.42 (10) (o) The chief executive officer and members of the board of directors
	of the Fox River Navigational System Authority.
	*b1505/4.3* Section 386m. 19.42 (13) (d) of the statutes is repealed.
	*-1335/7.37* Section 388. 19.42 (13) (n) of the statutes is created to read:
	19.42 (13) (n) The chief executive officer and members of the board of directors
	of the Fox River Navigational System Authority.
	*b1593/2.1* Section 389e. 19.62 (2) of the statutes is created to read:
	19.62 (2) "Internet protocol address" means an identifier for a computer or
	device on a transmission control protocol-Internet protocol network.
	*b1593/2.1* Section 389m. 19.68 of the statutes is created to read:
	19.68 Collection of personally identifiable information from Internet
	users. No state authority that maintains an Internet site may use that site to obtain
	personally identifiable information from any person who visits that site without the
	consent of the person from whom the information is obtained. This section does not
	apply to acquisition of Internet protocol addresses.
	*b0364/2.2* Section 390d. 20.001 (3) (c) of the statutes is amended to read:
	20.001 (3) (c) Continuing appropriations. Continuing appropriations,
	indicated by the abbreviation "C" in s. 20.005, are appropriations which are
	expendable until fully depleted or repealed by subsequent action of the legislature.
	The amount of a sum certain continuing appropriation for a given fiscal year consists
	of the <u>unencumbered</u> balance in the appropriation account at the end of the previous
٠	fiscal year, if any together with any moneys appropriated under s. 20,005 for that

fiscal year. The amount of a continuing appropriation from program revenues or
segregated revenues from program receipts other than a sum certain appropriation
consists of the <u>unencumbered</u> balance in the appropriation account at the end of the
previous fiscal year, if any, together with any revenues received during the fiscal year
that are directed by law to be credited to the appropriation account. Dollar amounts
shown in the schedule under s. $20.005$ for a continuing appropriation from program
revenues or segregated revenues from program receipts other than a sum certain
appropriation represent the most reliable estimates of the amounts which will be
expended during any fiscal year. Except as provided in ss. 20.002 (11) and 20.903 (2),
expenditures made in accordance with ch. 16 under a continuing appropriation $from$
program revenues or segregated revenues from program receipts other than a sum
certain appropriation are limited only by the available revenues from which the
appropriation is made. Continuing appropriations are indicated in ss. 20.115 to
20.875 by the introductory phrase, "as a continuing appropriation"," "all moneys
received from," or "all moneys transferred from"."
*-1044/2.1* Section 391. 20.002 (11) (d) 7. of the statutes is amended to read:
20.002 (11) (d) 7. The fish and wildlife account within the conservation fund
under s. 25.29 (3).
* <b>b0674/1.1</b> * <b>Section 392m.</b> 20.003 (4) (d) of the statutes is amended to read:
20.003 (4) (d) For fiscal year 2002-03, 1.4% the percentage that would cause
the estimated general fund balance on June 30 of that fiscal year to equal
<u>\$90,000,000</u> .

\***b0593/6.10**\* **Section 392p.** 20.003 (6) of the statutes is created to read: 20.003 (6) RESTRICTION ON GENERAL FUND SUPPORTED BORROWING. No bill may be 

enacted by the legislature if the bill would cause the level of general fund supported

borrowing that is authorized in any fiscal biennium, excluding borrowing for the purpose of refunding previous borrowing, to exceed an amount equal to 3.5% of the amount designated as "Estimated Taxes" for the first fiscal year of the fiscal biennium in the summary under s. 20.005 (1), as published in the biennial budget act or acts.

\*-0762/P1.1\* SECTION 393. 20.005 (1) of the statutes is repealed and recreated to read:

20.005 (1) Summary of all funds. The budget governing fiscal operations for the state of Wisconsin for all funds beginning on July 1, 2001, and ending on June 30, 2003, is summarized as follows: [See Figure 20.005 (1) following]

Figure: 20.005 (1)

#### GENERAL FUND SUMMARY

	2001-02	2002-03			
Opening Balance, July 1	\$ 197,829,200	\$ 248,478,300			
Revenues					
Estimated Taxes	\$10,661,210,000	\$11,131,517,500			
Departmental Revenues					
Tobacco Settlement	155,526,000	157,602,800			
Tobacco Securitization	450,000,000	-0-			
Other	229,090,300	205,937,300			
Total Available	\$11,693,655,500	\$11,743,535,900			
Appropriations, Transfers and Reserves					
Gross Appropriations	\$11,560,746,200	\$11,730,056,600			
Compensation Reserves	27,900,000	82,500,000			
Transfer to Tobacco Control Fund	6,032,300	15,345,100			
Less Estimated Lapses		176,797,000			

	2001-02	2002-03		
Total Appropriations	\$11,445,177,200	\$11,651,104,700		
Balances				
Gross Balance	\$ 248,478,300	\$ 92,431,200		
Less Required Statutory Balance	139,063,800	90,000,000		
Net Balance, June 30	\$ 109,414,500	\$ 2,431,200		

## SUMMARY OF APPROPRIATIONS — ALL FUNDS

	2001-02	2002-03
General Purpose Revenue	\$11,560,746,200	\$11,730,056,600
Federal Revenue		
Program	4,766,889,000	4,843,682,800
Segregated	716,680,000	745,123,600
	\$ 5,483,569,000	\$ 5,588,806,400
Program Revenue		
State	2,290,819,300	2,352,453,200
Service	726,034,800	729,051,400
	\$ 3,016,854,100	\$ 3,081,504,600
Segregated Revenue		
State	2,979,478,500	2,740,259,600
Local	72,865,300	72,206,200
Service	160,654,400	<u>165,381,100</u>
	\$ 3,212,998,200	\$ 2,977,846,900
GRAND TOTAL	\$23,274,167,500	\$23,378,214,500

## SUMMARY OF COMPENSATION RESERVES — ALL FUNDS

•	2001-02		2002-03	
General Purpose Revenue	\$	27,900,000	\$	82,500,000
Federal Revenue		7,565,700		22,503,500
Program Revenue		20,465,700		60,593,100
Segregated Revenue		4,765,300		14,108,600
TOTAL	\$	60,696,700	\$	179,705,200

### LOTTERY FUND SUMMARY

	2001-02	2002–03		
Gross Revenue	\$ 403,719,100	\$ 402,943,000		
Expenses				
Prizes	\$ 230,258,200	\$ 229,867,000		
Administrative Expenses	63,363,300	63,685,000		
	\$ 293,621,500	\$ 293,552,000		
Net Proceeds	\$ 110,097,600	\$ 109,391,000		
Total Available for Property Tax Relief				
Opening Balance	\$ 9,324,400	\$ 8,074,400		
Net Proceeds	110,097,600	109,391,000		
Interest Earnings	2,335,000	2,455,000		
Gaming—Related Revenue	2,477,300	1,995,900		
	\$ 124,234,300	\$ 121,916,300		
Property Tax Relief	\$ 116,159,900	\$ 113,857,400		

	2	2001-02	2	2002-03
Gross Closing Balance	\$	8,074,400	\$	8,058,900
Reserve	\$	8,074,400	\$	8,058,900
Net Closing Balance	\$	-0-	\$ \$	-0-
*-0762/P1.2* Section 394. 20.005	· ·	atutes is repea	aled a	nd recreated
*-0762/P1.2* Section 394. 20.005 to read:	(2) of the sta			
* <b>-0762/P1.2</b> * Section <b>394.</b> 20.005	(2) of the sta	y. The follow	ing s	chedule sets

# SUMMARY OF BONDING AUTHORITY MODIFICATIONS 2001–03 FISCAL BIENNIUM

## **Source and Purpose**

**Amount** 

### **GENERAL OBLIGATIONS**

Administration Black Point Estate	\$ -1,600,000
Agriculture, Trade and Consumer Protection	
Soil and water	7,000,000
Building Commission	
Other public purposes	339,331,500
Housing state agencies	33,120,500
Project contingencies	8,819,100
Capital equipment acquisitions	10.469,000

Source and Purpose Refunding bonds	<b>Amount</b> 75,000,000
Corrections	
Correctional facilities	90,015,600
Educational Communications Board	
Educational communications facilities	14,200,000
Environmental Improvement Program	
Clean water fund program	85,000,000
Health and Family Services	
Mental health facilities	2,617,200
HR Academy, Inc.	
Youth and Family Center	1,500,000
Medical College of Wisconsin	
Biomedical research and technology incubator	25,000,000
Military Affairs	
Armories and military facilities	2,004,600
Natural Resources	
Nonpoint source grants	19,000,000
Urban nonpoint source cost sharing	4,700,000
Municipal flood control	9,000,000
Environmental repair	5,000,000
Segregated revenue supported dam safety projects	250,000
Pollution abatement and sewage collection facilities	-8,956,400
SEG supported facilities	7,199,800

2001 – 2002 Legislature – 143 –	LRBs0142/en ALL:ALL:ALL <b>SECTION 394</b>
Source and Purpose SEG Environmental segregated fund supported adminis-	<b>Amount</b> 3,719,500
trative facilities	
Stewardship 2000	112,000,000
Racine County	
Discovery Place Museum	1,000,000
State Fair Park	
Board facilities	9,700,000
Self-amortizing facilities	40,000,000
State Historical Society	
Wisconsin History Center	131,500,000
Technology for Educational Achievement in Wisconsin Board	,
Public library educational technology infrastructure	
financial assistance – wiring	-7,000,000
Transportation	
Rail acquisitions and improvements	4,500,000
Harbor improvements	3,000,000
Local roads for jobs preservation	-8,000,000
University of Wisconsin System	
Academic facilities	195,297,200
Self-amortizing facilities	218,068,400

100,340,000

13,579,900

\$ 1,546,375,900

Veterans Affairs

Self-amortizing mortgage loans

Self-amortizing facilities

**TOTAL General Obligations** 

Source and Purpose Amou	
REVENUE OBLIGATIONS	
Commerce	
PECFA	\$ 72,000,000
Environmental Improvement Program	
Clean water fund program	100,600,000
Transportation	
Major highway projects	305,982,000
TOTAL Revenue Obligations	\$ 478,582,000
GRAND TOTAL Bonding Authority Modifications	\$ 2,024,957,900

Figure: 20.005 (2) (b)

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### GENERAL OBLIGATION AND BUILDING CORPORATION DEBT SERVICE FISCAL YEARS 2001-02 AND 2002-03

STATUT	TE, AGENCY AND PURPOSE	Source	20	01-02	200	2-03
20.115 Agriculture, trade and consumer protection, department of						
(2) (d)	Principal repayment and interest	GPR	\$	18,800	\$	18,800
(7) (b)	Principal repayment and interest, conservation enhancement reserve	GPR		209,600	2,	305,700
	Principal repayment and interest; soil and water	GPR		266,600		434,300
20.190	State fair park board					
(1) (c)	Housing facilities principal repayment, interest and rebates	CPR		892,800		891,200
(1) (d)	Principal repayment and interest	GPR		224,700		545,400

STATUT	TE, AGENCY AND PURPOSE	Source	2001–02	2002-03
20.225	Educational communications	board		
(1)(c)	Principal repayment and interest	GPR	923,800	1,096,100
20.245	Historical society			
(1) (e)	Principal repayment, interest and rebates	GPR	1,365,000	1,262,900
20.250	Medical College of Wisconsin			
(1)(c)	Principal repayment, interest and rebates	GPR	-0-	-0-
(1) (e)	Principal repayment and interest	GPR	158,600	158,700
20.255	Public instruction, departmen	nt of		
(1) (d)	Principal repayment and interest	GPR	1,184,600	1,084,800
20.275	Technology for educational ac	chievemen	t in Wisconsin	board
(1) (er)	Principal, interest and rebates; general purpose revenue – public library boards	GPR	33,400	249,600
(1) (es)	Principal, interest and rebates; general purpose revenue – school boards	GPR	2,747,000	4,038,000
20.285	University of Wisconsin System	$\boldsymbol{n}$	, , , , , , , ,	-,,
(1) (d)	Principal repayment and interest	GPR	94,580,700	90,940,900
(1) (fh)	State laboratory of hygiene; principal repayment and interest	GPR	0	
20 220			-0-	-0-
20.320 Environmental improvement program				
(1) (c)	Principal repayment and interest – clean water fund program	GPR	25,036,200	32,739,900
(2) (c)	Principal repayment and interest – safe drinking water loan program	GPR	1,265,400	1,957,500

STATUTE, AGENCY AND PURPOSE	Source	2001-02	2002-03
20.370 Natural resources, departmen	at of		
(7) (aa) Resource acquisition and development – principal repayment and interest	GPR	19,967,400	27,468,500
(7) (ac) Principal repayment and interest – recreational boating bonds	GPR	-0-	-0-
(7) (ba) Debt service – remedial action	GPR	-0-	-0-
(7) (ca) Principal repayment and interest – nonpoint source grants	GPR	3,223,300	3,637,300
(7) (cb) Principal repayment and interest – pollution abatement bonds	GPR	64,613,000	59,618,400
(7) (cc) Principal repayment and interest – combined sewer overflow; pollution abatement	GPR	17,313,600	17,157,100
(7) (cd) Principal repayment and interest – municipal clean drinking water grants	GPR	845,900	830,800
(7) (ce) Principal repayment and interest – nonpoint source	GPR	146,200	146,900
(7) (cf) Principal repayment and interest – urban nonpoint source cost–sharing	GPR	323,600	544,400
(7) (da) Principal repayment and interest – municipal flood control and riparian restoration cost–sharing	GPR	0	0
(7) (ea) Administrative facilities – principal repayment and interest	GPR	533,100	630,100
20.395 Transportation, department o	f		ŕ
(6) (af) Principal repayment and interest, local roads for job preservation, state funds	GPR	59,700	173,900
20.410 Corrections, department of			
(1) (e) Principal repayment and interest	GPR	66,375,600	72,628,400

STATUTE, AGENCY AND PURPOSE	Source	2001–02	2002-03
(1) (ec) Prison industries principal, interest and rebates	GPR	-0-	-0-
(3) (e) Principal repayment and interest	GPR	4,270,200	4,269,600
20.435 Health and family services, d	lepartment	of	
(2) (ee) Principal repayment and interest	GPR	12,094,600	12,146,100
(6) (e) Principal repayment and interest	GPR	74,700	68,400
20.465 Military affairs, department	of		
(1) (d) Principal repayment and interest	GPR	3,111,100	2,882,100
20.485 Veterans affairs, department	of		
(1) (f) Principal repayment and interest	GPR	1,403,300	1,327,900
20.855 Miscellaneous appropriation	s		
(8) (a) Dental clinic and education facility; principal repayment, interest and rebates	GPR	112,000	764,200
20.867 Building commission			
(1) (a) Principal repayment and interest; housing of state agencies	GPR	-0-	-0-
(1) (b) Principal repayment and interest; capitol and executive residence	GPR	3,797,200	3,754,100
(3) (a) Principal repayment and interest	GPR	27,757,700	42,055,300
(3) (b) Principal repayment and interest	GPR	121,900	413,900
(3) (bm) Principal repayment, interest and rebates; HR academy, inc.	GPR	-0-	-0-
(3) (bp) Principal repayment, interest and rebates	GPR	6,000	40,800
(3) (bq) Principal repayment, interest and rebates; discovery place museum	GPR	-0-	-0-

STATUTE, AGENCY AND PURPOSE	Source	2001-02	2002-03
(3) (br) Principal repayment, interest and rebates	GPR	51,900	86,200
(3) (e) Principal repayment, interest and rebates; parking ramp	CPR	- <b>0</b>	-0-
TOTAL General Purpose Revenue Service	Debt	\$355,109,200	\$388,368,200
20.190 State Fair Park Board			
(1) (j) State fair principal repayment interest and rebates	t; PR	\$ 2,413,300	\$ 2,970,500
20.225 Educational communication	ns board		
(1) (i) Program revenue facilities; principal repayment, interest and rebates	PR	-0-	-0-
20.245 Historical society			
(1) (j) Self-amortizing facilities; principal repayment, interest and rebates	PR	3,400	73,600
20.275 Technology for educational	achievemen	t in Wisconsin	board
(1) (h) Principal, interest and rebates program revenue – schools	s; PR	2,418,300	2,421,800
(1) (hb) Principal, interest and rebates program revenue – public library boards	s; PR	23,800	23,800
20.285 University of Wisconsin Syst	tem		
(1) (ih) State laboratory of hygiene; principal repayment and interest	PR	-0-	-0-
(1) (kd) Principal repayment, interest and rebates	PR-S	30,408,200	32,339,100
(1) (ke) Lease rental payments	PR-S	-0-	-0-
(1) (km) Aquaculture demonstration facility; principal repayment and interest	PR-S	-0-	-0-
20.370 Natural Resources, department of			
(7) (ag) Land acquisition; principal repayment and interest	PR	-0-	-0-

STATUTE, AGENCY AND PURPOSE	Source	2001-02	2002-03
20.410 Corrections, department of			
(1) (ko) Prison industries principal repayment, interest and rebates	PR-S	309,600	567,900
20.485 Veterans Affairs, department	of		
(1) (go) Self–amortizing housing facilities; principal repayment and interest	PR	390,800	934,300
20.505 Administration, department of	of		
(5) (g) Principal repayment, interest and rebates; parking	PR	1,253,400	1,252,400
(5) (kc) Principal repayment, interest and rebates	PR	13,583,500	12,945,000
20.867 Building commission			
(3) (g) Principal repayment, interest and rebates; program revenues	PR	0—	-0-
(3) (h) Principal repayment, interest and rebates	PR	-0-	-0-
(3) (i) Principal repayment, interest and rebates; capital equipment	PR		
TOTAL Program Revenue Debt Serv	vice	\$ 50,804,300	\$ 53,528,400
20.320 Environmental improvement	program		
(1) (t) Principal repayment and interest – clean water fund program bonds	SEG	\$ 10,200,000	\$ 6,000,000
(1) (u) Principal repayment and interest – clean water fund program revenue obligation	SEG	0	0
repayment  20.370 Natural resources, department			0
(7) (aq) Resource acquisition and			
development – principal repayment and interest	SEG	236,800	232,600
(7) (ar) Dam repair and removal – principal repayment and interest	SEG	335,400	387,700

STATUTE, AGENCY AND PURPOSE	Source	2001–02	2002-03
(7) (at) Recreation development – principal repayment and interest	SEG	-0-	-0-
(7) (au) State forest acquisition and development – principal repayment and interest	SEG	8,000,000	-0-
(7) (bq) Principal repayment and interest – remedial action	SEG	2,400,000	2,700,000
(7) (eq) Administrative facilities – principal repayment and interest	SEG	1,586,800	1,312,400
(7) (er) Administrative facilities – principal repayment and interest; environmental fund	SEG	69,800	157,500
20.375 Forestry, department of			
(3) (tn) Administrative facilities – principal repayment and interest	SEG	-0-	522,300
(3) (u) State forest acquisition and development – principal repayment and interest	SEG	-0-	4,000,000
20.395 Transportation, department of			
(6) (aq) Principal repayment and interest, transportation facilities, state funds	SEG	5,024,600	4,929,800
(6) (ar) Principal repayment and interest, buildings, state funds	SEG	282,800	255,100
20.485 Veterans affairs, department of			
(3) (t) Debt service	SEG	78,144,900	84,078,700
(4) (qm) Repayment of principal and interest	SEG	84,100	83,600
20.867 Building commission			
(3) (q) Principal repayment and interest; segregated revenues	SEG		
TOTAL Segregated Revenue Debt Service		\$106,365,200	\$104,659,700