

1 ~~SECTION 9111. Nonstatutory provisions; court of appeals.~~

2 ~~SECTION 9112. Nonstatutory provisions; district attorneys.~~

3 ~~SECTION 9113. Nonstatutory provisions; educational communications~~  
4 ~~board.~~

5 ~~SECTION 9114. Nonstatutory provisions; elections board.~~

6 SECTION 9115. Nonstatutory provisions; electronic government.

7 (1) ABOLITION OF DEPARTMENT OF ELECTRONIC GOVERNMENT.

8 (a) *Assets and liabilities.* Except as provided in SECTION 9215 (1) of this act, on  
9 the effective date of this paragraph, the assets and liabilities of the department of  
10 electronic government shall become assets and liabilities of the department of  
11 administration.

12 (b) *Positions and employees.*

13 1. On the effective date of this subdivision, all full-time equivalent positions  
14 in the department of electronic government, except the positions occupied by the  
15 secretary, the deputy secretary, the executive assistant, and 2 division administrator  
16 positions determined by the secretary of administration, are transferred to the  
17 department of administration.

18 2. All incumbent employees holding positions that are transferred under  
19 subdivision 1. are transferred on the effective date of this subdivision to the  
20 department of administration.

21 3. Employees transferred under subdivision 2. have all of the rights and the  
22 same status under subch. V of ch. 111 and chapter 230 of the statutes in the  
23 department of administration that they enjoyed in the department of electronic  
24 government immediately before the transfer. Notwithstanding section 230.28 (4) of

1 the statutes, no employee so transferred who has attained permanent status in class  
2 is required to serve a probationary period.

3 (c) *Tangible personal property.* On the effective date of this paragraph, all  
4 tangible personal property, including records, of the department of electronic  
5 government is transferred to the department of administration.

6 (d) *Contracts.* All contracts entered into by the department of electronic  
7 government that are in effect on the effective date of this paragraph remain in effect  
8 and are transferred to the department of administration. The department of  
9 administration shall carry out any contractual obligations under such a contract  
10 until the contract is modified or rescinded by the department of administration to the  
11 extent allowed under the contract.

12 (e) *Rules and orders.* All rules promulgated by the department of electronic  
13 government that are in effect on the effective date of this paragraph remain in effect  
14 until their specified expiration dates or until amended or repealed by the department  
15 of administration. All orders issued by the department of electronic government that  
16 are in effect on the effective date of this paragraph remain in effect until their  
17 specified expiration dates or until modified or rescinded by the department of  
18 administration.

19 (f) *Pending matters.* Any matter pending with the department of electronic  
20 government on the effective date of this paragraph is transferred to the department  
21 of administration, and all materials submitted to or actions taken by the department  
22 of electronic government with respect to the pending matter are considered as having  
23 been submitted to or taken by the department of administration.

24 (2) FUNDING OF OPERATIONS AND PROGRAMS AT THE DEPARTMENT OF ELECTRONIC  
25 GOVERNMENT. Notwithstanding the requirement under section 20.001 (3) (a) of the

1 statutes that annual appropriations are expendable only up to the amount shown in  
2 the schedule and only for the fiscal year for which made, during the period that  
3 begins on the effective date of this subsection and ends on the 30th day after the  
4 effective date of this subsection, the annual appropriations to the department of  
5 electronic government under section 20.530 of the statutes provided for the 2002–03  
6 fiscal year shall remain in effect until the 30th day after the effective date of this  
7 subsection, except that the department of electronic government may not expend or  
8 encumber more than one-twelfth of the amounts appropriated for the 2002–03 fiscal  
9 year from each appropriation.

10 ~~SECTION 9116. Nonstatutory provisions; employee trust funds.~~

11 ~~SECTION 9117. Nonstatutory provisions; employment relations~~  
12 ~~commission.~~

13 SECTION 9118. Nonstatutory provisions; employment relations  
14 department.

15 (1b) OFFICE OF STATE HUMAN RESOURCES MANAGEMENT.

16 (a) *Assets and liabilities.* On the effective date of this paragraph, all assets and  
17 liabilities of the department of employment relations shall become the assets and  
18 liabilities of the office of state human resources management.

19 (b) *Tangible personal property.* On the effective date of this paragraph, all  
20 tangible personal property, including records, of the department of employment  
21 relations is transferred to the office of state human resources management.

22 (c) *Contracts.* All contracts entered into by the department of employment  
23 relations that are in effect on the effective date of this paragraph remain in effect and  
24 are transferred to the office of state human resources management. The office of  
25 state human resources management shall carry out any obligations under such a

1 contract until the contract is modified or rescinded by the office of state human  
2 resources management to the extent allowed under the contract.

3 (d) *Employee transfers and status; position conversion.* On the effective date  
4 of this paragraph, all incumbent employees holding classified positions in the  
5 department of employment relations are transferred to the office of state human  
6 resources management. Employees transferred under this paragraph have all of the  
7 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
8 statutes in the office of state human resources management that they enjoyed in the  
9 department of employment relations immediately before the transfer.  
10 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who  
11 has attained permanent status in class may be required to serve a probationary  
12 period. Notwithstanding section 16.505 (1) of the statutes, the director of the office  
13 of state human resources management may, during the 2003–05 fiscal biennium,  
14 delete one vacant classified position authorized for the office and thereafter create  
15 one unclassified position in the office for the purpose of employing the executive  
16 assistant authorized under section 230.08 (2) (ya) of the statutes, as created by this  
17 act.

18 (e) *Rules and orders.* All rules promulgated by the department of employment  
19 relations that are in effect on the effective date of this paragraph remain in effect  
20 until their specified expiration dates or until amended or repealed by the office of  
21 state human resources management. All orders issued by the department of  
22 employment relations that are in effect on the effective date of this paragraph remain  
23 in effect until their specified expiration dates or until modified or rescinded by the  
24 office of state human resources management.

1 (f) *Pending matters.* Any matter pending with the department of employment  
2 relations on the effective date of this paragraph is transferred to the office of state  
3 human resources management and all materials submitted to or actions taken by the  
4 department of employment relations with respect to the pending matter are  
5 considered as having been submitted to or taken by the office of state human  
6 resources management.

7 (2) FUNDING OF OPERATIONS AND PROGRAMS AT THE DEPARTMENT OF EMPLOYMENT  
8 RELATIONS. Notwithstanding the requirement under section 20.001 (3) (a) of the  
9 statutes that annual appropriations are expendable only up to the amount shown in  
10 the schedule and only for the fiscal year for which made, during the period that  
11 begins on the effective date of this subsection and ends on the 30th day after the  
12 effective date of this subsection, the annual appropriations to the department of  
13 employment relations under section 20.512 of the statutes provided for the 2002–03  
14 fiscal year shall remain in effect until the 30th day after the effective date of this  
15 subsection, except that the department of employment relations may not expend or  
16 encumber more than one-twelfth of the amounts appropriated for the 2002–03 fiscal  
17 year from each appropriation.

~~18~~ (2x) REINSTATEMENT PRIVILEGES AND RESTORATION RIGHTS FOR CERTAIN STATE  
19 EMPLOYEES LAID OFF DURING THE 2003–05 FISCAL BIENNIUM.

20 (a) Notwithstanding section 230.31 of the statutes, if a person described under  
21 section 230.31 (1) (intro.) of the statutes is laid off during the 2003–05 fiscal  
22 biennium because the agency at which the person was last employed is eliminated  
23 or because the functions performed by the person are transferred to a different  
24 agency, the person shall have reinstatement privileges under section 230.31 (1) (a)  
25 of the statutes and restoration rights under section 230.31 (1) (b) of the statutes to

1 the agency to which the functions previously performed by the person are  
2 transferred.

3 (b) Except as provided in paragraph (c) and notwithstanding sections 111.84  
4 (1) and (2), 111.91 (1) and (2), and 111.93 (3) of the statutes, paragraph (a) applies to  
5 state employees and the state regardless of whether the employees are  
6 nonrepresented or represented by a labor organization, as defined in section 111.81  
7 (12) of the statutes.

8 (c) For any state employee represented by a labor organization, as defined in  
9 section 111.81 (12) of the statutes, paragraph (a) applies until the day before the  
10 effective date of any act ratifying the collective bargaining agreement for the  
11 2003–05 fiscal biennium that covers that employee. Beginning on the effective date  
12 of any such act, paragraph (a) applies only if provided by the terms of the collective  
13 bargaining agreement.

14 ~~SECTION 9119. Nonstatutory provisions; ethics board.~~

15 **SECTION 9120. Nonstatutory provisions; financial institutions.**

16 (1) LIMITED LIABILITY COMPANY ANNUAL REPORTS. Notwithstanding section  
17 183.0120 (3) of the statutes, as affected by this act, a domestic limited liability  
18 company in existence on the effective date of this subsection shall deliver its initial  
19 annual report under section 183.0120 of the statutes to the department of financial  
20 institutions during the calendar quarter occurring in 2004 during which the  
21 anniversary of the effective date of the limited liability company's articles of  
22 organization under section 183.0111 of the statutes occurs.

23 (2) REVIEW BOARD TRANSITIONAL PROVISIONS.

24 (a) *Current members of savings bank review board and savings and loan review*  
25 *board.* Notwithstanding section 15.07 (1) (c) of the statutes and section 15.185 (3)

1 and (4), 2001 stats., the terms of office of all members of the savings bank review  
2 board and all members of the savings and loan review board terminate on the  
3 effective date of this paragraph.

4 (b) *Initial members of savings institutions review board.* Notwithstanding  
5 section 15.185 (3) of the statutes, as affected by this act, the terms of office of the  
6 members initially appointed to the savings institutions review board terminate as  
7 follows:

8 1. Two members, on May 1, 2007.

9 2. Three members, on May 1, 2009.

10 (c) *Rules and orders.* All rules promulgated by the division of savings  
11 institutions that are in effect on the effective date of this paragraph shall become  
12 rules of the division of banking and shall remain in effect until their specified  
13 expiration dates or until amended or repealed by the division of banking. All orders  
14 issued by the division of savings institutions that are in effect on the effective date  
15 of this paragraph shall become orders of the division of banking and shall remain in  
16 effect until their specified expiration dates or until modified or rescinded by the  
17 division of banking.

18 (d) *Contracts.* All contracts entered into by the division of savings institutions  
19 in effect on the effective date of this paragraph remain in effect and are transferred  
20 to the division of banking. The division of banking shall carry out any obligations  
21 under such a contract until the contract expires or is modified or rescinded by the  
22 division of banking to the extent allowed under the contract.

23 (e) *Pending matters.* Any matter pending with the division of savings  
24 institutions on the effective date of this paragraph is transferred to the division of  
25 banking and all materials submitted to or actions taken by the division of savings

1 institutions with respect to the pending matter are considered as having been  
2 submitted to or taken by the division of banking.

3 ~~SECTION 9121. Nonstatutory provisions; Fox River Navigational  
4 System Authority.~~

5 ~~SECTION 9122. Nonstatutory provisions; governor.~~

6 ~~SECTION 9123. Nonstatutory provisions; Health and Educational  
7 Facilities Authority.~~

8 SECTION 9124. Nonstatutory provisions; health and family services.

9 (1f) DENTAL CLINIC START-UP COSTS. From the appropriation under section  
10 20.435 (5) (dm) of the statutes, as affected by this act, the department of health and  
11 family services shall distribute \$50,000 in state fiscal year 2003–04 for payment to  
12 support one-time start-up costs for the tri-county dental clinic in the city of  
13 Appleton that will serve low-income persons in the counties of Winnebago, Calumet,  
14 and Outagamie.

15 (2) MENTAL HEALTH AND ALCOHOL OR OTHER DRUG ABUSE MANAGED CARE  
16 DEMONSTRATION PROJECTS.

17 (a) From the appropriation under section 20.435 (6) (jm) of the statutes, as  
18 affected by this act, the department of health and family services shall expend  
19 \$362,100 in state fiscal year 2003–04 and \$224,600 in state fiscal year 2004–05 to  
20 contract with counties to provide up to 6 demonstration projects. The demonstration  
21 projects shall be to provide mental health and alcohol or other drug abuse services  
22 under managed care programs to persons who suffer from mental illness, alcohol or  
23 other drug dependency, or both mental illness and alcohol or other drug dependency.

24 (b) The department of health and family services shall submit for approval by  
25 the secretary of the federal department of health and human services any requests



1 for waiver of federal medical assistance laws that are necessary to secure federal  
2 financial participation for the managed care demonstration projects under this  
3 subsection. Regardless of whether a waiver is approved, the department of health  
4 and family services may contract for the provision of the managed care  
5 demonstration projects under this subsection.

6 (3) ASSESSMENT OF FACILITY LICENSED BEDS; REVISED RULES.

7 (a) The department of health and family services shall submit in proposed form  
8 a revision of rules required under section 50.14 (5) (b) of the statutes to the legislative  
9 council staff under section 227.15 (1) of the statutes no later than the first day of the  
10 4th month beginning after the effective date of this paragraph.

11 (b) Using the procedure under section 227.24 of the statutes, the department  
12 of health and family services may promulgate as emergency rules a revision of rules  
13 required under section 50.14 (5) (b) of the statutes for the period before the effective  
14 date of the revised rules submitted under paragraph (a), but not to exceed the period  
15 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding  
16 section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department of health and  
17 family services is not required to provide evidence that promulgating a rule under  
18 this paragraph as an emergency rule is necessary for the preservation of the public  
19 peace, health, safety, or welfare and is not required to provide a finding of emergency  
20 for a rule promulgated under this paragraph.

21 (4) MEDICAL ASSISTANCE MANAGED CARE WAIVER REQUEST. By January 1, 2004, the  
22 department of health and family services shall request from the secretary of the  
23 federal department of health and human services, under 42 USC 1396n (c), any  
24 waivers of federal Medical Assistance Program laws necessary to authorize the  
25 department of health and family services to require that those recipients of Medical

1 Assistance who are eligible for the Supplemental Security Income Program under 42  
2 USC 1382 to 1383f enroll for services in managed care plans, including recipients  
3 who are in a geographic service region that contains no more than a single managed  
4 care organization as service provider.

5 (5) TRANSFER OF GRADE A DAIRY OPERATIONS CERTIFICATION.

6 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
7 liabilities of the department of health and family services primarily related to the  
8 certification of grade A dairy operations, as determined by the secretary of  
9 administration, shall become the assets and liabilities of the department of  
10 agriculture, trade and consumer protection.

11 (b) *Employee transfers.* All positions and all incumbent employees holding  
12 those positions in the department of health and family services performing duties  
13 primarily related to the certification of grade A dairy operations, as determined by  
14 the secretary of administration, are transferred on the effective date of this  
15 paragraph to the department of agriculture, trade and consumer protection.

16 (c) *Employee status.* Employees transferred under paragraph (b) have all the  
17 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
18 statutes in the department of agriculture, trade and consumer protection that they  
19 enjoyed in the department of health and family services immediately before the  
20 transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so  
21 transferred who has attained permanent status in class is required to serve a  
22 probationary period.

23 (d) *Tangible personal property.* On the effective date of this paragraph, all  
24 tangible personal property, including records, of the department of health and family  
25 services that is primarily related to the certification of grade A dairy operations, as

1 determined by the secretary of administration, is transferred to the department of  
2 agriculture, trade and consumer protection.

3 (e) *Contracts.* All contracts entered into by the department of health and family  
4 services in effect on the effective date of this paragraph that are primarily related  
5 to the certification of grade A dairy operations, as determined by the secretary of  
6 administration, remain in effect and are transferred to the department of  
7 agriculture, trade and consumer protection. The department of agriculture, trade  
8 and consumer protection shall carry out any obligations under such a contract until  
9 the contract is modified or rescinded by the department of agriculture, trade and  
10 consumer protection to the extent allowed under the contract.

11 (f) *Pending matters.* Any matter pending with the department of health and  
12 family services on the effective date of this paragraph that is primarily related to the  
13 certification of grade A dairy operations is transferred to the department of  
14 agriculture, trade and consumer protection and all materials submitted to or actions  
15 taken by the department of health and family services with respect to the pending  
16 matter are considered as having been submitted to or taken by the department of  
17 agriculture, trade and consumer protection.

18 (5x) TOBACCO CONTROL ADVISORY COMMITTEE; INITIAL APPOINTMENTS.  
19 Notwithstanding the length of terms specified in section 255.15 (2m) (a) (intro.) of  
20 the statutes, as created by this act, the initial members of the tobacco control  
21 advisory committee shall be appointed by the first day of the 4th month beginning  
22 after the effective date of this subsection for the following terms:

23 (a) The members specified in section 255.15 (2m) (a) 1. to 3. of the statutes, as  
24 created by this act, for terms expiring on July 1, 2008.

1 (b) The members specified in section 255.15 (2m) (a) 4. to 7. of the statutes, as  
2 created by this act, for terms expiring on July 1, 2007.

3 (c) The members specified in section 255.15 (2m) (a) 8. to 10. and 14. of the  
4 statutes, as created by this act, for terms expiring on July 1, 2006.

5 (7c) PAYMENT INCREASES FOR HEALTH MAINTENANCE ORGANIZATIONS. If before July  
6 1, 2005, the department of health and family services determines that supplemental  
7 rebate agreements entered into, or prior authorization requirements imposed, in  
8 accordance with section 49.45 (49m) of the statutes, as created by this act, generate  
9 more rebate earnings or more savings in spending on prescription drugs under the  
10 Medical Assistance program or the Badger Care health care program or under the  
11 program under section 49.688 of the statutes, as affected by this act, than are  
12 allocated for expenditure under the 2003–05 biennial budget act, as determined by  
13 the department of health and family services, the department of health and family  
14 services shall submit a plan, including any proposed appropriation transfers that are  
15 necessary to implement the plan, to the secretary of administration to use the  
16 additional earnings or savings to fund increases in rates paid to health maintenance  
17 organizations under the Medical Assistance program and the Badger Care health  
18 care program. If the secretary approves the plan, the secretary shall submit the plan  
19 to the joint committee on finance. If the cochairpersons of the committee do not notify  
20 the secretary within 14 working days after the date of the secretary's submittal that  
21 the committee has scheduled a meeting for the purpose of reviewing the plan, the  
22 department of health and family services may implement the plan as proposed by the  
23 secretary. If, within 14 working days after the date of the secretary's submittal, the  
24 cochairpersons of the committee notify the secretary that the committee has  
25 scheduled a meeting for the purpose of reviewing the proposed plan, the department

1 of health and family services may implement the plan only upon approval of the  
2 committee.

3 (8) COUNTY DEPARTMENT AND LOCAL HEALTH DEPARTMENT OPERATING DEFICIT  
4 REDUCTION.

5 (a) If an amendment to the state medical assistance plan that provides for a  
6 revised payment methodology for medical assistance services that are provided by  
7 a local government is approved by the federal center for medicare and medicaid  
8 services before July 1, 2005, no county department under section 46.215, 46.22,  
9 46.23, or 51.42 of the statutes and no local health department, as defined in section  
10 250.01 (4) of the statutes, may receive a distribution of an allocation under section  
11 49.45 (6t) of the statutes, as affected by this act.

12 (b) If paragraph (a) applies, any county department or local health department  
13 that has received distribution of an allocation under section 49.45 (6t) of the statutes,  
14 as affected by this act, for any year after 2002 shall, upon demand by the department  
15 of health and family services, return to the department of health and family services  
16 all those moneys so distributed.

17 (8c) AUTISM SPECTRUM DISORDER WAIVER. As part of waivers requested under  
18 2001 Wisconsin Act 16, section 9123 (16rs) (b), the department of health and family  
19 services may, by January 1, 2004, seek a waiver under 42 USC 1396n (c) permitting  
20 Medical Assistance reimbursement on a statewide basis for certain in-home  
21 habilitation services specified in the waiver request for children who are diagnosed  
22 with an autism spectrum disorder.

23 (8w) PRESCRIPTION DRUG PRIOR AUTHORIZATION REPORT. By January 1, 2004, the  
24 department of health and family services shall report to the governor, the members  
25 of the joint committee on finance, and, in the manner provided under section 13.172

1 (3) of the statutes, the appropriate standing committees of the legislature on all of  
2 the following:

3 (a) The name and therapeutic class of each prescription drug for which the  
4 department requires prior authorization under the Medical Assistance program or  
5 the program under section 49.665 or 49.688 of the statutes, as affected by this act.

6 (b) The criteria for approving prior authorization requests for each prescription  
7 drug identified under paragraph (a).

8 (9c) USE OF INCOME AUGMENTATION REVENUE.

9 (a) Subject to paragraph (b), from the appropriation account under section  
10 20.435 (8) (mb) of the statutes, the department of health and family services shall  
11 support the costs of all of the following:

12 1. Compliance with the federal Health Insurance Portability and  
13 Accountability Act, 42 USC 300gg to 300gg-92.

14 2. Implementation and operation of the statewide automated child welfare  
15 information system established under section 46.03 (7) (g) of the statutes.

16 3. Activities to reduce errors in the payment of benefits under the federal Food  
17 Stamp Program under 7 USC 2011 to 2036.

18 (b) In supporting the costs specified in paragraph (a), the department of health  
19 and family services shall expend revenues received under 42 USC 670 to 679a, 42  
20 USC 1395 to 1395dd, and 42 USC 1396 to 1396v received before July 1, 2002, before  
21 expending revenues received from those sources after June 30, 2002.

22 (10c) PRIMARY HEALTH CARE PROGRAM CLAIMS. Before July 1, 2004, from the  
23 appropriation account under section 20.435 (4) (gp) of the statutes, as affected by this  
24 act, the department of health and family services may pay outstanding claims for  
25 services provided under section 146.93, 2001 stats.

1 (10f) REPORT ON MEDICAL ASSISTANCE BENEFITS AND FINANCING.

2 (a) In this subsection, “Medical Assistance” means services or items provided  
3 as a benefit under subchapter IV of chapter 49 of the statutes.

4 (b) By December 1, 2003, the department of administration shall submit to the  
5 joint committee on finance a report that includes all of the following:

6 1. A comparison of the amount of state funding that is budgeted for Medical  
7 Assistance under 2003 Wisconsin Act .... (this act) with projected expenditures for  
8 Medical Assistance in the 2003–05 state fiscal biennium.

9 2. Identification of all federal funding that is available to support Medical  
10 Assistance in the 2003–05 state fiscal biennium, including any supplemental  
11 funding that this state may receive as the result of federal legislation, any approval  
12 by the federal department of health and human services of waivers of federal Medical  
13 Assistance Program laws, and any creation or expansion of claims for federal Medical  
14 Assistance Program moneys under 42 CFR 433.51.

15 3. Proposals and recommendations, including proposed statutory changes, to  
16 reduce Medical Assistance costs if projected expenditures exceed projected revenues.

17 (10h) REQUEST FOR PROPOSALS FOR PLAN ADMINISTRATOR. Not later than the first  
18 day of the 7th month beginning after the effective date of this subsection, the  
19 department of health and family services shall have prepared, and shall submit to  
20 the cochairpersons of the joint committee on finance, a request for proposals for  
21 administration of the Health Insurance Risk–Sharing Plan. If the cochairpersons  
22 of the joint committee on finance do not notify the secretary of health and family  
23 services within 14 working days after receiving the request for proposals that the  
24 cochairpersons have scheduled a meeting for the purpose of reviewing the request  
25 for proposals, the department of health and family services may issue the request for

1 proposals. If within 14 working days after receiving the request for proposals the  
2 cochairpersons notify the secretary of health and family services that the  
3 cochairpersons have scheduled a meeting for the purpose of reviewing the request  
4 for proposals, the department of health and family services may issue the request for  
5 proposals only upon approval of the committee.

6 (10k) TRANSFER OF HEALTH CARE INFORMATION TO ENTITY; TRANSITION ASSISTANCE.

7 (a) Before 12 months have elapsed after a contract is agreed upon under section  
8 153.05 (2m) of the statutes, as created by this act, the department of health and  
9 family services shall provide to the entity under that contract all health care  
10 information databases and computer software related to hospitals and ambulatory  
11 surgery centers, including manuals, documentation, and program codes, that the  
12 department possesses under chapter 153 of the statutes, as affected by this act.

13 (b) The department of health and family services shall provide the entity under  
14 contract under section 153.05 (2m) (a) of the statutes, as created by this act, with  
15 transition assistance concerning health care data collection and dissemination to  
16 assist the entity in ensuring that the entity's program under the contract is  
17 functioning by January 1, 2004.

18 (10m) EMERGENCY RULES FOR COVERAGE OF PSYCHOSOCIAL SERVICES. Using the  
19 procedure under section 227.24 of the statutes, the department of health and family  
20 services may promulgate the rules required under section 49.45 (30e) (b) 1. to 3. of  
21 the statutes and under section 49.45 (30e) (b) 4. of the statutes, as created by this act,  
22 for the period before the effective date of the permanent rules promulgated under  
23 section 49.45 (30e) (b) 1. to 3. of the statutes and under section 49.45 (30e) (b) 4. of  
24 the statutes, as created by this act, but not to exceed the period authorized under  
25 section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a),



1 (2) (b), and (3) of the statutes, the department is not required to provide evidence that  
2 promulgating a rule under this subsection as an emergency rule is necessary for the  
3 preservation of the public peace, health, safety, or welfare and is not required to  
4 provide a finding of emergency for a rule promulgated under this subsection.

5 (11f) MEDICAL ASSISTANCE FEDERAL FUNDING REPORT. If, before July 1, 2005,  
6 sufficient federal Medical Assistance Program moneys are available to support any  
7 of the following state Medical Assistance programs or services at the level of funding  
8 recommended by the governor in 2003 Senate Bill 44, the department of health and  
9 family services shall so report to the legislature in the manner provided under  
10 section 13.172 (2) of the statutes and include in the report any proposed legislation  
11 necessary for implementation:

12 (a) Administrative costs for implementing created or expanded claims for  
13 federal Medical Assistance Program moneys under 42 CFR 433.51.

14 (b) Noninstitutional Medical Assistance service provider rates.

15 (c) Reduction in the use of nursing homes for the provision of long-term care.

16 (d) Expanded services and increased rates for services under sections 46.27  
17 (11), 46.277, and 46.278 of the statutes, as affected by this act.

18 (e) Community support programs under section 51.421 (3) (e) of the statutes.

19 (f) Expansion of the family care benefit, as defined in section 46.2805 (4) of the  
20 statutes, in Kenosha County.

21 (11k) MEDICAL ASSISTANCE NURSING HOME BED ASSESSMENT WAIVER REQUEST. By  
22 the date that is 60 days after the effective date of this subsection, the department of  
23 health and family services shall submit to the joint committee on finance, for review  
24 and approval, a request to the secretary of the federal department of health and  
25 human services, under 42 USC 1396n (c), for any waivers of federal Medical

1 Assistance program laws necessary to permit exemption of certain facilities with a  
2 high proportion of private-pay residents or residents who are recipients of Medical  
3 Assistance from the assessment under section 50.14 (2) of the statutes, as affected  
4 by this act.

5 (11p) REPORT ON EXEMPTING PRIVATE-PAY NURSING HOME RESIDENTS FROM BED  
6 ASSESSMENTS. By the date that is 60 days after the effective date of this subsection,  
7 the department of health and family services shall submit to the joint committee on  
8 finance a report on the feasibility of exempting private-pay residents of facilities  
9 from the assessment under section 50.14 (2) of the statutes, as affected by this act.

10 (11pd) ASSESSMENT OF FACILITY LICENSED BEDS. If any facility assessments  
11 required under section 50.14 (2) (intro.) of the statutes, as affected by this act, that  
12 are due on July 1, 2003, and thereafter are paid under the rates specified in section  
13 50.14 (2) (intro.), 2001 statutes, the department of health and family services shall  
14 calculate the amounts owing under section 50.14 (2) (intro.) of the statutes, as  
15 affected by this act, and require payment by facilities, for deposit in the general fund,  
16 or the Medical Assistance trust fund, as applicable, of the increased amounts.

~~17~~ (12q) GRADUATE MEDICAL EDUCATION. In each year of the 2003–05 fiscal  
18 biennium, the department of health and family services shall expend \$2,000,000 of  
19 the moneys allocated for direct graduate medical education costs from the  
20 appropriation under section 20.435 (4) (b) of the statutes, as affected by the acts of  
21 2003, on indirect graduate medical education costs.

~~22~~ (13k) MEDICAL ASSISTANCE DEMONSTRATION PROJECT.

23 (a) In this subsection, “facility” has the meaning given in section 49.45 (6m) (a)  
24 3. of the statutes.

1 (b) From the appropriation under section 20.435 (4) (b) of the statutes, as  
2 affected by this act, the department of health and family services shall allocate  
3 \$405,100 in state fiscal year 2003–04 and \$405,500 in state fiscal year 2004–05 to  
4 provide to Milwaukee County for support of a 2–year demonstration project that  
5 involves a facility that has between 80 and 90 licensed beds and a population of  
6 residents 90% of whom are recipients of Medical Assistance and that is located in a  
7 city of the first class.

8 ~~**SECTION 9125. Nonstatutory provisions; higher educational aids**~~  
9 ~~**board.**~~

10 ~~**SECTION 9126. Nonstatutory provisions; historical society.**~~

11 **SECTION 9127. Nonstatutory provisions; Housing and Economic**  
12 **Development Authority.**

13 (1f) TRANSFER OF SURPLUS. Notwithstanding section 234.165 (2) (c) of the  
14 statutes, the Wisconsin Housing and Economic Development Authority shall pay to  
15 the state in fiscal year 2003–04 \$2,375,000 of its actual surplus under section  
16 234.165 of the statutes and in fiscal year 2004–05 \$2,125,000 of its actual surplus  
17 under section 234.165 of the statutes.

18 ~~**SECTION 9128. Nonstatutory provisions; insurance.**~~

19 ~~**SECTION 9129. Nonstatutory provisions; investment board.**~~

20 **SECTION 9130. Nonstatutory provisions; joint committee on finance.**

21 (1c) PRIVATE EMPLOYER HEALTH CARE COVERAGE PROGRAM. Of the moneys  
22 appropriated to the joint committee on finance under section 20.865 (4) (a) of the  
23 statutes for the 2003–05 fiscal biennium, \$105,500 for the 2003–04 fiscal year and  
24 \$210,900 for the 2004–05 fiscal year is allocated to the department of employee trust  
25 funds for funding operating costs relating to the private employer health care

1 coverage program under subchapter X of chapter 40 of the statutes.  
2 Notwithstanding section 13.101 (3) (a) 1. of the statutes, no finding of an emergency  
3 is required for the joint committee on finance to use the moneys allocated under this  
4 subsection. The joint committee on finance may not use the moneys unless the  
5 department of employee trust funds requests the use and statutory changes  
6 substantially similar to any changes recommended by the task force created under  
7 SECTION 9133 (4c) of this act have been enacted into law.

8 (1q) STATE LEASE, RENTAL AND SPACE MANAGEMENT COST SUPPLEMENTATION. Of the  
9 moneys appropriated to the joint committee on finance under section 20.865 (4) (a)  
10 of the statutes for the 2003–05 fiscal biennium, \$5,303,800 is allocated to supplement  
11 the appropriations under section 20.865 (2) (a), and (am) of the statutes, as affected  
12 by this act, and section 20.865 (2) (ag) of the statutes. The committee may  
13 supplement those appropriations upon request of the department of administration  
14 only after the report required under SECTION 9101 (11q) of this act is received by the  
15 cochairpersons of the committee.

16 (2f) JUVENILE CORRECTIONAL SERVICES REVENUE SUFFICIENCY. The joint committee  
17 on finance shall add \$284,700 to the cost basis used to determine the per person daily  
18 cost assessment under section 301.26 (4) (d) 2. of the statutes, as affected by this act,  
19 for care in a Type I secured correctional facility, as defined in section 938.02 (19) of  
20 the statutes, for fiscal year 2003–04 and \$284,600 to the cost basis used to determine  
21 the per person daily cost assessment under section 301.26 (4) (d) 3. of the statutes,  
22 as affected by this act, for care in a Type I secured correctional facility, as defined in  
23 section 938.02 (19) of the statutes, for fiscal year 2004–05. The secretary of  
24 administration shall place in unallotted reserve and use to recoup any actual deficit  
25 in the appropriation account under section 20.410 (3) (hm), 2001 stats., as of June

1 30, 2003, all moneys generated by the increases in those per person daily cost  
2 assessments that result from adding those amounts to those cost bases.

3 ~~**SECTION 9131. Nonstatutory provisions; judicial commission.**~~

4 **SECTION 9132. Nonstatutory provisions; justice.**

5 (3f) REALLOCATION PROPOSAL.

6 (a) No later than 90 days after the effective date of this paragraph, the  
7 department of justice may submit a proposal to the secretary of administration to  
8 increase the funding or position authority of any appropriation listed in the following  
9 table by an amount not more than that identified for the appropriation in that table  
10 for the specified fiscal year, and to decrease the funding or position authority of one  
11 or more department sum certain, general purpose revenue state operations  
12 appropriations by a total equal to the amount of any proposed increase:

<i>Appropriation</i>	<i>2003–04 Fiscal Year</i>		<i>2004–05 Fiscal Year</i>	
	<i>Amount</i>	<i>FTE Positions</i>	<i>Amount</i>	<i>FTE Positions</i>
20.455 (1) (a)	\$1,662,600	19	\$1,662,600	19
20.455 (1) (d)	418,400	0	418,400	0
20.455 (2) (a)	2,415,300	19	2,415,300	19
20.455 (3) (a)	503,700	2	503,700	2

19 (b) If the secretary of administration approves the reallocation proposal, the  
20 secretary shall submit the proposal to the joint committee on finance. If the  
21 cochairpersons of the committee do not notify the secretary that the committee has  
22 scheduled a meeting for the purpose of reviewing the proposal within 14 working  
23 days after the date of the secretary’s submittal, the proposal shall be implemented.  
24 If, within 14 working days after the date of the secretary’s submittal of the proposal,

1 the cochairpersons of the committee notify the secretary that the committee has  
2 scheduled a meeting for the purpose of reviewing the proposal, the proposal may be  
3 implemented under this subsection only upon approval of the committee.

4 **SECTION 9133. Nonstatutory provisions; legislature.**

5 (1) FUNDING OF AUTHORIZED POSITIONS FOR THE LEGISLATURE AND LEGISLATIVE  
6 SERVICE AGENCIES DURING THE 2003–05 FISCAL BIENNIUM. Notwithstanding section  
7 16.505 (4) of the statutes, all authorized positions for the legislature and for each  
8 legislative service agency, as defined in section 16.70 (6) of the statutes, that are  
9 funded from an appropriation under section 20.765 (1), (2), (3) (a) to (fa), or (4) of the  
10 statutes, as affected by this act, shall be funded from the appropriation under section  
11 20.765 (5) of the statutes, as created by this act, before the effective date of the  
12 biennial budget act for the 2005–07 fiscal biennium until such time as the joint  
13 committee on legislative organization acts under subsection (2).

14 (1z) APPROPRIATION LAPSES AND REESTIMATES. The cochairpersons of the joint  
15 committee on legislative organization shall take actions during the 2003–05 fiscal  
16 biennium to ensure that from general purpose revenue appropriations for state  
17 operations to the legislature under section 20.765 of the statutes an amount equal  
18 to \$11,840,000 is lapsed from sum certain appropriation accounts or is subtracted  
19 from the expenditure estimates for any other types of appropriations, or both.

20 (2) ALLOCATION AND TRANSFER OF APPROPRIATED FUNDS BY THE JOINT COMMITTEE ON  
21 LEGISLATIVE ORGANIZATION. Before the effective date of the biennial budget act for the  
22 2005–07 fiscal biennium, the joint committee on legislative organization shall  
23 allocate moneys that have not been expended or encumbered from the appropriation  
24 under section 20.765 (5) (a) of the statutes, as created by this act, to be used for the  
25 purposes provided in the appropriations under section 20.765 (1), (2), (3) (a) to (fa),

1 and (4) of the statutes, as affected by this act. The amounts so allocated shall be  
2 reflected by increasing the appropriations under section 20.765 (1), (2), (3) (a) to (fa),  
3 and (4) of the statutes, as affected by this act, in the case of sum certain  
4 appropriations, or modifying the expenditure estimates for the appropriations under  
5 section 20.765 (1), (2), (3) (a) to (fa), and (4) of the statutes, as affected by this act, in  
6 the case of any other types of appropriations, and by reducing the expenditure  
7 estimate for the appropriation under section 20.765 (5) (a) of the statutes, as created  
8 by this act, to the amount already expended or encumbered.

9 (3) CONTINUATION OF EXISTING EXPENDITURE AUTHORITY. Notwithstanding  
10 subsection (2), if on the effective date of this subsection the joint committee on  
11 legislative organization has not acted to fully allocate for expenditure the moneys  
12 shown in the schedule under section 20.005 (3) of the statutes for the appropriation  
13 under section 20.765 (5) (a) of the statutes, as created by this act, the officers who  
14 were permitted to authorize expenditures to be made from the appropriations under  
15 section 20.765 (1), (2), (3) (a) to (fa), and (4) of the statutes, as affected by this act, on  
16 the day before the effective date of this subsection may, during the period before the  
17 effective date of the 2005–07 biennial budget act, continue to authorize expenditures  
18 to be made for the same purposes and in the same amounts for which they were  
19 previously authorized at the end of the 2001–03 fiscal biennium from the  
20 appropriation under section 20.765 (5) (a) of the statutes, as created by this act, until  
21 such time as the joint committee on legislative organization acts under subsection  
22 (2).

23 (3f) EVALUATION OF CREDENTIALING FEES. The joint legislative audit committee  
24 is requested to, and may, direct the legislative audit bureau to evaluate the  
25 methodologies used by the department of regulation and licensing for recalculating

1 administrative and enforcement costs under section 440.03 (9) (a) of the statutes and  
2 recommending changes to fees for issuing and renewing credentials under section  
3 440.03 (9) (b) of the statutes. An evaluation under this subsection shall determine  
4 whether the methodologies are adequately documented and administered in a  
5 straightforward manner, whether they represent the actual costs associated with the  
6 department's regulation of credential holders, and whether they provide sufficient  
7 revenues to support the department's operations. If the committee directs the  
8 legislative audit bureau to perform an evaluation under this subsection, the bureau  
9 shall, no later than June 30, 2004, file its report as described in section 13.94 (1) (b)  
10 of the statutes.

11 (3m) COMMITTEE TO STUDY DISTRIBUTION OF STATE AID TO MUNICIPALITIES. The joint  
12 committee on legislative organization may create a joint committee to study the  
13 distribution of state aid to municipalities and to make a recommendation for the  
14 distribution of \$703,102,200 to municipalities, beginning in 2006. The committee  
15 shall report its findings, conclusions, and recommendations to the legislature in the  
16 manner provided under section 13.172 (2) of the statutes no later than December 31,  
17 2004. The legislative fiscal bureau shall assist the committee.

18 (4c) CREATION OF TASK FORCE TO STUDY THE PRIVATE EMPLOYER HEALTH CARE  
19 COVERAGE PROGRAM. The majority leader of the senate and the speaker of the  
20 assembly shall jointly create, and appoint members to, a task force to study and  
21 recommend statutory language changes to the private employer health care  
22 coverage program established under subchapter X of chapter 40 of the statutes. The  
23 task force shall submit any recommended statutory language changes to the chief  
24 clerk of each house of the legislature no later than January 1, 2004, for distribution  
25 to the legislature in the manner specified under section 13.172 (3) of the statutes.



1 ~~SECTION 9134. Nonstatutory provisions; lieutenant governor.~~

2 ~~SECTION 9135. Nonstatutory provisions; lower Wisconsin state~~  
3 ~~riverway board.~~

4 ~~SECTION 9136. Nonstatutory provisions; Medical College of Wisconsin.~~

5 ~~SECTION 9137. Nonstatutory provisions; military affairs.~~

6 SECTION 9138. Nonstatutory provisions; natural resources.

7 (1z) BROWNFIELDS GREEN SPACE GRANTS. During the 2003–05 fiscal biennium, the  
8 department of natural resources may review applications submitted to the  
9 department by January 17, 2003, for grants under section 292.79 of the statutes and  
10 may use the criteria under that section and rules promulgated by the department  
11 under that section to make grants of up to a total of \$1,000,000 from the  
12 appropriation under section 20.370 (6) (eu) of the statutes to applicants that would  
13 have been eligible for grants under section 292.79 of the statutes in fiscal year  
14 2002–03.

15 (2z) ENVIRONMENTAL MANAGEMENT APPROPRIATION REDUCTION. The department  
16 of natural resources may submit a plan to the secretary of administration to increase  
17 the appropriation to the department of natural resources under section 20.370 (2)  
18 (mq) of the statutes by not more than \$1,120,000 in fiscal year 2003–04 and  
19 \$1,120,000 in fiscal year 2004–05 and to decrease one or more other sum certain  
20 appropriations made to the department from the environmental fund for  
21 environmental management by a total equal to the amount of the proposed increase.  
22 The department may not include in the plan a decrease in the appropriation under  
23 section 20.370 (2) (mr) of the statutes, as created by this act. The department shall  
24 include in the plan a description of the number and types of positions that would be  
25 eliminated under the plan. If the secretary does not approve the plan, the

1 department may not implement the plan. If the secretary approves the plan, he or  
2 she shall submit the plan to the joint committee on finance. If the cochairpersons of  
3 the committee do not notify the secretary within 14 working days after the date of  
4 the secretary's submittal that the committee has scheduled a meeting for the purpose  
5 of reviewing the plan, the department shall implement the plan. If the  
6 cochairpersons of the committee notify the secretary within 14 working days after  
7 the date of the secretary's submittal that the committee has scheduled a meeting for  
8 the purpose of reviewing the plan, the department may not implement the plan until  
9 it is approved by the committee, as submitted or as modified.

10 (3) FUNDING TO MAINTAIN AND DEVELOP HISTORIC SITES. Notwithstanding section  
11 20.370 (7) (fa) of the statutes, the requirements that the department of natural  
12 resources expend at least \$150,000 in each fiscal year from the appropriation under  
13 section 20.370 (7) (fa) of the statutes for maintaining and developing historic sites  
14 and that the department of natural resources expend at least \$10,000 of these  
15 amounts in each fiscal year for maintaining and developing Heritage Hill State Park  
16 do not apply in fiscal year 2003–04.

17 (3d) CHRONIC WASTING DISEASE. Of the amounts appropriated to the department  
18 of natural resources under section 20.370 (8) (mz) of the statutes, the department of  
19 natural resources shall expend \$360,000 in fiscal year 2003–04 for efforts to manage  
20 wildlife diseases, with a primary focus on managing and testing for chronic wasting  
21 disease.

22 (3f) GRANT FOR MITIGATION OF BLUFF EROSION. During the 2003–05 fiscal  
23 biennium, the department of natural resources shall make a grant of \$250,000 from  
24 the appropriation under section 20.866 (2) (te) of the statutes, as affected by this act,  
25 to Sheboygan County for a project to mitigate bluff erosion along County Highway

1 LS if Sheboygan County provides an amount equal to at least 30% of the total project  
2 costs from nonstate revenue sources.

3 (3x) SALE OF PROPERTY. Notwithstanding section 23.15 (1) of the statutes, as  
4 affected by this act, during fiscal year 2003–04 and fiscal year 2004–05, the  
5 department of natural resources shall make a good faith effort to sell enough real  
6 property that is owned by the state under the jurisdiction of the department and that  
7 is currently used for one of the purposes specified in section 23.09 (2) (d) of the  
8 statutes to receive \$20,000,000 annually from those sales after any payment to the  
9 bond security and redemption fund and to the federal government. The department  
10 shall attempt to first sell real property that is isolated from other publicly owned real  
11 property, then to sell real property that is suitable for agricultural use, and finally  
12 to sell other real property under its jurisdiction. If there is any outstanding public  
13 debt used to finance the acquisition, construction, or improvement of any real  
14 property that is sold under this subsection, the department shall deposit a sufficient  
15 amount of the net proceeds from the sale of the real property in the bond security and  
16 redemption fund under section 18.09 of the statutes to repay the principal and pay  
17 the interest on the debt, and any premium due upon refunding any of the debt. If  
18 the real property was purchased with federal financial assistance, the department  
19 shall pay to the federal government any of the net proceeds required by federal law.  
20 Before entering into an agreement to sell real property under this subsection, the  
21 secretary of natural resources shall submit the proposal to sell the real property to  
22 the joint committee on finance. If the cochairpersons of the committee do not notify  
23 the secretary that the committee has scheduled a meeting for the purpose of  
24 reviewing the proposed sale within 14 working days after the date of the secretary's  
25 submittal, the sale may be completed. If, within 14 working days after the date of

1 the secretary's submittal of the proposed sale, the cochairpersons of the committee  
2 notify the secretary that the committee has scheduled a meeting for the purpose of  
3 reviewing the proposed sale, the sale may be implemented under this subsection only  
4 upon approval of the committee. Any moneys received from the sale of real property  
5 under this subsection shall be deposited in the budget stabilization fund. If the  
6 department is unable to sell annually sufficient real property to net \$20,000,000  
7 from those sales in either fiscal year, the department shall submit a report to the  
8 members of the joint committee on finance detailing the department's plan for selling  
9 real property under this subsection and explaining why the department was unable  
10 to sell enough real property during the fiscal year to net \$20,000,000.

11 (4f) RECREATIONAL BOATING AIDS; MEMORY LAKE. From the appropriation under  
12 section 20.370 (5) (cq) of the statutes, as affected by this act, the department of  
13 natural resources shall provide \$400,000 in fiscal year 2003–04 to the village of  
14 Grantsburg in Burnett County for a project to dredge Memory Lake. The village of  
15 Grantsburg shall contribute funding for the project equal to 25% of the project's cost.  
16 The village of Grantsburg's contribution may be in matching funds or may be in-kind  
17 contributions or both. Notwithstanding section 30.92 (4) (b) 7. and 8. of the statutes,  
18 the project specified under this subsection qualifies as a recreational boating project  
19 for the purpose of providing moneys under this subsection. This project need not be  
20 placed on the priority list under section 30.92 (3) (a) of the statutes.

21 (4g) LITTLE MUSKEGO LAKE.

22 (a) From the appropriation under section 20.370 (5) (cq) of the statutes, as  
23 affected by this act, the department of natural resources shall provide financial  
24 assistance in fiscal year 2003–04 to the Little Muskego Lake protection and  
25 rehabilitation district for a dredging project in Little Muskego Lake. The

1 department of natural resources shall provide as financial assistance under this  
2 paragraph \$25,000 or an amount equal to the amount contributed by the lake  
3 district, whichever is less. The contribution by the lake district may be in the form  
4 of money or in-kind contributions or both. Notwithstanding section 30.92 (4) (b) 7.  
5 and 8. of the statutes, the project specified under this subsection qualifies as a  
6 recreational boating project for the purpose of providing moneys under this  
7 subsection. This project need not be placed on the priority list under section 30.92  
8 (3) (a) of the statutes.

9 (b) The financial assistance provided under paragraph (a) shall be used in  
10 Island Drive Bay to clean out muck from shore to shore to the hard bottom of the bay  
11 or to a depth of 8 feet, whichever is less. Sections 23.24, 30.20, and 283.31 of the  
12 statutes do not apply to the dredging project specified under paragraph (a).

13 (4k) SOUTHEASTERN WISCONSIN FOX RIVER COMMISSION. The department of  
14 natural resources shall provide in fiscal year 2003–04, from the appropriation under  
15 section 20.370 (5) (cq) of the statutes, as affected by this act, \$200,000 to the  
16 Southeastern Wisconsin Fox River commission. The commission may use this  
17 funding for activities that are required or authorized under subchapter VI of chapter  
18 33 of the statutes and that are consistent with the commission's implementation  
19 plan. The activities for which this funding is utilized may include the activities  
20 required under section 33.56 (1), (2), and (3) of the statutes.

21 (5g) REDUCTIONS OF ADMINISTRATIVE APPROPRIATIONS. By January 1, 2004, the  
22 department of natural resources shall submit to the secretary of administration a  
23 plan to implement the reductions from fiscal year 2003–04 to fiscal year 2004–05 in  
24 the department of natural resource's appropriation accounts under sections 20.370  
25 (8) (ma) and (9) (ma), including proposed position reductions. The secretary of

1 administration may approve or may modify and then approve the plan submitted by  
2 the department of natural resources. By March 1, 2004, the secretary shall submit  
3 the approved plan to the joint committee on finance. If the cochairpersons of the  
4 committee do not notify the secretary that the committee has scheduled a meeting  
5 for the purpose of reviewing the proposed plan within 14 working days after the date  
6 of the secretary's submittal, the plan may be implemented. If, within 14 working  
7 days after the date of the secretary's submittal of the plan, the cochairpersons of the  
8 committee notify the secretary that the committee has scheduled a meeting for the  
9 purpose of reviewing the proposed plan, the plan may be implemented under this  
10 subsection only upon approval of the committee.

11 **SECTION 9139. Nonstatutory provisions; personnel commission.**

12 (1) ABOLITION OF PERSONNEL COMMISSION.

13 (a) *Assets and liabilities.*

14 1. On the effective date of this subdivision, all assets and liabilities of the  
15 personnel commission relating to the performance of its duties under section 230.45  
16 (1) (a), (c), (d), and (e), 2001 stats., as determined by the secretary of administration,  
17 shall become the assets and liabilities of the employment relations commission.

18 2. On the effective date of this subdivision, all assets and liabilities of the  
19 personnel commission relating to the performance of its duties under section 230.45  
20 (1) (b), (g), (gm), (j), (k), (L), and (m), 2001 stats., as determined by the secretary of  
21 administration, shall become the assets and liabilities of the department of  
22 workforce development.

23 (b) *Tangible personal property.*

24 1. On the effective date of this subdivision, all tangible personal property,  
25 including records, of the personnel commission relating to the performance of its

1 duties under section 230.45 (1) (a), (c), (d), and (e), 2001 stats., as determined by the  
2 secretary of administration, are transferred to the employment relations  
3 commission.

4 2. On the effective date of this subdivision, all tangible personal property,  
5 including records, of the personnel commission relating to the performance of its  
6 duties under section 230.45 (1) (b), (g), (gm), (j), (k), (L), and (m), 2001 stats., as  
7 determined by the secretary of administration, are transferred to the department of  
8 workforce development.

9 (c) *Contracts.*

10 1. On the effective date of this subdivision, all contracts entered into by the  
11 personnel commission relating to the performance of its duties under section 230.45  
12 (1) (a), (c), (d), and (e), 2001 stats., as determined by the secretary of administration,  
13 which are in effect on the effective date of this subdivision remain in effect and are  
14 transferred to the employment relations commission. The employment relations  
15 commission shall carry out any such contractual obligations until modified or  
16 rescinded by the employment relations commission to the extent allowed under the  
17 contract.

18 2. On the effective date of this subdivision, all contracts entered into by the  
19 personnel commission relating to the performance of its duties under section 230.45  
20 (1) (b), (g), (gm), (j), (k), (L), and (m), 2001 stats., as determined by the secretary of  
21 administration, which are in effect on the effective date of this subdivision remain  
22 in effect and are transferred to the department of workforce development. The  
23 department of workforce development shall carry out any such contractual  
24 obligations until modified or rescinded by the department of workforce development  
25 to the extent allowed under the contract.

1 (d) *Pending matters.*

2 1. On the effective date of this subdivision, any matter pending with the  
3 personnel commission relating to the performance of its duties under section 230.45  
4 (1) (a), (c), (d), and (e), 2001 stats., is transferred to the employment relations  
5 commission, and all materials submitted to or actions taken by the personnel  
6 commission with respect to the pending matter are considered as having been  
7 submitted to or taken by the employment relations commission.

8 2. On the effective date of this subdivision, any matter pending with the  
9 personnel commission relating to the performance of its duties under section 230.45  
10 (1) (b), (g), (gm), (j), (k), (L), and (m), 2001 stats., is transferred to the department of  
11 workforce development, and all materials submitted to or actions taken by the  
12 personnel commission with respect to the pending matter are considered as having  
13 been submitted to or taken by the department of workforce development.

14 (e) *Rules and orders.*

15 1. All rules promulgated, and all orders issued, by the personnel commission  
16 that are in effect on the effective date of this subdivision and that relate to the  
17 performance of its duties under section 230.45 (1) (a), (c), (d), and (e), 2001 stats.,  
18 remain in effect until their specified expiration date or until amended or repealed or  
19 modified or rescinded, whichever is appropriate, by the employment relations  
20 commission.

21 2. All rules promulgated, and all orders issued, by the personnel commission  
22 that are in effect on the effective date of this subdivision and that relate to the  
23 performance of its duties under section 230.45 (1) (b), (g), (gm), (j), (k), (L), and (m),  
24 2001 stats., remain in effect until their specified expiration date or until amended



1 or repealed or modified or rescinded, whichever is appropriate, by the department  
2 of workforce development.

3 **SECTION 9140. Nonstatutory provisions; public defender board.**

4 (1z) MONTHLY REPORT ON PRIVATE BAR APPROPRIATION. In each month of the  
5 2003–05 fiscal biennium, the office of the state public defender shall submit to the  
6 joint committee on finance a report on the expenditures from, encumbrances against,  
7 and unencumbered balance in the appropriation account of the public defender  
8 board under section 20.550 (1) (d) of the statutes, as affected by the acts of 2003.

9 **SECTION 9141. Nonstatutory provisions; public instruction.**

10 (2c) SCHOOL FINANCE COMMISSION.

11 (a) There is created a committee called the school finance commission. The  
12 commission shall consist of 3 members appointed by the governor, one member  
13 appointed by the state superintendent of public instruction, 3 members appointed  
14 by the senate majority leader, 3 members appointed by the speaker of the assembly,  
15 one member appointed by the senate minority leader, and one member appointed by  
16 the assembly minority leader. The governor shall appoint the chairperson of the  
17 commission from among its members.

18 (b) The commission shall study the system for funding elementary and  
19 secondary education in this state, including the equalization aid formula, school  
20 finance equity, revenue limits, the qualified economic offer, health insurance costs,  
21 and any other issues the governor, the senate majority leader, the speaker of the  
22 assembly, the senate minority leader, or the assembly minority leader requests the  
23 commission to consider.

24 (c) The commission shall submit its report, including its recommendations for  
25 modifying the school funding system, to the governor and the state superintendent

1 of public instruction, and to the legislature in the manner provided under section  
2 13.172 (1) of the statutes, by January 1, 2004. The commission terminates upon  
3 submission of its report.

4 (2q) REVENUE LIMITS.

5 (a) In this subsection:

6 1. “Base” means the sum of the amount of state aid received in the 2002–03  
7 school year and property taxes levied for the 2002–03 school year, excluding property  
8 taxes levied for the purpose of section 120.13 (19) of the statutes, funds described  
9 under section 121.91 (4) (c) of the statutes, and revenues that are excluded under  
10 section 121.91 (4) (f) 2. of the statutes, as affected by this act, and section 121.91 (7)  
11 of the statutes.

12 2. “Number of pupils enrolled” has the meaning given in section 121.90 (1) of  
13 the statutes, as affected by this act.

14 (b) For the purpose of determining a school district’s revenue limit in the  
15 2003–04 school year, the department of public instruction shall reduce the base in  
16 proportion to the change in the average of the number of pupils enrolled in 2000,  
17 2001, and 2002 resulting from counting 4–year–old kindergarten pupils under  
18 section 121.004 (7) (c) and (cm) of the statutes, as affected by this act, instead of under  
19 section 121.004 (7) (c) and (cm), 2001 stats.

20 ~~SECTION 9142. Nonstatutory provisions; public lands, board of~~  
21 ~~commissioners of.~~

22 ~~SECTION 9143. Nonstatutory provisions; public service commission.~~

23 ~~SECTION 9144. Nonstatutory provisions; regulation and licensing.~~

24 SECTION 9145. Nonstatutory provisions; revenue.

1 (1f) TAX APPEALS COMMISSION. Notwithstanding section 15.105 (1) of the  
2 statutes, the governor may not appoint a tax appeals commissioner to fill a vacancy  
3 for the term ending on March 1, 2009, until after June 30, 2005.

4 (1x) ADOPTION OF FEDERAL INCOME TAX LAW CHANGES. Changes to the Internal  
5 Revenue Code made by P.L. 107–134, P.L. 107–147, excluding sections 101 and 406  
6 of P.L. 107–147, and P.L. 107–181 apply to the definitions of “Internal Revenue Code”  
7 in chapter 71 of the statutes at the time that those changes apply for federal income  
8 tax purposes.

9 **SECTION 9146. Nonstatutory provisions; secretary of state.**

10 (1x) ELIMINATION OF DEPUTY SECRETARY OF STATE. The authorized FTE positions  
11 for the office of the secretary of state, funded from the appropriation under section  
12 20.575 (1) (g) of the statutes, are decreased by 1.0 PR position on the effective date  
13 of this subsection for the purpose of eliminating the position of deputy secretary of  
14 state.

15 ~~**SECTION 9147. Nonstatutory provisions; state fair park board.**~~

16 ~~**SECTION 9148. Nonstatutory provisions; supreme court.**~~

17 **SECTION 9149. Nonstatutory provisions; technical college system.**

18 (1x) TECHNICAL PREPARATION, SCHOOL-TO-WORK, AND WORK-BASED LEARNING  
19 PROGRAMS.

20 (a) The authorized FTE positions for the technical college system board, funded  
21 from the appropriation under section 20.292 (1) (kx) of the statutes, as affected by  
22 this act, are increased by 2.2 PR positions on the effective date of this paragraph for  
23 the purpose of administering the technical preparation, school-to-work, and  
24 work-based learning programs under section 38.40 of the statutes, as affected by  
25 this act.

1 (b) The authorized FTE positions for the technical college system board, funded  
2 from the appropriation under section 20.292 (1) (m) of the statutes are increased by  
3 7.85 FED positions on the effective date of this paragraph for the purpose of  
4 administering the technical preparation, school-to-work, and work-based learning  
5 programs under section 38.40 of the statutes, as affected by this act.

6 **SECTION 9150. Nonstatutory provisions; technology for educational**  
7 **achievement in Wisconsin board.**

8 (1d) TRANSFER OF DUTIES FROM THE TECHNOLOGY FOR EDUCATIONAL ACHIEVEMENT  
9 IN WISCONSIN BOARD.

10 (a) *Outstanding loans.* On the effective date of this paragraph, all loans made  
11 under section 44.72 (4) (b), 2001 stats., shall be assigned to the department of  
12 administration. The department of administration shall take all actions that are  
13 necessary for the effective assignment of those loans, including providing  
14 notification of that assignment to all persons liable for repayment of those loans.

15 (b) *Positions and employees.*

16 1. The authorized FTE positions for the technology for educational  
17 achievement in Wisconsin board, funded from the appropriation under section  
18 20.275 (1) (a), 2001 stats., are decreased by 1.0 GPR position on the effective date of  
19 this subdivision for the purpose of eliminating that board.

20 2. The authorized FTE positions for the technology for educational  
21 achievement in Wisconsin board, funded from the appropriation under section  
22 20.275 (1) (g), 2001 stats., are decreased by 0.5 PR position on the effective date of  
23 this subdivision for the purpose of eliminating that board.

24 3. The authorized FTE positions for the technology for educational  
25 achievement in Wisconsin board, funded from the appropriation under section

1 20.275 (1) (m), 2001 stats., are decreased by 0.5 FED position on the effective date  
2 of this subdivision for the purpose of eliminating that board.

3 4. On the effective date of this subdivision, all incumbent employees holding  
4 the positions specified in subdivisions 1., 2., and 3. are transferred to the department  
5 of administration.

6 (c) *Employee status.* Employees transferred under paragraph (b) 4. have all the  
7 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
8 statutes in the department of administration that they enjoyed in the technology for  
9 educational achievement in Wisconsin board immediately before the transfer.  
10 Notwithstanding section 230.28 (4) of the statutes, no transferred employee who has  
11 attained permanent status in class is required to serve a probationary period.

12 (d) *Contracts.* All contracts entered into by the technology for educational  
13 achievement in Wisconsin board in effect on the effective date of this paragraph  
14 remain in effect and are transferred to the department of administration. The  
15 department of administration shall carry out any obligations under a transferred  
16 contract until the department of administration modifies or rescinds the contract.

17 (e) *Rules and orders.* All rules promulgated by the technology for educational  
18 achievement in Wisconsin board that are in effect on the effective date of this  
19 paragraph remain in effect until their specified expiration date or until the  
20 department of administration amends or repeals them. All orders issued by the  
21 technology for educational achievement in Wisconsin board that are in effect on the  
22 effective date of this paragraph remain in effect until their specified expiration date  
23 or until the department of administration modifies or rescinds them.

24 (f) *Pending matters.* Any matter pending with the technology for educational  
25 achievement in Wisconsin board on the effective date of this paragraph is transferred

1 to the department of administration, and all materials submitted to or actions taken  
2 by the technology for educational achievement in Wisconsin board concerning the  
3 pending matter are considered to have been submitted to or taken by the department  
4 of administration.

5 **SECTION 9151. Nonstatutory provisions; tobacco control board.**

6 (1) ELIMINATION OF THE TOBACCO CONTROL BOARD.

7 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
8 liabilities of the tobacco control board shall become the assets and liabilities of the  
9 department of health and family services.

10 (b) *Contracts.*

11 1. All contracts entered into by the tobacco control board in effect on the  
12 effective date of this subdivision remain in effect and are transferred to the  
13 department of health and family services. The department of health and family  
14 services shall carry out any obligations under such a contract until the contract is  
15 modified or rescinded by the department of health and family services to the extent  
16 allowed under the contract.

17 2. All contracts entered into by the department of health and family services  
18 in effect on the effective date of this subdivision that are primarily related to the  
19 functions of the tobacco control board, as determined by the secretary of  
20 administration, remain in effect. The department of health and family services shall  
21 carry out any obligations under such a contract until the contract is modified or  
22 rescinded by the department of health and family services to the extent allowed  
23 under the contract.

24 (c) *Rules and orders.* All rules promulgated by the tobacco control board that  
25 are in effect on the effective date of this paragraph remain in effect until their

1 specified expiration date or until amended or repealed by the department of health  
2 and family services. All orders issued by the tobacco control board that are in effect  
3 on the effective date of this paragraph remain in effect until their specified expiration  
4 date or until modified or rescinded by the department of health and family services.

5 ~~SECTION 9152. Nonstatutory provisions; tourism.~~

6 **SECTION 9153. Nonstatutory provisions; transportation.**

7 (1j) TRAFFIC CONTROL SIGNALS IN THE TOWN OF BELOIT. Not later than June 30,  
8 2004, the department of transportation shall install traffic control signals at the  
9 intersection of Inman Parkway and USH 51 in the town of Beloit in Rock County.

10 (1r) REQUEST FOR STATE HIGHWAY PROGRAMS. Notwithstanding section 16.42 (1)  
11 of the statutes, the department of transportation shall add to its 2005–07 biennial  
12 budget request to the department of administration the following amounts to  
13 establish its 2004–05 fiscal year appropriation base for state highway programs:

14 (a) In the appropriation under section 20.395 (3) (bq) of the statutes,  
15 \$64,210,200.

16 (b) In the appropriation under section 20.395 (3) (br) of the statutes,  
17 \$28,871,900.

18 (c) In the appropriation under section 20.395 (3) (cq) of the statutes,  
19 \$128,135,700.

20 (d) In the appropriation under section 20.395 (3) (cr) of the statutes,  
21 \$52,654,100.

22 (1y) POSITIONS REDUCTION; SUBMISSION OF PLAN FOR EACH FISCAL YEAR.

23 (a) By the date specified by the cochairpersons of the joint committee on finance  
24 for submission of requests for consideration at the 3rd quarterly meeting of the  
25 committee under section 13.10 of the statutes in the 2003–04 fiscal year, the

1 department of transportation may submit a plan to the committee that contains the  
2 department's proposal for reallocating position reductions in the department, and  
3 associated funding adjustments, for fiscal year 2003–04. For each proposed position  
4 reduction, the plan shall identify, by division, the position type and the appropriation  
5 account from which the position is currently funded. The plan may include the  
6 transfer of funds between appropriation accounts, or the reallocation of funds  
7 between expenditure categories within an appropriation account, or both, if the  
8 funds to be transferred or reallocated are to be used for salary expenses and are  
9 available as a result of cost savings realized from implementation by the department  
10 of increased operational efficiencies.

11 (b) By the date specified by the cochairpersons of the joint committee on finance  
12 for submission of requests for consideration at the 3rd quarterly meeting of the  
13 committee under section 13.10 of the statutes in the 2004–05 fiscal year, the  
14 department of transportation may submit a plan to the committee that contains the  
15 department's proposal for reallocating position reductions in the department, and  
16 associated funding adjustments, for fiscal year 2004–05. For each proposed position  
17 reduction, the plan shall identify, by division, the position type and the appropriation  
18 account from which the position is currently funded. The plan may include the  
19 transfer of funds between appropriation accounts, or the reallocation of funds  
20 between expenditure categories within an appropriation account, or both, if the  
21 funds to be transferred or reallocated are to be used for salary expenses and are  
22 available as a result of cost savings realized from implementation by the department  
23 of increased operational efficiencies. The plan shall include a total reduction, for the  
24 2004–05 fiscal year, of 300.5 authorized FTE positions in the department by June 30,  
25 2005.



1 (c) If the department of transportation submits any plan under this subsection  
2 and the cochairpersons of the joint committee on finance do not notify the  
3 department within 14 working days after the date of the submittal that the  
4 committee has scheduled a meeting for the purpose of reviewing the plan, the  
5 department may implement the plan. If, within 14 working days after the date of  
6 the submittal, the cochairpersons of the committee notify the department that the  
7 committee has scheduled a meeting for the purpose of reviewing the plan, the  
8 department may not implement the plan until it is approved by the committee, as  
9 submitted or as modified.

10 (1z) SURPLUS LAND SALE. The department of transportation shall sell sufficient  
11 surplus land, as defined in section 84.09 (8) (a) of the statutes, to deposit not less than  
12 \$4,000,000 in each fiscal year of the 2003–05 biennium in the transportation fund  
13 from such sales.

~~14~~ (2p) AGENCY REQUEST RELATING TO DEBT SERVICE FOR HIGHWAY PROJECTS BONDING.  
15 Notwithstanding section 16.42 (1) of the statutes, in submitting information under  
16 section 16.42 of the statutes for purposes of the biennial budget act for the 2005–07  
17 fiscal biennium, the department of transportation shall include a recommendation  
18 for statutory changes to section 20.395 (6) (aq) of the statutes to pay debt service on  
19 general obligation bonds authorized under sections 20.866 (2) (uur) and (uut) and  
~~20~~ 84.595<sup>✓</sup> of the statutes, as created by this act.

21 (2x) STATE HIGHWAY REHABILITATION AND MAJOR HIGHWAY DEVELOPMENT  
22 SUPPLEMENT.

23 (a) No later than January 1, 2004, the department of transportation shall  
24 submit a report to the joint committee on finance that includes the following  
25 information:

1           1. The department's response to any recommendations included in the  
2 legislative audit bureau's performance audit of the state highway program.

3           2. The department's recommendations of steps that may be taken or legislation  
4 that could be considered that could reduce costs in the state highway program.

5           3. Information on current environmental requirements, highway  
6 improvements standards, and the degree of competitiveness in the construction  
7 industry, and how these factors contribute to the cost of highway projects.

8           4. The department's recommendation on whether additional positions should  
9 be provided in the division of transportation districts to replace the work done by  
10 engineering consultants to reduce project design costs.

11           5. The department's recommendation on how to allocate any cost savings  
12 produced by either process modifications or the addition of department of  
13 transportation staff back to the department's appropriations.

14           (b) If the cochairs of the joint committee on finance do not notify, within 14  
15 working days after the date on which a report is submitted under paragraph (a), the  
16 department of transportation that the committee has scheduled a meeting to review  
17 the report, the appropriation account under section 20.395 (3) (bq) of the statutes is  
18 supplemented by the amount recommended by the department in its report, not to  
19 exceed \$4,833,000 for fiscal year 2004–05 from the appropriation account under  
20 section 20.865 (4) (u) of the statutes, the appropriation account under section 20.395  
21 (3) (cq) of the statutes is supplemented by the amount recommended by the  
22 department in its report, not to exceed \$11,120,500 for fiscal year 2004–05 from the  
23 appropriation account under section 20.865 (4) (u) of the statutes, and, subject to  
24 paragraph (d), other appropriation accounts under section 20.395 of the statutes are

1 supplemented as recommended by the department in its report under paragraph (a)  
2 5.

3 (c) If the cochairs of the joint committee on finance notify the department of  
4 transportation not more than 14 working days after the date on which a report is  
5 submitted under paragraph (a) that the committee has scheduled a meeting to  
6 review the report, the committee may supplement the appropriation account under  
7 section 20.395 (3) (bq) of the statutes by an amount not to exceed \$4,833,000 for fiscal  
8 year 2004–05 from the appropriation account under section 20.865 (4) (u) of the  
9 statutes, the committee may supplement the appropriation account under section  
10 20.395 (3) (cq) of the statutes by an amount not to exceed \$11,120,500 for fiscal year  
11 2004–05 from the appropriation account under section 20.865 (4) (u) of the statutes,  
12 and, subject to paragraph (d), the committee may allocate saved moneys identified  
13 in paragraph (a) 5. as it considers necessary. The committee may take action on the  
14 report as it considers necessary, including releasing a portion of the appropriation  
15 account under section 20.865 (4) (u) of the statutes and asking the department of  
16 transportation to submit additional information before the committee releases  
17 additional funds.

18 (d) The sum of the supplements for fiscal year 2004–05 under this subsection  
19 may not exceed \$15,953,500.

20 (2z) COMMERCIAL DRIVER LICENSE HAZARDOUS MATERIALS ENDORSEMENTS.

21 (a) Notwithstanding section 343.20 (2) (b) of the statutes, as created by this act,  
22 the department of transportation shall provide the holder of an “H” endorsement  
23 specified in section 343.17 (3) (d) 1m. of the statutes, as affected by this act, that  
24 expires before May 1, 2004, with as much advance written notice as practicable of the  
25 renewal requirements for the endorsement.

1           (b) Notwithstanding section 343.125 (2) and (3) of the statutes, as created by  
2 this act, the department of transportation may extend a commercial driver license  
3 with an “H” endorsement until such time as the department of transportation  
4 receives from the federal transportation security administration of the federal  
5 department of homeland security a final notice of threat assessment or a notice of no  
6 security threat concerning the applicant, or until April 29, 2004, whichever is earlier.

7           (3r) AGENCY REQUEST RELATING TO THE MARQUETTE INTERCHANGE RECONSTRUCTION  
8 PROJECT. Notwithstanding section 16.42 (1) of the statutes, in submitting  
9 information under section 16.42 of the statutes for purposes of the 2005–07 biennial  
10 budget act, the department of transportation shall include a funding plan for the  
11 remainder of the Marquette interchange reconstruction project, including  
12 specification of all expenditure amounts anticipated to be necessary from the  
13 appropriations under section 20.395 (3) (cr) and (cy) of the statutes, and the amount  
14 of bonding authorization anticipated to be necessary. The plan shall maximize the  
15 use of segregated revenue and federal funds, and minimize the use of bonds proceeds,  
16 to the extent possible, in meeting expenditure obligations for the project, and shall  
17 not include issuance of bonds, requiring debt service payments after June 30, 2009.

18           (4q) TRAFFIC MARKING ENHANCEMENT GRANT PROGRAM.

19           (a) The department of transportation shall administer a grant program under  
20 section 85.027 of the statutes, as created by this act, in fiscal year 2003–04 only if the  
21 state receives federal incentive grant funding in federal fiscal year 2003 under 23  
22 USC 163. The department shall credit the lesser of an amount equal to the amount  
23 of the federal incentive grant funding or \$2,200,000 to the appropriation account  
24 under section 20.395 (3) (cx) of the statutes. The department shall also transfer from  
25 the appropriation account under section 20.395 (3) (cq) of the statutes, as affected by

✓ 1 this act, to the appropriation account under section 20.395 (2) (ev) of the statutes, as  
2 affected by this act, <sup>close space</sup> an amount equal to the amount credited under this paragraph ✓  
3 to the appropriation account under section 20.395 (3) (cx) of the statutes.

4 (b) The department of transportation shall administer a grant program under  
5 section 85.027 of the statutes, as created by this act, in fiscal year 2004–05 only if the  
6 state receives more federal formula highway aid than is included in the schedule  
7 under section 20.005 (3) of the statutes for appropriations under section 20.395 of the  
8 statutes for fiscal year 2004–05. The department shall credit the lesser of all moneys  
9 in excess of the sum of the amounts of federal formula highway aid included in the  
10 schedule under section 20.005 (3) of the statutes for appropriations under section  
11 20.395 of the statutes for fiscal year 2004–05 or \$3,800,000 to the appropriation  
12 account under section 20.395 (3) (cx) of the statutes. The department shall also  
13 transfer from the appropriation account under section 20.395 (3) (cq) of the statutes,  
14 as affected by this act, to the appropriation account under section 20.395 (2) (ev) of ✓  
15 the statutes, as affected by this act, an amount equal to the amount credited under ✓  
16 this paragraph to the appropriation account under section 20.395 (3) (cx) of the  
17 statutes.

18 **SECTION 9154. Nonstatutory provisions; treasurer.**

19 (1) TRANSFER OF THE CASH MANAGEMENT FUNCTIONS OF THE OFFICE OF THE STATE  
20 TREASURER.

21 (a) *Assets and liabilities.* On July 1, 2004, all assets and liabilities of the office  
22 of the state treasurer relating to the performance of its cash management functions,  
23 other than its performance of such functions under section 25.50 and chapter 177 of  
24 the statutes, as determined by the secretary of administration, shall become the  
25 assets and liabilities of the department of administration.

1           (b) *Tangible personal property.* On July 1, 2004, all tangible personal property,  
2 including records, of the office of the state treasurer relating to the performance of  
3 its cash management functions, other than its performance of such functions under  
4 section 25.50 and chapter 177 of the statutes, as determined by the secretary of  
5 administration, are transferred to the department of administration.

6           (c) *Contracts.* All contracts entered into by the office of the state treasurer  
7 relating to the performance of its cash management functions, other than its  
8 performance of such functions under section 25.50 and chapter 177 of the statutes,  
9 as determined by the secretary of administration, which are in effect on July 1, 2004,  
10 remain in effect and are transferred to the department of administration on July 1,  
11 2004. The department of administration shall carry out any such contractual  
12 obligations until modified or rescinded by the department of administration to the  
13 extent allowed under the contract.

14           (d) *Employee transfers and status.* Before July 1, 2004, all incumbent  
15 employees holding positions in the office of the state treasurer who perform cash  
16 management functions, other than functions under section 25.50 and chapter 177 of  
17 the statutes, as determined by the secretary of administration, are transferred to the  
18 department of administration. The secretary shall determine the date on which each  
19 such employee is transferred. Employees transferred under this paragraph have all  
20 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
21 statutes that they enjoyed in the office of the state treasurer. Notwithstanding  
22 section 230.28 (4) of the statutes, no employee so transferred who has attained  
23 permanent status in class may be required to serve a probationary period.

24           (e) *Pending matters.* Any matter pending with the office of the state treasurer  
25 relating to the performance of its cash management functions, other than its

1 performance of such functions under section 25.50 and chapter 177 of the statutes,  
2 as determined by the secretary of administration, on July 1, 2004, is transferred to  
3 the department of administration on July 1, 2004, and all materials submitted to or  
4 actions taken by the office of the state treasurer with respect to the pending matter  
5 are considered as having been submitted to or taken by the department of  
6 administration.

7 (2q) REPORTING OF CERTAIN UNCLAIMED PROPERTY. Notwithstanding section  
8 177.17 (4) (a) 1. of the statutes, a holder of property presumed abandoned under  
9 section 177.075 (1) of the statutes, as created by this act, shall file the report required  
10 under section 177.17 of the statutes concerning that property covering the 2003  
11 calendar year by May 1, 2004.

12 ~~SECTION 9155. Nonstatutory provisions; University of Wisconsin  
13 Hospitals and Clinics Authority.~~

14 ~~SECTION 9156. Nonstatutory provisions; University of Wisconsin  
15 Hospitals and Clinics Board.~~

16 SECTION 9157. Nonstatutory provisions; University of Wisconsin  
17 System.

18 (1) UNIVERSITY OF WISCONSIN SYSTEM RESIDENT UNDERGRADUATE TUITION.  
19 Notwithstanding section 36.27 (1) (am) of the statutes, as affected by this act, the  
20 Board of Regents of the University of Wisconsin System may not increase academic  
21 fees for a resident undergraduate student enrolled at any of the following:

22 (a) The University of Wisconsin–Madison or University of  
23 Wisconsin–Milwaukee by more than \$350 a semester in the 2003–04 academic year  
24 over academic fees charged for the 2002–03 academic year and by more than \$350

1 a semester in the 2004–05 academic year over academic fees charged for the 2003–04  
2 academic year.

3 (b) Any other University of Wisconsin System institution by more than \$250  
4 a semester in the 2003–04 academic year over academic fees charged for the 2002–03  
5 academic year and by more than \$250 a semester in the 2004–05 academic year over  
6 academic fees charged for the 2003–04 academic year.

7 (1q) DIFFERENTIAL TUITION. The tuition limits in subsection (1) do not apply to  
8 differential tuition initiatives that the Board of Regents and students enrolled in the  
9 University of Wisconsin System either have approved before the effective date of this  
10 subsection or approve on or after the effective date of this subsection.

11 (1x) AUXILIARY RESERVES TRANSFER. By September 15 of each year of the 2003–05  
12 biennium, the Board of Regents of the University of Wisconsin System shall submit  
13 the proposed allocation, by campus and auxiliary reserve account, of the moneys  
14 transferred under sections 20.235 (1) (ke) and 20.285 (4) (g) and (gm) of the statutes,  
15 as created by this act, to the department of administration for the department's  
16 approval. The board may not include segregated fee accounts in the proposed  
17 allocation. Once the department approves the proposed allocation, the department  
18 shall submit it to the joint committee on finance. If the cochairpersons of the  
19 committee do not notify the department within 14 days after the date of the  
20 department's submission that the committee has scheduled a meeting to review the  
21 proposed allocation, the proposed allocation may be implemented. If, within 14  
22 working days after the date of the department's submission, the cochairpersons of  
23 the committee notify the department that the committee has scheduled a meeting to  
24 review the proposed allocation, the proposed allocation may be implemented only as  
25 approved or modified by the committee.