



SENATE SUBSTITUTE AMENDMENT 1,
TO 2003 SENATE BILL 44

1 AN ACT relating to: state finances and appropriations, constituting the
2 executive budget act of the 2003 legislature.

Analysis by the Legislative Reference Bureau

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

3 *-1289/7.1* SECTION 4. 7.33 (4) and (5) of the statutes are amended to read:
4 7.33 (4) Except as otherwise provided in this subsection, each local
5 governmental unit, as defined in s. ~~22.01~~ 16.97 (7), may, and each state agency shall,
6 upon proper application under sub. (3), permit each of its employees to serve as an
7 election official without loss of fringe benefits or seniority privileges earned for
8 scheduled working hours during the period specified in sub. (3), without loss of pay
9 for scheduled working hours during the period specified in sub. (3) except as provided

1 in sub. (5), and without any other penalty. For employees who are included in a
2 collective bargaining unit for which a representative is recognized or certified under
3 subch. V of ch. 111, this subsection shall apply unless otherwise provided in a
4 collective bargaining agreement.

5 (5) Any employee of a local governmental unit, as defined in s. ~~22.01~~ 16.97 (7),
6 or state agency who obtains a paid leave of absence under sub. (4) in order to serve
7 as an election official under s. 7.30 shall certify in writing to the head of the local
8 governmental unit or state agency by which he or she is employed the amount of
9 compensation that the employee receives for such service. Upon receipt of the
10 certification, the head of the local governmental unit or state agency shall deduct
11 that amount from the employee's pay earned for scheduled working hours during the
12 period specified in sub. (2) when the employee is on a paid leave of absence.

13 ***-1634/7.1* SECTION 5.** 13.099 (1) (a) and (b) of the statutes are amended to
14 read:

15 13.099 (1) (a) "Department" means the department of ~~administration~~
16 commerce.

17 (b) "State housing strategy plan" means the plan developed under s. ~~16.31~~
18 560.9802.

19 ***-1634/7.2* SECTION 6.** 13.099 (2) (a) of the statutes is amended to read:

20 13.099 (2) (a) If any bill that is introduced in either house of the legislature
21 directly or substantially affects the development, construction, cost or availability of
22 housing in this state, the department, ~~through the division of housing,~~ shall prepare
23 a report on the bill within 30 days after it is introduced. The department may request
24 any information from other state agencies, local governments or individuals or
25 organizations that is reasonably necessary for the department to prepare the report.

1 *~~1634~~/7.3* SECTION 7. 13.099 (3) (a) 5. of the statutes is amended to read:

2 13.099 (3) (a) 5. Housing costs, as defined in s. ~~16.30~~ 560.9801 (3) (a) and (b).

3 *~~1599~~/1.1* SECTION 8. 13.101 (6) (a) of the statutes is amended to read:

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

23 *~~b0257~~/4.1* SECTION 8m. 13.101 (6) (a) of the statutes, as affected by 2003
24 Wisconsin Act (this act), is amended to read:

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

20 *~~1289/7.2~~* SECTION 9. 13.101 (14) of the statutes is amended to read:

21 13.101 (14) With the concurrence of the joint committee on information policy
22 and technology, direct the department of ~~electronic government~~ administration to
23 report to the committee concerning any specific information technology system
24 project in accordance with s. 13.58 (5) (b) 4.

25 *b0145/1.1* SECTION 10c. 13.101 (16) of the statutes is repealed.

1 ***b0215/3.1* SECTION 10r.** 13.101 (17) of the statutes is created to read:

2 13.101 (17) From the appropriation under s. 20.435 (2) (gk), the committee may
3 approve expenditure of moneys received by the state under s. 51.06 (6) only to
4 support any state activity conducted or performed on the property occupied or
5 managed on the effective date of this subsection [revisor inserts date], by the
6 department of health and family services or the department of corrections at the
7 Northern Center for the Developmentally Disabled.

8 ***-1630/2.1* SECTION 11.** 13.121 (1) of the statutes is amended to read:

9 13.121 (1) CURRENT MEMBER. From the appropriation under s. 20.765 (1) (a) or
10 (b) or (5), each member of the legislature shall be paid, in equal installments, the
11 salary provided under s. 20.923.

12 ***-0576/8.1* SECTION 12.** 13.121 (4) of the statutes is amended to read:

13 13.121 (4) INSURANCE. For the purpose of premium determinations under s.
14 40.05 (4) and (5) each member of the legislature shall accrue sick leave at a rate
15 equivalent to a percentage of time worked recommended for such positions by the
16 secretary of employment relations director of the office of state human resources
17 management and approved by the joint committee on employment relations in the
18 same manner as compensation for such positions is determined under s. 20.923. This
19 percentage of time worked shall be applied to the sick leave accrual rate established
20 under s. 230.35 (2). The approved percentage shall be incorporated into the
21 compensation plan under s. 230.12 (1).

22 ***-0576/8.2* SECTION 13.** 13.123 (1) (a) 1. of the statutes is amended to read:

23 13.123 (1) (a) 1. Any member of the legislature who has signified, by affidavit
24 filed with the department of administration, the necessity of establishing a
25 temporary residence at the state capital for the period of any regular or special

1 legislative session shall be entitled to an allowance for expenses incurred for food and
2 lodging for each day that he or she is in Madison on legislative business, but not
3 including any Saturday or Sunday unless the legislator is in actual attendance on
4 such day at a session of the legislature or a meeting of a standing committee of which
5 the legislator is a member. The amount of the allowance for each biennial session
6 shall be 90% of the per diem rate for travel for federal government business within
7 the city of Madison, as established by the federal general services administration.
8 For the purpose of determining the amount of the allowance, the ~~secretary of~~
9 ~~employment relations~~ director of the office of state human resources management
10 shall certify to the chief clerk of each house the federal per diem rate in effect on
11 December 1, or the first business day thereafter if December 1 is not a business day,
12 in each even-numbered year. Each legislator shall file an affidavit with the chief
13 clerk of his or her house certifying the specific dollar amount within the authorized
14 allowance the member wishes to receive. Such affidavit, when filed, shall remain in
15 effect for the biennial session.

16 *~~1630/2.2~~* SECTION 14. 13.123 (1) (c) of the statutes is amended to read:

17 13.123 (1) (c) Each member shall certify to the chief clerk of the house in which
18 the member serves, as promptly as may be following the 1st of each month, the
19 number of days during the previous calendar month on which the member was in
20 Madison on legislative business and for which the member seeks the allowance
21 provided by this subsection. Such allowances shall be paid from the appropriation
22 under s. 20.765 (1) (a) or (b) or (5) within one week after each calendar month; and
23 shall be paid, upon the filing with the department of administration, the chief clerk's
24 affidavit stating the number of days in Madison on legislative business for all
25 members of the chief clerk's house.

1 ***-1630/2.3*** SECTION 15. 13.123 (2) (intro.) of the statutes is amended to read:

2 13.123 (2) INTERIM EXPENSES. (intro.) From the appropriation under s. 20.765
3 (1) (a) or (b) or (5), each member of the legislature shall be entitled to an expense
4 allowance for postage and clerical assistance for each full calendar month during
5 which the legislature is in actual session 3 days or less. No allowance is payable to
6 a representative to the assembly unless the speaker of the assembly files with the
7 chief clerk of the assembly a written authorization for the allowance to be paid. No
8 allowance is payable to a senator unless the majority leader of the senate files with
9 the chief clerk of the senate a written authorization for the allowance to be paid. An
10 authorization filed under this subsection becomes effective for the month in which
11 it is filed and continues in effect through the month in which the speaker of the
12 assembly or the majority leader of the senate files a written revocation of the
13 authorization with the chief clerk of the appropriate house. The rate of such
14 allowance shall be as follows:

15 ***-1630/2.4*** SECTION 16. 13.123 (3) (a) of the statutes is amended to read:

16 13.123 (3) (a) Any senator authorized by the committee on senate organization
17 to attend a meeting outside the state capital, any representative to the assembly
18 authorized by the committee on assembly organization to attend an out-of-state
19 meeting or authorized by the speaker to attend a meeting within this state outside
20 the state capital, and all members of the legislature required by law, legislative rule,
21 resolution or joint resolution to attend such meetings, shall be paid no additional
22 compensation for such services but shall be reimbursed for actual and necessary
23 expenses from the appropriation under s. 20.765 (1) (a) or (b) or (5), but no legislator
24 may be reimbursed under this subsection for expenses on any day for which the
25 legislator submits a claim under sub. (1).

1 ***-1630/2.5*** SECTION 17. 13.125 of the statutes is amended to read:

2 **13.125 Chaplains.** The officiating chaplain of the senate and assembly shall
3 be paid such amount as may be established by each house for each day of service from
4 the appropriation under s. 20.765 (1) (a) or (b) or (5). Payment shall be made on
5 certification by the chief clerk of the senate or of the assembly, respectively, showing
6 the amount to which each chaplain is entitled.

7 ***-1630/2.6*** SECTION 18. 13.14 (2) of the statutes is amended to read:

8 **13.14 (2) FLORAL PIECES.** The senate and assembly may procure floral pieces
9 for deceased or ill members of the legislature and state officers who, in the judgment
10 of the presiding officer and chief clerk, have been identified with the legislative
11 process. Such expenses shall be by voucher, signed by the presiding officer or chief
12 clerk of the respective house, and shall be drawn on the appropriation under s. 20.765
13 (1) (a) or (b) or (5).

14 ***-1630/2.7*** SECTION 19. 13.14 (3) of the statutes is amended to read:

15 **13.14 (3) TRAVEL; LEGISLATIVE PERSONNEL.** The actual and necessary expenses
16 of legislative policy research personnel, assistants to legislators, and research staff
17 assigned to legislative committees incident to attending meetings outside the state
18 capital shall be reimbursed from the appropriation under s. 20.765 (1) (a) or (b) or
19 (5).

20 ***-0576/8.3*** SECTION 20. 13.20 (2) of the statutes is amended to read:

21 **13.20 (2) PAY RANGES; DURATION OF EMPLOYMENT.** All legislative employees shall
22 be paid in accordance with the compensation and classification plan for employees
23 in the classified civil service within ranges approved by the joint committee on
24 legislative organization. The ~~secretary of employment relations~~ director of the office
25 of state human resources management shall make recommendations concerning a

1 compensation and classification schedule for legislative employees if requested to do
2 so by the joint committee on legislative organization or by the committee on
3 organization of either house. If the joint committee does not approve pay ranges for
4 legislative employees, the committee on organization of either house may approve
5 pay ranges for its employees. Appointments shall be made for the legislative session,
6 unless earlier terminated by the appointing officer.

7 ***b0374/3.1* SECTION 20d.** 13.40 (1) (a) of the statutes is renumbered 13.40 (1)
8 (am).

9 ***b0374/3.1* SECTION 20h.** 13.40 (1) (ad) of the statutes is created to read:

10 13.40 (1) (ad) “Compensation reserves” means the total estimated amount
11 designated as compensation reserves for a given fiscal year as shown in the schedule
12 under s. 20.005 (1) published in the biennial budget act or the modified total amount
13 of compensation reserves for that fiscal year specified in any other act.

14 ***b0374/3.1* SECTION 20p.** 13.40 (1) (c) of the statutes is created to read:

15 13.40 (1) (c) “State operations” means all purposes except aids to individuals
16 and organizations and local assistance.

17 ***b0374/3.1* SECTION 20t.** 13.40 (2) (intro.) of the statutes is amended to read:

18 13.40 (2) (intro.) Except as provided in ~~sub.~~ subs. (3) and (3m), the amount
19 appropriated from general purpose revenue for each fiscal biennium, excluding any
20 amount under an appropriation specified in sub. (3) (a) to (i), as determined under
21 sub. (4), may not exceed the sum of:

22 ***-1016/6.1* SECTION 21.** 13.40 (3) (b) of the statutes is amended to read:

23 13.40 (3) (b) An appropriation to honor a moral obligation undertaken
24 pursuant to ss. 16.526 (8), 16.527 (10), 18.61 (5), 85.25 (5), 101.143 (9m) (i), 229.50

1 (7), 229.74 (7), 229.830 (7), 234.15 (4), 234.42 (4), 234.54 (4) (b), 234.626 (7), 234.93
2 (6), 234.932 (6), 234.933 (6), and 281.59 (13m).

3 ***-1748/2.1*** SECTION 22. 13.40 (3) (fm) of the statutes is created to read:

4 13.40 (3) (fm) An appropriation for the 2003–05 fiscal biennium to make
5 payments to counties, towns, villages, and cities under s. 79.035.

6 ***b0374/3.2*** SECTION 23m. 13.40 (3m) of the statutes is created to read:

7 13.40 (3m) (a) In addition to the limitations under sub. (2) and par. (am), the
8 amount appropriated from general purpose revenue for state operations in fiscal
9 year 2003–04, in fiscal year 2004–05, and in fiscal year 2005–06, plus the amount
10 designated for compensation reserves from general purpose revenue but excluding
11 the estimated amount to be expended from general purpose revenue for debt service
12 for that fiscal year, may not exceed the amount appropriated from general purpose
13 revenue for state operations in fiscal year 2002–03, plus the amount designated for
14 compensation reserves from general purpose revenue but excluding the estimated
15 amount to be expended from general purpose revenue for debt service for that fiscal
16 year, as shown in the schedule under s. 20.005 (3) published in the 2001–02
17 Wisconsin Statutes.

18 (am) In addition to the limitations under sub. (2) and par. (a), the amount
19 appropriated from general purpose revenue for state operations in fiscal year
20 2005–06 and in fiscal year 2006–07, excluding the estimated amount to be expended
21 from general purpose revenue for debt service for that fiscal year, may not exceed the
22 amount appropriated from general purpose revenue for state operations in fiscal
23 year 2004–05, excluding the estimated amount to be expended from general purpose
24 revenue for debt service for that fiscal year, as shown in the schedule under s. 20.005
25 (3) published in the 2003–04 Wisconsin Statutes, less \$100,000,000.

1 (b) For purposes of par. (a), the amount of any sum sufficient appropriation for
2 fiscal year 2002–03 is considered to be the amount shown in the schedule under s.
3 20.005 (3) as published in the 2001–02 Wisconsin Statutes, and the amount of any
4 sum sufficient appropriation for any other fiscal year is considered to be the amount
5 shown in the schedule under s. 20.005 (3) in the latest act specifying the estimated
6 expenditures for that appropriation for that fiscal year. For purposes of par. (a), the
7 amount of any biennial appropriation for fiscal year 2002–03 is considered to be the
8 amount shown in the schedule under s. 20.005 (3) as published in the 2001–02
9 Wisconsin Statutes, and the amount of any biennial appropriation for any other
10 fiscal year is considered to be the amount shown in the schedule under s. 20.005 (3)
11 in the latest act specifying the amount appropriated for that appropriation for that
12 fiscal year.

13 (bm) For purposes of par. (am), the amount of any sum sufficient appropriation
14 for fiscal year 2004–05 is considered to be the amount shown in the schedule under
15 s. 20.005 (3) as published in the 2003–04 Wisconsin Statutes, and the amount of any
16 sum sufficient appropriation for any other fiscal year is considered to be the amount
17 shown in the schedule under s. 20.005 (3) in the latest act specifying the estimated
18 expenditures for that appropriation for that fiscal year. For purposes of par. (am),
19 the amount of any biennial appropriation for fiscal year 2004–05 is considered to be
20 the amount shown in the schedule under s. 20.005 (3) as published in the 2003–04
21 Wisconsin Statutes, and the amount of any biennial appropriation for any other
22 fiscal year is considered to be the amount shown in the schedule under s. 20.005 (3)
23 in the latest act specifying the amount appropriated for that appropriation for that
24 fiscal year.

25 ***-1630/2.8* SECTION 24.** 13.45 (3) (a) of the statutes is amended to read:

1 13.45 (3) (a) For any day for which the legislator does not file a claim under s.
2 13.123 (1), any legislator appointed to serve on a legislative committee or a
3 committee to which the legislator was appointed by either house or the officers
4 thereof shall be reimbursed from the appropriations under s. 20.765 (1) (a) or (b) or
5 (5) for actual and necessary expenses incurred as a member of the committee.

6 *~~0576/8.4~~* SECTION 25. 13.48 (2) (j) of the statutes is amended to read:

7 13.48 (2) (j) No later than the first day of the 7th month after the effective date
8 of each biennial budget act, the ~~secretary of employment relations~~ director of the
9 office of state human resources management shall report to the building commission,
10 in writing, regarding the desirability of including plans for day care facility space in
11 the plans for any construction or major remodeling project, enumerated in the state
12 building program in the biennial budget act, for any state office building. Based upon
13 the report of the ~~secretary of employment relations~~ director of the office of state
14 human resources management, the building commission may direct that plans for
15 day care facility space be included in the plans for that construction or major
16 remodeling project.

17 *~~1746/4.1~~* SECTION 26. 13.48 (14) (c) of the statutes is amended to read:

18 13.48 (14) (c) If there is any outstanding public debt used to finance the
19 acquisition of a building, structure or land or the construction of a building or
20 structure that is sold or leased under par. (b), the building commission shall deposit
21 a sufficient amount of the net proceeds from the sale or lease of the building,
22 structure or land in the bond security and redemption fund under s. 18.09 to repay
23 the principal and pay the interest on the debt, and any premium due upon refunding
24 any of that debt. If Except as provided in s. 51.06 (6), if there is no such debt
25 outstanding, or, if the net proceeds exceed the amount required to repay that

1 principal and pay that interest and premium, the building commission shall credit
2 deposit the net proceeds or remaining net proceeds to in the ~~appropriation account~~
3 ~~under s. 20.865 (4) (a)~~ budget stabilization fund.

4 *b0695/1.1* SECTION 26e. 13.48 (35) (a) of the statutes, as created by 2001
5 Wisconsin Act 16, is renumbered 13.48 (35) (am) and amended to read:

6 13.48 (35) (am) The building commission may authorize up to \$1,500,000 in
7 general fund supported borrowing to aid in the construction of a youth and family
8 center ~~for~~ to be open to the public and operated by HR Academy, Inc., in the city of
9 Milwaukee. The state funding commitment under this paragraph shall be in the
10 form of a grant to HR Academy, Inc. Before ~~approving~~ any such state funding
11 commitment is made, the ~~building commission~~ secretary of administration shall
12 determine that HR Academy, Inc., has secured additional funding at least equal to
13 \$3,500,000 from nonstate donations for the purpose of constructing a youth and
14 family center, that no part of the youth and family center will be used for the purpose
15 of devotional activities, religious worship, or sectarian instruction, and that HR
16 Academy, Inc., owns interests in real estate that are adequate for the siting and
17 operation of the center.

18 *b0695/1.1* SECTION 26g. 13.48 (35) (ah) of the statutes is created to read:

19 13.48 (35) (ah) The legislature finds and determines that deterring delinquent
20 behavior, building strong families, and creating viable communities are statewide
21 responsibilities of statewide dimension. The legislature finds and determines also
22 that community centers, where youth and families may gather, deter delinquent
23 behavior by permitting youth to gather at locations that are supervised by adults,
24 strengthen families by offering programs and activities that increase parenting and
25 other life skills, and increase the viability of communities by providing accessible and

1 safe meeting places. In addition, the legislature finds and determines that HR
2 Academy, Inc., has the expertise and commitment to successfully operate a
3 community center in the city of Milwaukee. The legislature, therefore, finds and
4 determines that assisting HR Academy, Inc., in the construction of a youth and
5 family center in the city of Milwaukee will deter delinquent behavior, build strong
6 families, and create viable communities and will have a direct and immediate effect
7 on these state responsibilities of statewide dimension.

8 *b0695/1.1* SECTION 26i. 13.48 (35) (b) of the statutes, as created by 2001
9 Wisconsin Act 16, is amended to read:

10 13.48 (35) (b) If the building commission authorizes a grant to HR Academy,
11 Inc., under par. (a) and if, (am), HR Academy, Inc., shall enter into a land use
12 restriction agreement limiting the use of the facilities funded by the grant to a youth
13 and family center. The land use restriction agreement shall provide that, if for any
14 reason, the facility that is constructed with funds from the grant is not used operated
15 as a youth and family center that is open to the public or if it is used for the purpose
16 of devotional activities, religious worship, or sectarian instruction, the state shall
17 retain an ownership interest in the facility equal to the amount of the state's grant,
18 at the option of the secretary of administration, may pursue any legal remedies
19 available including requiring specific performance of the covenants contained in the
20 agreement.

21 *b0525/1.1* SECTION 26m. 13.48 (36) of the statutes is created to read:

22 13.48 (36) HMONG CULTURAL CENTER. (a) The legislature finds and determines
23 that a significant number of Hmong people are citizens of this state, that the Hmong
24 people have a proud heritage that needs to be recognized and preserved, and that the
25 Hmong people have experienced difficulties assimilating in this state. The

1 legislature finds that supporting the Hmong people in their efforts to recognize their
2 heritage and to gain the full advantages of citizenship in this state is a statewide
3 responsibility of statewide dimension. To better ensure that the heritage of the
4 Hmong people is preserved and to better enable the Hmong people to gain the full
5 advantages of citizenship in this state, the legislature finds that it will have a direct
6 and immediate effect on a matter of statewide concern for the state to construct and
7 operate a Hmong cultural center.

8 (b) Notwithstanding s. 18.04 (1) and (2), the building commission shall
9 authorize \$3,000,000 in general fund supported borrowing to make a grant to an
10 organization designated by the secretary of administration that represents the
11 cultural interests of Hmong people for construction of a Hmong cultural center at the
12 corner of National Avenue and 16th Street in the city of Milwaukee. As a condition
13 precedent to receipt of the grant, the organization shall enter into an agreement with
14 the secretary guaranteeing that the center will be operated to serve the nonsectarian
15 cultural interests of the Hmong people.

16 (c) If, for any reason, the facility that is constructed with funds from the grant
17 under par. (b) is not used to construct a Hmong cultural center in the city of
18 Milwaukee, or the center is not operated to serve the nonsectarian cultural interests
19 of the Hmong people, the state shall retain an ownership interest in the facility equal
20 to the amount of the state's grant.

21 ***-1630/2.9* SECTION 27.** 13.50 (6) (am) of the statutes is amended to read:

22 13.50 (6) (am) The cochairpersons of the joint survey committee on retirement
23 systems or the cochairpersons of the joint committee on finance, with respect to any
24 bill or amendment specified in par. (a), or the presiding officer of either house of the
25 legislature, with respect to any bill or amendment specified in par. (a) that is pending

1 in his or her house, may make a determination, based on any available information,
2 that the bill or amendment may have a significant fiscal impact on the costs,
3 actuarial balance or goals of the Wisconsin retirement system Retirement System
4 and order the attachment of an independent actuarial opinion on such impact. The
5 cochairpersons or presiding officer ordering such an opinion shall direct the staff
6 under sub. (4) to obtain the opinion. The staff shall make payment for the opinion
7 from the appropriation under s. 20.765 (2) (ab) or (5).

8 ***-0576/8.5*** SECTION 28. 13.51 (2) (b) of the statutes is amended to read:

9 13.51 (2) (b) ~~The secretary of employment relations~~ director of the office of state
10 human resources management or the secretary's director's designee.

11 ***-1630/2.10*** SECTION 29. 13.56 (2) of the statutes is amended to read:

12 13.56 (2) PARTICIPATION IN CERTAIN PROCEEDINGS. The cochairpersons of the joint
13 committee for review of administrative rules or their designated agents shall accept
14 service made under ss. 227.40 (5) and 806.04 (11). If the committee determines that
15 the legislature should be represented in the proceeding, it shall request the joint
16 committee on legislative organization to designate the legislature's representative
17 for the proceeding. The costs of participation in the proceeding shall be paid equally
18 from the appropriations under s. 20.765 (1) (a) and (b) or shall be paid from the
19 appropriation under s. 20.765 (5), if applicable, except that such costs incurred by the
20 department of justice shall be paid from the appropriation under s. 20.455 (1) (d).

21 ***-1630/2.11*** SECTION 30. 13.57 (3) of the statutes is amended to read:

22 13.57 (3) All expenses under sub. (1) shall be reimbursed from the
23 appropriation under s. 20.765 (1) (a) or (b) or (5).

24 ***-1289/7.3*** SECTION 31. 13.58 (5) (a) 5. of the statutes is amended to read:

1 13.58 (5) (a) 5. Upon receipt of strategic plans from the department of ~~electronic~~
2 ~~government administration~~, the joint committee on legislative organization and the
3 director of state courts, review and transmit comments concerning the plans to the
4 entities submitting the plans.

5 *~~1289/7.4~~* SECTION 32. 13.58 (5) (b) 1. of the statutes is amended to read:

6 13.58 (5) (b) 1. Direct the department of ~~electronic government administration~~
7 to conduct studies or prepare reports on items related to the committee's duties under
8 par. (a).

9 *~~1289/7.5~~* SECTION 33. 13.58 (5) (b) 4. (intro.) of the statutes is amended to
10 read:

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

18 *~~1630/2.12~~*SECTION 34. 13.81 (6) of the statutes is amended to read:

19 13.81 (6) REIMBURSEMENT FOR SPECIAL STUDIES. At the end of each fiscal year,
20 the general fund shall be reimbursed, from any other state fund, the amounts
21 actually expended by the joint legislative council under s. 20.765 (3) (e) or (5) for the
22 cost of making and publishing surveys and analyses of activities and policies related
23 to such funds. The council shall bill such state funds at the end of each fiscal year
24 for the costs so incurred, in accordance with cost records maintained by the council.

25 *~~1630/2.13~~* SECTION 35. 13.81 (8) of the statutes is amended to read:

1 **13.81 (8)** CONFERENCE ON LEGISLATIVE PROCEDURES. Following each general
2 election, the joint legislative council shall sponsor a conference to acquaint new
3 legislators or legislators–elect with legislative procedures. Expenses for the
4 conference shall be paid from the appropriation under s. 20.765 (3) (e) or (5).

5 *–1630/2.14* **SECTION 36.** 13.83 (3) (c) 1. of the statutes is amended to read:

6 **13.83 (3) (c) 1.** The joint legislative council shall pay the expenses incurred by
7 the members appointed under par. (b) 1., in performing their functions on the special
8 committee, from the appropriation under s. 20.765 (3) (e) or (5).

9 *–1630/2.15* **SECTION 37.** 13.90 (2) of the statutes is amended to read:

10 **13.90 (2)** The cochairpersons of the joint committee on legislative organization
11 or their designated agent shall accept service made under s. 806.04 (11). If the
12 committee, the senate organization committee or the assembly organization
13 committee, determines that the legislature should be represented in the proceeding,
14 that committee shall designate the legislature’s representative for the proceeding.
15 The costs of participation in the proceeding shall be paid equally from the
16 appropriations under s. 20.765 (1) (a) and (b) or shall be paid from the appropriation
17 under s. 20.765 (5), if applicable, except that such costs incurred by the department
18 of justice shall be paid from the appropriation under s. 20.455 (1) (d).

19 *–1630/2.16* **SECTION 38.** 13.90 (4) of the statutes is amended to read:

20 **13.90 (4)** The cochairpersons of the joint committee on legislative organization
21 shall authorize payment of fees entitling the legislature to membership in national
22 organizations from the appropriation under s. 20.765 (3) (fa) or (5).

23 *–1289/7.6* **SECTION 39.** 13.90 (6) of the statutes is amended to read:

24 **13.90 (6)** The joint committee on legislative organization shall adopt, revise
25 biennially and submit to the cochairpersons of the joint committee on information

1 policy and technology, the governor and the ~~chief information officer~~ secretary of
2 administration, no later than September 15 of each even-numbered year, a strategic
3 plan for the utilization of information technology to carry out the functions of the
4 legislature and legislative service agencies, as defined in s. 16.70 (6). The plan shall
5 address the business needs of the legislature and legislative service agencies and
6 shall identify all resources relating to information technology which the legislature
7 and legislative service agencies desire to acquire, contingent upon funding
8 availability, the priority for such acquisitions and the justification for such
9 acquisitions. The plan shall also identify any changes in the functioning of the
10 legislature and legislative service agencies under the plan.

11 *~~1327/1.1~~* SECTION 40. 13.92 (1) (b) 1. b. of the statutes is amended to read:

12 13.92 (1) (b) 1. b. Any agency, as defined in s. 16.70 (~~1~~) (1e), created under ch.
13 13, 14, 15, or 758.

14 *~~0357/2.1~~* SECTION 40m. 13.92 (1) (f) of the statutes is created to read:

15 13.92 (1) (f) *Assistance in locating potential sources of federal funds.* The chief
16 of the legislative reference bureau shall assign an employee of the bureau to
17 full-time responsibility for working with state departments and agencies created
18 under ch. 15 and the federal government to try to increase the amount of funds that
19 the departments and agencies receive from the federal government. At the request
20 of a state department or agency, the bureau employee shall assist the department or
21 agency in locating potential sources of federal funding that it may be eligible for and
22 in completing federal grant-writing activities or other application procedures.

23 *~~1289/7.7~~* SECTION 42. 13.93 (2) (h) of the statutes is amended to read:

1 13.93 (2) (h) Approve specifications and scheduling for computer databases
2 containing the Wisconsin statutes and for the printing of the Wisconsin statutes as
3 prescribed in ss. ~~22.03~~ 16.971 (6) and 35.56 (5).

4 *~~1630/2.17~~* SECTION 43. 13.93 (2) (k) of the statutes is amended to read:

5 13.93 (2) (k) Pay, from the appropriation under s. 20.765 (3) (a) or (5), the
6 expenses of attendance at meetings of members of the Commission on Uniform State
7 Laws who are appointed by the governor.

8 *~~0529/4.1~~* SECTION 44. 13.94 (1) (a) of the statutes is amended to read:

9 13.94 (1) (a) Audit the ~~books and accounts of the treasurer, the moneys on hand~~
10 in the treasury and all bonds and securities belonging to all public funds on deposit
11 in the treasury or properly accounted for by the ~~treasurer~~ secretary of
12 administration, at least every 2 years; and report the result of such examination in
13 writing to the governor and the joint committee on finance, specifying therein
14 particularly the amount and kind of funds and of all such bonds and securities. The
15 bureau shall transmit a certified copy of such report to the ~~outgoing treasurer and~~
16 successor secretary of administration.

17 *~~0529/4.2~~* SECTION 45. 13.94 (1) (d) 1. of the statutes is amended to read:

18 13.94 (1) (d) 1. At least once every 2 years, and at such other times as the
19 governor or legislature directs, examine and see that all the money appearing by the
20 books of the department of administration ~~and state treasurer~~ as belonging to the
21 several funds is in the vaults of the treasury or in the several state depositories.

22 *~~0529/4.3~~* SECTION 46. 13.94 (1) (d) 2. of the statutes is amended to read:

23 13.94 (1) (d) 2. If the governor directs that such an examination be conducted,
24 the order from the governor shall provide for reimbursement of the legislative audit
25 bureau's costs in making the examination from the appropriation under s. 20.525 (1)

1 (a). No order from the governor for an examination under this paragraph may take
2 precedence over any examination already scheduled by the legislative audit bureau
3 without approval of the joint legislative audit committee. If a deficiency is discovered
4 pursuant to an examination under this paragraph, the governor shall require the
5 ~~treasurer~~ secretary of administration to make up the deficiency immediately; and if
6 the ~~treasurer~~ secretary of administration refuses or neglects for 10 days thereafter
7 to have the full sum belonging to said funds in the treasury the attorney general shall
8 institute proceedings to recover the deficiency.

9 ***-0529/4.4*** SECTION 47. 13.94 (1) (f) of the statutes is amended to read:

10 13.94 (1) (f) Certify Whenever a new secretary of administration takes office,
11 certify to the incoming ~~treasurer~~ secretary the balance in the treasury when he or
12 she came into office and all bonds and securities belonging to all public funds on
13 deposit in the treasury or properly accounted for and transmit a certified copy thereof
14 to the outgoing ~~treasurer~~ secretary.

15 ***-1630/2.18*** SECTION 49. 13.94 (1m) of the statutes is amended to read:

16 13.94 (1m) INDEPENDENT EXPERTS. The legislative audit bureau may contract
17 for the services of such independent professional or technical experts as deemed
18 necessary to carry out the statutory duties and functions of the bureau within the
19 limits of the amount provided under s. 20.765 (3) (c) or (5); and, in the case of
20 postaudits involving the performance and program accomplishments of a
21 department, shall contract for the services of such subject matter and program
22 specialists from any state or federal agency or public institution of higher learning
23 as deemed necessary by the joint committee on legislative organization.

24 ***-1289/7.8*** SECTION 51. 14.20 (1) (a) of the statutes is amended to read:

1 14.20 (1) (a) “Local governmental unit” has the meaning given in s. ~~22.01~~ 16.97
2 (7).

3 *~~1752/3.1~~* SECTION 52. 14.20 (2) of the statutes is amended to read:

4 14.20 (2) From the ~~appropriations~~ appropriation under s. 20.525 (1) (f) and (kf),
5 the governor may provide a grant to any local governmental unit or nonprofit
6 organization for support of a literacy improvement program.

7 *~~1630/2.19~~* SECTION 53. 14.38 (10) (c) of the statutes is amended to read:

8 14.38 (10) (c) Publish in the official state newspaper within 10 days after the
9 date of publication of an act a notice certifying the number of each act, the number
10 of the bill from which it originated, the date of publication and the relating clause.
11 Each certificate shall also contain a notice of where the full text of each act can be
12 obtained. Costs under this paragraph shall be charged to the appropriation under
13 s. 20.765 (1) (d) or (5).

14 *~~b0389/1.1~~* SECTION 53m. 14.46 of the statutes is repealed.

15 *~~0529/4.5~~* SECTION 54. 14.58 (1) (intro.) of the statutes is repealed and
16 recreated to read:

17 14.58 (1) SIGN CHECKS, SHARE DRAFTS, AND OTHER DRAFTS. (intro.) Sign checks,
18 share drafts, and other drafts on depositories in which moneys may be deposited in
19 one of the following methods:

20 *~~0529/4.6~~* SECTION 55. 14.58 (2) of the statutes is renumbered 16.401 (2) and
21 amended to read:

22 16.401 (2) ISSUE RECEIPTS. Issue receipts for all money paid to the ~~treasurer~~
23 department.

24 *~~0529/4.7~~* SECTION 56. 14.58 (3) of the statutes is renumbered 16.401 (3).

1 *~~0529/4.8~~* SECTION 57. 14.58 (4) of the statutes is renumbered 16.401 (4) and
2 amended to read:

3 16.401 (4) PAY ON WARRANTS SUMS AUTHORIZED BY LAW. (a) Pay out of the treasury,
4 on demand, upon the warrants of the department of ~~administration~~, except as
5 provided in s. 20.929, such sums only as are authorized by law to be so paid, if there
6 are appropriate funds therein to pay the same, and, when any sum is required to be
7 paid out of a particular fund, pay it out of such fund only; and upon each such
8 warrant, when payment is made in currency, take the receipt endorsed on or annexed
9 thereto, of the payee therein named or an authorized agent or assignee. The state
10 ~~treasurer~~ secretary shall accept telephone advice believed by ~~the treasurer~~ him or
11 her to be genuine from any public depository, as defined in s. 34.01 (5), stating that
12 a specified amount of money has been deposited with such public depository for the
13 credit of the state ~~treasurer~~, and shall act upon such telephone advice as though it
14 had been in writing.

15 (b) When in the judgment of the ~~state treasurer~~ secretary balances in state
16 public depository accounts are temporarily in excess of that required under par. (a),
17 ~~the treasurer, with the concurrence of the secretary of administration, may authorize~~
18 ~~the preparation of a warrant in excess of the funds contained in~~ transfer the excess
19 balance to the investment fund for the purpose of investment only. The earnings
20 attributable to the investment of temporary excess balances shall be distributed as
21 provided in sub. ~~(19)~~ (14).

22 *~~0529/4.9~~* SECTION 58. 14.58 (5) of the statutes is renumbered 16.401 (5) and
23 amended to read:

24 16.401 (5) ACCOUNT FOR INTEREST. Pay into the treasury and account for all
25 sums directly or indirectly received by the ~~treasurer~~ secretary by virtue of the

1 treasurer's secretary's office, or as interest or compensation for the use, deposit, or
2 forbearance of any state moneys in the treasurer's secretary's hands or under the
3 treasurer's secretary's control.

4 ***-0529/4.10*** SECTION 59. 14.58 (6) of the statutes is renumbered 16.401 (6)
5 and amended to read:

6 16.401 (6) KEEP CASH AND FUND ACCOUNTS. Keep records showing the number,
7 date, and amount of each cash receipt issued by the ~~treasurer's office~~ department and
8 classify said receipts by state funds; submit a summary statement of collections by
9 fund together with a copy of each remittance advice in support thereof; keep also
10 records showing the check, share draft, or other draft number, date, payee, and
11 amount of each cash disbursement and classify said disbursements by state funds;
12 keep a record of the date, payee, and amount of each disbursement made by a money
13 transfer technique other than a check or draft and classify the disbursement by state
14 fund; and verify at the end of each week the amounts shown by the treasurer's
15 secretary's records to represent total cash balance and cash balances of individual
16 state funds by comparing said amounts with corresponding balances appearing on
17 records maintained by the department of administration.

18 ***-0529/4.11*** SECTION 60. 14.58 (8) (intro.) and (a) to (c) of the statutes are
19 renumbered 16.401 (7) (intro.) and (a) to (c).

20 ***-0529/4.12*** SECTION 61. 14.58 (8) (d) of the statutes is repealed.

21 ***-0529/4.13*** SECTION 62. 14.58 (9) of the statutes is renumbered 16.401 (8)
22 and amended to read:

23 16.401 (8) BIENNIAL SUBMIT BIENNIAL REPORT. ~~On or before October 15 of each~~
24 ~~odd-numbered year, submit to the governor and the chief clerk of each house of the~~
25 ~~legislature, for distribution to the legislature under s. 13.172 (2), a report containing~~

1 ~~the same information required of departments and independent agencies under s.~~
2 ~~15.04 (1) (d).~~ As part of the report submitted under s. 15.04 (1)
3 (d), include a statement showing for each of the 2 preceding fiscal years the cash
4 balance in each state fund at the beginning of the fiscal year, the aggregate amount
5 of receipts credited, and the aggregate amount of disbursements charged to each said
6 fund during the fiscal year and the resultant cash balance in each state fund at the
7 end of the fiscal year. This statement shall further show as of the end of each said
8 2 fiscal years, at par, the aggregate value of securities held for each state fund and
9 the aggregate value of securities held in trust or deposited for safekeeping, and shall
10 show the manner in which the total cash balance was accounted for by listing the
11 balances on deposit in each state account in a public depository, deducting from the
12 total of such balances the aggregate amount of checks, share drafts, or other drafts
13 outstanding and adding thereto the aggregate amount of cash and cash items in
14 office.

15 ***-0529/4.14* SECTION 63.** 14.58 (10) of the statutes is renumbered 16.401 (9)
16 and amended to read:

17 16.401 (9) REPORT CERTAIN PAYMENTS. Whenever the ~~state treasurer~~ secretary
18 or any state department shall remit to any county, city, town, or village any sum in
19 payment of a state aid or other item, the remitter shall transmit a statement of the
20 amount and purpose thereof to the clerk of such municipality. After the receipt
21 thereof, the clerk of such municipality shall present such statement at the next
22 regular meeting of the governing body and shall thereafter file and keep such
23 statement for 6 years.

24 ***-0529/4.15* SECTION 64.** 14.58 (12) of the statutes is renumbered 16.401 (10)
25 and amended to read:

1 16.401 (10) STAMP CHECKS AND DRAFTS. Cause to be plainly printed or stamped
2 upon each check, share draft, and other draft issued by the ~~state treasurer~~ secretary
3 the period of time, as determined by the ~~state treasurer~~ secretary but not to exceed
4 one year, during which the check or other draft may be presented for payment. The
5 ~~state treasurer~~ secretary shall cancel on his or her records any check or other draft
6 that is not presented for payment within the prescribed time period and shall credit
7 the amount thereof to the fund upon which it is drawn. ~~Notice of such cancellation~~
8 ~~and credit shall be immediately submitted by the state treasurer to the department~~
9 ~~of administration.~~

10 *–0529/4.16* SECTION 65. 14.58 (13) of the statutes is renumbered 16.401 (11)
11 and amended to read:

12 16.401 (11) ~~SERVICES~~ PROVIDE SERVICES IN CONNECTION WITH SECURITIES HELD IN
13 TRUST. Upon request therefor from any company, corporation, society, order, or
14 association ~~which~~ that has securities on deposit with the ~~treasurer~~ secretary, in
15 trust, mail to its address not to exceed 60 days before the same become due, any or
16 all interest coupons; return to it any or all bonds, notes, or other deposits as they
17 become due and are replaced by other securities; cut all interest coupons, make any
18 endorsement of interest or otherwise on any such securities; and collect therefor from
19 the company, corporation, society, order, or association making the request, a 25-cent
20 fee for a single coupon cut, or for each entry of interest endorsed on a note or return
21 of a bond, note, or other security, and a 10-cent fee for each additional coupon cut,
22 or entry of interest endorsed on a note, bond, or other security, and may withhold any
23 and all coupons cut or refuse endorsement of interest on securities until such fee is
24 paid. Such fees shall be paid into the state treasury as a part of the general fund,
25 and an extra charge may be required for postage or registered mail.

1 ***-0529/4.17*** SECTION 66. 14.58 (17) of the statutes is renumbered 16.401 (12)
2 and amended to read:

3 16.401 (12) ~~SAFEKEEPING~~ HOLD SAFEKEEPING RECEIPTS FOR FEDERAL SECURITIES.
4 Whenever any federal securities are purchased under authority of any law and the
5 state ~~treasurer~~ secretary is custodian thereof the ~~treasurer~~ secretary may accept and
6 hold safekeeping receipts of a federal reserve bank for such securities. Each such
7 receipt shall be identified on its face with the name of the fund to which the securities
8 described in the receipt belong.

9 ***-0529/4.18*** SECTION 67. 14.58 (18) of the statutes is renumbered 16.401 (13)
10 and amended to read:

11 16.401 (13) SALE OF INVESTMENTS. Whenever the department of ~~administration~~
12 draws a check, share draft, or other draft dated the next following business day upon
13 a fund whose investment and collection is under the exclusive control of the
14 investment board pursuant to s. 25.17 (1), and the receipts of the state ~~treasurer~~ are
15 insufficient to permit a disbursement from said fund in the amount of such check,
16 share draft, or other draft, the investment board shall sell investments owned by
17 such fund for delivery in time to provide sufficient money to cover such check, share
18 draft, or other draft on the date ~~which~~ that it bears.

19 ***-0529/4.19*** SECTION 68. 14.58 (19) of the statutes is renumbered 16.401 (14).

20 ***-0529/4.20*** SECTION 69. 14.58 (21) of the statutes is repealed.

21 ***-0356/3.1*** SECTION 72. 14.65 (1) of the statutes is amended to read:

22 14.65 (1) The secretary of administration shall transfer from the tuition trust
23 fund or the college savings program trust fund to the general fund an amount equal
24 to the amount expended from the appropriations under s. 20.505 (9) (a), 1995 stats.,
25 and s. 20.585 (2) (a), 2001 stats., and s. 20.585 (2) (am), 2001 stats., when the

1 secretary of administration determines that funds in the tuition trust fund or the
2 college savings program trust fund are sufficient to make the transfer. The secretary
3 of administration may make the transfer in installments.

4 ***-1295/2.1* SECTION 77.** 15.06 (1) (d) of the statutes is repealed.

5 ***-1431/2.1* SECTION 79.** 15.07 (1) (b) 5. of the statutes is amended to read:
6 15.07 (1) (b) 5. Savings and loan institutions review board.

7 ***-1431/2.2* SECTION 80.** 15.07 (1) (b) 18. of the statutes is repealed.

8 ***-1689/3.1* SECTION 81.** 15.07 (2) (k) of the statutes is repealed.

9 ***-1289/7.9* SECTION 82.** 15.07 (2) (L) of the statutes is amended to read:

10 15.07 (2) (L) The governor shall serve as chairperson of the information
11 technology management board and the ~~chief information officer~~ the secretary of
12 administration or his or her designee shall serve as secretary of that board.

13 ***-1431/2.3* SECTION 84.** 15.07 (5) (g) of the statutes is amended to read:

14 15.07 (5) (g) Members of the savings and loan institutions review board, \$10
15 per day.

16 ***-1431/2.4* SECTION 85.** 15.07 (5) (gm) of the statutes is repealed.

17 ***-1634/7.5* SECTION 86.** 15.103 (2) of the statutes is repealed.

18 ***b0155/3.8* SECTION 87s.** 15.105 (title) of the statutes is amended to read:

19 **15.105 (title) Same; attached boards, commissions, and office offices.**

20 ***-1712/5.1* SECTION 90.** 15.105 (4) of the statutes is amended to read:

21 15.105 (4) PUBLIC RECORDS BOARD. There is created a public records board which
22 is attached to the department of administration under s. 15.03. The public records
23 board shall consist of the governor, the director of the historical society, the attorney
24 general, the state auditor, and the director of the legislative council staff, or their
25 designated representatives, and a representative of the small business community,

1 a representative of ~~a local unit of government~~ a school board or the governing body
2 of a municipality, as defined in s. ~~106.215 (1) (e)~~ 281.59 (1) (c), and one other member.

3 ***-1607/P3.1* SECTION 92.** 15.105 (11) of the statutes is repealed.

4 ***b0207/1.1* SECTION 92x.** 15.105 (12) of the statutes is renumbered 15.345 (4),
5 and 15.345 (4) (a) (intro.), as renumbered, is amended to read:

6 15.345 (4) (a) *Creation; membership.* (intro.) There is created a waste facility
7 siting board, attached to the department of ~~administration~~ natural resources under
8 s. 15.03, consisting of the following members:

9 ***-0666/9.1* SECTION 95.** 15.105 (25) of the statutes is repealed.

10 ***b0155/3.9* SECTION 97d.** 15.105 (29) of the statutes is created to read:

11 15.105 (29) OFFICE OF STATE HUMAN RESOURCES MANAGEMENT. (a) *Creation.*
12 There is created an office of state human resources management which is attached
13 to the department of administration under s. 15.03 under the direction and
14 supervision of a director. The director shall be nominated by the governor and with
15 the advice and consent of the senate appointed to serve at the pleasure of the
16 governor.

17 (b) *Same; specified divisions.* 1. 'Division of merit recruitment and selection.'
18 There is created in the office of state human resources management a division of
19 merit recruitment and selection. The administrator of the division of merit
20 recruitment and selection shall be nominated by the governor, and with the advice
21 and consent of the senate appointed for a 5-year term, under the unclassified service
22 from a register of at least 5 names certified to the governor by the director of the office
23 of state human resources management. The director of the office of state human
24 resources management shall prepare and conduct an examination for the position
25 of administrator according to the requirements for classified positions under subch.

1 II of ch. 230. The administrator of the division may be renominated by the governor,
2 and with the advice and consent of the senate reappointed.

3 2. ‘Division of compensation and labor relations.’ There is created in the office
4 of state human resources management a division of compensation and labor
5 relations. The administrator of the division shall be appointed by the director of the
6 office of state human resources management outside the classified service.

7 3. ‘Division of affirmative action.’ There is created in the office of state human
8 resources management a division of affirmative action. The administrator of the
9 division shall be appointed by the director of the office of state human resources
10 management outside the classified service.

11 (c) *Same; attached board.* 1. ‘State employees suggestion board.’ There is
12 created in the office of state human resources management a state employees
13 suggestion board consisting of 3 persons, at least one of whom shall be a state officer
14 or employee, appointed for 4-year terms.

15 (d) *Same; council.* 1. ‘Council on affirmative action.’ a. There is created in the
16 office of state human resources management a council on affirmative action
17 consisting of 15 members appointed for 3-year terms. A majority of members shall
18 be public members and a majority of members shall be minority persons, women, or
19 persons with disabilities, appointed with consideration to the appropriate
20 representation of each group.

21 b. The president of the senate, the speaker of the assembly, the minority leader
22 of the senate, and the minority leader of the assembly each shall appoint one member
23 and the remaining members shall be appointed by the governor.

24 *-1289/7.10* SECTION 98. 15.107 (7) (f) of the statutes is amended to read:

1 15.107 (7) (f) A representative of the department of electronic government
2 administration.

3 ***b0235/4.1* SECTION 98e.** 15.107 (16) (e) of the statutes is amended to read:
4 15.107 (16) (e) *Sunset.* This subsection does not apply after August 31, 2003
5 2005.

6 ***b0105/3.1* SECTION 100p.** 15.155 (2) of the statutes is repealed.

7 ***-0576/8.7* SECTION 101.** 15.16 (1) (intro.) of the statutes is amended to read:
8 15.16 (1) EMPLOYEE TRUST FUNDS BOARD. (intro.) The employee trust funds
9 board shall consist of the governor or the governor's designee on the group insurance
10 board, the ~~secretary of employment relations~~ director of the office of state human
11 resources management or the secretary's director's designee and 11 persons
12 appointed or elected for 4-year terms as follows:

13 ***-0576/8.8* SECTION 102.** 15.165 (2) of the statutes is amended to read:

14 15.165 (2) GROUP INSURANCE BOARD. There is created in the department of
15 employee trust funds a group insurance board. The board shall consist of the
16 governor, the attorney general, the secretary of administration, ~~the secretary of~~
17 ~~employment relations~~ the director of the office of state human resources
18 management, and the commissioner of insurance or their designees, and 5 persons
19 appointed for 2-year terms, of whom one shall be an insured participant in the
20 Wisconsin retirement system who is not a teacher, one shall be an insured
21 participant in the Wisconsin retirement system who is a teacher, one shall be an
22 insured participant in the Wisconsin retirement system who is a retired employee,
23 and one shall be an insured employee of a local unit of government.

24 ***-0576/8.9* SECTION 103.** 15.17 of the statutes is repealed.

25 ***-0576/8.10* SECTION 104.** 15.173 of the statutes is repealed.

1 *~~0576/8.11~~* SECTION 105. 15.175 of the statutes is repealed.

2 *~~0576/8.13~~* SECTION 107. 15.177 of the statutes is repealed.

3 *~~1431/2.5~~* SECTION 109. 15.183 (2) of the statutes is repealed.

4 *~~1431/2.6~~* SECTION 110. 15.185 (3) of the statutes is amended to read:

5 15.185 (3) SAVINGS AND ~~LOAN~~ INSTITUTIONS REVIEW BOARD. There is created in the
6 department of financial institutions a savings and ~~loan~~ institutions review board
7 consisting of ~~7~~ 5 members, at least ~~5~~ 3 of whom shall have not less than ~~10~~ 5 years'
8 experience in the savings and loan or savings bank business in this state, appointed
9 for staggered ~~4~~-year 5-year terms.

10 *~~1431/2.7~~* SECTION 111. 15.185 (4) of the statutes is repealed.

11 *~~1504/1.2~~* SECTION 112. 15.195 (1) of the statutes is repealed.

12 *~~1289/7.11~~* SECTION 113. 15.21 of the statutes is repealed.

13 *~~1289/7.12~~* SECTION 114. 15.215 (title) of the statutes is repealed.

14 *~~1289/7.13~~* SECTION 115. 15.215 (1) of the statutes is renumbered 15.105 (28)

15 and amended to read:

16 15.105 (28) INFORMATION TECHNOLOGY MANAGEMENT BOARD. There is created an
17 information technology management board that is attached to the department of
18 ~~electronic government~~ administration under s. 15.03. The board shall consist of the
19 governor, the cochairpersons of the joint committee on information policy and
20 technology or a member of the legislature from the same house as a cochairperson
21 designated by that cochairperson, one member of the minority party in each house
22 of the legislature, appointed in the same manner as members of standing committees
23 are appointed, the secretary of administration, 2 heads of departments or
24 independent agencies appointed to serve at the pleasure of the governor, 2 other

1 members appointed to serve for 4-year terms, and the ~~chief information officer~~
2 secretary of administration or his or her designee.

3 *~~1712/5.2~~* SECTION 116. 15.225 (2) of the statutes is repealed.

4 *~~b0174/6.2~~* SECTION 117d. 15.225 (3) of the statutes is repealed.

5 *~~1794/1.1~~* SECTION 132. 15.253 (4) of the statutes is repealed.

6 *~~1295/2.2~~* SECTION 138. 15.80 of the statutes is repealed.

7 *~~0576/8.15~~* SECTION 140. 16.004 (7) (a) of the statutes is amended to read:

8 16.004 (7) (a) The secretary shall establish and maintain a personnel
9 management information system which shall be used to furnish the governor, the
10 legislature and the ~~department of employment relations~~ office of state human
11 resources management with current information pertaining to authorized positions,
12 payroll and related items for all civil service employees, except employees of the office
13 of the governor, the courts and judicial branch agencies, and the legislature and
14 legislative service agencies. It is the intent of the legislature that the University of
15 Wisconsin System provide position and other information to the department and the
16 legislature, which includes appropriate data on each position, facilitates
17 accountability for each authorized position and traces each position over time.
18 Nothing in this paragraph may be interpreted as limiting the authority of the board
19 of regents of the University of Wisconsin System to allocate and reallocate positions
20 by funding source within the legally authorized levels.

21 *~~b0155/3.17~~* SECTION 141d. 16.004 (16) of the statutes is created to read:

22 16.004 (16) OFFICE OF STATE HUMAN RESOURCES MANAGEMENT DIVISION
23 ADMINISTRATOR POSITIONS. The secretary shall assign 3 of the unclassified division
24 administrator positions authorized for the department to the office of state human
25 resources management.

1 ***b0336/2.1* SECTION 141f.** 16.004 (17) of the statutes is created to read:

2 16.004 (17) BUSINESS INTELLIGENCE AND DATA WAREHOUSING SYSTEM. The
3 department may implement an enterprise-wide reporting, data warehousing, and
4 data analysis system applicable to every agency, as defined in s. 16.70 (1e), other than
5 the legislative and judicial branches of state government.

6 ***-1295/2.3* SECTION 144.** 16.009 (5) (c) of the statutes is repealed.

7 ***-1295/2.4* SECTION 145.** 16.009 (5) (d) of the statutes is amended to read:

8 16.009 (5) (d) Any employee ~~of an employer not described in par. (e) and~~ who
9 is discharged or otherwise retaliated or discriminated against in violation of par. (a)
10 may file a complaint with the department of workforce development under s. 106.54
11 (5).

12 ***-1295/2.5* SECTION 146.** 16.009 (5) (e) of the statutes is amended to read:

13 16.009 (5) (e) Any person not described in par. ~~(e)~~ or (d) who is retaliated or
14 discriminated against in violation of par. (a) may commence an action in circuit court
15 for damages incurred as a result of the violation.

16 ***-1308/2.1* SECTION 147.** 16.023 (2) of the statutes is amended to read:

17 16.023 (2) In conjunction with the working group established under sub. (1) (L)
18 1., the council shall, not later than one year after October 14, 1997, develop
19 evaluation criteria for its functions under sub. (1). The council shall complete a
20 report that contains an evaluation of its functions and activities not later than
21 September 1, ~~2002~~ 2004, and shall submit the report to the chief clerk of each house
22 of the legislature, for distribution to the legislature under s. 13.172 (2), and to the
23 governor. The report shall also include a recommendation as to whether the council
24 should continue in existence past its sunset date specified in s. 15.107 (16) (e) and,

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

3 ***-1308/2.2* SECTION 148.** 16.023 (3) of the statutes is amended to read:

4 16.023 (3) Subsections (1) and (2) do not apply after August 31, ~~2003~~ 2005.

5 ***-1634/7.8* SECTION 150.** Subchapter II (title) of chapter 16 [precedes 16.30]
6 of the statutes is renumbered subchapter X (title) of chapter 560 [precedes 560.9801].

7 ***-1634/7.9* SECTION 151.** 16.30 of the statutes is renumbered 560.9801.

8 ***-1634/7.10* SECTION 152.** 16.31 of the statutes is renumbered 560.9802.

9 ***-1634/7.11* SECTION 153.** 16.33 of the statutes, as affected by 2001 Wisconsin
10 Act 109, is renumbered 560.9803, and 560.9803 (1) (a) and (3) (a), as renumbered, are
11 amended to read:

12 560.9803 (1) (a) Subject to sub. (2), make grants or loans, directly or through
13 agents designated under s. ~~16.334~~ 560.9804, from the appropriation under s. ~~20.505~~
14 ~~(7)~~ 20.143 (2) (b) to persons or families of low or moderate income to defray housing
15 costs of the person or family.

16 (3) (a) The department may make grants or loans under sub. (1) (a) directly or
17 through agents designated under s. ~~16.334~~ 560.9804.

18 ***-1634/7.12* SECTION 154.** 16.334 of the statutes is renumbered 560.9804, and
19 560.9804 (1) (a) and (c), as renumbered, are amended to read:

20 560.9804 (1) (a) Award grants and loans under s. ~~16.33~~ 560.9803 (1) and (2)
21 subject to the approval of the department.

22 (c) On terms approved by the department, administer and disburse funds from
23 a grant or loan under s. ~~16.33~~ 560.9803 on behalf of the recipient of the grant or loan.

24 ***-1634/7.13* SECTION 155.** 16.336 of the statutes is renumbered 560.9805.

1 *~~1634/7.14~~* **SECTION 156.** 16.339 of the statutes is renumbered 560.9806, and
2 560.9806 (2) (a), as renumbered, is amended to read:

3 560.9806 (2) (a) From the appropriation under s. ~~20.505 (7)~~ 20.143 (2) (fm), the
4 department may award a grant to an eligible applicant for the purpose of providing
5 transitional housing and associated supportive services to homeless individuals and
6 families if the conditions under par. (b) are satisfied. The department shall ensure
7 that the funds for the grants are reasonably balanced among geographic areas of the
8 state, consistent with the quality of applications submitted.

9 *~~1634/7.15~~* **SECTION 157.** 16.35 of the statutes is renumbered 560.9815.

10 *~~1634/7.16~~* **SECTION 158.** 16.351 of the statutes is renumbered 560.9807, and
11 560.9807 (1), as renumbered, is amended to read:

12 560.9807 (1) GRANTS. From moneys available under s. ~~20.505 (7)~~ 20.143 (2) (h),
13 the department shall make grants to organizations, including organizations
14 operated for profit, that provide shelter or services to homeless individuals or
15 families.

16 *~~1634/7.17~~* **SECTION 159.** 16.352 of the statutes is renumbered 560.9808, and
17 560.9808 (2) (a) and (b) (intro.), as renumbered, are amended to read:

18 560.9808 (2) (a) From the appropriations under s. ~~20.505 (7)~~ 20.143 (2) (fm) and
19 (h), the department shall award grants to eligible applicants for the purpose of
20 supplementing the operating budgets of agencies and shelter facilities that have or
21 anticipate a need for additional funding because of the renovation or expansion of an
22 existing shelter facility, the development of an existing building into a shelter facility,
23 the expansion of shelter services for homeless persons, or an inability to obtain
24 adequate funding to continue the provision of an existing level of services.

1 (b) (intro.) The department shall allocate funds from the appropriations under
2 s. ~~20.505 (7)~~ 20.143 (2) (fm) and (h) for temporary shelter for homeless individuals
3 and families as follows:

4 ***-1634/7.18* SECTION 160.** 16.358 of the statutes is renumbered 560.9809, and
5 560.9809 (1), as renumbered, is amended to read:

6 560.9809 (1) The department may administer housing programs, including the
7 housing improvement grant program and the initial rehabilitation grant program,
8 that are funded by a community development block grant, 42 USC 5301 to 5320,
9 ~~under a contract entered into with the department of commerce under s. 560.045.~~

10 ***-1634/7.19* SECTION 161.** 16.375 of the statutes is renumbered 560.9810.

11 ***-1634/7.20* SECTION 162.** 16.385 of the statutes is renumbered 16.27, and
12 16.27 (3) (b), (c), (d) and (e) (intro.), 1. and 7., as renumbered, are amended to read:

13 16.27 (3) (b) By October 1 of every year from the appropriation under s. ~~20.505~~
14 ~~(7) (e)~~ 20.505 (1) (mb), determine the total amount available for payment of heating
15 assistance under sub. (6) and determine the benefit schedule.

16 (c) From the appropriation under s. ~~20.505 (7) (m)~~ 20.505 (1) (mb), allocate
17 \$1,100,000 in each federal fiscal year for the department's expenses in administering
18 the funds to provide low-income energy assistance.

19 (d) From the appropriation under s. ~~20.505 (7) (e)~~ 20.505 (1) (n), allocate
20 \$2,900,000 in each federal fiscal year for the expenses of a county department,
21 another local governmental agency or a private nonprofit organization in
22 administering under sub. (4) the funds to provide low-income energy assistance.

23 (e) (intro.) From the appropriation under s. ~~20.505 (7) (e)~~ 20.505 (1) (mb):

24 1. Allocate and transfer to the appropriation under s. ~~20.505 (7) (km)~~ (1) (kn),
25 15% of the moneys received under 42 USC 8621 to 8629 in each federal fiscal year

1 under the priority of maintaining funding for the geographical areas on July 20,
2 1985, and, if funding is reduced, prorating contracted levels of payment, for the
3 weatherization assistance program administered by the department under s. 16.39
4 16.26.

5 7. By October 1 of each year and after consulting with the department of
6 administration, allocate funds budgeted but not spent and any funds remaining from
7 previous fiscal years to heating assistance under sub. (6) or to the weatherization
8 assistance program under s. 16.39 16.26.

9 ***-1634/7.21* SECTION 163.** 16.39 of the statutes is renumbered 16.26.

10 ***-0576/8.16* SECTION 164.** 16.40 (18) of the statutes is amended to read:

11 16.40 (18) REQUIRE AGENCIES TO PROVIDE COPIES. Require each state agency, at
12 the time that the agency submits a request to the department for an increased
13 appropriation to be provided in an executive budget bill which is necessitated by the
14 compensation plan under s. 230.12 or a collective bargaining agreement approved
15 under s. 111.92, to provide a copy of the request to the ~~secretary of employment~~
16 relations director of the office of state human resources management and the joint
17 committee on employment relations.

18 ***-0529/4.21* SECTION 165.** 16.401 (intro.) of the statutes is created to read:

19 **16.401 Treasury management.** (intro.) The department shall:

20 ***-0529/4.22* SECTION 166.** 16.401 (1) of the statutes is created to read:

21 16.401 (1) HAVE CUSTODY OF MONEYS. Receive and have charge of all moneys
22 paid into the treasury and any other moneys received by officers and employees of
23 state agencies, and pay out the moneys as directed by law, except as provided in ss.
24 16.52 (7), 20.907 (5) (b), 20.920, and 20.929.

25 ***-0529/4.23* SECTION 168.** 16.412 of the statutes is amended to read:

1 **16.412 Agency payments.** At the request of any agency, the secretary, ~~with~~
2 ~~the approval of the state treasurer,~~ may authorize the processing of specified regular
3 periodic payments through the use of money transfer techniques including, without
4 limitation because of enumeration, direct deposit, electronic funds transfer, and
5 automated clearinghouse procedures.

6 *~~0576/8.17~~* **SECTION 169.** 16.415 (1) of the statutes is amended to read:

7 16.415 (1) Neither the secretary nor any other fiscal officer of this state may
8 draw, sign, or issue, or authorize the drawing, signing, or issuing of any warrant on
9 the treasurer or other disbursing officer of the state to pay any compensation to any
10 person in the classified service of the state unless an estimate, payroll, or account for
11 such compensation, containing the names of every person to be paid, bears the
12 certificate of the appointing authority that each person named in the estimate,
13 payroll or account has been appointed, employed, or subject to any other personnel
14 transaction in accordance with, and that the pay for the person has been established
15 in accordance with, the law, compensation plan, or applicable collective bargaining
16 agreement, and applicable rules of the secretary of employment relations director of
17 the office of state human resources management and the administrator of the
18 division of merit recruitment and selection in the ~~department of employment~~
19 ~~relations~~ office of state human resources management then in effect.

20 *~~0529/4.24~~* **SECTION 170.** 16.415 (1) of the statutes, as affected by 2003
21 Wisconsin Act (this act), is amended to read:

22 16.415 (1) Neither the secretary nor any other fiscal officer of this state may
23 draw, sign, or issue, or authorize the drawing, signing, or issuing of any warrant on
24 ~~the treasurer or other~~ any disbursing officer of the state to pay any compensation to
25 any person in the classified service of the state unless an estimate, payroll, or account

1 for such compensation, containing the names of every person to be paid, bears the
2 certificate of the appointing authority that each person named in the estimate,
3 payroll, or account has been appointed, employed, or subject to any other personnel
4 transaction in accordance with, and that the pay for the person has been established
5 in accordance with, the law, compensation plan, or applicable collective bargaining
6 agreement, and applicable rules of the administrator of the division of merit
7 recruitment and selection in the department office of state human resources
8 management then in effect.

9 ***-0576/8.18*** SECTION 171. 16.415 (3) of the statutes is amended to read:

10 16.415 (3) Any sums paid contrary to this section may be recovered from any
11 appointing authority making such appointments in contravention of law or of the
12 rules promulgated pursuant thereto, or from any appointing authority signing or
13 countersigning or authorizing the signing or countersigning of any warrant for the
14 payment of the same, or from the sureties on the official bond of any such appointing
15 authority, in an action in the circuit court for any county within the state, maintained
16 by the ~~secretary of employment relations~~ director of the office of state human
17 resources management, or by a citizen resident therein, who is assessed for, and
18 liable to pay, or within one year before the commencement of the action has paid, a
19 state, city or county tax within this state. All moneys recovered in any action brought
20 under this section when collected, shall be paid into the state treasury except that
21 if a citizen taxpayer is plaintiff in any such action he or she shall be entitled to receive
22 for personal use the taxable cost of such action and 5% of the amount recovered as
23 attorney fees.

24 ***b0210/2.1*** SECTION 171m. 16.42 (1) (g) of the statutes is created to read:

25 16.42 (1) (g) The information required under s. 16.529 (2).

1 *~~1289/7.14~~* SECTION 172. 16.43 of the statutes is amended to read:

2 **16.43 Budget compiled.** The secretary shall compile and submit to the
3 governor or the governor–elect and to each person elected to serve in the legislature
4 during the next biennium, not later than November 20 of each even–numbered year,
5 a compilation giving all of the data required by s. 16.46 to be included in the state
6 budget report, except the recommendations of the governor and the explanation
7 thereof. The secretary shall not include in the compilation any provision for the
8 development or implementation of an information technology development project
9 for an executive branch agency that is not consistent with the strategic plan of the
10 agency, as approved under s. ~~22.13~~ 16.976.

11 *~~b0210/2.2~~* SECTION 172m. 16.47 (1) of the statutes is amended to read:

12 16.47 (1) ~~The Except as provided in s. 16.529 (2), the~~ executive budget bill or
13 bills shall incorporate the governor’s recommendations for appropriations for the
14 succeeding biennium. The appropriation method shown in the bill or bills shall in
15 no way affect the amount of detail or manner of presentation which may be requested
16 by the joint committee on finance. Appropriation requests may be divided into 3
17 allotments: personal services, other operating expenses and capital outlay or such
18 other meaningful classifications as may be approved by the joint committee on
19 finance.

20 *~~1599/1.2~~* SECTION 173. 16.50 (1) (b) of the statutes is amended to read:

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

23 *~~b0257/4.2~~* SECTION 173m. 16.50 (1) (b) of the statutes, as affected by 2003
24 Wisconsin Act (this act), is amended to read:

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

3 ***-0576/8.19*** SECTION 174. 16.50 (3) of the statutes is amended to read:

4 16.50 (3) LIMITATION ON INCREASE OF FORCE AND SALARIES. No department, except
5 the legislature or the courts, may increase the pay of any employee, expend money
6 or incur any obligation except in accordance with the estimate that is submitted to
7 the secretary as provided in sub. (1) and approved by the secretary or the governor.
8 No change in the number of full-time equivalent positions authorized through the
9 biennial budget process or other legislative act may be made without the approval
10 of the joint committee on finance, except for position changes made by the governor
11 under s. 16.505 (1) (c) or (2), by the University of Wisconsin Hospitals and Clinics
12 Board under s. 16.505 (2n) or by the board of regents of the University of Wisconsin
13 System under s. 16.505 (2m) or (2p). The secretary may withhold, in total or in part,
14 the funding for any position, as defined in s. 230.03 (11), as well as the funding for
15 part-time or limited term employees until such time as the secretary determines
16 that the filling of the position or the expending of funds is consistent with s. 16.505
17 and with the intent of the legislature as established by law or in budget
18 determinations, or the intent of the joint committee on finance in creating or
19 abolishing positions under s. 13.10, the intent of the governor in creating or
20 abolishing positions under s. 16.505 (1) (c) or (2) or the intent of the board of regents
21 of the University of Wisconsin System in creating or abolishing positions under s.
22 16.505 (2m) or (2p). Until the release of funding occurs, recruitment or certification
23 for the position may not be undertaken. The secretary shall submit a quarterly
24 report to the joint committee on finance of any position changes made by the governor
25 under s. 16.505 (1) (c). No pay increase may be approved unless it is at the rate or

1 within the pay ranges prescribed in the compensation plan or as provided in a
2 collective bargaining agreement under subch. V of ch. 111. At the request of the
3 ~~secretary of employment relations~~ director of the office of state human resources
4 management, the secretary of administration may authorize the temporary creation
5 of pool or surplus positions under any source of funds if the ~~secretary of employment~~
6 ~~relations~~ director determines that temporary positions are necessary to maintain
7 adequate staffing levels for high turnover classifications, in anticipation of attrition,
8 to fill positions for which recruitment is difficult. Surplus or pool positions
9 authorized by the secretary shall be reported quarterly to the joint committee on
10 finance in conjunction with the report required under s. 16.54 (8).

11 ***b0145/1.2* SECTION 177g.** 16.519 (3) of the statutes is repealed.

12 ***-1327/1.2* SECTION 178.** 16.52 (6) (a) of the statutes is amended to read:

13 16.52 (6) (a) Except as authorized in s. 16.74, all purchase orders, contracts,
14 or printing orders for any agency, as defined in s. 16.70 (1) (1e), shall, before any
15 liability is incurred thereon, be submitted to the secretary for his or her approval as
16 to legality of purpose and sufficiency of appropriated and allotted funds therefor. In
17 all cases the date of the contract or order governs the fiscal year to which the contract
18 or order is chargeable, unless the secretary determines that the purpose of the
19 contract or order is to prevent lapsing of appropriations or to otherwise circumvent
20 budgetary intent. Upon such approval, the secretary shall immediately encumber
21 all contracts or orders, and indicate the fiscal year to which they are chargeable.

22 ***-1599/1.3* SECTION 179.** 16.52 (10) of the statutes is amended to read:

23 16.52 (10) DEPARTMENT OF PUBLIC INSTRUCTION. The provisions of sub. (2) with
24 respect to refunds and sub. (5) (a) with respect to reimbursements for the prior fiscal

1 year shall not apply to the ~~appropriation~~ appropriations under s. 20.255 (2) (ac) and
2 (r).

3 ***b0257/4.3* SECTION 179m.** 16.52 (10) of the statutes, as affected by 2003
4 Wisconsin Act (this act), is amended to read:

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

9 ***-0854/5.1* SECTION 181.** 16.526 of the statutes is created to read:

10 **16.526 Payment of the state's unfunded liabilities under the Wisconsin**
11 **Retirement System; revenue obligations.** (1) For purposes of subch. II of ch.
12 18, the purposes of obtaining proceeds to pay the state's anticipated unfunded prior
13 service liability under s. 40.05 (2) (b) and of paying the state's unfunded prior service
14 liability under s. 40.05 (2) (b) and the state's unfunded liability under s. 40.05 (4) (b),
15 (bc), and (bw) and subch. IX of ch. 40 is a special fund program, and the excise tax
16 fund is a special fund. The legislature finds and determines that the excise tax fund
17 is a segregated fund consisting of fees, penalties, or excise taxes and that the special
18 program to pay the state's unfunded prior service liability under s. 40.05 (2) (b) and
19 the state's unfunded liability under s. 40.05 (4) (b), (bc), and (bw) and subch. IX of ch.
20 40 from the net proceeds of revenue obligations issued under this section is
21 appropriate and will serve a public purpose.

22 (2) The net proceeds of revenue obligations issued under subch. II of ch. 18, as
23 authorized under this section, shall be deposited in a fund in the state treasury, or
24 an account maintained by a trustee, created under s. 18.57 (1). The moneys shall be
25 applied for ancillary payments and for the provision of reserves, as determined by

1 the building commission, and for the payment of part or all of the state's unfunded
2 prior service liability under s. 40.05 (2) (b) and the state's unfunded liability under
3 s. 40.05 (4) (b), (bc), and (bw) and subch. IX of ch. 40, as determined by the
4 department, and any remainder shall be paid into a retirement liability obligation
5 redemption fund created under 18.562 (3).

6 (3) The department shall have all powers necessary and convenient to
7 distribute the excise tax fund revenues and to distribute the proceeds of the revenue
8 obligations issued under this section in accordance with subch. II of ch. 18.

9 (4) The department may enter into agreements with the federal government
10 or its agencies, political subdivisions of this state, individuals, or private entities to
11 insure, or in any other manner provide, additional security for the revenue
12 obligations issued under this section.

13 (5) (a) Subject to the limitation under par. (b), the building commission may
14 contract revenue obligations, payable from the excise tax fund, under this section in
15 the maximum amount that the building commission believes can be fully paid on a
16 timely basis from moneys received or anticipated to be received in the excise tax fund.

17 (b) Except as otherwise provided in this paragraph, the requirements for funds
18 obtained to pay the state's anticipated unfunded prior service liability under s. 40.05
19 (2) (b) and funds used for the payment of the state's unfunded prior service liability
20 under s. 40.05 (2) (b) and the state's unfunded liability under s. 40.05 (4) (b), (bc), and
21 (bw) and subch. IX of ch. 40, that are to be paid from revenue obligations issued under
22 this section, shall be determined by the secretary. The sum of revenue obligations
23 issued under this section and appropriation obligations issued under s. 16.527, if any,
24 excluding any appropriation obligations that have been defeased under a cash
25 optimization program administered by the building commission and any

1 appropriation obligations issued pursuant to s. 16.527 (3) (b) 3., shall not exceed
2 \$1,350,000,000.

3 (6) Unless otherwise expressly provided in resolutions authorizing the
4 issuance of revenue obligations under this section or in other agreements with the
5 owners of revenue obligations, each issue of revenue obligations under this section
6 shall be on a parity with every other revenue obligation issued under this section and
7 in accordance with subch. II of ch. 18.

8 (7) As determined by the building commission, any moneys deposited in the
9 excise tax fund that are not required for the retirement of revenue obligations and
10 providing for reserves and for ancillary payments authorized to be paid from such
11 moneys are transferred to the general fund.

12 (8) Recognizing its moral obligation to do so, the legislature expresses its
13 expectation and aspiration that, if the funds in the excise tax fund are insufficient
14 to pay the principal of and interest on the revenue obligations issued under subch.
15 II of ch. 18 pursuant to this section, the legislature shall make an appropriation from
16 the general fund sufficient to pay the principal and interest on the obligations or to
17 replenish a reserve fund, if applicable.

18 *-1016/6.2* SECTION 182. 16.527 of the statutes is created to read:

19 **16.527 Retirement of state's unfunded liabilities under the Wisconsin**
20 **Retirement System; appropriation obligations. (1) LEGISLATIVE FINDING AND**
21 **DETERMINATION.** Recognizing that the state, by prepaying part or all of the state's
22 unfunded prior service liability under s. 40.05 (2) (b) and the state's unfunded
23 liability under s. 40.05 (4) (b), (bc), and (bw) and subch. IX of ch. 40, may reduce its
24 costs and better ensure the timely and full payment of retirement benefits to
25 participants and their beneficiaries under the Wisconsin Retirement System, the

1 legislature finds and determines that it is in the public interest for the state to issue
2 appropriation obligations to obtain proceeds to pay the state's anticipated unfunded
3 prior service liability under s. 40.05 (2) (b) and to pay part or all of the state's
4 unfunded prior service liability under s. 40.05 (2) (b) and the state's unfunded
5 liability under s. 40.05 (4) (b), (bc), and (bw) and subch. IX of ch. 40.

6 (2) DEFINITIONS. In this section:

7 (a) "Appropriation obligation" means an undertaking by the state to repay a
8 certain amount of borrowed money that is all of the following:

9 1. Payable from moneys annually appropriated by law for debt service due with
10 respect to such undertaking in that year.

11 2. Used for the purpose of paying part or all of the state's unfunded prior service
12 liability under s. 40.05 (2) (b) and the state's unfunded liability under s. 40.05 (4) (b),
13 (bc), and (bw) and subch. IX of ch. 40.

14 3. Not public debt under s. 18.01 (4).

15 (b) "Evidence of appropriation obligation" means a written promise to pay an
16 appropriation obligation.

17 (c) "Refunding obligation" means an appropriation obligation contracted to
18 fund or refund all or any part of one or more outstanding appropriation obligations.

19 (3) AUTHORIZATION OF APPROPRIATION OBLIGATIONS. (a) The department shall
20 have all powers necessary and convenient to carry out its duties, and exercise its
21 authority, under this section.

22 (b) 1. Subject to the limitation under subd. 2., the department may contract
23 appropriation obligations of the state under this section.

24 2. The sum of appropriation obligations issued under this section, excluding
25 any obligations that have been defeased under a cash optimization program

1 administered by the building commission and any obligations issued pursuant to
2 subd. 3., and revenue obligations issued under s. 16.526, if any, may not exceed
3 \$1,350,000,000.

4 3. The department may contract appropriation obligations as the department
5 determines is desirable to fund or refund outstanding appropriation obligations
6 issued under this section, to pay issuance or administrative expenses, to make
7 deposits to reserve funds, to pay accrued or funded interest, to pay the costs of credit
8 enhancement, or to make payments under other agreements entered into under sub.
9 (4) (e).

10 (4) TERMS. (a) Money may be borrowed and evidences of appropriation
11 obligation issued therefor pursuant to one or more written authorizing certifications
12 under sub. (5), unless otherwise provided in the certification, at any time, in any
13 specific amounts, at any rates of interest, for any term, payable at any intervals, at
14 any place, in any manner, and having any other terms or conditions that the
15 department considers necessary or useful. Appropriation obligations may bear
16 interest at variable or fixed rates, bear no interest, or bear interest payable only at
17 maturity or upon redemption prior to maturity.

18 (b) The department may authorize evidences of appropriation obligation
19 having any provisions for prepayment considered necessary or useful, including the
20 payment of any premium.

21 (c) Interest shall cease to accrue on an appropriation obligation on the date that
22 the obligation becomes due for payment if payment is made or duly provided for, but
23 the obligation and accrued interest shall continue to be a binding obligation
24 according to its terms until 6 years overdue for payment, or such longer period as may

1 be required by federal law. At that time, unless demand for its payment has been
2 made, it shall be extinguished and considered no longer outstanding.

3 (d) All money borrowed by the state pursuant to evidences of appropriation
4 obligation issued under this section shall be lawful money of the United States, and
5 all appropriation obligations shall be payable in such money.

6 (e) At the time of, or in anticipation of, contracting for the appropriation
7 obligations and at any time thereafter so long as the appropriation obligations are
8 outstanding, the department may enter into agreements and ancillary
9 arrangements relating to the appropriation obligations, including trust indentures,
10 liquidity facilities, remarketing or dealer agreements, letter of credit agreements,
11 insurance policies, guaranty agreements, reimbursement agreements, indexing
12 agreements, or interest exchange agreements. Any payments made or received
13 pursuant to any such agreement or ancillary arrangement shall be made from or
14 deposited into a program revenue appropriation account in the general fund.

15 (f) All evidences of appropriation obligation owned or held by any state fund are
16 outstanding in all respects and the state agency controlling the fund shall have the
17 same rights with respect to an evidence of appropriation obligation as a private party,
18 but if any sinking fund acquires evidences of appropriation obligation that gave rise
19 to such fund, the obligations are considered paid for all purposes and no longer
20 outstanding and shall be canceled as provided in sub. (8) (e). All evidences of
21 appropriation obligation owned by any state fund shall be registered to the fullest
22 extent registrable.

23 (g) The state shall not be generally liable on evidences of appropriation
24 obligation and evidences of appropriation obligation shall not be a debt of the state
25 for any purpose whatsoever. Evidences of appropriation obligation, including the

1 principal thereof and interest thereon, shall be payable only from amounts that the
2 legislature may, from year to year, appropriate for the payment thereof.

3 (5) PROCEDURES. (a) No evidence of appropriation obligation may be issued by
4 the state unless the issuance is pursuant to a written authorizing certification. The
5 certification shall set forth the aggregate principal amount of appropriation
6 obligations authorized thereby, the manner of sale of the evidences of appropriation
7 obligation, and the form and terms thereof. The certification shall be signed by the
8 secretary, or his or her designee, and shall be transmitted to the governor.

9 (b) Appropriation obligations may be sold at either public or private sale and
10 may be sold at any price or percentage of par value. The department may provide
11 in any authorizing certification for refunding obligations under sub. (7) that they be
12 exchanged privately in payment and discharge of any of the outstanding obligations
13 being refinanced. All appropriation obligations sold at public sale shall be noticed
14 as provided in the authorizing certification. Any bid received at public sale may be
15 rejected.

16 (6) FORM. (a) Evidences of appropriation obligation may be in the form of
17 bonds, notes, or other evidences of obligation, and may be issued in book-entry form
18 or in certificated form. Notwithstanding s. 403.104 (1), every evidence of
19 appropriation obligation is a negotiable instrument.

20 (b) Every evidence of appropriation obligation shall be executed in the name
21 of and for the state by the governor and shall be sealed with the great seal of the state
22 or a facsimile thereof. The facsimile signature of the governor may be imprinted in
23 lieu of the manual signature of such officer, as the department directs, if approved
24 by such officer. An evidence of appropriation obligation bearing the manual or
25 facsimile signature of a person in office at the time such signature was signed or

1 imprinted shall be fully valid notwithstanding that before or after the delivery
2 thereof such person ceased to hold such office.

3 (c) Every evidence of appropriation obligation shall be dated not later than the
4 date issued, shall contain a reference by date to the appropriate authorizing
5 certification, shall state the limitation established in sub. (4) (g), and shall be in
6 accordance with the authorizing certification.

7 (d) An evidence of appropriation obligation shall be in such form and contain
8 such statements or terms as determined by the department, and may not conflict
9 with law or with the appropriate authorizing certification.

10 (7) REFUNDING OBLIGATIONS. (a) 1. The department may authorize the issuance
11 of appropriation obligation refunding obligations. Refunding obligations may be
12 issued, subject to any contract rights vested in owners of obligations being
13 refinanced, to refinance all or any part of one or more issue of obligations
14 notwithstanding that the obligations may have been issued at different times. The
15 principal amount of the refunding obligations may not exceed the sum of: the
16 principal amount of the obligations being refinanced; applicable redemption
17 premiums; unpaid interest on the obligations to the date of delivery or exchange of
18 the refunding obligations; in the event the proceeds are to be deposited in trust as
19 provided in par. (c), interest to accrue on the obligations from the date of delivery to
20 the date of maturity or to the redemption date selected by the department, whichever
21 is earlier; and the expenses incurred in the issuance of the refunding obligations and
22 the payment of the obligations.

23 2. A determination by the department that a refinancing is advantageous or
24 that any of the amounts provided subd. 1. should be included in the refinancing shall
25 be conclusive.

1 (b) If the department determines to exchange refunding obligations, they may
2 be exchanged privately for and in payment and discharge of any of the outstanding
3 obligations being refinanced. Refunding obligations may be exchanged for such
4 principal amount of the obligations being exchanged therefor as may be determined
5 by the department to be necessary or advisable. The owners of the obligations being
6 refunded who elect to exchange need not pay accrued interest on the refunding
7 obligations if and to the extent that interest is accrued and unpaid on the obligations
8 being refunded and to be surrendered. If any of the obligations to be refinanced are
9 to be called for redemption, the department shall determine which redemption dates
10 are to be used, if more than one date is applicable and shall, prior to the issuance of
11 the refunding obligations, provide for notice of redemption to be given in the manner
12 and at the times required by the certification authorizing the outstanding
13 obligations.

14 (c) 1. The principal proceeds from the sale of any refunding obligations shall
15 be applied either to the immediate payment and retirement of the obligations being
16 refinanced or, if the obligations have not matured and are not presently redeemable,
17 to the creation of a trust for and shall be pledged to the payment of the obligations
18 being refinanced.

19 2. If a trust is created, a separate deposit shall be made for each issue of
20 appropriation obligations being refinanced. Each deposit shall be with the secretary
21 of administration or a bank or trust company that is a member of the Federal Deposit
22 Insurance Corporation. If the total amount of any deposit, including money other
23 than sale proceeds but legally available for such purpose, is less than the principal
24 amount of the obligations being refinanced and for the payment of which the deposit
25 has been created and pledged, together with applicable redemption premiums and

1 interest accrued and to accrue to maturity or to the date of redemption, then the
2 application of the sale proceeds shall be legally sufficient only if the money deposited
3 is invested in securities issued by the United States or one of its agencies, or
4 securities fully guaranteed by the United States, and only if the principal amount
5 of the securities at maturity and the income therefrom to maturity will be sufficient
6 and available, without the need for any further investment or reinvestment, to pay
7 at maturity or upon redemption the principal amount of the obligations being
8 refinanced together with applicable redemption premiums and interest accrued and
9 to accrue to maturity or to the date of redemption. The income from the principal
10 proceeds of the securities shall be applied solely to the payment of the principal of
11 and interest and redemption premiums on the obligations being refinanced, but
12 provision may be made for the pledging and disposition of any surplus.

13 3. Nothing in this paragraph may be construed as a limitation on the duration
14 of any deposit in trust for the retirement of obligations being refinanced that have
15 not matured and that are not presently redeemable. Nothing in this paragraph may
16 be construed to prohibit reinvestment of the income of a trust if the reinvestments
17 will mature at such times that sufficient cash will be available to pay interest,
18 applicable premiums, and principal on the obligations being refinanced.

19 (8) FISCAL REGULATIONS. (a) The department shall act as registrar for each
20 evidence of appropriation obligation. No transfer of a registered evidence of
21 appropriation obligation is valid unless made on a register maintained by the
22 department, and the state may treat the registered owner as the owner of the
23 instrument for all purposes. Payments of principal and interest shall be by electronic
24 funds transfer, check, share draft, or other draft to the registered owner at the
25 owner's address as it appears on the register, unless the department has otherwise

1 provided. Information in the register is not available for inspection and copying
2 under s. 19.35 (1). The department may make any other provision respecting
3 registration as it considers necessary or useful. The department may enter into a
4 contract for the performance of any of its functions relating to appropriation
5 obligations.

6 (b) The department, or the department's agent, shall maintain records
7 containing a full and correct description of each evidence of appropriation obligation
8 issued, identifying it, and showing its date, issue, amount, interest rate, payment
9 dates, payments made, registration, destruction, and every other relevant
10 transaction.

11 (c) The secretary may appoint one or more trustees and fiscal agents for each
12 issue of appropriation obligations. The secretary may be denominated the trustee
13 and the sole fiscal agent or a cofiscal agent for any issue of appropriation obligations.
14 Every other fiscal agent shall be an incorporated bank or trust company authorized
15 by the laws of the United States or of the state in which it is located to do a banking
16 or trust company business. There may be deposited with a trustee, in a special
17 account, moneys to be used only for the purposes expressly provided in the
18 certification authorizing the issuance of evidences of appropriation obligation or an
19 agreement between the department and the trustee. The department may make
20 other provisions respecting trustees and fiscal agents as the department considers
21 necessary or useful and may enter into a contract with any trustee or fiscal agent
22 containing such terms, including compensation, and conditions in regard to the
23 trustee or fiscal agent as the department considers necessary or useful.

24 (d) If any evidence of appropriation obligation is destroyed, lost, or stolen, the
25 department shall execute and deliver a new evidence of appropriation obligation,

1 upon filing with the department evidence satisfactory to the department that the
2 evidence of appropriation obligation has been destroyed, lost, or stolen, upon
3 providing proof of ownership thereof, and upon furnishing the department with
4 indemnity satisfactory to it and complying with such other rules of the department
5 and paying any expenses that the department may incur. The department shall
6 cancel the evidences of appropriation obligation surrendered to the department.

7 (e) Unless otherwise directed by the department, every evidence of
8 appropriation obligation paid or otherwise retired shall be marked “canceled” and
9 delivered, through the secretary if delivered to a fiscal agent other than the secretary,
10 to the auditor who shall destroy them and deliver to the department a certificate to
11 that effect.

12 (9) APPROPRIATION OBLIGATIONS AS LEGAL INVESTMENTS. Any of the following may
13 legally invest any sinking funds, moneys, or other funds belonging to them or under
14 their control in any appropriation obligations issued under this section:

15 (a) The state, the investment board, public officers, municipal corporations,
16 political subdivisions, and public bodies.

17 (b) Banks and bankers, savings and loan associations, credit unions, trust
18 companies, savings banks and institutions, investment companies, insurance
19 companies, insurance associations, and other persons carrying on a banking or
20 insurance business.

21 (c) Personal representatives, guardians, trustees, and other fiduciaries.

22 (10) MORAL OBLIGATION PLEDGE. Recognizing its moral obligation to do so, the
23 legislature expresses its expectation and aspiration that it shall make timely
24 appropriations from moneys in the general fund that are sufficient to pay the
25 principal and interest due with respect to any appropriation obligations in any year.

1 ***b0210/2.24* SECTION 182d.** 16.529 of the statutes is created to read:

2 **16.529 Lapses and fund transfers relating to unfunded retirement**
3 **liability debt service. (1) DEFINITIONS.** The definitions in s. 20.001 are applicable
4 in this section, except that “state agency” does not include the department of
5 employee trust funds or the investment board.

6 **(2) LAPSES AND TRANSFERS REQUIRED.** If obligations are issued under s. 16.526
7 or 16.527, or both, any executive budget bill prepared under s. 16.47 (1) shall require
8 the secretary during the fiscal biennium to which the executive budget bill relates
9 to lapse to the general fund from each appropriation of program revenues, program
10 revenues–service, and federal revenues and to lapse to the applicable fund from each
11 appropriation of segregated fund revenues, segregated fund revenues — service, and
12 segregated federal revenues and subsequently transfer to the general fund an
13 amount equal to that portion of the total amount of principal and interest to be paid
14 on the obligations during the succeeding fiscal biennium that is allocable to the
15 appropriation, as determined under sub. (3). The secretary shall ensure that each
16 state agency includes in the program and financial information forwarded under s.
17 16.42 (1) an itemization of each amount that is required to be lapsed, or lapsed and
18 transferred, under this subsection.

19 **(3) DETERMINATION OF ALLOCATED AMOUNT.** The secretary shall determine the
20 amount of the allocations required under sub. (2) as follows:

21 (a) The secretary shall first compute the total amount that would have been
22 expended from all appropriations, had obligations under s. 16.526 or 16.527 not been
23 issued, under s. 40.05 (2) (b) and (4) (b), (bc), and (bw) and subch. IX of ch. 40 during
24 the fiscal biennium during which the obligations are issued.

1 (b) The secretary shall then calculate the percentage of the total computed
2 under par. (a) that is allocable to each appropriation of program revenues, program
3 revenues—service, segregated fund revenues, segregated fund revenues — service,
4 federal revenues, and segregated federal revenues from which moneys would have
5 been expended under s. 40.05 (2) (b) and (4) (b), (bc), and (bw) and subch. IX of ch.
6 40 had the obligations not been issued. The percentage shall be based upon the
7 amount that would have been required to be expended from the appropriation, had
8 the obligations not been issued, under s. 40.05 (2) (b) and (4) (b), (bc), and (bw) and
9 subch. IX of ch. 40 during the fiscal biennium during which the obligations are
10 issued.

11 (c) For each appropriation identified under par. (b), the secretary shall then
12 apply the percentage calculated under par. (b) to the total amount of principal and
13 interest to be paid during the succeeding fiscal biennium on obligations issued under
14 ss. 16.526 and 16.527. This amount is the portion of the total amount of principal
15 and interest paid on the obligations during that fiscal biennium that is allocable to
16 each appropriation.

17 *~~1688/2.1~~* SECTION 183. 16.53 (1) (d) 1. of the statutes is amended to read:

18 16.53 (1) (d) 1. The secretary, with the approval of the joint committee on
19 employment relations, shall fix the time, ~~except as provided in ss. 106.21 (9) (e) and~~
20 ~~s. 106.215 (10) (e)~~, and frequency for payment of salaries due elective and appointive
21 officers and employees of the state. As determined under this subdivision, the
22 salaries shall be paid either monthly, semimonthly or for each 2-week period.

23 *~~0529/4.25~~* SECTION 184. 16.53 (5) of the statutes is amended to read:

24 16.53 (5) WARRANTS; WHAT TO SPECIFY. The secretary shall draw a warrant on
25 the state ~~treasurer~~ treasury payable to the claimant for the amount allowed by the

1 secretary upon every claim audited under sub. (1), except as authorized in s. 16.52
2 (7), 20.920, or 20.929, specifying from what fund to be paid, the particular law ~~which~~
3 that authorizes the claim to be paid out of the state treasury, and at the secretary's
4 discretion the post-office address of the payee. ~~The secretary shall not credit the~~
5 ~~treasurer for any sum of money paid out by the treasurer~~ No moneys may be paid out
6 of the state treasury under this section otherwise than upon such warrants.

7 *~~0529/4.26~~* SECTION 185. 16.53 (10) (a) of the statutes is amended to read:

8 16.53 (10) (a) If an emergency arises which requires the department to draw
9 vouchers for payments which will be in excess of available moneys in any state fund,
10 the secretary, ~~in consultation with the state treasurer, and~~ after notifying the joint
11 committee on finance under par. (b), may prorate and establish priority schedules for
12 all payments within each fund, including those payments for which a specific
13 payment date is provided by statute, except as otherwise provided in this paragraph.
14 The secretary shall draw all vouchers according to the preference provided in this
15 paragraph. All direct or indirect payments of principal or interest on state bonds and
16 notes issued under subch. I of ch. 18 have first priority. All direct or indirect
17 payments of principal or interest on state notes issued under subch. III of ch. 18 have
18 2nd priority. No payment having a 1st or 2nd priority may be prorated or reduced
19 under this subsection. All state employee payrolls have 3rd priority. The secretary
20 shall draw all remaining vouchers according to a priority determined by the
21 secretary. The secretary shall maintain records of all claims prorated under this
22 subsection ~~and shall provide written notice to the state treasurer when a potential~~
23 ~~cash flow emergency is anticipated.~~

24 *~~0529/4.27~~* SECTION 186. 16.53 (10) (b) of the statutes is amended to read:

1 16.53 (10) (b) Before exercising authority under par. (a) the secretary shall,
2 ~~after consultation with the state treasurer,~~ notify the joint committee on finance as
3 to the need for and the procedures under which proration or priority schedules under
4 par. (a) shall occur. If the joint committee on finance has not, within 2 working days
5 after the notification, scheduled a meeting to review the secretary's proposal, the
6 secretary may proceed with the proposed action. If, within 2 working days after the
7 notification, the committee schedules a meeting, the secretary may not proceed with
8 the proposed action until after the meeting is held.

9 *~~1327/1.3~~* SECTION 187. 16.53 (13) (a) of the statutes is amended to read:

10 16.53 (13) (a) In this subsection, "agency" has the meaning given in s. 16.70 (1)
11 (1e).

12 *~~1634/7.22~~* SECTION 188. 16.54 (2) (b) of the statutes is amended to read:

13 16.54 (2) (b) Upon presentation by the department to the joint committee on
14 finance of alternatives to the provisions under s. ~~16.385~~ 16.27, the joint committee
15 on finance may revise the eligibility criteria under s. ~~16.385~~ 16.27 (5), benefit
16 payments under s. ~~16.385~~ 16.27 (6) or the amount allocated for crises under s. ~~16.385~~
17 16.27 (3) (e) 2. and the department shall implement those revisions. Benefits or
18 eligibility criteria so revised shall take into account and be consistent with the
19 requirements of federal regulations promulgated under 42 USC 8621 to 8629. If
20 funds received under 42 USC 8621 to 8629 in a federal fiscal year total less than 90%
21 of the amount received in the previous federal fiscal year, the department shall
22 submit to the joint committee on finance a plan for expenditure of the funds. The
23 department may not use the funds unless the committee approves the plan.

24 *~~1327/1.4~~* SECTION 189. 16.545 (9) of the statutes is amended to read:

1 16.545 (9) To initiate contacts with the federal government for the purpose of
2 facilitating participation by agencies, as defined in s. 16.70 (1) (1e), in federal aid
3 programs, to assist those agencies in applying for such aid, and to facilitate
4 influencing the federal government to make policy changes that will be beneficial to
5 this state. The department may assess an agency to which it provides services under
6 this subsection a fee for the expenses incurred by the department in providing those
7 services.

8 *–1289/7.15* SECTION 190. 16.61 (2) (af) of the statutes is amended to read:

9 16.61 (2) (af) “Form” has the meaning specified in s. ~~22.01~~ 16.97 (5p).

10 *–1289/7.16* SECTION 191. 16.61 (3n) of the statutes is amended to read:

11 16.61 (3n) EXEMPT FORMS. The board may not receive or investigate complaints
12 about the forms specified in s. ~~22.03~~ 16.971 (2m).

13 *–1327/1.5* SECTION 192. 16.70 (1) of the statutes is renumbered 16.70 (1e).

14 *–1327/1.6* SECTION 193. 16.70 (1b) of the statutes is created to read:

15 16.70 (1b) “Affiliate” means a person, as defined in s. 77.51 (10), that controls,
16 is controlled by, or is under common control with another person, as defined in s.
17 77.51 (10).

18 *–1327/1.8* SECTION 195. 16.70 (3e) of the statutes is created to read:

19 16.70 (3e) “Control” means to own, directly or indirectly, more than 10% of the
20 interest in or voting securities of a business.

21 *b0306/4.1* SECTION 196d. 16.70 (3m) of the statutes is amended to read:

22 16.70 (3m) “Educational technology” has the meaning given in s. 44.70 16.99
23 (3).

24 *–1289/7.17* SECTION 197. 16.70 (4m) of the statutes is amended to read:

1 16.70 (4m) “Information technology” has the meaning given in s. ~~22.01~~ 16.97

2 (6).

3 ~~*-1289/7.18*~~ SECTION 198. 16.70 (15) of the statutes is amended to read:

4 16.70 (15) “Telecommunications” has the meaning given in s. ~~22.01~~ 16.97 (10).

5 ~~*-1327/1.9*~~ SECTION 199. 16.70 (16) of the statutes is created to read:

6 16.70 (16) “Voting securities” means securities that confer upon the holder the
7 right to vote for the election of members of the board of directors or similar governing
8 body of a business, or are convertible into, or entitle the holder to receive upon their
9 exercise, securities that confer such a right to vote.

10 ~~*-0576/8.20*~~ SECTION 201. 16.705 (3) (intro.) of the statutes is amended to
11 read:

12 16.705 (3) (intro.) ~~Contracts for contractual services shall be submitted by the~~
13 ~~department for the review and approval of the secretary of employment relations~~ The
14 director of the office of state human resources management, prior to award, under
15 conditions established by rule of the department. ~~The secretary of employment~~
16 ~~relations, shall review such contracts~~ for contractual services in order to ensure that
17 agencies:

18 ~~*-1289/7.19*~~ SECTION 202. 16.71 (1m) of the statutes is amended to read:

19 16.71 (1m) The department shall not delegate to any executive branch agency,
20 other than the board of regents of the University of Wisconsin System, the authority
21 to enter into any contract for materials, supplies, equipment, or contractual services
22 relating to information technology or telecommunications prior to review and
23 approval of the contract by the ~~chief information officer~~ department. No executive
24 branch agency, other than the board of regents of the University of Wisconsin

1 System, may enter into any such contract without review and approval of the
2 contract by the ~~chief information officer~~ department.

3 ~~*-1289/7.20*~~ SECTION 203. 16.71 (2m) of the statutes is repealed.

4 ~~*b0306/4.3*~~ SECTION 204d. 16.71 (4) of the statutes is repealed.

5 ~~*-1289/7.21*~~ SECTION 206. 16.72 (2) (a) of the statutes is amended to read:

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

18 ~~*-1289/7.22*~~ SECTION 207. 16.72 (2) (b) of the statutes is amended to read:

19 16.72 (2) (b) Except as provided in ~~par. (a) and ss. 16.25 (4) (b), 16.751 and,~~
20 560.9813 (4) (b), and 565.25 (2) (a) 4., the department shall prepare or review
21 specifications for all materials, supplies, equipment, other permanent personal
22 property and contractual services not purchased under standard specifications.
23 Such “nonstandard specifications” may be generic or performance specifications, or
24 both, prepared to describe in detail the article which the state desires to purchase
25 either by its physical properties or by its programmatic utility. When appropriate

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

5 ***-1289/7.23* SECTION 208.** 16.72 (4) (a) of the statutes is amended to read:

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

17 ***-1746/4.2* SECTION 209.** 16.72 (4) (b) of the statutes is amended to read:

18 16.72 (4) (b) The department shall promulgate rules for the declaration as
19 surplus of supplies, materials and equipment in any agency and for the transfer to
20 other agencies or for the disposal by private or public sale of supplies, materials and
21 equipment. ~~In~~ Except as provided in s. 51.06 (6), in either case due credit shall be
22 given to the agency releasing the same , the department shall deposit the net
23 proceeds in the budget stabilization fund, except that the department shall transfer
24 any supplies, materials or equipment declared to be surplus to the department of

1 tourism, upon request of the department of tourism, at no cost, if the transfer is
2 permitted by the agency having possession of the supplies, materials or equipment.

3 ***b0306/4.4* SECTION 210d.** 16.72 (8) of the statutes is amended to read:

4 16.72 (8) The department may purchase educational technology materials,
5 supplies, equipment, or contractual services from orders placed with the department
6 by the technology for educational achievement in Wisconsin board on behalf of school
7 districts, cooperative educational service agencies, technical college districts, and
8 the board of regents of the University of Wisconsin System.

9 ***-1327/1.10* SECTION 211.** 16.75 (1) (a) 1. of the statutes is amended to read:

10 16.75 (1) (a) 1. All orders awarded or contracts made by the department for all
11 materials, supplies, equipment, and contractual services to be provided to any
12 agency, except as otherwise provided in par. (c) and subs. (2), (2g), (2m), (3m), (3t),
13 (6), (7), (8), ~~and (9), and (10m)~~ and ss. 16.73 (4) (a), 16.751, 16.754, 16.964 (8), 50.05
14 (7) (f), 153.05 (2m) (a), and 287.15 (7), shall be awarded to the lowest responsible
15 bidder, taking into consideration life cycle cost estimates under sub. (1m), when
16 appropriate, the location of the agency, the quantities of the articles to be supplied,
17 their conformity with the specifications, and the purposes for which they are
18 required and the date of delivery.

19 ***-1289/7.24* SECTION 212.** 16.75 (3t) (a) of the statutes is amended to read:

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

22 ***-1289/7.25* SECTION 213.** 16.75 (6) (am) of the statutes is amended to read:

23 16.75 (6) (am) Subsections (1) and (3t) do not apply to procurements by the
24 ~~department of electronic government~~ department relating to information technology
25 or telecommunications. Annually not later than October 1, the department of

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

6 *~~1327/1.11~~* SECTION 214. 16.75 (10m) of the statutes is created to read:

7 16.75 (10m) The department, any other designated purchasing agent under s.
8 16.71 (1), any agency making purchases under s. 16.74, and any authority shall not
9 enter into any contract or order for the purchase of materials, supplies, equipment,
10 or contractual services with a person if the name of the person, or the name of an
11 affiliate of that person, is certified to the department by the secretary of revenue
12 under s. 77.66.

13 *b0146/2.2* SECTION 214b. 16.752 (12) (a) of the statutes is amended to read:

14 16.752 (12) (a) Except as provided in pars. (c), (d), (h) ~~and~~, (i), and (j) and as
15 authorized under sub. (13), agencies shall obtain materials, supplies, equipment and
16 services on the list maintained by the board under sub. (2) (g).

17 *~~1289/7.26~~* SECTION 215. 16.752 (12) (i) of the statutes is amended to read:

18 16.752 (12) (i) Paragraph (a) does not apply to procurements by the department
19 of electronic government relating to information technology or telecommunications.

20 *b0146/2.3* SECTION 215c. 16.752 (12) (j) of the statutes is created to read:

21 16.752 (12) (j) Paragraph (a) does not apply to services purchased under a
22 contract under s. 153.05 (2m) (a).

23 *b0336/2.2* SECTION 215m. 16.76 (4) (ag) of the statutes is amended to read:

24 16.76 (4) (ag) The Except as otherwise provided in this paragraph, the
25 department may pay or agree to pay under a master lease a sum substantially

1 equivalent to or in excess of the aggregate value of property or services obtained and
2 it may be agreed that the department or one or more agencies will become, or for no
3 other or nominal consideration has the option to become, the owner of property
4 obtained or to be obtained under a master lease upon full compliance with its terms.
5 If the master lease is for personal computer hardware and software, the department
6 may make agreements concerning payments and ownership as described in this
7 paragraph only if the master lease pursuant to which the department makes such
8 agreements is more cost-effective to the state than one or more leases for the
9 hardware and software pursuant to which the department does not make
10 agreements concerning payments and ownership as described in this paragraph.

11 *~~1289/7.27~~* SECTION 216. 16.78 (title) of the statutes is amended to read:

12 16.78 (title) **Purchases from department of ~~electronic government~~**
13 **relating to information technology or telecommunications.**

14 *b0312/2.4* SECTION 217c. 16.78 (1) of the statutes is amended to read:

15 16.78 (1) Every agency other than the board of regents of the University of
16 Wisconsin System or an agency making purchases under s. 16.74 shall make all
17 purchases of materials, supplies, equipment, and contractual services relating to
18 information technology or telecommunications from the department of ~~electronic~~
19 ~~government~~, unless the department of ~~electronic government~~ requires the agency to
20 purchase the materials, supplies, equipment, or contractual services pursuant to a
21 master contract established under s. ~~22-05~~ 16.972 (2) (h), or grants written
22 authorization to the agency to procure the materials, supplies, equipment, or
23 contractual services under s. 16.75 (1) or (2m), to purchase the materials, supplies,
24 equipment, or contractual services from another agency or to provide the materials,
25 supplies, equipment, or contractual services to itself. The board of regents of the

1 University of Wisconsin System may make purchases of materials, supplies,
2 equipment, and contractual services relating to information technology or
3 telecommunications from the department of ~~electronic government~~.

4 ***-1289/7.29* SECTION 218.** 16.78 (2) of the statutes is amended to read:

5 16.78 (2) Sections 16.705 to 16.767 and 16.77 (1) do not apply to the purchase
6 of materials, supplies, equipment, or contractual services by any agency from the
7 department of ~~electronic government~~ under sub. (1).

8 ***-1910/2.1* SECTION 219.** 16.836 of the statutes is repealed.

9 ***-1327/1.12* SECTION 220.** 16.84 (14) of the statutes is amended to read:

10 16.84 (14) Provide interagency mail delivery service for agencies, as defined
11 in s. 16.70 ~~(1)~~ (1e). The department may charge agencies for this service. Any moneys
12 collected shall be credited to the appropriation account under s. 20.505 (1) (kb).

13 ***-1327/1.13* SECTION 221.** 16.841 (1) (a) of the statutes is amended to read:

14 16.841 (1) (a) “Agency” has the meaning given in s. 16.70 ~~(1)~~ (1e).

15 ***b0503/2.1* SECTION 221m.** 16.854 (1) (a) of the statutes is amended to read:

16 16.854 (1) (a) “Minority business” ~~has the meaning given in s. 560.036 (1) (e)~~
17 means a business that is certified by the department of commerce under s. 560.036
18 (2).

19 ***-1327/1.14* SECTION 222.** 16.855 (16) (b) 1. of the statutes is amended to read:

20 16.855 (16) (b) 1. In this paragraph, “agency” has the meaning given in s. 16.70
21 ~~(1)~~ (1e).

22 ***b0233/2.1* SECTION 222m.** 16.865 (9) of the statutes is created to read:

23 16.865 (9) Notwithstanding s. 20.001 (3) (c), if the department makes any
24 payment from the appropriation under s. 20.505 (2) (a), lapse to the general fund
25 from the appropriation account under s. 20.505 (2) (k) an amount equal to the

1 payment, plus interest from the date on which the payment is made until the date
2 on which a corresponding amount is lapsed under this subsection computed at the
3 average interest rate earned by the state investment fund during that period. The
4 department shall effect the lapse required under this subsection in accordance with
5 a schedule determined by the department, but the total amount of each lapse shall
6 be effected no later than 6 years after the date of the payment to which it relates.

7 ***-1634/7.25* SECTION 223.** 16.957 (3) (a) of the statutes is amended to read:

8 16.957 (3) (a) The ~~division of housing~~ department shall, on the basis of
9 competitive bids, contract with community action agencies described in s. 46.30 (2)
10 (a) 1., nonstock, nonprofit corporations organized under ch. 181 or local units of
11 government to provide services under the programs established under sub. (2) (a).

12 ***-1559/2.1* SECTION 230.** 16.964 (9) (intro.) of the statutes is created to read:

13 16.964 (9) (intro.) From the appropriations under s. 20.505 (6) (kp) and (p), the
14 office of justice assistance shall provide \$185,000 annually to the department of
15 health and family services to distribute the following grants for children's
16 community programs:

17 ***b0235/4.2* SECTION 230b.** 16.965 (3m) of the statutes is created to read:

18 16.965 (3m) The department shall not approve a proposed grant to a local
19 governmental unit under this section to be funded in whole or in part from the
20 appropriation under s. 20.505 (1) (if) unless the application for the grant contains all
21 of the following elements:

22 (a) Planning efforts that expedite and integrate the use of preexisting locally
23 created and maintained Wisconsin land information program data.

24 (b) Planning efforts that utilize digital data that is consistent with Wisconsin
25 land information program interests, modernization, and public access standards.

1 (c) Planning efforts that maximize public participation through access to
2 planning support tools.

3 *b0235/4.2* SECTION 230c. 16.965 (4) (intro.) of the statutes is amended to
4 read:

5 16.965 (4) (intro.) In determining whether to approve a proposed grant to be
6 funded from the appropriations under s. 20.505 (1) (cm) and (if), preference shall be
7 accorded to applications of local governmental units that contain all of the following
8 elements:

9 *b0336/2.3* SECTION 230d. 16.966 (3) of the statutes is amended to read:

10 16.966 (3) The Subject to approval of the land information board under s.
11 16.967 (3) (f), the department may develop and maintain geographic information
12 systems relating to land in this state for the use of governmental and
13 nongovernmental units.

14 *b0336/2.3* SECTION 230h. 16.966 (3) of the statutes, as affected by 2003
15 Wisconsin Act (this act), is amended to read:

16 16.966 (3) ~~Subject to approval of the land information board under s. 16.967~~
17 ~~(3) (f), the~~ The department may develop and maintain geographic information
18 systems relating to land in this state for the use of governmental and
19 nongovernmental units.

20 *b0336/2.3* SECTION 230p. 16.967 (3) (f) of the statutes is created to read:

21 16.967 (3) (f) Review and approve or disapprove proposed expenditures for the
22 development and maintenance of land information systems under s. 16.966 (3). The
23 board shall ensure that all expenditures are consistent with the requirements under
24 sub. (6).

