



*D-Natt*  
State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-0529/2  
RAC:kmg:rs

*RMR*

DOA:.....Schaeffer - BB0190, Transfer of cash management functions of State Treasurer's office to the Department of Administration

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

*Don't*  
*flow.*  
1 AN ACT ... relating to: the budget.

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*Analysis by the Legislative Reference Bureau*

STATE GOVERNMENT

STATE FINANCE

Under current law, the state treasurer performs a number of duties relating to carrying out the state's cash management functions. These duties include all of the following:

1. Having custody of moneys paid into the state treasury.
2. Issuing receipts for moneys paid into the state treasury.
3. Paying authorized claims from the state treasury.
4. Paying on warrants on the state treasury.
5. Accounting for all moneys paid into the state treasury and on interest that accrues on these moneys.
6. Maintaining receipts relating to moneys in the state treasury.
7. Reporting monthly to the governor on matters relating to the state treasury.
8. Providing certain reports to municipal governments relating to moneys paid to the governments.
9. Retaining certain securities on deposit with the state treasurer.
10. Retaining records relating to federal securities.
11. Selling certain investments.

12. Paying certain charges relating to credit card payments.

This bill transfers these duties relating to the state's cash management functions to DOA.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 13.94 (1) (a) of the statutes is amended to read:

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

10           **SECTION 2.** 13.94 (1) (d) 1. of the statutes is amended to read:

11           13.94 (1) (d) 1. At least once every 2 years, and at such other times as the  
12 governor or legislature directs, examine and see that all the money appearing by the  
13 books of the department of administration ~~and state treasurer~~ as belonging to the  
14 several funds is in the vaults of the treasury or in the several state depositories.

15           **SECTION 3.** 13.94 (1) (d) 2. of the statutes is amended to read:

16           13.94 (1) (d) 2. If the governor directs that such an examination be conducted,  
17 the order from the governor shall provide for reimbursement of the legislative audit  
18 bureau's costs in making the examination from the appropriation under s. 20.525 (1)  
19 (a). No order from the governor for an examination under this paragraph may take

1 precedence over any examination already scheduled by the legislative audit bureau  
2 without approval of the joint legislative audit committee. If a deficiency is discovered  
3 pursuant to an examination under this paragraph, the governor shall require the  
4 ~~treasurer~~ secretary of administration to make up the deficiency immediately; and if  
5 the ~~treasurer~~ secretary of administration refuses or neglects for 10 days thereafter  
6 to have the full sum belonging to said funds in the treasury the attorney general shall  
7 institute proceedings to recover the deficiency.

8 **SECTION 4.** 13.94 (1) (f) of the statutes is amended to read:

9 13.94 (1) (f) ~~Certify~~ Whenever a new secretary of administration takes office,  
10 certify to the incoming ~~treasurer~~ secretary the balance in the treasury when he or  
11 she came into office and all bonds and securities belonging to all public funds on  
12 deposit in the treasury or properly accounted for and transmit a certified copy thereof  
13 to the outgoing ~~treasurer~~ secretary.

14 **SECTION 5.** 14.58 (1) (intro.) of the statutes is repealed and recreated to read:

15 14.58 (1) SIGN CHECKS, SHARE DRAFTS, AND OTHER DRAFTS. (intro.) Sign checks,  
16 share drafts, and other drafts on depositories in which moneys may be deposited in  
17 one of the following methods:

18 **SECTION 6.** 14.58 (2) of the statutes is renumbered 16.401 (2) and amended to  
19 read:

20 16.401 (2) ISSUE RECEIPTS. Issue receipts for all money paid to the ~~treasurer~~  
21 department.

22 **SECTION 7.** 14.58 (3) of the statutes is renumbered 16.401 (3).

23 **SECTION 8.** 14.58 (4) of the statutes is renumbered 16.401 (4) and amended to  
24 read:

1           16.401 (4) PAY ON WARRANTS SUMS AUTHORIZED BY LAW. (a) Pay out of the treasury,  
2 on demand, upon the warrants of the department of ~~administration~~, except as  
3 provided in s. 20.929, such sums only as are authorized by law to be so paid, if there  
4 are appropriate funds therein to pay the same, and, when any sum is required to be  
5 paid out of a particular fund, pay it out of such fund only; and upon each such  
6 warrant, when payment is made in currency, take the receipt endorsed on or annexed  
7 thereto, of the payee therein named or an authorized agent or assignee. The state  
8 ~~treasurer~~ secretary shall accept telephone advice believed by the ~~treasurer~~ him or  
9 her to be genuine from any public depository, as defined in s. 34.01 (5), stating that  
10 a specified amount of money has been deposited with such public depository for the  
11 credit of the state ~~treasurer~~, and shall act upon such telephone advice as though it  
12 had been in writing.

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

20           **SECTION 9.** 14.58 (5) of the statutes is renumbered 16.401 (5) and amended to  
21 read:

22           16.401 (5) ACCOUNT FOR INTEREST. Pay into the treasury and account for all  
23 sums directly or indirectly received by the ~~treasurer~~ secretary by virtue of the  
24 ~~treasurer's~~ secretary's office, or as interest or compensation for the use, deposit, or

1 forbearance of any state moneys in the ~~treasurer's~~ secretary's hands or under the  
2 ~~treasurer's~~ secretary's control.

3 **SECTION 10.** 14.58 (6) of the statutes is renumbered 16.401 (6) and amended  
4 to read:

5 16.401 (6) KEEP CASH AND FUND ACCOUNTS. Keep records showing the number,  
6 date, and amount of each cash receipt issued by the ~~treasurer's office~~ department and  
7 classify said receipts by state funds; submit a summary statement of collections by  
8 fund together with a copy of each remittance advice in support thereof; keep also  
9 records showing the check, share draft, or other draft number, date, payee, and  
10 amount of each cash disbursement and classify said disbursements by state funds;  
11 keep a record of the date, payee, and amount of each disbursement made by a money  
12 transfer technique other than a check or draft and classify the disbursement by state  
13 fund; and verify at the end of each week the amounts shown by the ~~treasurer's~~  
14 secretary's records to represent total cash balance and cash balances of individual  
15 state funds by comparing said amounts with corresponding balances appearing on  
16 records maintained by the department of administration.

17 **SECTION 11.** 14.58 (8) (intro.) and (a) to (c) of the statutes are renumbered  
18 16.401 (7) (intro.) and (a) to (c).

19 **SECTION 12.** 14.58 (8) (d) of the statutes is repealed.

20 **SECTION 13.** 14.58 (9) of the statutes is renumbered 16.401 (8) and amended  
21 to read:

22 16.401 (8) ~~BIENNIAL~~ SUBMIT BIENNIAL REPORT. ~~On or before October 15 of each~~  
23 ~~odd-numbered year, submit to the governor and the chief clerk of each house of the~~  
24 ~~legislature, for distribution to the legislature under s. 13.172 (2), a report containing~~  
25 ~~the same information required of departments and independent agencies under s.~~

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

14 **SECTION 14.** 14.58 (10) of the statutes is renumbered 16.401 (9) and amended  
15 to read:

16 **16.401 (9) REPORT CERTAIN PAYMENTS.** Whenever the ~~state treasurer~~ secretary  
17 or any state department shall remit to any county, city, town, or village any sum in  
18 payment of a state aid or other item, the remitter shall transmit a statement of the  
19 amount and purpose thereof to the clerk of such municipality. After the receipt  
20 thereof, the clerk of such municipality shall present such statement at the next  
21 regular meeting of the governing body and shall thereafter file and keep such  
22 statement for 6 years.

23 **SECTION 15.** 14.58 (12) of the statutes is renumbered 16.401 (10) and amended  
24 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           **SECTION 16.** 14.58 (13) of the statutes is renumbered 16.401 (11) and amended  
11 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           **SECTION 17.** 14.58 (17) of the statutes is renumbered 16.401 (12) and amended  
2 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           **SECTION 18.** 14.58 (18) of the statutes is renumbered 16.401 (13) and amended  
10 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           **SECTION 19.** 14.58 (19) of the statutes is renumbered 16.401 (14).

20           **SECTION 20.** 14.58 (21) of the statutes is repealed.

21           **SECTION 21.** 16.401 (intro.) of the statutes is created to read:

22           **16.401 Treasury management.** (intro.) The department shall:

23           **SECTION 22.** 16.401 (1) of the statutes is created to read:

24           **16.401 (1) HAVE CUSTODY OF MONEYS.** Receive and have charge of all moneys  
25 paid into the treasury and any other moneys received by officers and employees of



1 state agencies, and pay out the moneys as directed by law, except as provided in ss.  
2 16.52 (7), 20.907 (5) (b), 20.920, and 20.929.

3 SECTION 23. 16.412 of the statutes is amended to read:

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

*2003 Wisconsin Act ...  
, as amended by this act,*

9 SECTION 24. 16.415 (1) of the statutes is amended to read:

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

✓  
Insert  
9-21

22 SECTION 25. 16.53 (5) of the statutes is amended to read:

23 16.53 (5) WARRANTS; WHAT TO SPECIFY. The secretary shall draw a warrant on  
24 the state treasurer treasury payable to the claimant for the amount allowed by the  
25 secretary upon every claim audited under sub. (1), except as authorized in s. 16.52

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

6 **SECTION 26.** 16.53 (10) (a) of the statutes is amended to read:

7 16.53 (10) (a) If an emergency arises which requires the department to draw  
8 vouchers for payments which will be in excess of available moneys in any state fund,  
9 the secretary, ~~in consultation with the state treasurer, and~~ after notifying the joint  
10 committee on finance under par. (b), may prorate and establish priority schedules for  
11 all payments within each fund, including those payments for which a specific  
12 payment date is provided by statute, except as otherwise provided in this paragraph.  
13 The secretary shall draw all vouchers according to the preference provided in this  
14 paragraph. All direct or indirect payments of principal or interest on state bonds and  
15 notes issued under subch. I of ch. 18 have first priority. All direct or indirect  
16 payments of principal or interest on state notes issued under subch. III of ch. 18 have  
17 2nd priority. No payment having a 1st or 2nd priority may be prorated or reduced  
18 under this subsection. All state employee payrolls have 3rd priority. The secretary  
19 shall draw all remaining vouchers according to a priority determined by the  
20 secretary. The secretary shall maintain records of all claims prorated under this  
21 subsection ~~and shall provide written notice to the state treasurer when a potential~~  
22 ~~cash flow emergency is anticipated.~~

23 **SECTION 27.** 16.53 (10) (b) of the statutes is amended to read:

24 16.53 (10) (b) Before exercising authority under par. (a) the secretary shall,  
25 ~~after consultation with the state treasurer,~~ notify the joint committee on finance as

1 to the need for and the procedures under which proration or priority schedules under  
2 par. (a) shall occur. If the joint committee on finance has not, within 2 working days  
3 after the notification, scheduled a meeting to review the secretary's proposal, the  
4 secretary may proceed with the proposed action. If, within 2 working days after the  
5 notification, the committee schedules a meeting, the secretary may not proceed with  
6 the proposed action until after the meeting is held.

7 **SECTION 28.** 18.60 (3) of the statutes is amended to read:

8 18.60 (3) The principal proceeds from the sale of any refunding obligations  
9 shall be applied either to the immediate payment and retirement of the obligations  
10 or notes being refinanced or, if the obligations or notes have not matured and are not  
11 presently redeemable, to the creation of a trust for and shall be pledged to the  
12 payment of the obligations or notes being refinanced. If a trust is created, a separate  
13 deposit shall be made for each issue of obligations or notes being refinanced. Each  
14 deposit shall be with the ~~state treasurer~~ secretary of administration or a bank or  
15 trust company that is then a member of the federal deposit insurance corporation.  
16 If the total amount of any deposit, including money other than sale proceeds but  
17 legally available for such purpose, is less than the principal amount of the obligations  
18 or notes being refinanced and for the payment of which the deposit has been created  
19 and pledged, together with applicable redemption premiums and interest accrued  
20 and to accrue to maturity or to the date of redemption, then the application of the sale  
21 proceeds shall be legally sufficient only if the money deposited is invested in  
22 securities issued by the United States or one of its agencies, or securities fully  
23 guaranteed by the United States, and only if the principal amount of the securities  
24 at maturity and the income therefrom to maturity will be sufficient and available,  
25 without the need for any further investment or reinvestment, to pay at maturity or

1 upon redemption the principal amount of the obligations or notes being refinanced  
2 together with applicable redemption premiums and interest accrued and to accrue  
3 to maturity or to the date of redemption. The income from the principal proceeds of  
4 the securities shall be applied solely to the payment of the principal of and interest  
5 and redemption premiums on the obligations or notes being refinanced, but  
6 provision may be made for the pledging and disposition of any surplus. Nothing in  
7 this subsection shall be construed as a limitation on the duration of any deposit in  
8 trust for the retirement of obligations or notes being refinanced, but which have not  
9 matured and which are not presently redeemable. Nothing in this subsection shall  
10 be construed to prohibit reinvestment of the income of a trust if the reinvestments  
11 will mature at such times that sufficient cash will be available to pay interest,  
12 applicable premiums, and principal on the obligations or notes being refinanced.

13 **SECTION 29.** 19.43 (7) of the statutes is amended to read:

14 19.43 (7) If an official required to file fails to make a timely filing, the board  
15 shall promptly provide notice of the delinquency to the ~~state treasurer~~ secretary of  
16 administration, and to the chief executive of the department of which the official's  
17 office or position is a part, or, in the case of a district attorney, to the chief executive  
18 of that department and to the county clerk of each county served by the district  
19 attorney or in the case of a municipal judge to the clerk of the municipality of which  
20 the official's office is a part, or in the case of a justice, court of appeals judge, or circuit  
21 judge, to the director of state courts. Upon such notification both the ~~state treasurer~~  
22 secretary of administration and the department, municipality, or director shall  
23 withhold all payments for compensation, reimbursement of expenses, and other  
24 obligations to the official until the board notifies the officers to whom notice of the  
25 delinquency was provided that the official has complied with this section.

1           **SECTION 30.** 20.395 (9) (gg) of the statutes is amended to read:

2           20.395 (9) (gg) *Credit card use charges.* All moneys received under ch. 194, 218,  
3           341, 342, 343, or 348 as provided in s. 85.14 (1) (a) that are required to be paid to the  
4           ~~state treasurer~~ secretary of administration under s. 85.14 (1) (b) for the purpose of  
5           the payment of charges associated with the use of credit cards that are assessed to  
6           the department under s. 85.14 (1) (b).

7           **SECTION 31.** 20.435 (6) (gb) of the statutes is amended to read:

8           20.435 (6) (gb) *Alcohol and drug abuse initiatives.* All moneys received ~~from~~  
9           ~~the state treasurer~~ under s. 961.41 (5) (c), to be expended on programs providing  
10          prevention, intervention, and treatment for alcohol and other drug abuse problems.

11          **SECTION 32.** 20.435 (6) (hx) of the statutes is amended to read:

12          20.435 (6) (hx) *Services related to drivers, receipts.* The amounts in the  
13          schedule for services related to drivers. All moneys received by the ~~state treasurer~~  
14          secretary of administration from the driver improvement surcharge on court fines  
15          and forfeitures authorized under s. 346.655 and all moneys transferred from the  
16          appropriation account under s. 20.395 (5) (di) shall be credited to this appropriation.  
17          The secretary of administration shall annually transfer to the appropriation account  
18          under s. 20.395 (5) (ek) 3.76% of all moneys credited to this appropriation from the  
19          driver improvement surcharge. Any unencumbered moneys in this appropriation  
20          account may be transferred to sub. (7) (hy) and ss. 20.255 (1) (hm), 20.285 (1) (ia),  
21          20.395 (5) (ci) and (di), and 20.455 (5) (h) by the secretary of administration, after  
22          consultation with the secretaries of health and family services and transportation,  
23          the superintendent of public instruction, the attorney general, and the president of  
24          the University of Wisconsin System.

25          **SECTION 33.** 20.505 (1) (kj) of the statutes is amended to read:

1           20.505 (1) (kj) *Financial services*. The amounts in the schedule to provide  
2           accounting, auditing, payroll, and other financial services to state agencies, to  
3           provide banking service cost analysis and cash management assistance for state  
4           agencies and state funds under s. 25.19 (3), and to transfer the amounts appropriated  
5           under s. 20.585 (1) (kb) to the appropriation account under s. 20.585 (1) (kb). All  
6           moneys received from the provision of accounting, auditing, payroll, and other  
7           financial services to state agencies and from assessments paid under s. 25.14 (3)  
8           shall be credited to this appropriation.

9           **SECTION 34.** 20.585 (1) (jt) of the statutes is repealed.

          \*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
          reflected in the revised schedule in s. 20.005, stats.

10          **SECTION 35.** 20.585 (1) (km) of the statutes is repealed.

          \*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
          reflected in the revised schedule in s. 20.005, stats.

11          **SECTION 36.** 20.906 (1) of the statutes is amended to read:

12          20.906 (1) FREQUENCY OF DEPOSITS. Unless otherwise provided by law, all  
13          moneys collected or received by any state agency for or in behalf of the state or which  
14          is are required by law to be turned into the state treasury shall be deposited in or  
15          transmitted to the state treasury at least once a week and also at other times as  
16          required by the governor or the ~~state treasurer~~ secretary of administration and shall  
17          be accompanied by a statement in such form as the ~~treasurer~~ secretary of  
18          administration may prescribe showing the amount of such collection and from whom  
19          and for what purpose or on what account the same was received. All moneys paid into  
20          the treasury shall be credited to the general purpose revenues of the general fund  
21          unless otherwise specifically provided by law.

22          **SECTION 37.** 20.906 (4) of the statutes is amended to read:

1           20.906 (4) PENALTIES. If any state agency fails to make such deposits of money,  
2 or to make such reports as are required by this section, the department of  
3 administration, with the approval of the governor, shall withhold all moneys due  
4 such state agency until this section is complied with; and upon such failure to make  
5 such deposits of money, the officer or employee so failing shall be liable to the state  
6 treasurer secretary of administration for an amount equal to the interest upon the  
7 moneys so withheld from deposit at the same rate as that received by the state upon  
8 moneys held in the state investment fund, for the period for which such deposit is  
9 withheld; and such interest shall be a charge against the officer or employee and  
10 shall be deducted from that person's compensation.

11           **SECTION 38.** 20.906 (5) of the statutes is amended to read:

12           20.906 (5) CONDITIONS PRECEDENT TO RELEASE OF APPROPRIATIONS. All  
13 appropriations from state revenues for any state agency, are made on the express  
14 conditions that such state agency pays all moneys received by it into the state  
15 treasury within one week of receipt or as often as otherwise directed by the governor  
16 or ~~state treasurer~~ secretary of administration, and conforms with ss. 16.53 (1) and  
17 20.002, regardless of the type of appropriations made to the state agency. Upon  
18 failure to comply with this subsection, the department of administration shall refuse  
19 ~~to draw its warrant and the state treasurer shall refuse~~ to pay any moneys  
20 appropriated to the state agency from state revenues until the state agency complies  
21 with this subsection. Upon failure or refusal to so comply, after due notice received  
22 from the department of administration, any appropriations from state revenues to  
23 the state agency shall permanently revert to the fund from which appropriated.

24           **SECTION 39.** 20.906 (6) of the statutes is amended to read:

1           20.906 (6) DIRECT DEPOSITS. The governor or the ~~state treasurer~~ secretary of  
2 administration may require state agencies making deposits under this section to  
3 make direct deposits to any depository designated by the depository selection board,  
4 if such a requirement is advantageous or beneficial to this state.

5           **SECTION 40.** 20.907 (2) of the statutes is amended to read:

6           20.907 (2) CUSTODY AND ACCOUNTING. The ~~state treasurer~~ secretary of  
7 administration shall have custody of all such gifts, grants, and bequests ~~and devises~~  
8 in the form of cash or securities. The department of administration shall keep a  
9 separate account for each state agency receiving such gifts, grants, and bequests ~~and~~  
10 ~~devises~~, including therein investments, accumulations, payments, and any other  
11 transaction pertaining to such moneys. If no state agency is designated by the donor  
12 to carry out the purposes of the conveyance, the joint committee on finance shall  
13 appoint a state agency to act as trustee.

14           **SECTION 41.** 20.907 (5) (a) of the statutes is amended to read:

15           20.907 (5) (a) Except as provided in par. (b), all moneys ~~which~~ that may come  
16 into the possession of any officer or employee of a state agency by virtue of his or her  
17 office or employment shall be deposited with the ~~state treasurer~~ secretary of  
18 administration, regardless of the ownership thereof.

19           **SECTION 42.** 20.907 (5) (b) of the statutes is amended to read:

20           20.907 (5) (b) Paragraph (a) does not apply whenever the disposition of moneys  
21 is otherwise provided by law or whenever a state agency receives moneys incident  
22 to an authorized activity ~~which~~ that are not appropriated and not directed to be  
23 deposited with the ~~state treasurer~~ secretary of administration and the agency  
24 promulgates a rule ~~which~~ that prescribes procedures in accordance with ch. 34 for  
25 the deposit of the moneys.



1           **SECTION 43.** 20.907 (5) (c) of the statutes is amended to read:

2           20.907 (5) (c) ~~The state treasurer~~ secretary of administration shall establish  
3           an account for moneys received under par. (a) from each source and shall make  
4           payments and refunds from each account authorized under par. (e) as directed by the  
5           state agency depositing the moneys, unless otherwise provided by law. Each  
6           payment shall be made upon submission of a claim audited under s. 16.53 and paid  
7           by voucher from the appropriation under s. 20.855 (6) (j) in accordance with  
8           procedures established by the secretary of administration.

9           **SECTION 44.** 20.907 (5) (d) of the statutes is amended to read:

10          20.907 (5) (d) Each account under this subsection shall be established in the  
11          appropriate fund, as determined by the ~~state treasurer~~ secretary of administration.

12          **SECTION 45.** 20.907 (5) (e) 12e. of the statutes is created to read:

13          20.907 (5) (e) 12e. Credit card interchange and association fees.

14          **SECTION 46.** 20.907 (5) (e) 12r. of the statutes is created to read:

15          20.907 (5) (e) 12r. Transfers from the income account of the state investment  
16          fund, to pay bank service costs under s. 34.045 (1) (b).

17          **SECTION 47.** 20.912 (1) of the statutes is amended to read:

18          20.912 (1) CANCELLATION OF OUTSTANDING CHECKS AND SHARE DRAFTS. If any  
19          check, share draft, or other draft drawn and issued by the ~~state treasurer~~ upon the  
20          funds of the state in any state depository is not paid within the time period  
21          designated by the ~~state treasurer~~ secretary of administration under s. ~~14.58 (12)~~  
22          16.401 (10) as shown on the check or other draft, the ~~state treasurer~~ secretary of  
23          administration shall cancel the check or other draft and credit the amount thereof  
24          to the fund on which it is drawn.

25          **SECTION 48.** 20.912 (3) of the statutes is amended to read:

1           20.912 (3) REISSUE OF CANCELED CHECKS, SHARE DRAFTS, AND OTHER DRAFTS.  
 2           Subject to sub. (2), when the payee or person entitled to any check, share draft, or  
 3           other draft canceled under sub. (1) ~~by the state treasurer~~, or the payee or person  
 4           entitled to any warrant so canceled by the department of administration, demands  
 5           such check, share draft, other draft, or warrant or payment thereof, the department  
 6           of administration shall issue a new warrant therefor, to be paid from the appropriate  
 7           appropriation account under s. 20.855 (1) (bm), (gm), or (rm).

8           **SECTION 49.** 20.912 (4) of the statutes <sup>as affected by the act</sup> is amended to read: <sup>2003 Wisconsin Act</sup>

9           20.912 (4) **INSOLVENT DEPOSITORIES.** When the bank, savings and loan  
 10          association, savings bank, <sup>plain</sup> or credit union on which any check, share draft, <sup>plain</sup> or other  
 11          draft is drawn by the ~~state treasurer~~ secretary of administration before payment of  
 12          such check, share draft, <sup>plain</sup> or other draft becomes insolvent or is taken over by the  
 13          division of banking, ~~division of savings institutions~~, the federal home loan bank  
 14          board, the U.S. office of thrift supervision, the federal deposit insurance corporation,  
 15          the resolution trust corporation, the office of credit unions, the administrator of  
 16          federal credit unions, <sup>plain</sup> or the U.S. comptroller of the currency, the ~~state treasurer~~  
 17          secretary of administration shall on the demand of the person in whose favor such  
 18          check, share draft, <sup>plain</sup> or other draft was drawn and upon the return to the ~~treasurer~~  
 19          secretary of such check, share draft, <sup>plain</sup> or other draft issue a replacement for the same  
 20          amount.

✓  
 insert  
 18-20

21          **SECTION 50.** 20.912 (5) of the statutes is amended to read:

22          20.912 (5) **LOST, STOLEN, OR DESTROYED CHECKS, SHARE DRAFTS, AND OTHER DRAFTS.**  
 23          If any check, share draft, or other draft drawn and issued by the ~~state treasurer~~  
 24          secretary of administration is lost, stolen, or destroyed and the bank, savings and  
 25          loan association, savings bank, or credit union on which the check, share draft, or

1 other draft is drawn has been notified to stop payment thereon, the ~~state treasurer~~  
2 secretary of administration may, after acknowledgment by the bank, savings and  
3 loan association, savings bank, or credit union that the check, share draft, or other  
4 draft has not been paid, issue a replacement check, share draft, or other draft and  
5 thereafter the ~~state treasurer~~ secretary of administration shall be relieved from all  
6 liability thereon.

7 **SECTION 51.** 20.920 (2) (a) of the statutes is amended to read:

8 20.920 (2) (a) With the approval of the secretary ~~and state treasurer~~, each state  
9 agency may establish a contingent fund. The secretary shall determine the funding  
10 source for each contingent fund, total amount of the fund, and maximum payment  
11 from the fund.

12 **SECTION 52.** 20.929 of the statutes is amended to read:

13 **20.929 Agency drafts or warrants.** The secretary of administration may  
14 authorize any state agency to issue drafts or warrants drawn on the state treasury.  
15 Such drafts or warrants may be issued only in connection with purchase orders  
16 authorized under subch. IV of ch. 16 and may not exceed \$300 per draft or warrant.  
17 The ~~state treasurer~~ secretary shall pay such drafts or warrants as presented. ~~The~~  
18 ~~secretary of administration~~ and shall audit the purchase orders issued. Any  
19 purchase order that is disapproved by the secretary as unlawful or unauthorized  
20 shall be returned by the secretary to the state agency for reimbursement to the ~~state~~  
21 ~~treasurer~~ treasury. The secretary shall make written regulations for the  
22 implementation of this section. The secretary may require any state agency to utilize  
23 one or more separate depository accounts to implement this section. The illegal or  
24 unauthorized use of purchase orders and drafts or warrants under this section is  
25 subject to the remedies specified in s. 16.77.

1           **SECTION 53.** 21.33 of the statutes is amended to read:

2           **21.33 Pay department.** The quartermaster general acting as paymaster  
3 under orders from the governor may draw from the state treasury the money  
4 necessary for paying troops in camp or on active service, and shall furnish such  
5 security for the same as the ~~state treasurer~~ secretary of administration may direct.  
6 The amount due on account of the field, staff, or other officers, noncommissioned staff  
7 and band, company, or enlistees, not herein enumerated, if any, shall be paid to the  
8 person to whom the same shall be due, on the properly signed and certified payrolls.

9           **SECTION 54.** 23.49 of the statutes is amended to read:

10           **23.49 Credit card use charges.** The department shall certify to the state  
11 ~~treasurer~~ secretary of administration the amount of charges associated with the use  
12 of credit cards that is assessed to the department on deposits accepted under s. 23.66  
13 (1m) by conservation wardens, and the ~~state treasurer~~ secretary of administration  
14 shall pay the charges from moneys received under s. 59.25 (3) (j) and (k) that are  
15 reserved for payment of the charges under s. ~~14.58 (21)~~ 20.907 (5) (e) 12e.

16           **SECTION 55.** 23.85 of the statutes is amended to read:

17           **23.85 Statement to county board; payment to state.** Every county  
18 treasurer shall, on the first day of the annual meeting of the county board of  
19 supervisors, submit to it a verified statement of all forfeitures, penalty assessments,  
20 jail assessments, weapons assessments, environmental assessments, wild animal  
21 protection assessments, natural resources assessments, fishing shelter removal  
22 assessments, snowmobile registration restitution payments, and natural resources  
23 restitution payments money received during the previous year. The county clerk  
24 shall deduct all expenses incurred by the county in recovering those forfeitures,  
25 penalty assessments, weapons assessments, environmental assessments, wild

1 animal protection assessments, natural resources assessments, fishing shelter  
2 removal assessments, snowmobile registration restitution payments, and natural  
3 resources restitution payments from the aggregate amount so received, and shall  
4 immediately certify the amount of clear proceeds of those forfeitures, penalty  
5 assessments, weapons assessments, environmental assessments, wild animal  
6 protection assessments, natural resources assessments, fishing shelter removal  
7 assessments, snowmobile registration restitution payments, and natural resources  
8 restitution payments to the county treasurer, who shall pay the proceeds to the state  
9 ~~treasurer~~ as provided in s. 59.25 (3). Jail assessments shall be treated separately as  
10 provided in s. 302.46.

11 **SECTION 56.** 24.17 (1) (intro.) of the statutes is amended to read:

12 24.17 (1) (intro.) When the purchaser of any such lands shall make payment  
13 to the ~~treasurer~~ secretary of administration of the amount required to be paid on such  
14 sale, and, in case of a private sale, shall also produce the memorandum mentioned  
15 in s. 24.16, the ~~treasurer~~ secretary of administration shall give a receipt therefor to  
16 such purchaser, and unless such sale be made wholly for cash the board shall execute  
17 and deliver to such person a duplicate certificate of sale, in which it shall certify:

18 **SECTION 57.** 24.17 (2) of the statutes is amended to read:

19 24.17 (2) When the sale is wholly for cash, upon payment as above provided,  
20 the ~~treasurer~~ secretary of administration shall thereupon give to such purchaser a  
21 receipt stating the amount paid and giving a description of the lot or tract of land sold  
22 and that such purchaser is entitled to receive a patent according to law.

23 **SECTION 58.** 24.20 of the statutes is amended to read:

24 **24.20 Payments and accounts.** All money paid on account of sales of public  
25 lands shall be paid to the ~~state treasurer~~ secretary of administration who shall credit

1 the proper fund therewith, crediting the general fund with the proceeds of sales of  
2 Marathon County lands, and the secretary of administration or the secretary's  
3 designee, upon countersigning the receipt given therefor, shall ~~charge the treasurer~~  
4 ~~therewith, and shall also~~ enter the name of the person paying the same, the number  
5 of the certificate, if any, upon which the amount shall be paid, and the time of the  
6 payment.

7 **SECTION 59.** 24.25 of the statutes is amended to read:

8 **24.25 Patent and record thereof.** Whenever full payment shall have been  
9 made for any such lands as required by law, and the purchaser or the purchaser's  
10 legal representatives shall produce to the board the duplicate certificate of sale, with  
11 the receipt of the ~~state treasurer~~ secretary of administration endorsed thereon,  
12 showing that the whole amount of the principal and interest due thereon has been  
13 paid and that the holder of such certificate is entitled to a patent for the lands  
14 described therein, the original and duplicate certificates shall be canceled, and the  
15 board shall thereupon execute and deliver a patent to the person entitled thereto for  
16 the land described in such certificate. All patents issued by the board shall be  
17 recorded in its office; and the record of patents heretofore issued by it is hereby  
18 declared a legal record. Purchasers may, at any time before due, pay any part or the  
19 whole of such purchase money and the interest thereon. In all cases where patents  
20 have been or may hereafter be issued to a person who may have died or who shall die  
21 before the date thereof, the title to the land described therein shall inure to and  
22 become vested in the heirs, devisees, or assignees of such person to the same extent  
23 as if the patent had issued to that person during that person's lifetime.

24 **SECTION 60.** 24.29 of the statutes is amended to read:

1           **24.29 Redemption.** At any time before the 5 days next preceding the  
2 reoffering of such land at public sale, the former purchaser or the former purchaser's  
3 assigns or legal representatives may, by the payment of the sum due with interest,  
4 and all taxes returned thereon to the ~~state treasurer~~ secretary of administration  
5 which are still unpaid, and all costs occasioned by the delay, together with 3%  
6 damages on the whole sum owing for such land, prevent such resale and revive the  
7 original contract.

8           **SECTION 61.** 24.32 (2) of the statutes is amended to read:

9           **24.32 (2)** Every such tract may be redeemed by the former purchaser thereof,  
10 the former purchaser's assigns or legal representatives at any time before the June  
11 30th next following the date of such resale, upon presenting to the board satisfactory  
12 proof, which shall be filed and preserved by it, that such tract was, at the time of  
13 resale, in whole or in part under cultivation or adjoining a tract partly cultivated,  
14 belonging to the former purchaser, the former purchaser's assigns or legal  
15 representatives and used in connection therewith, and upon depositing with the  
16 ~~state treasurer~~ secretary of administration, for the use of the purchaser at such  
17 resale the amount paid by the purchaser for such land, together with 25% of the  
18 amount of such taxes, interest, and costs in addition thereto; and every certificate  
19 issued upon any such resale shall be subject to the right of redemption whether it be  
20 expressed in such certificate or not. And no patent shall be issued on any such resale  
21 until the expiration of such redemption period.

22           **SECTION 62.** 24.33 (1) (c) of the statutes is amended to read:

23           **24.33 (1) (c)** Payment is made to the ~~treasurer~~ secretary of administration in  
24 the amount actually due on the first certificate at the time of the resale, with interest,

*by 2003 Wisconsin  
act ... (this act),*

1 costs, and charges, and with interest on the amount for which the land was sold at  
2 the rate of 10% per year.

*as amended by this act*

3

**SECTION 63.** 24.61 (2) (b) of the statutes is amended to read:

4 24.61 (2) (b) *Deposited with state treasurer* secretary of administration. All  
5 bonds, notes, <sup>plain</sup> and other securities ~~be~~ purchased shall be deposited with the state  
6 treasurer secretary of administration.

*under par. (a)*

✓  
6  
Insert  
24-3

**SECTION 64.** 24.67 (3) of the statutes is amended to read:

7 24.67 (3) If a municipality has acted under subs. (1) and (2), it shall certify that  
8  
9 fact to the department of administration. Upon receiving a certification from a  
10 municipality, or upon direction of the board if a loan is made to a cooperative  
11 educational service agency or a federated public library system, the secretary of  
12 administration shall draw a warrant ~~upon the state treasurer~~ for the amount of the  
13 loan, payable to the treasurer of the municipality, cooperative educational service  
14 agency, or federated public library system making the loan or as the treasurer of the  
15 municipality, cooperative educational service agency, or federated public library  
16 system directs. The certificate of indebtedness shall then be conclusive evidence of  
17 the validity of the indebtedness and that all the requirements of law concerning the  
18 application for the making and acceptance of the loan have been complied with.

**SECTION 65.** 24.69 (1) of the statutes is amended to read:

19 24.69 (1) The board may sell state trust fund loans or participations therein,  
20 and may contract to do so at a future date, for such price, upon such other terms and  
21 in such manner as the board may determine. The sale may be to any person,  
22 including, without limitation, a trust or other investment vehicle created for the  
23 purpose of attracting private investment capital. The board shall remit the proceeds  
24



1 of the sale to the ~~state treasurer~~ secretary of administration for deposit in the  
2 appropriate trust fund and shall invest the proceeds in accordance with s. 24.61.

3 **SECTION 66.** 24.70 (2) of the statutes is amended to read:

4 24.70 (2) CERTIFIED STATEMENT. If a borrower other than a school district has  
5 a state trust fund loan, the board shall transmit to the clerk of the jurisdiction, or the  
6 person signing the application on behalf of the borrower in the case of a cooperative  
7 educational service agency, a certified statement of the amount due on or before  
8 October 1 of each year until the loan is repaid. The board shall submit a copy of each  
9 certified statement to the ~~state treasurer~~ secretary of administration. A cooperative  
10 educational service agency shall transmit a copy of the statement to the clerk of each  
11 school district on behalf of which the agency has obtained a loan.

12 **SECTION 67.** 24.70 (4) of the statutes is amended to read:

13 24.70 (4) PAYMENT TO ~~STATE TREASURER~~ SECRETARY OF ADMINISTRATION. The  
14 treasurer of each municipality shall transmit to the ~~state treasurer~~ secretary of  
15 administration on his or her order the full amount levied for state trust fund loans  
16 within 15 days after March 15. Each cooperative educational service agency shall  
17 similarly transmit the annual amount owed on any state trust fund loan made to the  
18 agency by that date. The ~~state treasurer~~ secretary of administration shall notify the  
19 board when he or she receives payment. Any payment not made by March 30 is  
20 delinquent and is subject to a penalty of one percent per month to be paid to the ~~state~~  
21 ~~treasurer~~ secretary of administration with the delinquent payment.

22 **SECTION 68.** 24.70 (6) of the statutes is amended to read:

23 24.70 (6) FAILURE TO MAKE PAYMENTS. If any municipality fails to remit the  
24 amount due by the date specified under sub. (4), the board may file a certified  
25 statement of the ~~amount~~ delinquent amount with the department of administration.

1 The ~~department~~ secretary of administration shall collect the amount due, including  
2 any penalty, by deducting that amount from any state payments due the  
3 municipality, ~~shall remit that amount to the state treasurer~~ and shall notify the  
4 treasurer and the board of that action.

5 **SECTION 69.** 24.71 (2) of the statutes is amended to read:

6 24.71 (2) CERTIFIED STATEMENT. If a school district has a state trust fund loan,  
7 the board shall transmit to the school district clerk a certified statement of the  
8 amount due on or before October 1 of each year until the loan is paid. The board shall  
9 furnish a copy of each certified statement to the ~~state treasurer~~ secretary of  
10 administration and the department of public instruction.

11 **SECTION 70.** 24.71 (4) of the statutes is amended to read:

12 24.71 (4) ~~PAYMENT TO STATE TREASURER~~ SECRETARY OF ADMINISTRATION. The school  
13 district treasurer shall transmit to the ~~state treasurer on his or her own order~~  
14 secretary of administration the full amount levied for state trust fund loans within  
15 15 days after March 15. The ~~state treasurer~~ secretary of administration shall notify  
16 the board when he or she receives payment. Any payment not made by March 30 is  
17 delinquent and is subject to a penalty of one percent per month or fraction thereof,  
18 to be paid to the ~~state treasurer~~ secretary of administration with the delinquent  
19 payment.

20 **SECTION 71.** 24.71 (5) of the statutes is amended to read:

21 24.71 (5) FAILURE TO MAKE PAYMENT. If the school district treasurer fails to remit  
22 the amounts due under sub. (4), the state superintendent, upon certification of  
23 delinquency by the board, shall deduct the amount due including any penalty from  
24 any school aid payments due the school district, shall remit such amount to the state

1 ~~treasurer~~ secretary of administration and, no later than June 15, shall notify the  
2 school district treasurer and the board to that effect.

3 **SECTION 72.** 25.14 (3) of the statutes is amended to read:

4 25.14 (3) The department of administration, upon consultation with the board,  
5 shall distribute all earnings, profits, or losses of the state investment fund to each  
6 participating fund in the same ratio as each participating fund's average daily  
7 balance within the state investment fund bears to the total average daily balance of  
8 all participating funds, except as provided in s. ~~14.58 (19)~~ 16.401 (14) and except that  
9 the department of administration shall credit to the appropriation account under s.  
10 ~~20.585 (1) (j)~~ 20.505 (1) (k) an amount equal to the amount assessed under s. 25.19  
11 (3) from the earnings or profits of the funds against which an assessment is made.  
12 Distributions under this section shall be made at such times as the department of  
13 administration may determine, but must be made at least semiannually in each  
14 complete fiscal year of operation.

15 **SECTION 73.** 25.17 (61) of the statutes is amended to read:

16 25.17 (61) Designate special depositories in which the secretary of  
17 administration or the state treasurer may make special deposits of funds, not  
18 exceeding the amount limited by the board, which shall be deposited subject to the  
19 depository's rules and regulations relative to either savings accounts, time  
20 certificates of deposit, or open time accounts, as the case may be.

21 **SECTION 74.** 25.19 (3) of the statutes is amended to read:

22 25.19 (3) ~~The state treasurer~~ secretary of administration shall, at the direction  
23 of the depository selection board under s. 34.045 (1) (b), allocate bank service costs  
24 to the funds incurring those costs.

25 **SECTION 75.** 25.19 (4) of the statutes is amended to read:

1           25.19 (4) The ~~state treasurer~~ secretary of administration shall provide advice  
2 to state agencies concerning efficient cash management practices.

3           **SECTION 76.** 25.31 (1) of the statutes is amended to read:

4           25.31 (1) First: The principal of said trust fund shall be held by the state  
5 ~~treasurer~~ secretary of administration, and be invested and reinvested as provided  
6 in this chapter.

7           **SECTION 77.** 25.40 (1) (a) 6. of the statutes is amended to read:

8           25.40 (1) (a) 6. Amounts payable to the ~~state treasurer~~ secretary of  
9 administration under s. 85.14 (1) (b) in conjunction with the collection of fees paid  
10 by credit card.

11          **SECTION 78.** 26.14 (4) of the statutes is amended to read:

12          26.14 (4) Emergency fire wardens or those assisting them in the fighting of  
13 forest fires shall prepare itemized accounts of their services and the services of those  
14 employed by them, as well as other expenses incurred, on blanks to be furnished by  
15 the department and in a manner prescribed by the department, and make oaths or  
16 affirmation that said account is just and correct, which account shall be forwarded  
17 and approved for payment by the department. As soon as any such account has been  
18 paid by the ~~state treasurer~~ secretary of administration the department of natural  
19 resources shall send to the proper county treasurer a bill for the county's share of  
20 such expenses ~~and a copy of the bill shall be filed with the department of~~  
21 ~~administration.~~ The county shall have 60 days within which to pay such bill, but if  
22 not paid within that time the county shall be liable for interest at the rate of 6% per  
23 year. If payment is not made within 60 days the department of administration shall  
24 include such amount as a part of the next levy against the county for state taxes, but  
25 no county shall be required to pay more than \$5,000 in any one year. Any unpaid levy

1 under this section shall remain a charge against the county and the department of  
2 administration shall include such unpaid sums in the state tax levy of the respective  
3 counties in subsequent years.

4 **SECTION 79.** 26.30 (9) (b) (intro.) of the statutes is amended to read:

5 26.30 (9) (b) (intro.) As soon as the expenses incurred by the state in forest pest  
6 control work have been paid by the ~~state treasurer~~ secretary of administration, the  
7 department shall send to each landowner a bill covering an equitable share of such  
8 expenses as herein provided.

9 **SECTION 80.** 29.983 (1) (e) of the statutes is amended to read:

10 29.983 (1) (e) If any deposit is made for an offense to which this section applies,  
11 the person making the deposit shall also deposit a sufficient amount to include the  
12 wild animal protection assessment required under this section. If the deposit is  
13 forfeited, the amount of the wild animal protection assessment shall be transmitted  
14 to the ~~state treasurer~~ secretary of administration under par. (f). If the deposit is  
15 returned, the wild animal protection assessment shall also be returned.

16 **SECTION 81.** 29.983 (1) (f) of the statutes is amended to read:

17 29.983 (1) (f) The clerk of the court shall collect and transmit to the county  
18 treasurer the wild animal protection assessment and other amounts required under  
19 s. 59.40 (2) (m). The county treasurer shall then make payment to the ~~state treasurer~~  
20 secretary of administration as provided in s. 59.25 (3) (f) 2.

21 **SECTION 82.** 29.983 (2) of the statutes is amended to read:

22 29.983 (2) DEPOSIT OF WILD ANIMAL PROTECTION ASSESSMENT FUNDS. The ~~state~~  
23 ~~treasurer~~ secretary of administration shall deposit the moneys collected under this  
24 section into the conservation fund.

25 **SECTION 83.** 29.985 (1) (c) of the statutes is amended to read:

1           29.985 (1) (c) If any deposit is made for an offense to which this section applies,  
2 the person making the deposit shall also deposit a sufficient amount to include the  
3 fishing shelter removal assessment prescribed in this section. If the deposit is  
4 forfeited, the amount of the fishing shelter removal assessment shall be transmitted  
5 to the ~~state treasurer~~ secretary of administration under par. (d). If the deposit is  
6 returned, the fishing shelter removal assessment shall also be returned.

7           **SECTION 84.** 29.985 (1) (d) of the statutes is amended to read:

8           29.985 (1) (d) The clerk of the court shall collect and transmit to the county  
9 treasurer the fishing shelter removal assessment and other amounts required under  
10 s. 59.40 (2) (m). The county treasurer shall then make payment to the ~~state treasurer~~  
11 secretary of administration as provided in s. 59.25 (3) (f) 2.

12           **SECTION 85.** 29.987 (1) (c) of the statutes is amended to read:

13           29.987 (1) (c) If any deposit is made for an offense to which this section applies,  
14 the person making the deposit shall also deposit a sufficient amount to include the  
15 natural resources assessment prescribed in this section. If the deposit is forfeited,  
16 the amount of the natural resources assessment shall be transmitted to the ~~state~~  
17 ~~treasurer~~ secretary of administration under par. (d). If the deposit is returned, the  
18 natural resources assessment shall also be returned.

19           **SECTION 86.** 29.987 (1) (d) of the statutes is amended to read:

20           29.987 (1) (d) The clerk of the court shall collect and transmit to the county  
21 treasurer the natural resources assessment and other amounts required under s.  
22 59.40 (2) (m). The county treasurer shall then make payment to the state treasurer  
23 as provided in s. 59.25 (3) (f) 2. ~~The state treasurer~~ secretary of administration shall  
24 deposit the amount of the natural resources assessment in the conservation fund.

25           **SECTION 87.** 29.989 (1) (c) of the statutes is amended to read:

1           29.989 (1) (c) If any deposit is made for an offense to which this section applies,  
2 the person making the deposit shall also deposit a sufficient amount to include the  
3 natural resources restitution payment prescribed in this section. If the deposit is  
4 forfeited, the amount of the natural resources restitution payment shall be  
5 transmitted to the ~~state treasurer~~ secretary of administration under par. (d). If the  
6 deposit is returned, the natural resources restitution payment shall also be returned.

7           **SECTION 88.** 29.989 (1) (d) of the statutes is amended to read:

8           29.989 (1) (d) The clerk of the court shall collect and transmit to the county  
9 treasurer the natural resources restitution payment and other amounts required  
10 under s. 59.40 (2) (m). The county treasurer shall then make payment to the ~~state~~  
11 ~~treasurer~~ secretary of administration as provided in s. 59.25 (3) (f) 2. The ~~state~~  
12 ~~treasurer~~ secretary of administration shall deposit the amount of the natural  
13 resources restitution payment in the conservation fund.

14           **SECTION 89.** 34.045 (1) (b) of the statutes is amended to read:

15           34.045 (1) (b) Establish procedures by which state agencies and departments  
16 pay for services through compensating balances or fees, or a combination of both  
17 methods. ~~In the case of the state treasurer's accounts, direct the state treasurer~~  
18 Direct the secretary of administration to maintain compensating balances, or direct  
19 the investment board to pay bank service costs as allocated by the ~~state treasurer~~  
20 secretary of administration under s. 25.19 (3) directly from the income account of the  
21 state investment fund, or by a combination of such methods.

22           **SECTION 90.** 34.08 (2) of the statutes is amended to read:

23           34.08 (2) Payments under sub. (1) shall be made in the order in which  
24 satisfactory proofs of loss are received by the division of banking. The payment made  
25 to any public depositor for all losses of the public depositor in any individual public

1 depository may not exceed \$400,000 above the amount of deposit insurance provided  
2 by an agency of the United States or by the Wisconsin Credit Union Savings  
3 Insurance Corporation at the public depository which experienced the loss. Upon a  
4 satisfactory proof of loss, the division of banking shall direct the department of  
5 administration to draw its warrant payable from the appropriation under s. 20.144  
6 (1) (a) and the ~~state treasurer~~ secretary of administration shall pay the warrant  
7 under s. ~~14.58~~ 16.401 (4) in favor of the public depositor that has submitted the proof  
8 of loss.

9 **SECTION 91.** 36.51 (6) of the statutes is amended to read:

10 36.51 (6) The college campus or institution may file a claim with the  
11 department of public instruction for reimbursement for reasonable expenses  
12 incurred, excluding capital equipment costs, but not to exceed 15% of the cost of the  
13 meal or 50 cents per meal, whichever is less. Any cost in excess of the lesser amount  
14 may be charged to participants. If the department of public instruction approves the  
15 claim, it shall certify that payment is due and the ~~state treasurer~~ secretary of  
16 administration shall pay the claim from the appropriation under s. 20.255 (2) (cn).

17 **SECTION 92.** 38.36 (6) of the statutes is amended to read:

18 38.36 (6) The district board may file a claim with the department of public  
19 instruction for reimbursement for reasonable expenses incurred, excluding capital  
20 equipment costs, but not to exceed 15% of the cost of the meal or 50 cents per meal,  
21 whichever is less. Any cost in excess of the lesser amount may be charged to  
22 participants. If the department of public instruction approves the claim, it shall  
23 certify that payment is due and the ~~state treasurer~~ secretary of administration shall  
24 pay the claim from the appropriation under s. 20.255 (2) (cn).

25 **SECTION 93.** 40.04 (3) (c) of the statutes is amended to read:



1           40.04 (3) (c) The department shall advise the investment board and the state  
2 ~~treasurer~~ secretary of administration as to the limitations on the amounts of cash to  
3 be invested from investment trusts under this subsection in order to maintain the  
4 cash balances deemed advisable to meet current annuity, benefit and expense  
5 requirements.

6           **SECTION 94.** 43.70 (3) of the statutes is amended to read:

7           43.70 (3) Immediately upon making such apportionment, the state  
8 superintendent shall certify to the department of administration the estimated  
9 amount that each school district is entitled to receive under this section and shall  
10 notify each school district administrator of the estimated amount so certified for his  
11 or her school district. The department of administration shall ~~issue its warrants~~  
12 ~~upon which the state treasurer shall distribute~~ each school district's aid entitlement  
13 in one payment on or before May 1. The amount paid to each school district shall be  
14 based upon the amount in the appropriation account under s. 20.255 (2) (s) on April  
15 15. All moneys distributed under this section shall be expended for the purchase of  
16 instructional materials from the state historical society for use in teaching Wisconsin  
17 history and for the purchase of library books and other instructional materials for  
18 school libraries, but not for public library facilities operated by school districts under  
19 s. 43.52, in accordance with rules promulgated by the state superintendent.  
20 Appropriate records of such purchases shall be kept and necessary reports thereon  
21 shall be made to the state superintendent.

22           **SECTION 95.** 45.37 (11) of the statutes is amended to read:

23           45.37 (11) DISPOSITION OF PROPERTY DESCENDING TO STATE. If a member dies  
24 without a relative that is entitled to an interest in the property of the member under  
25 the rules of intestate succession and without leaving a will the existence of which is

1 made known to the commandant of the home within 60 days of the member's death,  
2 the member's property shall be converted to cash and turned over by the  
3 commandant of the home to the ~~state treasurer~~ secretary of administration to be paid  
4 into the appropriation under s. 20.485 (1) (h), without administration. The amount  
5 is subject to refund within 6 years to the estate of a veteran if it is subsequently  
6 discovered that the veteran left a will or a relative that is entitled to an interest in  
7 the property of the member under the rules of intestate succession or to any creditor  
8 of the veteran who establishes right to the fund or property or any portion thereof.  
9 The department, upon being satisfied that a claim out of such funds or property is  
10 legal and valid, shall pay the same out of such funds or property, except that payment  
11 of claims for a member's funeral and burial expenses may not exceed a total of \$1,500  
12 including any amount allowed by the United States for the member's funeral and  
13 burial and the right for burial and interment provided in sub. (15) (a).

14 **SECTION 96.** 46.973 (3) of the statutes is amended to read:

15 46.973 (3) The department may accept, receive, administer, and expend any  
16 money, material, or other gifts or grants of any description for purposes related to  
17 those set forth in this section. Moneys and grants received under this section shall  
18 be deposited with the ~~state treasurer~~ secretary of administration and shall be  
19 credited to the department under s. 20.435 (2) (i) and expended by the department  
20 or the state council on alcohol and other drug abuse for the purposes specified.

21 **SECTION 97.** 48.275 (2) (d) of the statutes is amended to read:

22 48.275 (2) (d) 1. In a county having a population of less than 500,000,  
23 reimbursement payments shall be made to the clerk of courts of the county where the  
24 proceedings took place. Each payment shall be transmitted to the county treasurer,  
25 who shall deposit 25% of the amount paid for state-provided counsel in the county

1 treasury and transmit the remainder to the ~~state treasurer~~ secretary of  
2 administration. Payments transmitted to the ~~state treasurer~~ secretary of  
3 administration shall be deposited in the general fund and credited to the  
4 appropriation account under s. 20.550 (1) (L). The county treasurer shall deposit  
5 100% of the amount paid for county-provided counsel in the county treasury.

6 2. In a county having a population of 500,000 or more, reimbursement  
7 payments shall be made to the clerk of courts of the county where the proceedings  
8 took place. Each payment shall be transmitted to the ~~state treasurer~~ secretary of  
9 administration, who shall deposit the amount paid in the general fund and credit  
10 25% of the amount paid to the appropriation account under s. 20.435 (3) (gx) and the  
11 remainder to the appropriation account under s. 20.550 (1) (L).

12 **SECTION 98.** 48.715 (3) (a) 3. of the statutes is amended to read:

13 48.715 (3) (a) 3. A person against whom the department has assessed a  
14 forfeiture shall pay that forfeiture to the department within 10 days after receipt of  
15 notice of the assessment or, if that person contests that assessment under s. 48.72,  
16 within 10 days after receipt of the final decision after exhaustion of administrative  
17 review or, if that person petitions for judicial review under ch. 227, within 10 days  
18 after receipt of the final decision after exhaustion of judicial review. The department  
19 shall remit all forfeitures paid under this subdivision to the ~~state treasurer~~ secretary  
20 of administration for deposit in the school fund.

21 **SECTION 99.** 49.19 (3) (b) of the statutes is amended to read:

22 49.19 (3) (b) If the county department under s. 46.215 or 46.22 finds a person  
23 eligible for aid under this section, that county department shall, on a form to be  
24 prescribed by the department, direct the payment of such aid by order upon the ~~state~~  
25 ~~treasurer~~ secretary of administration. Payment of aid shall be made monthly, based

1 on a calendar month or fiscal month as defined by the department; except that the  
2 director of the county department may, in his or her discretion for the purpose of  
3 protecting the public, direct that the monthly allowance be paid in accordance with  
4 sub. (5) (c).

5 **SECTION 100.** 49.19 (14) (b) of the statutes is amended to read:

6 49.19 (14) (b) If the ~~state treasurer~~ secretary of administration is unable to  
7 issue a replacement check or draft requested under par. (a) because the original has  
8 been paid, the department shall promptly authorize the issuance of a replacement  
9 check or draft. If the ~~state treasurer~~ secretary of administration recovers the amount  
10 of the original check or draft that amount shall be returned to the department. If the  
11 ~~state treasurer~~ secretary of administration is unable to obtain recovery, the  
12 department may pursue recovery.

13 **SECTION 101.** 49.498 (16) (g) of the statutes is amended to read:

14 49.498 (16) (g) All forfeitures, penalty assessments, and interest, if any, shall  
15 be paid to the department within 10 days of receipt of notice of assessment or, if the  
16 forfeiture, penalty assessment, and interest, if any, are contested under par. (f),  
17 within 10 days of receipt of the final decision after exhaustion of administrative  
18 review, unless the final decision is appealed and the order is stayed by court order  
19 under sub. (19) (b). The department shall remit all forfeitures paid to the ~~state~~  
20 ~~treasurer~~ secretary of administration for deposit in the school fund. The department  
21 shall deposit all penalty assessments and interest in the appropriation under s.  
22 20.435 (6) (g).

23 **SECTION 102.** 49.687 (3) (a) of the statutes is amended to read:

24 49.687 (3) (a) That, as a condition of coverage for prescription drugs of a  
25 manufacturer under s. 49.68, 49.683, or 49.685, the manufacturer shall make rebate

1 payments for each prescription drug of the manufacturer that is prescribed for and  
2 purchased by persons who meet eligibility criteria under s. 49.68, 49.683, or 49.685,  
3 to the ~~state treasurer~~ secretary of administration to be credited to the appropriation  
4 under s. 20.435 (4) (je), each calendar quarter or according to a schedule established  
5 by the department.

6 **SECTION 103.** 49.688 (6) (a) of the statutes is amended to read:

7 49.688 (6) (a) That, except as provided in sub. (7) (b), the manufacturer shall  
8 make rebate payments for each prescription drug of the manufacturer that is  
9 prescribed for and purchased by persons who meet criteria under sub. (2) (a) and  
10 persons who meet criteria under sub. (2) (b) and have paid the deductible under sub.  
11 (3) (b) 2. a., to the ~~state treasurer~~ secretary of administration to be credited to the  
12 appropriation account under s. 20.435 (4) (j), each calendar quarter or according to  
13 a schedule established by the department.

14 **SECTION 104.** 50.03 (5g) (c) 1. c. of the statutes is amended to read:

15 50.03 (5g) (c) 1. c. All forfeitures shall be paid to the department within 10 days  
16 after receipt of notice of assessment or, if the forfeiture is contested under par. (f),  
17 within 10 days after receipt of the final decision after exhaustion of administrative  
18 review, unless the final decision is appealed and the order is stayed by court order  
19 under s. 50.03 (11). The department shall remit all forfeitures paid under this  
20 subdivision to the ~~state treasurer~~ secretary of administration for deposit in the  
21 school fund.

22 **SECTION 105.** 50.034 (8) (d) of the statutes is amended to read:

23 50.034 (8) (d) All forfeitures shall be paid to the department within 10 days  
24 after receipt of notice of assessment or, if the forfeiture is contested under par. (c),  
25 within 10 days after receipt of the final decision after exhaustion of administrative

1 review, unless the final decision is appealed and the order is stayed by court order.  
2 The department shall remit all forfeitures paid to the ~~state treasurer~~ secretary of  
3 administration for deposit in the school fund.

4 SECTION 106. 50.035 (11) (d) of the statutes is amended to read:

5 50.035 (11) (d) All forfeitures shall be paid to the department within 10 days  
6 after receipt of notice of assessment or, if the forfeiture is contested under par. (c),  
7 within 10 days after receipt of the final decision after exhaustion of administrative  
8 review, unless the final decision is appealed and the order is stayed by court order.

9 The department shall remit all forfeitures paid to the ~~state treasurer~~ secretary of  
10 administration for deposit in the school fund.

(11)

SECTION 107. 50.04 (5) (f) of the statutes is amended to read:

and forfeiture surcharges (1)

11 50.04 (5) (f) ~~Forfeitures~~ paid within 10 days. All forfeitures shall be paid to the  
12 department within 10 days of receipt of notice of assessment or, if the forfeiture is  
13 contested under par. (e), within 10 days of receipt of the final decision after  
14 exhaustion of administrative review, unless the final decision is appealed and the  
15 order is stayed by court order under s. 50.03 (11). The department shall remit all

16 forfeitures paid to the ~~state treasurer~~ secretary of administration for deposit in the  
17 school fund.

*and shall credit all forfeiture surcharges to the appropriation account under s. 20.435(6)(jM)*

(18)

18 SECTION 108. 50.38 (4) of the statutes is amended to read:

19 50.38 (4) All forfeitures shall be paid to the department within 10 days after  
20 receipt of notice of assessment or, if the forfeiture is contested under sub. (3), within  
21 10 days after receipt of the final decision after exhaustion of administrative review,  
22 unless the final decision is appealed and the order is stayed by court order. The  
23 department shall remit all forfeitures paid to the ~~state treasurer~~ secretary of  
24 administration for deposit in the school fund.  
25

*Insert 16  
38-  
18*

*as affected by this act*

*and forfeiture surcharges*

1           **SECTION 109.** 50.55 (1) (e) of the statutes is amended to read:

2           50.55 (1) (e) All forfeitures shall be paid to the department within 10 days after  
3 receipt of notice of assessment or, if the forfeiture is contested under par. (d), within  
4 10 days after receipt of the final decision, unless the final decision is appealed and  
5 the decision is in favor of the appellant. The department shall remit all forfeitures  
6 paid to the ~~state treasurer~~ secretary of administration for deposit in the school fund.

7           **SECTION 110.** 50.98 (5) of the statutes is amended to read:

8           50.98 (5) All forfeitures shall be paid to the department within 10 days after  
9 receipt of notice of assessment or, if the forfeiture is contested under sub. (4), within  
10 10 days after receipt of the final decision after exhaustion of administrative review,  
11 unless the final decision is appealed and the order is stayed by court order under the  
12 same terms and conditions as found in s. 50.03 (11). The department shall remit all  
13 forfeitures paid to the ~~state treasurer~~ secretary of administration for deposit in the  
14 school fund.

15           **SECTION 111.** 59.25 (3) (f) 1. of the statutes is amended to read:

16           59.25 (3) (f) 1. Except as provided in subd. 2., transmit to the ~~state treasurer~~  
17 secretary of administration at the time required by law to pay the state taxes a  
18 particular statement, certified by the county treasurer's personal signature affixed  
19 or attached thereto, of all moneys received by him or her during the preceding year  
20 and which are payable to the ~~state treasurer~~ secretary of administration for licenses,  
21 fines, penalties, or on any other account, and at the same time pay to the ~~state~~  
22 ~~treasurer~~ secretary of administration the amount thereof after deducting the legal  
23 fees.

24           **SECTION 112.** 59.25 (3) (f) 2. of the statutes is amended to read:

1           59.25 (3) (f) 2. For all court imposed fines and forfeitures required by law to be  
2 deposited in the state treasury, the amounts required by s. 757.05 for the penalty  
3 assessment surcharge, the amounts required by s. 165.755 for the crime laboratories  
4 and drug law enforcement assessment, the amounts required by s. 167.31 (5) for the  
5 weapons assessment, the amounts required by s. 973.045 for the crime victim and  
6 witness assistance surcharge, the amounts required by s. 938.34 (8d) for the  
7 delinquency victim and witness assistance surcharge, the amounts required by s.  
8 973.046 for the deoxyribonucleic acid analysis surcharge, the amounts required by  
9 s. 961.41 (5) for the drug abuse program improvement surcharge, the amounts  
10 required by s. 100.261 for the consumer protection assessment, the amounts  
11 authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055 (1) for the domestic abuse  
12 assessment, the amounts required by s. 253.06 (4) (c) for the enforcement assessment  
13 under the supplemental food program for women, infants and children, the amounts  
14 required by s. 349.04 for the truck driver education assessment, the amounts  
15 required by ss. 346.177, 346.495 and 346.65 (4r) for the railroad crossing  
16 improvement assessment, the amounts required by s. 346.655 (2) (a) and (b) for the  
17 driver improvement surcharge, the amounts required by s. 102.85 (4) for the  
18 uninsured employer assessment, the amounts required by s. 299.93 for the  
19 environmental assessment, the amounts required by s. 29.983 for the wild animal  
20 protection assessment, the amounts required by ss. 29.987 and 169.46 (1) for the  
21 natural resources assessment surcharge, the amounts required by s. 29.985 for the  
22 fishing shelter removal assessment, the amounts required by s. 350.115 for the  
23 snowmobile registration restitution payment, and the amounts required by ss.  
24 29.989 and 169.46 (2) for natural resources restitution payments, transmit to the  
25 ~~state treasurer~~ secretary of administration a statement of all moneys required by law



1 to be paid on the actions entered during the preceding month on or before the first  
2 day of the next succeeding month, certified by the county treasurer's personal  
3 signature affixed or attached thereto, and at the same time pay to the ~~state treasurer~~  
4 secretary of administration the amount thereof.

5 **SECTION 113.** 59.25 (3) (k) of the statutes is amended to read:

6 59.25 (3) (k) Forward 40% of the state forfeitures, fines, and penalties under  
7 ch. 348 to the ~~state treasurer~~ secretary of administration for deposit in the  
8 transportation fund under s. 25.40 (1) (ig).

9 **SECTION 114.** 59.25 (3) (L) of the statutes is amended to read:

10 59.25 (3) (L) Forward all money received under s. 66.0114 (3) (c) to the ~~state~~  
11 ~~treasurer~~ secretary of administration for deposit in the transportation fund under  
12 s. 25.40 (1) (ig).

13 **SECTION 115.** 59.25 (3) (m) of the statutes is amended to read:

14 59.25 (3) (m) Forward 50% of the fees received under s. 351.07 (1g) to the ~~state~~  
15 ~~treasurer~~ secretary of administration for deposit in the transportation fund under  
16 s. 25.40 (1) (im).

17 **SECTION 116.** 59.25 (3) (p) of the statutes is amended to read:

18 59.25 (3) (p) Pay to the ~~state treasurer~~ secretary of administration on his or her  
19 order the state percentage of fees received from the clerk of the circuit court under  
20 s. 59.40 (2) (m) and if any such moneys remain in his or her hands when he or she  
21 is required to pay the state percentage of fees, pay such moneys therewith to the ~~state~~  
22 ~~treasurer~~ secretary of administration.

23 **SECTION 117.** 59.40 (2) (m) of the statutes is amended to read:

24 59.40 (2) (m) Pay monthly to the ~~treasurer~~ secretary of administration for the  
25 use of the state the state's percentage of the fees required to be paid on each civil

1 action, criminal action, and special proceeding filed during the preceding month and  
2 pay monthly to the ~~treasurer~~ secretary of administration for the use of the state the  
3 percentage of court imposed fines and forfeitures required by law to be deposited in  
4 the state treasury, the amounts required by s. 757.05 for the penalty assessment  
5 surcharge, the amounts required by s. 165.755 for the crime laboratories and drug  
6 law enforcement assessment, the amounts required by s. 167.31 (5) for the weapons  
7 assessment, the amounts required by s. 973.045 for the crime victim and witness  
8 assistance surcharge, the amounts required by s. 938.34 (8d) for the delinquency  
9 victim and witness assistance surcharge, the amounts required by s. 973.046 for the  
10 deoxyribonucleic acid analysis surcharge, the amounts required by s. 961.41 (5) for  
11 the drug abuse program improvement surcharge, the amounts required by s. 100.261  
12 for the consumer protection assessment, the amounts authorized by s. 971.37 (1m)  
13 (c) 1. or required by s. 973.055 for the domestic abuse assessment surcharge, the  
14 amounts required by s. 253.06 (4) (c) for the enforcement assessment under the  
15 supplemental food program for women, infants, and children, the amounts required  
16 by s. 349.04 for the truck driver education assessment, the amounts required by ss.  
17 346.177, 346.495, and 346.65 (4r) for the railroad crossing improvement assessment,  
18 the amounts required by s. 346.655 for the driver improvement surcharge, the  
19 amounts required by s. 102.85 (4) for the uninsured employer assessment, the  
20 amounts required by s. 299.93 for the environmental assessment, the amounts  
21 required under s. 29.983 for the wild animal protection assessment, the amounts  
22 required under ss. 29.987 (1) (d) and 169.46 (1) (d) for the natural resources  
23 assessment surcharge, the amounts required by s. 29.985 for the fishing shelter  
24 removal assessment, the amounts required by s. 350.115 for the snowmobile  
25 registration restitution payment, and the amounts required under ss. 29.989 (1) (d)

1 and 169.46 (2) (d) for the natural resources restitution payments. The payments  
2 shall be made by the 15th day of the month following receipt thereof.

3 **SECTION 118.** 66.0114 (1) (bm) of the statutes is amended to read:

4 66.0114 (1) (bm) The official receiving the penalties shall remit all moneys  
5 collected to the treasurer of the city, village, town sanitary district, or public inland  
6 lake protection and rehabilitation district in whose behalf the sum was paid, except  
7 that all jail assessments shall be remitted to the county treasurer, within 20 days  
8 after its receipt by the official. If timely remittance is not made, the treasurer may  
9 collect the payment of the officer by action, in the name of the office, and upon the  
10 official bond of the officer, with interest at the rate of 12% per year from the date on  
11 which it was due. In the case of the penalty assessment imposed by s. 757.05, the  
12 crime laboratories and drug law enforcement assessment imposed by s. 165.755, the  
13 driver improvement surcharge imposed by s. 346.655 (1), the truck driver education  
14 assessment imposed by s. 349.04, any applicable consumer protection assessment  
15 imposed by s. 100.261, and any applicable domestic abuse assessment imposed by s.  
16 973.055 (1), the treasurer of the city, village, town sanitary district, or public inland  
17 lake protection and rehabilitation district shall remit to the ~~state treasurer~~ secretary  
18 of administration the amount required by law to be paid on the actions entered  
19 during the preceding month on or before the first day of the next succeeding month.  
20 The governing body of the city, village, town sanitary district, or public inland lake  
21 protection and rehabilitation district shall by ordinance designate the official to  
22 receive the penalties and the terms under which the official qualifies.

23 **SECTION 119.** 66.0114 (3) (c) of the statutes is amended to read:

24 66.0114 (3) (c) The entire amount in excess of \$150 of any forfeiture imposed  
25 for the violation of any traffic regulation in conformity with ch. 348 shall be

1 transmitted to the county treasurer if the violation occurred on an interstate  
2 highway, a state trunk highway, or a highway over which the local highway authority  
3 does not have primary maintenance responsibility. The county treasurer shall then  
4 make payment to the ~~state treasurer~~ secretary of administration as provided in s.  
5 59.25 (3) (L).

6 **SECTION 120.** 66.0517 (3) (b) 1. of the statutes is amended to read:

7 66.0517 (3) (b) 1. Except as provided in sub. (2) (b), a weed commissioner shall  
8 receive compensation for the destruction of noxious weeds as determined by the town  
9 board, village board, or city council upon presenting to the proper treasurer the  
10 account for noxious weed destruction, verified by oath and approved by the  
11 appointing officer. The account shall specify by separate items the amount  
12 chargeable to each piece of land, describing the land, and shall, after being paid by  
13 the treasurer, be filed with the town, village, or city clerk. The clerk shall enter the  
14 amount chargeable to each tract of land in the next tax roll in a column headed "For  
15 the Destruction of Weeds", as a tax on the lands upon which the weeds were  
16 destroyed. The tax shall be collected under ch. 74, except in case of lands which are  
17 exempt from taxation, railroad lands, or other lands for which taxes are not collected  
18 under ch. 74. A delinquent tax may be collected as is a delinquent real property tax  
19 under chs. 74 and 75 or as is a delinquent personal property tax under ch. 74. In case  
20 of railroad lands or other lands for which taxes are not collected under ch. 74, the  
21 amount chargeable against these lands shall be certified by the town, village, or city  
22 clerk to the ~~state treasurer~~ secretary of administration who shall add the amount  
23 designated to the sum due from the company owning, occupying, or controlling the  
24 lands specified. The ~~state treasurer~~ secretary of administration shall collect the

1 amount chargeable as prescribed in subch. I of ch. 76 and return the amount collected  
2 to the town, city, or village from which the certification was received.

3 **SECTION 121.** 69.22 (1) (c) of the statutes is amended to read:

4 69.22 (1) (c) Twelve dollars for issuing an uncertified copy of a birth certificate  
5 or a certified copy of a birth certificate, \$7 of which shall be forwarded to the state  
6 ~~treasurer~~ secretary of administration as provided in sub. (1m) and credited to the  
7 appropriations under s. 20.433 (1) (g) and (h); and \$3 for issuing any additional  
8 certified or uncertified copy of the same birth certificate issued at the same time.

9 **SECTION 122.** 69.22 (1m) of the statutes is amended to read:

10 69.22 (1m) The state registrar and any local registrar acting under this  
11 subchapter shall, for each copy of a birth certificate for which a fee under sub. (1) (c)  
12 is charged that is issued during a calendar quarter, forward to the ~~state treasurer~~  
13 secretary of administration for deposit in the appropriations under s. 20.433 (1) (g)  
14 and (h) the amounts specified in sub. (1) (c) by the 15th day of the first month  
15 following the end of the calendar quarter.

16 **SECTION 123.** 70.385 of the statutes is amended to read:

17 **70.385 Collection of the tax.** All taxes as evidenced by the report under s.  
18 70.38 (1) are due and payable to the department on or before June 15, and shall be  
19 deposited by the department with the ~~state treasurer~~ secretary of administration.

20 **SECTION 124.** 70.39 (4) (b) of the statutes is amended to read:

21 70.39 (4) (b) The clerk of circuit court shall enter the warrant as a delinquent  
22 income or franchise tax warrant as required under s. 806.11. The clerk of circuit  
23 court shall accept, file, and enter the warrant without prepayment of any fee, but  
24 shall submit a statement of the proper fees within 30 days to the department of  
25 revenue. ~~The fees shall be paid by the state treasurer upon~~ Upon audit by the

1 department of administration on the certificate of the secretary of revenue, the  
2 secretary of administration shall pay the fees and the fees shall be charged to the  
3 proper appropriation for the department of revenue.

4 **SECTION 125.** 71.10 (5) (h) (intro.) of the statutes is amended to read:

5 71.10 (5) (h) *Certification of amounts.* (intro.) Annually, on or before September  
6 15, the secretary of revenue shall certify to the department of natural resources, and  
7 the department of administration ~~and the state treasurer:~~

8 **SECTION 126.** 71.10 (5e) (h) (intro.) of the statutes is amended to read:

9 71.10 (5e) (h) *Certification of amounts.* (intro.) Annually, on or before  
10 September 15, the secretary of revenue shall certify to the district board under  
11 subch. IV of ch. 229, and the department of administration ~~and the state treasurer:~~

12 **SECTION 127.** 71.30 (10) (h) (intro.) of the statutes is amended to read:

13 71.30 (10) (h) *Certification of amounts.* (intro.) Annually, on or before  
14 September 15, the secretary of revenue shall certify to the department of natural  
15 resources, and the department of administration ~~and the state treasurer:~~

16 **SECTION 128.** 71.74 (13) (a) of the statutes is amended to read:

17 71.74 (13) (a) If the tax is increased the department shall proceed to collect the  
18 additional tax in the same manner as other income or franchise taxes are collected.  
19 If the income or franchise taxes are decreased upon direction of the department the  
20 ~~state treasurer~~ secretary of administration shall refund to the taxpayer such part of  
21 the overpayment as was actually paid in cash, and the certification of the  
22 overpayment by the department shall be sufficient authorization to the ~~treasurer~~  
23 secretary of administration for the refunding of the overpayment. No refund of  
24 income or franchise tax shall be made by the ~~treasurer~~ secretary of administration  
25 unless the refund is so certified. The part of the overpayment paid to the county and

1 the local taxation district shall be deducted by the ~~state treasurer~~ secretary of  
2 administration in the treasurer's secretary's next settlement with the county and  
3 local treasurer.

4 **SECTION 129.** 71.74 (13) (b) of the statutes is amended to read:

5 71.74 (13) (b) No action or proceeding whatsoever shall be brought against the  
6 state or the ~~treasurer thereof~~ secretary of administration for the recovery, refund, or  
7 credit of any income or surtaxes; except in case the ~~state treasurer~~ secretary of  
8 administration shall neglect or refuse for a period of 60 days to refund any  
9 overpayment of any income or surtaxes certified, the taxpayer may maintain an  
10 action to collect the overpayment against the ~~treasurer~~ secretary of administration  
11 so neglecting or refusing to refund such overpayment, without filing a claim for  
12 refund with ~~such treasurer~~ the secretary of administration, provided that such  
13 action shall be commenced within one year after the certification of such  
14 overpayment.

15 **SECTION 130.** 71.74 (14) of the statutes is amended to read:

16 71.74 (14) ADDITIONAL REMEDY TO COLLECT TAX. The department may also  
17 proceed under s. 71.91 (5) for the collection of any additional assessment of income  
18 or franchise taxes or surtaxes, after notice thereof has been given under sub. (11) and  
19 before the same shall have become delinquent, when it has reasonable grounds to  
20 believe that the collection of such additional assessment will be jeopardized by delay.  
21 In such cases notice of the intention to so proceed shall be given by registered mail  
22 to the taxpayer, and the warrant of the department shall not issue if the taxpayer  
23 within 10 days after such notice furnishes a bond in such amount, not exceeding  
24 double the amount of the tax, and with such sureties as the department shall  
25 approve, conditioned upon the payment of so much of the additional taxes as shall

1 finally be determined to be due, together with interest thereon as provided by s. 71.82  
2 (1) (a). Nothing in this subsection shall affect the review of additional assessments  
3 provided by ss. 71.88 (1) (a) and (2) (a), 71.89 (2), 73.01, and 73.015, and any amounts  
4 collected under this subsection shall be deposited with the ~~state treasurer~~ secretary  
5 of administration and disbursed after final determination of the taxes as are  
6 amounts deposited under s. 71.90 (2).

7 **SECTION 131.** 71.80 (1) (e) of the statutes is amended to read:

8 71.80 (1) (e) Representatives of the department directed by it to accept  
9 payment of income or franchise taxes shall file bonds with the ~~state treasurer~~  
10 secretary of administration in such amount and with such sureties as the state  
11 treasurer shall direct and approve.

12 **SECTION 132.** 71.80 (16) (b) of the statutes is amended to read:

13 71.80 (16) (b) A construction contractor required to file a surety bond under par.  
14 (a) may, in lieu of such requirement, but subject to approval by the department,  
15 deposit with the ~~state treasurer~~ secretary of administration an amount of cash equal  
16 to the face of the bond that would otherwise be required. If an offer to deposit is made,  
17 the department shall issue a certificate to the ~~state treasurer~~ secretary of  
18 administration authorizing said ~~treasurer~~ secretary to accept payment of such  
19 moneys and to give his or her receipt therefor. A copy of such certificate shall be  
20 mailed to the contractor who shall, within the time fixed by the department, pay such  
21 amount to ~~said treasurer~~ the secretary of administration. A copy of the receipt of the  
22 ~~state treasurer~~ secretary of administration shall be filed with the department. Upon  
23 final determination by the department of such contractor's liability for state income  
24 or franchise taxes, required unemployment insurance contributions, sales and use  
25 taxes, and income taxes withheld from wages of employees, interest and penalties,



1 by reason of such contract or contracts, the department shall certify to the state  
2 ~~treasurer~~ secretary of administration the amount of taxes, penalties, and interest as  
3 finally determined, shall instruct the ~~treasurer~~ secretary of administration as to the  
4 proper distribution of such amount, and shall state the amount, if any, to be refunded  
5 to such contractor. The ~~state treasurer~~ secretary of administration shall make the  
6 payments directed by such certificate within 30 days after receipt thereof. Amounts  
7 refunded to the contractor shall be without interest.

8 **SECTION 133.** 71.80 (17) of the statutes is amended to read:

9 71.80 (17) TAX RECEIPTS TRANSMITTED TO ~~STATE TREASURER~~ THE SECRETARY OF  
10 ADMINISTRATION. Within 15 days after receipt of any income or franchise tax  
11 payments, the department shall transmit the same to the ~~state treasurer~~ secretary  
12 of administration. *as affected by 2003 Wisconsin Act ... (this act),*  
*as affected by this act*

13 **SECTION 134.** 71.90 (2) of the statutes *is* amended to read:

14 71.90 (2) DEPOSIT WITH THE ~~STATE TREASURER~~ SECRETARY OF ADMINISTRATION. At *of*  
15 any time while the petition is pending before the *office of the commissioner of* ~~tax appeals~~ *commission* or an  
16 appeal in regard to that petition is pending in a court, the taxpayer may offer to  
17 deposit the entire amount of the additional taxes, together with interest, with the  
18 ~~state treasurer~~ secretary of administration. If an offer to deposit is made, the  
19 department of revenue shall issue a certificate to the ~~state treasurer~~ secretary of  
20 administration authorizing the ~~treasurer~~ secretary to accept payment of such taxes  
21 together with interest to the first day of the succeeding month and to give a receipt.  
22 A copy of the certificate shall be mailed to the taxpayer who shall pay the taxes and  
23 interest to the ~~treasurer~~ secretary of administration within 30 days. A copy of the  
24 receipt of the ~~state treasurer~~ secretary of administration shall be filed with the  
25 department. The department shall, upon final determination of the appeal, certify

1 to the ~~state treasurer~~ secretary of administration the amount of the taxes as finally  
2 determined and direct the ~~state treasurer~~ secretary of administration to refund to  
3 the appellant any portion of such payment which has been found to have been  
4 improperly assessed, including interest. The ~~state treasurer~~ secretary of  
5 administration shall make the refunds directed by the certificate within 30 days  
6 after receipt. Taxes paid to the ~~state treasurer~~ secretary of administration under this  
7 subsection shall be subject to the interest provided by ss. 71.82 and 71.91 (1) (c) only  
8 to the extent of the interest accrued on the taxes prior to the first day of the month  
9 succeeding the application for hearing. Any portion of the amount deposited with the  
10 ~~state treasurer~~ secretary of administration which is refunded to the taxpayer shall  
11 bear interest at the rate of 9% per year during the time that the funds are on deposit.

12 **SECTION 135.** 71.91 (5) (h) of the statutes is amended to read:

13 71.91 (5) (h) All fees and compensation of officials or other persons performing  
14 any act or functions required in carrying out this subchapter, except such as are by  
15 this subchapter to be paid to such officials or persons by the taxpayer, shall, upon  
16 presentation to the department of revenue of an itemized and verified statement of  
17 the amount due, be paid ~~by the state treasurer~~, upon audit by the department of  
18 administration on the certificate of the secretary of revenue, by the secretary of  
19 administration and charged to the proper appropriation for the department of  
20 revenue. No public official shall be entitled to demand prepayment of any fee for the  
21 performance of any official act required in carrying out this subchapter.

22 **SECTION 136.** 71.91 (7) (e) of the statutes is amended to read:

23 71.91 (7) (e) Paragraphs (b) to (d) shall apply in any case in which the employer  
24 is the United States or any instrumentality thereof or this state or any municipality  
25 or other subordinate unit thereof except those provisions imposing a liability on the

1 employer for failure to withhold or remit. But an amount equal to any amount  
2 withheld by any municipality or other subordinate unit of this state under this  
3 subsection and not remitted to the department as required by this subsection shall  
4 be retained by the ~~state treasurer~~ secretary of administration from funds otherwise  
5 payable to any such municipality or subordinate unit, and transmitted instead to the  
6 department, upon certification by the secretary of revenue.

7 **SECTION 137.** 72.24 of the statutes is amended to read:

8 **72.24 Refunding.** Whenever any amount has been paid in excess of the tax  
9 determined, the ~~state treasurer~~ secretary of administration, upon certification by  
10 the department or circuit court, shall refund the excess to the payor or other person  
11 entitled thereto.

12 **SECTION 138.** 73.03 (6) of the statutes is amended to read:

13 **73.03 (6)** In its discretion to inspect and examine or cause an inspection and  
14 examination of the records of any town, city, village, or county officer whenever such  
15 officer shall have failed or neglected to return properly the information as required  
16 by sub. (5), within the time set by the department of revenue. Upon the completion  
17 of such inspection and examination the department of revenue shall transmit to the  
18 clerk of the town, city, village, or county a statement of the expenses incurred by the  
19 department of revenue to secure the necessary information. Duplicates of such  
20 statements shall be filed in the office of the ~~department~~ secretary of administration  
21 and ~~state treasurer~~. Within 60 days after the receipt of the above statement, the  
22 same shall be audited, as other claims of towns, cities, villages, and counties are  
23 audited, and shall be paid into the state treasury, in default of which the same shall  
24 become a special charge against such town, city, village, or county and be included  
25 in the next apportionment or certification of state taxes and charges, and collected

1 with interest at the rate of 10% per year from the date such statements were certified  
2 by the department, as other special charges are certified and collected.

3 **SECTION 139.** 73.10 (6) of the statutes is amended to read:

4 73.10 (6) The department may establish a scale of charges for audits,  
5 inspections, and other services rendered by the department in connection with  
6 financial records or procedures of towns, villages, cities, counties, and all other local  
7 public bodies, boards, commissions, departments, or agencies. Upon the completion  
8 of such work or, at the department's discretion, during work in progress, the  
9 department shall transmit to the clerk of the town, village, city, county, or other local  
10 public body, board, commission, department, or agency a statement of such charges.  
11 Duplicates of the statements shall be filed in the ~~offices~~ office of the ~~state treasurer~~  
12 secretary of administration. Within 60 days after the receipt of the above statement  
13 of charges, it shall be audited as other claims against towns, villages, cities, counties,  
14 and other local public bodies, boards, commissions, departments, or agencies are  
15 audited, and it shall be paid into the state treasury and credited to the appropriation  
16 under s. 20.566 (2) (gi). Past due accounts of towns, villages, cities, counties, and all  
17 other local public bodies, boards, commissions, departments, or agencies shall be  
18 certified on or before the 4th Monday of August of each year and included in the next  
19 apportionment of state special charges to local units of government.

20 **SECTION 140.** 74.25 (1) (a) 5. of the statutes is amended to read:

21 74.25 (1) (a) 5. Pay to the ~~state treasurer~~ secretary of administration all  
22 collections of occupational taxes on mink farms, 30% of collections of occupational  
23 taxes on iron ore concentrates, and 10% of collections of occupational taxes on coal  
24 docks.

25 **SECTION 141.** 74.27 of the statutes is amended to read: