



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-0529/4
RAC:kmg:ch

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

1 AN ACT ...; relating to: the budget.

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.

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).~~ 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.

9 **SECTION 24.** 16.415 (1) of the statutes, as affected by 2003 Wisconsin Act
10 (this act), is amended to read:

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

****NOTE: This is reconciled s. 16.415 (1). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0529 and LRB-0576.

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

1 16.53 (5) WARRANTS; WHAT TO SPECIFY. The secretary shall draw a warrant on
2 the state ~~treasurer~~ treasury payable to the claimant for the amount allowed by the
3 secretary upon every claim audited under sub. (1), except as authorized in s. 16.52
4 (7), 20.920, or 20.929, specifying from what fund to be paid, the particular law ~~which~~
5 that authorizes the claim to be paid out of the state treasury, and at the secretary's
6 discretion the post-office address of the payee. ~~The secretary shall not credit the~~
7 ~~treasurer for any sum of money paid out by the treasurer~~ No moneys may be paid out
8 of the state treasury under this section otherwise than upon such warrants.

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

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

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

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

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

11 18.60 (3) The principal proceeds from the sale of any refunding obligations
12 shall be applied either to the immediate payment and retirement of the obligations
13 or notes being refinanced or, if the obligations or notes have not matured and are not
14 presently redeemable, to the creation of a trust for and shall be pledged to the
15 payment of the obligations or notes being refinanced. If a trust is created, a separate
16 deposit shall be made for each issue of obligations or notes being refinanced. Each
17 deposit shall be with the ~~state treasurer~~ secretary of administration or a bank or
18 trust company that is then a member of the federal deposit insurance corporation.
19 If the total amount of any deposit, including money other than sale proceeds but
20 legally available for such purpose, is less than the principal amount of the obligations
21 or notes being refinanced and for the payment of which the deposit has been created
22 and pledged, together with applicable redemption premiums and interest accrued
23 and to accrue to maturity or to the date of redemption, then the application of the sale
24 proceeds shall be legally sufficient only if the money deposited is invested in
25 securities issued by the United States or one of its agencies, or securities fully

1 guaranteed by the United States, and only if the principal amount of the securities
2 at maturity and the income therefrom to maturity will be sufficient and available,
3 without the need for any further investment or reinvestment, to pay at maturity or
4 upon redemption the principal amount of the obligations or notes being refinanced
5 together with applicable redemption premiums and interest accrued and to accrue
6 to maturity or to the date of redemption. The income from the principal proceeds of
7 the securities shall be applied solely to the payment of the principal of and interest
8 and redemption premiums on the obligations or notes being refinanced, but
9 provision may be made for the pledging and disposition of any surplus. Nothing in
10 this subsection shall be construed as a limitation on the duration of any deposit in
11 trust for the retirement of obligations or notes being refinanced, but which have not
12 matured and which are not presently redeemable. Nothing in this subsection shall
13 be construed to prohibit reinvestment of the income of a trust if the reinvestments
14 will mature at such times that sufficient cash will be available to pay interest,
15 applicable premiums, and principal on the obligations or notes being refinanced.

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

17 19.43 (7) If an official required to file fails to make a timely filing, the board
18 shall promptly provide notice of the delinquency to the ~~state treasurer~~ secretary of
19 administration, and to the chief executive of the department of which the official's
20 office or position is a part, or, in the case of a district attorney, to the chief executive
21 of that department and to the county clerk of each county served by the district
22 attorney or in the case of a municipal judge to the clerk of the municipality of which
23 the official's office is a part, or in the case of a justice, court of appeals judge, or circuit
24 judge, to the director of state courts. Upon such notification both the ~~state treasurer~~
25 secretary of administration and the department, municipality, or director shall

1 withhold all payments for compensation, reimbursement of expenses, and other
2 obligations to the official until the board notifies the officers to whom notice of the
3 delinquency was provided that the official has complied with this section.

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

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

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

11 20.435 (6) (gb) *Alcohol and drug abuse initiatives.* All moneys received ~~from~~
12 ~~the state treasurer~~ under s. 961.41 (5) (c), to be expended on programs providing
13 prevention, intervention, and treatment for alcohol and other drug abuse problems.

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

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

1 the superintendent of public instruction, the attorney general, and the president of
2 the University of Wisconsin System.

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

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

12 **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.

13 **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.

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

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

1 the treasury shall be credited to the general purpose revenues of the general fund
2 unless otherwise specifically provided by law.

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

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

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

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

1 from the department of administration, any appropriations from state revenues to
2 the state agency shall permanently revert to the fund from which appropriated.

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

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

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

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

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

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

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

23 20.907 (5) (b) Paragraph (a) does not apply whenever the disposition of moneys
24 is otherwise provided by law or whenever a state agency receives moneys incident
25 to an authorized activity ~~which~~ that are not appropriated and not directed to be

1 deposited with the ~~state treasurer~~ secretary of administration and the agency
2 promulgates a rule ~~which~~ that prescribes procedures in accordance with ch. 34 for
3 the deposit of the moneys.

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

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

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

13 20.907 (5) (d) Each account under this subsection shall be established in the
14 appropriate fund, as determined by the ~~state treasurer~~ secretary of administration.

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

16 20.907 (5) (e) 12e. Credit card interchange and association fees.

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

18 20.907 (5) (e) 12r. Transfers from the income account of the state investment
19 fund, to pay bank service costs under s. 34.045 (1) (b).

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

21 20.912 (1) CANCELLATION OF OUTSTANDING CHECKS AND SHARE DRAFTS. If any
22 check, share draft, or other draft drawn and issued by ~~the state treasurer~~ upon the
23 funds of the state in any state depository is not paid within the time period
24 designated by the ~~state treasurer~~ secretary of administration under s. 14.58 (12)
25 16.401 (10) as shown on the check or other draft, the ~~state treasurer~~ secretary of

1 administration shall cancel the check or other draft and credit the amount thereof
2 to the fund on which it is drawn.

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

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

11 **SECTION 49.** 20.912 (4) of the statutes, as affected by 2003 Wisconsin Act
12 (this act), is amended to read:

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

****NOTE: This is reconciled s. 20.912 (4). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0529 and LRB-1431.

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

2 **20.912 (5) LOST, STOLEN, OR DESTROYED CHECKS, SHARE DRAFTS, AND OTHER DRAFTS.**

3 If any check, share draft, or other draft drawn and issued by the ~~state treasurer~~
4 secretary of administration is lost, stolen, or destroyed and the bank, savings and
5 loan association, savings bank, or credit union on which the check, share draft, or
6 other draft is drawn has been notified to stop payment thereon, the ~~state treasurer~~
7 secretary of administration may, after acknowledgment by the bank, savings and
8 loan association, savings bank, or credit union that the check, share draft, or other
9 draft has not been paid, issue a replacement check, share draft, or other draft and
10 thereafter the ~~state treasurer~~ secretary of administration shall be relieved from all
11 liability thereon.

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

13 **20.920 (2) (a)** With the approval of the secretary ~~and state treasurer~~, each state
14 agency may establish a contingent fund. The secretary shall determine the funding
15 source for each contingent fund, total amount of the fund, and maximum payment
16 from the fund.

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

18 **20.929 Agency drafts or warrants.** The secretary of administration may
19 authorize any state agency to issue drafts or warrants drawn on the state treasury.
20 Such drafts or warrants may be issued only in connection with purchase orders
21 authorized under subch. IV of ch. 16 and may not exceed \$300 per draft or warrant.
22 The ~~state treasurer~~ secretary shall pay such drafts or warrants as presented. ~~The~~
23 ~~secretary of administration~~ and shall audit the purchase orders issued. Any
24 purchase order that is disapproved by the secretary as unlawful or unauthorized
25 shall be returned by the secretary to the state agency for reimbursement to the ~~state~~

1 ~~treasurer~~ treasury. The secretary shall make written regulations for the
2 implementation of this section. The secretary may require any state agency to utilize
3 one or more separate depository accounts to implement this section. The illegal or
4 unauthorized use of purchase orders and drafts or warrants under this section is
5 subject to the remedies specified in s. 16.77.

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

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

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

15 **23.49 Credit card use charges.** The department shall certify to the state
16 ~~treasurer~~ secretary of administration the amount of charges associated with the use
17 of credit cards that is assessed to the department on deposits accepted under s. 23.66
18 (1m) by conservation wardens, and the ~~state treasurer~~ secretary of administration
19 shall pay the charges from moneys received under s. 59.25 (3) (j) and (k) that are
20 reserved for payment of the charges under s. ~~14.58 (21)~~ 20.907 (5) (e) 12e.

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

22 **23.85 Statement to county board; payment to state.** Every county
23 treasurer shall, on the first day of the annual meeting of the county board of
24 supervisors, submit to it a verified statement of all forfeitures, penalty assessments,
25 jail assessments, weapons assessments, environmental assessments, wild animal

1 protection assessments, natural resources assessments, fishing shelter removal
2 assessments, snowmobile registration restitution payments, and natural resources
3 restitution payments money received during the previous year. The county clerk
4 shall deduct all expenses incurred by the county in recovering those forfeitures,
5 penalty assessments, weapons assessments, environmental assessments, wild
6 animal protection assessments, natural resources assessments, fishing shelter
7 removal assessments, snowmobile registration restitution payments, and natural
8 resources restitution payments from the aggregate amount so received, and shall
9 immediately certify the amount of clear proceeds of those forfeitures, penalty
10 assessments, weapons assessments, environmental assessments, wild animal
11 protection assessments, natural resources assessments, fishing shelter removal
12 assessments, snowmobile registration restitution payments, and natural resources
13 restitution payments to the county treasurer, who shall pay the proceeds to the state
14 ~~treasurer~~ as provided in s. 59.25 (3). Jail assessments shall be treated separately as
15 provided in s. 302.46.

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

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

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

24 24.17 (2) When the sale is wholly for cash, upon payment as above provided,
25 the ~~treasurer~~ secretary of administration shall thereupon give to such purchaser a

1 receipt stating the amount paid and giving a description of the lot or tract of land sold
2 and that such purchaser is entitled to receive a patent according to law.

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

4 **24.20 Payments and accounts.** All money paid on account of sales of public
5 lands shall be paid to the ~~state treasurer~~ secretary of administration who shall credit
6 the proper fund therewith, crediting the general fund with the proceeds of sales of
7 Marathon County lands, and the secretary of administration or the secretary's
8 designee, upon countersigning the receipt given therefor, shall ~~charge the treasurer~~
9 ~~therewith, and shall also~~ enter the name of the person paying the same, the number
10 of the certificate, if any, upon which the amount shall be paid, and the time of the
11 payment.

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

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

1 before the date thereof, the title to the land described therein shall inure to and
2 become vested in the heirs, devisees, or assignees of such person to the same extent
3 as if the patent had issued to that person during that person's lifetime.

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

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

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

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

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

2 24.33 (1) (c) Payment is made to the ~~treasurer~~ secretary of administration in
3 the amount actually due on the first certificate at the time of the resale, with interest,
4 costs, and charges, and with interest on the amount for which the land was sold at
5 the rate of 10% per year.

6 **SECTION 63.** 24.61 (2) (b) of the statutes, as affected by 2003 Wisconsin Act
7 (this act), is amended to read:

8 24.61 (2) (b) *Deposited with ~~state treasurer~~ secretary of administration.* All
9 bonds, notes, and other securities purchased under par. (a) shall be deposited with
10 the ~~state treasurer~~ secretary of administration.

 ***NOTE: This is reconciled s. 24.61 (2) (b). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0529, LRB-0714, and LRB-1847.

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

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

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

1 24.69 (1) The board may sell state trust fund loans or participations therein,
2 and may contract to do so at a future date, for such price, upon such other terms and
3 in such manner as the board may determine. The sale may be to any person,
4 including, without limitation, a trust or other investment vehicle created for the
5 purpose of attracting private investment capital. The board shall remit the proceeds
6 of the sale to the ~~state treasurer~~ secretary of administration for deposit in the
7 appropriate trust fund and shall invest the proceeds in accordance with s. 24.61.

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

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

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

18 24.70 (4) PAYMENT TO ~~STATE TREASURER~~ SECRETARY OF ADMINISTRATION. The
19 treasurer of each municipality shall transmit to the ~~state treasurer~~ secretary of
20 administration on his or her order the full amount levied for state trust fund loans
21 within 15 days after March 15. Each cooperative educational service agency shall
22 similarly transmit the annual amount owed on any state trust fund loan made to the
23 agency by that date. The ~~state treasurer~~ secretary of administration shall notify the
24 board when he or she receives payment. Any payment not made by March 30 is

1 delinquent and is subject to a penalty of one percent per month to be paid to the ~~state~~
2 ~~treasurer~~ secretary of administration with the delinquent payment.

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

4 24.70 (6) FAILURE TO MAKE PAYMENTS. If any municipality fails to remit the
5 amount due by the date specified under sub. (4), the board may file a certified
6 statement of the ~~amount~~ delinquent amount with the department of administration.
7 The ~~department~~ secretary of administration shall collect the amount due, including
8 any penalty, by deducting that amount from any state payments due the
9 municipality, ~~shall remit that amount to the state treasurer~~ and shall notify the
10 treasurer and the board of that action.

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

12 24.71 (2) CERTIFIED STATEMENT. If a school district has a state trust fund loan,
13 the board shall transmit to the school district clerk a certified statement of the
14 amount due on or before October 1 of each year until the loan is paid. The board shall
15 furnish a copy of each certified statement to the ~~state treasurer~~ secretary of
16 administration and the department of public instruction.

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

18 24.71 (4) ~~PAYMENT TO STATE TREASURER~~ SECRETARY OF ADMINISTRATION. The school
19 district treasurer shall transmit to the ~~state treasurer on his or her own order~~
20 secretary of administration the full amount levied for state trust fund loans within
21 15 days after March 15. The ~~state treasurer~~ secretary of administration shall notify
22 the board when he or she receives payment. Any payment not made by March 30 is
23 delinquent and is subject to a penalty of one percent per month or fraction thereof,
24 to be paid to the ~~state treasurer~~ secretary of administration with the delinquent
25 payment.

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

2 24.71 (5) **FAILURE TO MAKE PAYMENT.** If the school district treasurer fails to remit
3 the amounts due under sub. (4), the state superintendent, upon certification of
4 delinquency by the board, shall deduct the amount due including any penalty from
5 any school aid payments due the school district, shall remit such amount to the ~~state~~
6 ~~treasurer~~ secretary of administration and, no later than June 15, shall notify the
7 school district treasurer and the board to that effect.

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

9 25.14 (3) The department of administration, upon consultation with the board,
10 shall distribute all earnings, profits, or losses of the state investment fund to each
11 participating fund in the same ratio as each participating fund's average daily
12 balance within the state investment fund bears to the total average daily balance of
13 all participating funds, except as provided in s. ~~14.58 (19)~~ 16.401 (14) and except that
14 the department of administration shall credit to the appropriation account under s.
15 ~~20.585 (1) (j)~~ 20.505 (1) (kj) an amount equal to the amount assessed under s. 25.19
16 (3) from the earnings or profits of the funds against which an assessment is made.
17 Distributions under this section shall be made at such times as the department of
18 administration may determine, but must be made at least semiannually in each
19 complete fiscal year of operation.

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

21 25.17 (61) Designate special depositories in which the secretary of
22 administration or the state treasurer may make special deposits of funds, not
23 exceeding the amount limited by the board, which shall be deposited subject to the
24 depository's rules and regulations relative to either savings accounts, time
25 certificates of deposit, or open time accounts, as the case may be.

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

2 25.19 (3) ~~The state treasurer~~ secretary of administration shall, at the direction
3 of the depository selection board under s. 34.045 (1) (b), allocate bank service costs
4 to the funds incurring those costs.

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

6 25.19 (4) ~~The state treasurer~~ secretary of administration shall provide advice
7 to state agencies concerning efficient cash management practices.

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

9 25.31 (1) First: The principal of said trust fund shall be held by the state
10 ~~treasurer~~ secretary of administration, and be invested and reinvested as provided
11 in this chapter.

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

13 25.40 (1) (a) 6. Amounts payable to the ~~state treasurer~~ secretary of
14 administration under s. 85.14 (1) (b) in conjunction with the collection of fees paid
15 by credit card.

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

17 26.14 (4) Emergency fire wardens or those assisting them in the fighting of
18 forest fires shall prepare itemized accounts of their services and the services of those
19 employed by them, as well as other expenses incurred, on blanks to be furnished by
20 the department and in a manner prescribed by the department, and make oaths or
21 affirmation that said account is just and correct, which account shall be forwarded
22 and approved for payment by the department. As soon as any such account has been
23 paid by the ~~state treasurer~~ secretary of administration the department of natural
24 resources shall send to the proper county treasurer a bill for the county's share of
25 such expenses ~~and a copy of the bill shall be filed with the department of~~

1 ~~administration.~~ The county shall have 60 days within which to pay such bill, but if
2 not paid within that time the county shall be liable for interest at the rate of 6% per
3 year. If payment is not made within 60 days the department of administration shall
4 include such amount as a part of the next levy against the county for state taxes, but
5 no county shall be required to pay more than \$5,000 in any one year. Any unpaid levy
6 under this section shall remain a charge against the county and the department of
7 administration shall include such unpaid sums in the state tax levy of the respective
8 counties in subsequent years.

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

10 26.30 (9) (b) (intro.) As soon as the expenses incurred by the state in forest pest
11 control work have been paid by the ~~state treasurer~~ secretary of administration, the
12 department shall send to each landowner a bill covering an equitable share of such
13 expenses as herein provided.

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

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

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

22 29.983 (1) (f) The clerk of the court shall collect and transmit to the county
23 treasurer the wild animal protection assessment and other amounts required under
24 s. 59.40 (2) (m). The county treasurer shall then make payment to the ~~state treasurer~~
25 secretary of administration as provided in s. 59.25 (3) (f) 2.

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

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

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

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

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

13 29.985 (1) (d) The clerk of the court shall collect and transmit to the county
14 treasurer the fishing shelter removal assessment and other amounts required under
15 s. 59.40 (2) (m). The county treasurer shall then make payment to the ~~state treasurer~~
16 secretary of administration as provided in s. 59.25 (3) (f) 2.

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

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

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

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

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

7 29.989 (1) (c) If any deposit is made for an offense to which this section applies,
8 the person making the deposit shall also deposit a sufficient amount to include the
9 natural resources restitution payment prescribed in this section. If the deposit is
10 forfeited, the amount of the natural resources restitution payment shall be
11 transmitted to the ~~state treasurer~~ secretary of administration under par. (d). If the
12 deposit is returned, the natural resources restitution payment shall also be returned.

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

14 29.989 (1) (d) The clerk of the court shall collect and transmit to the county
15 treasurer the natural resources restitution payment and other amounts required
16 under s. 59.40 (2) (m). The county treasurer shall then make payment to the ~~state~~
17 ~~treasurer~~ secretary of administration as provided in s. 59.25 (3) (f) 2. ~~The state~~
18 ~~treasurer~~ secretary of administration shall deposit the amount of the natural
19 resources restitution payment in the conservation fund.

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

21 34.045 (1) (b) Establish procedures by which state agencies and departments
22 pay for services through compensating balances or fees, or a combination of both
23 methods. ~~In the case of the state treasurer's accounts, direct the state treasurer~~
24 Direct the secretary of administration to maintain compensating balances, or direct
25 the investment board to pay bank service costs as allocated by the ~~state treasurer~~

1 secretary of administration under s. 25.19 (3) directly from the income account of the
2 state investment fund, or by a combination of such methods.

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

4 34.08 (2) Payments under sub. (1) shall be made in the order in which
5 satisfactory proofs of loss are received by the division of banking. The payment made
6 to any public depositor for all losses of the public depositor in any individual public
7 depository may not exceed \$400,000 above the amount of deposit insurance provided
8 by an agency of the United States or by the Wisconsin Credit Union Savings
9 Insurance Corporation at the public depository which experienced the loss. Upon a
10 satisfactory proof of loss, the division of banking shall direct the department of
11 administration to draw its warrant payable from the appropriation under s. 20.144
12 (1) (a) and the ~~state treasurer~~ secretary of administration shall pay the warrant
13 under s. ~~14.58~~ 16.401 (4) in favor of the public depositor that has submitted the proof
14 of loss.

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

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

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

24 38.36 (6) The district board may file a claim with the department of public
25 instruction for reimbursement for reasonable expenses incurred, excluding capital

1 equipment costs, but not to exceed 15% of the cost of the meal or 50 cents per meal,
2 whichever is less. Any cost in excess of the lesser amount may be charged to
3 participants. If the department of public instruction approves the claim, it shall
4 certify that payment is due and the ~~state treasurer~~ secretary of administration shall
5 pay the claim from the appropriation under s. 20.255 (2) (cn).

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

7 40.04 (3) (c) The department shall advise the investment board and the ~~state~~
8 ~~treasurer~~ secretary of administration as to the limitations on the amounts of cash to
9 be invested from investment trusts under this subsection in order to maintain the
10 cash balances deemed advisable to meet current annuity, benefit and expense
11 requirements.

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

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

1 Appropriate records of such purchases shall be kept and necessary reports thereon
2 shall be made to the state superintendent.

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

4 45.37 (11) DISPOSITION OF PROPERTY DESCENDING TO STATE. If a member dies
5 without a relative that is entitled to an interest in the property of the member under
6 the rules of intestate succession and without leaving a will the existence of which is
7 made known to the commandant of the home within 60 days of the member's death,
8 the member's property shall be converted to cash and turned over by the
9 commandant of the home to the ~~state treasurer~~ secretary of administration to be paid
10 into the appropriation under s. 20.485 (1) (h), without administration. The amount
11 is subject to refund within 6 years to the estate of a veteran if it is subsequently
12 discovered that the veteran left a will or a relative that is entitled to an interest in
13 the property of the member under the rules of intestate succession or to any creditor
14 of the veteran who establishes right to the fund or property or any portion thereof.
15 The department, upon being satisfied that a claim out of such funds or property is
16 legal and valid, shall pay the same out of such funds or property, except that payment
17 of claims for a member's funeral and burial expenses may not exceed a total of \$1,500
18 including any amount allowed by the United States for the member's funeral and
19 burial and the right for burial and interment provided in sub. (15) (a).

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

21 46.973 (3) The department may accept, receive, administer, and expend any
22 money, material, or other gifts or grants of any description for purposes related to
23 those set forth in this section. Moneys and grants received under this section shall
24 be deposited with the ~~state treasurer~~ secretary of administration and shall be

1 credited to the department under s. 20.435 (2) (i) and expended by the department
2 or the state council on alcohol and other drug abuse for the purposes specified.

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

4 48.275 (2) (d) 1. In a county having a population of less than 500,000,
5 reimbursement payments shall be made to the clerk of courts of the county where the
6 proceedings took place. Each payment shall be transmitted to the county treasurer,
7 who shall deposit 25% of the amount paid for state-provided counsel in the county
8 treasury and transmit the remainder to the ~~state treasurer~~ secretary of
9 administration. Payments transmitted to the ~~state treasurer~~ secretary of
10 administration shall be deposited in the general fund and credited to the
11 appropriation account under s. 20.550 (1) (L). The county treasurer shall deposit
12 100% of the amount paid for county-provided counsel in the county treasury.

13 2. In a county having a population of 500,000 or more, reimbursement
14 payments shall be made to the clerk of courts of the county where the proceedings
15 took place. Each payment shall be transmitted to the ~~state treasurer~~ secretary of
16 administration, who shall deposit the amount paid in the general fund and credit
17 25% of the amount paid to the appropriation account under s. 20.435 (3) (gx) and the
18 remainder to the appropriation account under s. 20.550 (1) (L).

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

20 48.715 (3) (a) 3. A person against whom the department has assessed a
21 forfeiture shall pay that forfeiture to the department within 10 days after receipt of
22 notice of the assessment or, if that person contests that assessment under s. 48.72,
23 within 10 days after receipt of the final decision after exhaustion of administrative
24 review or, if that person petitions for judicial review under ch. 227, within 10 days
25 after receipt of the final decision after exhaustion of judicial review. The department

1 shall remit all forfeitures paid under this subdivision to the ~~state treasurer~~ secretary
2 of administration for deposit in the school fund.

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

4 49.19 (3) (b) If the county department under s. 46.215 or 46.22 finds a person
5 eligible for aid under this section, that county department shall, on a form to be
6 prescribed by the department, direct the payment of such aid by order upon the ~~state~~
7 ~~treasurer~~ secretary of administration. Payment of aid shall be made monthly, based
8 on a calendar month or fiscal month as defined by the department; except that the
9 director of the county department may, in his or her discretion for the purpose of
10 protecting the public, direct that the monthly allowance be paid in accordance with
11 sub. (5) (c).

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

13 49.19 (14) (b) If the ~~state treasurer~~ secretary of administration is unable to
14 issue a replacement check or draft requested under par. (a) because the original has
15 been paid, the department shall promptly authorize the issuance of a replacement
16 check or draft. If the ~~state treasurer~~ secretary of administration recovers the amount
17 of the original check or draft that amount shall be returned to the department. If the
18 ~~state treasurer~~ secretary of administration is unable to obtain recovery, the
19 department may pursue recovery.

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

21 49.498 (16) (g) All forfeitures, penalty assessments, and interest, if any, shall
22 be paid to the department within 10 days of receipt of notice of assessment or, if the
23 forfeiture, penalty assessment, and interest, if any, are contested under par. (f),
24 within 10 days of receipt of the final decision after exhaustion of administrative
25 review, unless the final decision is appealed and the order is stayed by court order

1 under sub. (19) (b). The department shall remit all forfeitures paid to the state
2 ~~treasurer~~ secretary of administration for deposit in the school fund. The department
3 shall deposit all penalty assessments and interest in the appropriation under s.
4 20.435 (6) (g).

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

6 49.687 (3) (a) That, as a condition of coverage for prescription drugs of a
7 manufacturer under s. 49.68, 49.683, or 49.685, the manufacturer shall make rebate
8 payments for each prescription drug of the manufacturer that is prescribed for and
9 purchased by persons who meet eligibility criteria under s. 49.68, 49.683, or 49.685,
10 to the ~~state treasurer~~ secretary of administration to be credited to the appropriation
11 under s. 20.435 (4) (je), each calendar quarter or according to a schedule established
12 by the department.

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

14 49.688 (6) (a) That, except as provided in sub. (7) (b), the manufacturer shall
15 make rebate payments for each prescription drug of the manufacturer that is
16 prescribed for and purchased by persons who meet criteria under sub. (2) (a) and
17 persons who meet criteria under sub. (2) (b) and have paid the deductible under sub.
18 (3) (b) 2. a., to the ~~state treasurer~~ secretary of administration to be credited to the
19 appropriation account under s. 20.435 (4) (j), each calendar quarter or according to
20 a schedule established by the department.

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

22 50.03 (5g) (c) 1. c. All forfeitures shall be paid to the department within 10 days
23 after receipt of notice of assessment or, if the forfeiture is contested under par. (f),
24 within 10 days after receipt of the final decision after exhaustion of administrative
25 review, unless the final decision is appealed and the order is stayed by court order

1 under s. 50.03 (11). The department shall remit all forfeitures paid under this
2 subdivision to the ~~state treasurer~~ secretary of administration for deposit in the
3 school fund.

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

5 50.034 (8) (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 106.** 50.035 (11) (d) of the statutes is amended to read:

12 50.035 (11) (d) All forfeitures shall be paid to the department within 10 days
13 after receipt of notice of assessment or, if the forfeiture is contested under par. (c),
14 within 10 days after receipt of the final decision after exhaustion of administrative
15 review, unless the final decision is appealed and the order is stayed by court order.
16 The department shall remit all forfeitures paid to the ~~state treasurer~~ secretary of
17 administration for deposit in the school fund.

18 **SECTION 107.** 50.04 (5) (f) of the statutes, as affected by 2003 Wisconsin Act
19 (this act), is amended to read:

20 50.04 (5) (f) *Forfeitures and forfeiture surcharges paid within 10 days.* All
21 forfeitures and forfeiture surcharges shall be paid to the department within 10 days
22 of receipt of notice of assessment or, if the forfeiture is contested under par. (e), within
23 10 days of receipt of the final decision after exhaustion of administrative review,
24 unless the final decision is appealed and the order is stayed by court order under s.
25 50.03 (11). The department shall remit all forfeitures paid to the ~~state treasurer~~

1 secretary of administration for deposit in the school fund and shall credit all
2 forfeiture surcharges to the appropriation account under s. 20.435 (6) (jm).

****NOTE: This is reconciled s. 50.04 (5) (f). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0529 and LRB-0203.

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

4 50.38 (4) All forfeitures shall be paid to the department within 10 days after
5 receipt of notice of assessment or, if the forfeiture is contested under sub. (3), within
6 10 days after receipt of the final decision after exhaustion of administrative review,
7 unless the final decision is appealed and the order is stayed by court order. The
8 department shall remit all forfeitures paid to the ~~state treasurer~~ secretary of
9 administration for deposit in the school fund.

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

11 50.55 (1) (e) All forfeitures shall be paid to the department within 10 days after
12 receipt of notice of assessment or, if the forfeiture is contested under par. (d), within
13 10 days after receipt of the final decision, unless the final decision is appealed and
14 the decision is in favor of the appellant. The department shall remit all forfeitures
15 paid to the ~~state treasurer~~ secretary of administration for deposit in the school fund.

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

17 50.98 (5) All forfeitures shall be paid to the department within 10 days after
18 receipt of notice of assessment or, if the forfeiture is contested under sub. (4), within
19 10 days after receipt of the final decision after exhaustion of administrative review,
20 unless the final decision is appealed and the order is stayed by court order under the
21 same terms and conditions as found in s. 50.03 (11). The department shall remit all
22 forfeitures paid to the ~~state treasurer~~ secretary of administration for deposit in the
23 school fund.

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

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

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

11 59.25 (3) (f) 2. For all court imposed fines and forfeitures required by law to be
12 deposited in the state treasury, the amounts required by s. 757.05 for the penalty
13 assessment surcharge, the amounts required by s. 165.755 for the crime laboratories
14 and drug law enforcement assessment, the amounts required by s. 167.31 (5) for the
15 weapons assessment, the amounts required by s. 973.045 for the crime victim and
16 witness assistance surcharge, the amounts required by s. 938.34 (8d) for the
17 delinquency victim and witness assistance surcharge, the amounts required by s.
18 973.046 for the deoxyribonucleic acid analysis surcharge, the amounts required by
19 s. 961.41 (5) for the drug abuse program improvement surcharge, the amounts
20 required by s. 100.261 for the consumer protection assessment, the amounts
21 authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055 (1) for the domestic abuse
22 assessment, the amounts required by s. 253.06 (4) (c) for the enforcement assessment
23 under the supplemental food program for women, infants and children, the amounts
24 required by s. 349.04 for the truck driver education assessment, the amounts
25 required by ss. 346.177, 346.495 and 346.65 (4r) for the railroad crossing

1 improvement assessment, the amounts required by s. 346.655 (2) (a) and (b) for the
2 driver improvement surcharge, the amounts required by s. 102.85 (4) for the
3 uninsured employer assessment, the amounts required by s. 299.93 for the
4 environmental assessment, the amounts required by s. 29.983 for the wild animal
5 protection assessment, the amounts required by ss. 29.987 and 169.46 (1) for the
6 natural resources assessment surcharge, the amounts required by s. 29.985 for the
7 fishing shelter removal assessment, the amounts required by s. 350.115 for the
8 snowmobile registration restitution payment, and the amounts required by ss.
9 29.989 and 169.46 (2) for natural resources restitution payments, transmit to the
10 ~~state treasurer~~ secretary of administration a statement of all moneys required by law
11 to be paid on the actions entered during the preceding month on or before the first
12 day of the next succeeding month, certified by the county treasurer's personal
13 signature affixed or attached thereto, and at the same time pay to the ~~state treasurer~~
14 secretary of administration the amount thereof.

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

16 59.25 (3) (k) Forward 40% of the state forfeitures, fines, and penalties under
17 ch. 348 to the ~~state treasurer~~ secretary of administration for deposit in the
18 transportation fund under s. 25.40 (1) (ig).

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

20 59.25 (3) (L) Forward all money received under s. 66.0114 (3) (c) to the ~~state~~
21 ~~treasurer~~ secretary of administration for deposit in the transportation fund under
22 s. 25.40 (1) (ig).

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

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

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

5 59.25 (3) (p) Pay to the ~~state treasurer~~ secretary of administration on his or her
6 order the state percentage of fees received from the clerk of the circuit court under
7 s. 59.40 (2) (m) and if any such moneys remain in his or her hands when he or she
8 is required to pay the state percentage of fees, pay such moneys therewith to the ~~state~~
9 ~~treasurer~~ secretary of administration.

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

11 59.40 (2) (m) Pay monthly to the ~~treasurer~~ secretary of administration for the
12 use of the state the state's percentage of the fees required to be paid on each civil
13 action, criminal action, and special proceeding filed during the preceding month and
14 pay monthly to the ~~treasurer~~ secretary of administration for the use of the state the
15 percentage of court imposed fines and forfeitures required by law to be deposited in
16 the state treasury, the amounts required by s. 757.05 for the penalty assessment
17 surcharge, the amounts required by s. 165.755 for the crime laboratories and drug
18 law enforcement assessment, the amounts required by s. 167.31 (5) for the weapons
19 assessment, the amounts required by s. 973.045 for the crime victim and witness
20 assistance surcharge, the amounts required by s. 938.34 (8d) for the delinquency
21 victim and witness assistance surcharge, the amounts required by s. 973.046 for the
22 deoxyribonucleic acid analysis surcharge, the amounts required by s. 961.41 (5) for
23 the drug abuse program improvement surcharge, the amounts required by s. 100.261
24 for the consumer protection assessment, the amounts authorized by s. 971.37 (1m)
25 (c) 1. or required by s. 973.055 for the domestic abuse assessment surcharge, the

1 amounts required by s. 253.06 (4) (c) for the enforcement assessment under the
2 supplemental food program for women, infants, and children, the amounts required
3 by s. 349.04 for the truck driver education assessment, the amounts required by ss.
4 346.177, 346.495, and 346.65 (4r) for the railroad crossing improvement assessment,
5 the amounts required by s. 346.655 for the driver improvement surcharge, the
6 amounts required by s. 102.85 (4) for the uninsured employer assessment, the
7 amounts required by s. 299.93 for the environmental assessment, the amounts
8 required under s. 29.983 for the wild animal protection assessment, the amounts
9 required under ss. 29.987 (1) (d) and 169.46 (1) (d) for the natural resources
10 assessment surcharge, the amounts required by s. 29.985 for the fishing shelter
11 removal assessment, the amounts required by s. 350.115 for the snowmobile
12 registration restitution payment, and the amounts required under ss. 29.989 (1) (d)
13 and 169.46 (2) (d) for the natural resources restitution payments. The payments
14 shall be made by the 15th day of the month following receipt thereof.

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

16 66.0114 (1) (bm) The official receiving the penalties shall remit all moneys
17 collected to the treasurer of the city, village, town sanitary district, or public inland
18 lake protection and rehabilitation district in whose behalf the sum was paid, except
19 that all jail assessments shall be remitted to the county treasurer, within 20 days
20 after its receipt by the official. If timely remittance is not made, the treasurer may
21 collect the payment of the officer by action, in the name of the office, and upon the
22 official bond of the officer, with interest at the rate of 12% per year from the date on
23 which it was due. In the case of the penalty assessment imposed by s. 757.05, the
24 crime laboratories and drug law enforcement assessment imposed by s. 165.755, the
25 driver improvement surcharge imposed by s. 346.655 (1), the truck driver education

1 assessment imposed by s. 349.04, any applicable consumer protection assessment
2 imposed by s. 100.261, and any applicable domestic abuse assessment imposed by s.
3 973.055 (1), the treasurer of the city, village, town sanitary district, or public inland
4 lake protection and rehabilitation district shall remit to the ~~state treasurer~~ secretary
5 of administration the amount required by law to be paid on the actions entered
6 during the preceding month on or before the first day of the next succeeding month.
7 The governing body of the city, village, town sanitary district, or public inland lake
8 protection and rehabilitation district shall by ordinance designate the official to
9 receive the penalties and the terms under which the official qualifies.

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

11 66.0114 (3) (c) The entire amount in excess of \$150 of any forfeiture imposed
12 for the violation of any traffic regulation in conformity with ch. 348 shall be
13 transmitted to the county treasurer if the violation occurred on an interstate
14 highway, a state trunk highway, or a highway over which the local highway authority
15 does not have primary maintenance responsibility. The county treasurer shall then
16 make payment to the ~~state treasurer~~ secretary of administration as provided in s.
17 59.25 (3) (L).

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

19 66.0517 (3) (b) 1. Except as provided in sub. (2) (b), a weed commissioner shall
20 receive compensation for the destruction of noxious weeds as determined by the town
21 board, village board, or city council upon presenting to the proper treasurer the
22 account for noxious weed destruction, verified by oath and approved by the
23 appointing officer. The account shall specify by separate items the amount
24 chargeable to each piece of land, describing the land, and shall, after being paid by
25 the treasurer, be filed with the town, village, or city clerk. The clerk shall enter the

1 amount chargeable to each tract of land in the next tax roll in a column headed “For
2 the Destruction of Weeds”, as a tax on the lands upon which the weeds were
3 destroyed. The tax shall be collected under ch. 74, except in case of lands which are
4 exempt from taxation, railroad lands, or other lands for which taxes are not collected
5 under ch. 74. A delinquent tax may be collected as is a delinquent real property tax
6 under chs. 74 and 75 or as is a delinquent personal property tax under ch. 74. In case
7 of railroad lands or other lands for which taxes are not collected under ch. 74, the
8 amount chargeable against these lands shall be certified by the town, village, or city
9 clerk to the ~~state treasurer~~ secretary of administration who shall add the amount
10 designated to the sum due from the company owning, occupying, or controlling the
11 lands specified. The ~~state treasurer~~ secretary of administration shall collect the
12 amount chargeable as prescribed in subch. I of ch. 76 and return the amount collected
13 to the town, city, or village from which the certification was received.

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

15 69.22 (1) (c) Twelve dollars for issuing an uncertified copy of a birth certificate
16 or a certified copy of a birth certificate, \$7 of which shall be forwarded to the ~~state~~
17 ~~treasurer~~ secretary of administration as provided in sub. (1m) and credited to the
18 appropriations under s. 20.433 (1) (g) and (h); and \$3 for issuing any additional
19 certified or uncertified copy of the same birth certificate issued at the same time.

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

21 69.22 (1m) The state registrar and any local registrar acting under this
22 subchapter shall, for each copy of a birth certificate for which a fee under sub. (1) (c)
23 is charged that is issued during a calendar quarter, forward to the ~~state treasurer~~
24 secretary of administration for deposit in the appropriations under s. 20.433 (1) (g)

1 and (h) the amounts specified in sub. (1) (c) by the 15th day of the first month
2 following the end of the calendar quarter.

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

4 **70.385 Collection of the tax.** All taxes as evidenced by the report under s.
5 70.38 (1) are due and payable to the department on or before June 15, and shall be
6 deposited by the department with the ~~state treasurer~~ secretary of administration.

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

8 70.39 (4) (b) The clerk of circuit court shall enter the warrant as a delinquent
9 income or franchise tax warrant as required under s. 806.11. The clerk of circuit
10 court shall accept, file, and enter the warrant without prepayment of any fee, but
11 shall submit a statement of the proper fees within 30 days to the department of
12 revenue. ~~The fees shall be paid by the state treasurer upon~~ Upon audit by the
13 department of administration on the certificate of the secretary of revenue, the
14 secretary of administration shall pay the fees and the fees shall be charged to the
15 proper appropriation for the department of revenue.

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

17 71.10 (5) (h) *Certification of amounts.* (intro.) Annually, on or before September
18 15, the secretary of revenue shall certify to the department of natural resources, and
19 the department of administration ~~and the state treasurer:~~

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

21 71.10 (5e) (h) *Certification of amounts.* (intro.) Annually, on or before
22 September 15, the secretary of revenue shall certify to the district board under
23 subch. IV of ch. 229, and the department of administration ~~and the state treasurer:~~

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

1 71.30 (10) (h) *Certification of amounts.* (intro.) Annually, on or before
2 September 15, the secretary of revenue shall certify to the department of natural
3 resources, and the department of administration ~~and the state treasurer:~~

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

5 71.74 (13) (a) If the tax is increased the department shall proceed to collect the
6 additional tax in the same manner as other income or franchise taxes are collected.
7 If the income or franchise taxes are decreased upon direction of the department the
8 ~~state treasurer~~ secretary of administration shall refund to the taxpayer such part of
9 the overpayment as was actually paid in cash, and the certification of the
10 overpayment by the department shall be sufficient authorization to the ~~treasurer~~
11 secretary of administration for the refunding of the overpayment. No refund of
12 income or franchise tax shall be made by the ~~treasurer~~ secretary of administration
13 unless the refund is so certified. The part of the overpayment paid to the county and
14 the local taxation district shall be deducted by the ~~state treasurer~~ secretary of
15 administration in the ~~treasurer's~~ secretary's next settlement with the county and
16 local treasurer.

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

18 71.74 (13) (b) No action or proceeding whatsoever shall be brought against the
19 state or the ~~treasurer thereof~~ secretary of administration for the recovery, refund, or
20 credit of any income or surtaxes; except in case the ~~state treasurer~~ secretary of
21 administration shall neglect or refuse for a period of 60 days to refund any
22 overpayment of any income or surtaxes certified, the taxpayer may maintain an
23 action to collect the overpayment against the ~~treasurer~~ secretary of administration
24 so neglecting or refusing to refund such overpayment, without filing a claim for
25 refund with ~~such treasurer~~ the secretary of administration, provided that such

1 action shall be commenced within one year after the certification of such
2 overpayment.

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

4 71.74 (14) ADDITIONAL REMEDY TO COLLECT TAX. The department may also
5 proceed under s. 71.91 (5) for the collection of any additional assessment of income
6 or franchise taxes or surtaxes, after notice thereof has been given under sub. (11) and
7 before the same shall have become delinquent, when it has reasonable grounds to
8 believe that the collection of such additional assessment will be jeopardized by delay.
9 In such cases notice of the intention to so proceed shall be given by registered mail
10 to the taxpayer, and the warrant of the department shall not issue if the taxpayer
11 within 10 days after such notice furnishes a bond in such amount, not exceeding
12 double the amount of the tax, and with such sureties as the department shall
13 approve, conditioned upon the payment of so much of the additional taxes as shall
14 finally be determined to be due, together with interest thereon as provided by s. 71.82
15 (1) (a). Nothing in this subsection shall affect the review of additional assessments
16 provided by ss. 71.88 (1) (a) and (2) (a), 71.89 (2), 73.01, and 73.015, and any amounts
17 collected under this subsection shall be deposited with the ~~state treasurer~~ secretary
18 of administration and disbursed after final determination of the taxes as are
19 amounts deposited under s. 71.90 (2).

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

21 71.80 (1) (e) Representatives of the department directed by it to accept
22 payment of income or franchise taxes shall file bonds with the ~~state treasurer~~
23 secretary of administration in such amount and with such sureties as the state
24 treasurer shall direct and approve.

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

1 71.80 (16) (b) A construction contractor required to file a surety bond under par.
2 (a) may, in lieu of such requirement, but subject to approval by the department,
3 deposit with the ~~state treasurer~~ secretary of administration an amount of cash equal
4 to the face of the bond that would otherwise be required. If an offer to deposit is made,
5 the department shall issue a certificate to the ~~state treasurer~~ secretary of
6 administration authorizing said ~~treasurer~~ secretary to accept payment of such
7 moneys and to give his or her receipt therefor. A copy of such certificate shall be
8 mailed to the contractor who shall, within the time fixed by the department, pay such
9 amount to ~~said treasurer~~ the secretary of administration. A copy of the receipt of the
10 ~~state treasurer~~ secretary of administration shall be filed with the department. Upon
11 final determination by the department of such contractor's liability for state income
12 or franchise taxes, required unemployment insurance contributions, sales and use
13 taxes, and income taxes withheld from wages of employees, interest and penalties,
14 by reason of such contract or contracts, the department shall certify to the ~~state~~
15 ~~treasurer~~ secretary of administration the amount of taxes, penalties, and interest as
16 finally determined, shall instruct the ~~treasurer~~ secretary of administration as to the
17 proper distribution of such amount, and shall state the amount, if any, to be refunded
18 to such contractor. The ~~state treasurer~~ secretary of administration shall make the
19 payments directed by such certificate within 30 days after receipt thereof. Amounts
20 refunded to the contractor shall be without interest.

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

22 71.80 (17) TAX RECEIPTS TRANSMITTED TO ~~STATE TREASURER~~ THE SECRETARY OF
23 ADMINISTRATION. Within 15 days after receipt of any income or franchise tax
24 payments, the department shall transmit the same to the ~~state treasurer~~ secretary
25 of administration.

1 **SECTION 134.** 71.90 (2) of the statutes, as affected by 2003 Wisconsin Act ...
2 (this act), is amended to read:

3 **71.90 (2) DEPOSIT WITH THE STATE ~~TREASURER~~ SECRETARY OF ADMINISTRATION.** At
4 any time while the petition is pending before the office of the commissioner of tax
5 appeals or an appeal in regard to that petition is pending in a court, the taxpayer may
6 offer to deposit the entire amount of the additional taxes, together with interest, with
7 the ~~state treasurer~~ secretary of administration. If an offer to deposit is made, the
8 department of revenue shall issue a certificate to the ~~state treasurer~~ secretary of
9 administration authorizing the ~~treasurer~~ secretary to accept payment of such taxes
10 together with interest to the first day of the succeeding month and to give a receipt.
11 A copy of the certificate shall be mailed to the taxpayer who shall pay the taxes and
12 interest to the ~~treasurer~~ secretary of administration within 30 days. A copy of the
13 receipt of the ~~state treasurer~~ secretary of administration shall be filed with the
14 department. The department shall, upon final determination of the appeal, certify
15 to the ~~state treasurer~~ secretary of administration the amount of the taxes as finally
16 determined and direct the ~~state treasurer~~ secretary of administration to refund to
17 the appellant any portion of such payment which has been found to have been
18 improperly assessed, including interest. The ~~state treasurer~~ secretary of
19 administration shall make the refunds directed by the certificate within 30 days
20 after receipt. Taxes paid to the ~~state treasurer~~ secretary of administration under this
21 subsection shall be subject to the interest provided by ss. 71.82 and 71.91 (1) (c) only
22 to the extent of the interest accrued on the taxes prior to the first day of the month
23 succeeding the application for hearing. Any portion of the amount deposited with the
24 ~~state treasurer~~ secretary of administration which is refunded to the taxpayer shall
25 bear interest at the rate of 9% per year during the time that the funds are on deposit.

****NOTE: This is reconciled s. 71.90 (2). This SECTION has been affected by drafts with the following LRB numbers: LRB-0529 and LRB-1767.

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

2 71.91 (5) (h) All fees and compensation of officials or other persons performing
3 any act or functions required in carrying out this subchapter, except such as are by
4 this subchapter to be paid to such officials or persons by the taxpayer, shall, upon
5 presentation to the department of revenue of an itemized and verified statement of
6 the amount due, be paid ~~by the state treasurer,~~ upon audit by the department of
7 administration on the certificate of the secretary of revenue, by the secretary of
8 administration and charged to the proper appropriation for the department of
9 revenue. No public official shall be entitled to demand prepayment of any fee for the
10 performance of any official act required in carrying out this subchapter.

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

12 71.91 (7) (e) Paragraphs (b) to (d) shall apply in any case in which the employer
13 is the United States or any instrumentality thereof or this state or any municipality
14 or other subordinate unit thereof except those provisions imposing a liability on the
15 employer for failure to withhold or remit. But an amount equal to any amount
16 withheld by any municipality or other subordinate unit of this state under this
17 subsection and not remitted to the department as required by this subsection shall
18 be retained by the ~~state treasurer~~ secretary of administration from funds otherwise
19 payable to any such municipality or subordinate unit, and transmitted instead to the
20 department, upon certification by the secretary of revenue.

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

22 **72.24 Refunding.** Whenever any amount has been paid in excess of the tax
23 determined, the ~~state treasurer~~ secretary of administration, upon certification by

1 the department or circuit court, shall refund the excess to the payor or other person
2 entitled thereto.

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

4 73.03 (6) In its discretion to inspect and examine or cause an inspection and
5 examination of the records of any town, city, village, or county officer whenever such
6 officer shall have failed or neglected to return properly the information as required
7 by sub. (5), within the time set by the department of revenue. Upon the completion
8 of such inspection and examination the department of revenue shall transmit to the
9 clerk of the town, city, village, or county a statement of the expenses incurred by the
10 department of revenue to secure the necessary information. Duplicates of such
11 statements shall be filed in the office of the ~~department~~ secretary of administration
12 ~~and state treasurer~~. Within 60 days after the receipt of the above statement, the
13 same shall be audited, as other claims of towns, cities, villages, and counties are
14 audited, and shall be paid into the state treasury, in default of which the same shall
15 become a special charge against such town, city, village, or county and be included
16 in the next apportionment or certification of state taxes and charges, and collected
17 with interest at the rate of 10% per year from the date such statements were certified
18 by the department, as other special charges are certified and collected.

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

20 73.10 (6) The department may establish a scale of charges for audits,
21 inspections, and other services rendered by the department in connection with
22 financial records or procedures of towns, villages, cities, counties, and all other local
23 public bodies, boards, commissions, departments, or agencies. Upon the completion
24 of such work or, at the department's discretion, during work in progress, the
25 department shall transmit to the clerk of the town, village, city, county, or other local

1 public body, board, commission, department, or agency a statement of such charges.
2 Duplicates of the statements shall be filed in the ~~offices~~ office of the ~~state treasurer~~
3 secretary of administration. Within 60 days after the receipt of the above statement
4 of charges, it shall be audited as other claims against towns, villages, cities, counties,
5 and other local public bodies, boards, commissions, departments, or agencies are
6 audited, and it shall be paid into the state treasury and credited to the appropriation
7 under s. 20.566 (2) (gi). Past due accounts of towns, villages, cities, counties, and all
8 other local public bodies, boards, commissions, departments, or agencies shall be
9 certified on or before the 4th Monday of August of each year and included in the next
10 apportionment of state special charges to local units of government.

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

12 74.25 (1) (a) 5. Pay to the ~~state treasurer~~ secretary of administration all
13 collections of occupational taxes on mink farms, 30% of collections of occupational
14 taxes on iron ore concentrates, and 10% of collections of occupational taxes on coal
15 docks.

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

17 **74.27 March settlement between counties and the state.** On or before
18 March 15, the county treasurer shall send to the ~~state treasurer~~ secretary of
19 administration the state's proportionate shares of taxes under ss. 74.23 (1) (b) and
20 74.25 (1) (b) 1. and 2.

21 **SECTION 142.** 74.30 (1) (e) of the statutes is amended to read:

22 74.30 (1) (e) Pay to the ~~state treasurer~~ secretary of administration all
23 collections of occupational taxes on mink farms, 30% of collections of occupational
24 taxes on iron ore concentrates, and 10% of collections of occupational taxes on coal
25 docks.