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State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1634/2 3
RJM:jld:cph

NOW

(Signature)

DOA:.....Caucutt – BB0409, Transfer of DOA housing functions to Commerce
FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau
COMMERCE AND ECONOMIC DEVELOPMENT

ECONOMIC DEVELOPMENT

Currently, DOA is responsible for developing a state housing strategy, administering several grant programs that provide different types of housing assistance, and administering a program governing the use of surplus, state-owned real estate. This bill transfers these responsibilities to the Department of Commerce, except that DOA retains the responsibility to administer the weatherization assistance for low-income persons program and the low-income energy assistance program.

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

2 SECTION 1. 13.099 (1) (a) and (b) of the statutes are amended to read:

3 13.099 (1) (a) "Department" means the department of ~~administration~~
4 commerce.

1 (b) “State housing strategy plan” means the plan developed under s. ~~16.31~~
2 560.9802.

3 **SECTION 2.** 13.0999 (2) (a) of the statutes is amended to read:

4 13.0999 (2) (a) If any bill that is introduced in either house of the legislature
5 directly or substantially affects the development, construction, cost or availability of
6 housing in this state, the department, ~~through the division of housing,~~ shall prepare
7 a report on the bill within 30 days after it is introduced. The department may request
8 any information from other state agencies, local governments or individuals or
9 organizations that is reasonably necessary for the department to prepare the report.

10 **SECTION 3.** 13.0999 (3) (a) 5. of the statutes is amended to read:

11 13.0999 (3) (a) 5. Housing costs, as defined in s. ~~16.30~~ 560.9801 (3) (a) and (b).

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

13 13.94 (1) (q) No later than February 1, 2006, prepare a performance evaluation
14 audit of the volunteer fire fighter and emergency medical technician service award
15 program established under s. ~~16.25~~ 560.9813. The legislative audit bureau shall file
16 a copy of the audit report under this paragraph with the distributees specified in par.
17 (b).

18 **SECTION 5.** 15.103 (2) of the statutes is repealed.

19 **SECTION 6.** 15.105 (26) of the statutes is renumbered 15.155 (5), and 15.155 (5)
20 (a) (intro.), as renumbered, is amended to read:

21 15.155 (5) (a) (intro.) There is created a volunteer fire fighter and emergency
22 medical technician service award board that is attached to the department of
23 ~~administration~~ commerce under s. 15.03. The board shall consist of the secretary of
24 ~~administration~~ commerce or his or her designee and the following members
25 appointed for 3-year terms:

1 **SECTION 7.** 16.25 of the statutes is renumbered 560.9813, and 560.9813 (3) (d)
2 and (4), as renumbered, are amended to read:

3 560.9813 (3) (d) 1. Subject to subd. 2., the board shall match all annual
4 municipal contributions paid for volunteer fire fighters and emergency medical
5 technicians up to \$250 per fiscal year, other than contributions paid for the purchase
6 of additional years of service under par. (e), to be paid from the appropriation account
7 under s. ~~20.505 (4) (er)~~ 20.143 (1) (eu). This amount shall be adjusted annually on
8 July 1 to reflect any changes in the U.S. consumer price index for all urban
9 consumers, U.S. city average, as determined by the U.S. department of labor, for the
10 12-month period ending on the preceding December 31. The board shall pay all
11 amounts that are matched under this paragraph to the individuals and
12 organizations offering the plans selected by the municipalities.

13 2. If the moneys appropriated under s. ~~20.505 (4) (er)~~ 20.143 (1) (eu) are not
14 sufficient to fully fund the contributions required to be paid by the board under subd.
15 1., the board shall prorate the contributions paid for the volunteer fire fighters and
16 emergency medical technicians.

17 (4) (a) The board shall establish by rule the requirements for, and the
18 qualifications of, the individuals and organizations in the private sector that are
19 eligible to provide administrative services and investment plans under the program,
20 other than services funded from the appropriation under s. ~~20.505 (4) (ee)~~ 20.143 (1)
21 (et). In establishing the requirements and qualifications, the board shall develop
22 criteria of financial stability that each individual and organization must meet in
23 order to offer the services and plans under the program.

24 (b) The board may contract with any individual or organization in the private
25 sector that seeks to provide administrative services and investment plans required

1 for the program, other than services funded from the appropriation under s. ~~20.505~~
2 ~~(4)(ee)~~ 20.143 (1)(et), if the individual or organization fulfills the requirements and
3 has the qualifications established by the board under par. (a). Section 16.72 (2) (b)
4 does not apply to any such contract.

5 **SECTION 8.** Subchapter II (title) of chapter 16 [precedes 16.30] of the statutes
6 is renumbered subchapter X (title) of chapter 560 [precedes 560.9801] of the statutes.

7 **SECTION 9.** 16.30 of the statutes is renumbered 560.9801.

8 **SECTION 10.** 16.31 of the statutes is renumbered 560.9802.

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

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

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

18 **SECTION 12.** 16.334 of the statutes is renumbered 560.9804, and 560.9804 (1)
19 (a) and (c), as renumbered, are amended to read:

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

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

24 **SECTION 13.** 16.336 of the statutes is renumbered 560.9805.

1 **SECTION 14.** 16.339 of the statutes is renumbered 560.9806, and 560.9806 (2)
2 (a), as renumbered, is amended to read:

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

9 **SECTION 15.** 16.35 of the statutes is renumbered 560.9815.

10 **SECTION 16.** 16.351 of the statutes is renumbered 560.9807, and 560.9807 (1),
11 as renumbered, is amended to read:

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

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

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

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

4 **SECTION 18.** 16.358 of the statutes is renumbered 560.9809.

5 **SECTION 19.** 16.375 of the statutes is renumbered 560.9810.

6 **SECTION 20.** 16.385 of the statutes is renumbered 16.27, and 16.27 (3) (b), (c),
7 (d), and (e) (intro.), 1. and 7., as renumbered, are amended to read:

8 16.27 (3) (b) By October 1 of every year from the appropriation under s. ~~20.505~~
9 ~~(7)(e)~~ 20.505 (1) (mb), determine the total amount available for payment of heating
10 assistance under sub. (6) and determine the benefit schedule.

11 (c) From the appropriation under s. ~~20.505 (7)(m)~~ 20.505 (1) (mb), allocate
12 \$1,100,000 in each federal fiscal year for the department's expenses in administering
13 the funds to provide low-income energy assistance.

14 (d) From the appropriation under s. ~~20.505 (7)(e)~~ 20.505 (1) (mb), allocate
15 \$2,900,000 in each federal fiscal year for the expenses of a county department,
16 another local governmental agency or a private nonprofit organization in
17 administering under sub. (4) the funds to provide low-income energy assistance.

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

19 1. Allocate and transfer to the appropriation under s. ~~20.505 (7)(km)~~ (1) (kn),
20 15% of the moneys received under 42 USC 8621 to 8629 in each federal fiscal year
21 under the priority of maintaining funding for the geographical areas on July 20,
22 1985, and, if funding is reduced, prorating contracted levels of payment, for the
23 weatherization assistance program administered by the department under s. ~~16.39~~
24 16.26.

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

5 **SECTION 21.** ~~16.39~~ of the statutes is renumbered 16.26.

6 **SECTION 22.** 16.54 (2) (b) of the statutes is amended to read:

7 16.54 (2) (b) Upon presentation by the department to the joint committee on
8 finance of alternatives to the provisions under s. ~~16.385~~ 16.27, the joint committee
9 on finance may revise the eligibility criteria under s. ~~16.385~~ 16.27 (5), benefit
10 payments under s. ~~16.385~~ 16.27 (6) or the amount allocated for crises under s. ~~16.385~~
11 16.27 (3) (e) 2. and the department shall implement those revisions. Benefits or
12 eligibility criteria so revised shall take into account and be consistent with the
13 requirements of federal regulations promulgated under 42 USC 8621 to 8629. If
14 funds received under 42 USC 8621 to 8629 in a federal fiscal year total less than 90%
15 of the amount received in the previous federal fiscal year, the department shall
16 submit to the joint committee on finance a plan for expenditure of the funds. The
17 department may not use the funds unless the committee approves the plan.

18 **SECTION 23.** 16.705 (1m) of the statutes is amended to read:

19 16.705 (1m) Subsection (1) does not apply to contracts entered into by the
20 volunteer fire fighter and emergency medical technician service award board under
21 s. ~~16.25~~ 560.9813 (4) (b).

22 **SECTION 24.** 16.71 (5) of the statutes is amended to read:

23 16.71 (5) The department shall delegate authority to the volunteer fire fighter
24 and emergency medical technician service award board to enter into contracts under
25 s. ~~16.25~~ 560.9813 (4) (b).

1 **SECTION 25.** 16.72 (2) (b) of the statutes is amended to read:

2 16.72 (2) (b) Except as provided in par. (a) and ss. ~~16.25 (4) (b)~~, 16.751 and,
3 560.9813 (4) (b), and 565.25 (2) (a) 4., the department shall prepare or review
4 specifications for all materials, supplies, equipment, other permanent personal
5 property and contractual services not purchased under standard specifications.
6 Such “nonstandard specifications” may be generic or performance specifications, or
7 both, prepared to describe in detail the article which the state desires to purchase
8 either by its physical properties or programmatic utility. When appropriate for such
9 nonstandard items or services, trade names may be used to identify what the state
10 requires, but wherever possible 2 or more trade names shall be designated and the
11 trade name of any Wisconsin producer, distributor or supplier shall appear first.

12 **SECTION 26.** 16.957 (3) (a) of the statutes is amended to read:

13 16.957 (3) (a) The ~~division of housing~~ department shall, on the basis of
14 competitive bids, contract with community action agencies described in s. 46.30 (2)
15 (a) 1., nonstock, nonprofit corporations organized under ch. 181 or local units of
16 government to provide services under the programs established under sub. (2) (a).

17 **SECTION 27.** 20.505 (4) (ec) of the statutes is renumbered 20.143 (1) (et) and
18 amended to read:

19 20.143 (1) (et) *Volunteer fire fighter and emergency medical technician service*
20 *award program; general program operations.* The amounts in the schedule for
21 general program operations of the volunteer fire fighter and emergency medical
22 technician service award board and to reimburse the department of ~~administration~~
23 commerce for all services provided by the department to the board.

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

1 **SECTION 28.** 20.505 (4) (er) of the statutes is renumbered 20.143 (1) (eu) and
2 amended to read:

3 20.143 (1) (eu) *Volunteer fire fighter and emergency medical technician service*
4 *award program; state matching awards.* A sum sufficient to make the payments
5 required under s. ~~16.25~~ 560.9813 (3) (d). The amount appropriated under this
6 paragraph may not exceed \$2,000,000 in a fiscal year.

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

7 **SECTION 29.** 20.505 (7) (title) of the statutes is renumbered 20.143 (2) (title).

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

8 **SECTION 30.** 20.505 (7) (a) of the statutes is renumbered 20.143 (2) (a) and
9 amended to read:

10 20.143 (2) (a) *General program operations.* The amounts in the schedule for
11 general program operations under subch. ~~II~~ of ~~ch. 16~~ X of ch. 560.

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

12 **SECTION 31.** 20.505 (7) (b) of the statutes is renumbered 20.143 (2) (b) and
13 amended to read:

14 20.143 (2) (b) *Housing grants and loans; general purpose revenue.* Biennially,
15 the amounts in the schedule for grants and loans under s. ~~16.33~~ 560.9803 and for
16 grants under s. ~~16.336~~ 560.9805.

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

17 **SECTION 32.** 20.505 (7) (c) of the statutes is renumbered 20.143 (2) (c) and
18 amended to read:

1 20.143 (2) (c) *Payments to designated agents.* The amounts in the schedule for
2 payments for services provided by agents designated under s. ~~16.334~~ 560.9804 (2),
3 in accordance with agreements entered into under s. ~~16.334~~ 560.9804 (1).

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

4 **SECTION 33.** 20.505 (7) (fm) of the statutes is renumbered 20.143 (2) (fm) and
5 amended to read:

6 20.143 (2) (fm) *Shelter for homeless and transitional housing grants.* The
7 amounts in the schedule for transitional housing grants under s. ~~16.339~~ 560.9806
8 and for grants to agencies and shelter facilities for homeless individuals and families
9 as provided under s. ~~16.352~~ 560.9808. Notwithstanding ss. 20.001 (3) (a) and 20.002
10 (1), the department may transfer funds between fiscal years under this paragraph.
11 All funds allocated but not encumbered by December 31 of each year lapse to the
12 general fund on the next January 1 unless transferred to the next calendar year by
13 the joint committee on finance.

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

14 **SECTION 34.** 20.505 (7) (h) of the statutes is renumbered 20.143 (2) (h) and
15 amended to read:

16 20.143 (2) (h) *Funding for the homeless.* All moneys received from interest on
17 real estate trust accounts under s. 452.13 for grants under s. ~~16.351~~ 560.9807, and
18 all moneys received under s. 704.05 (5) (a) 2., for grants to agencies and shelter
19 facilities for homeless individuals and families under s. ~~16.352~~ 560.9808 (2) (a) and
20 (b).

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

1 **SECTION 35.** 20.505 (7) (k) of the statutes is renumbered 20.143 (2) (k) and
2 amended to read:

3 20.143 (2) (k) *Sale of materials or services.* All moneys received from the sale
4 of materials or services related to housing assistance under subch. ~~II of ch. 16~~ X of
5 ch. 560 to the department or other state agencies, for the purpose of providing those
6 materials and services.

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

7 **SECTION 36.** 20.505 (7) (kg) of the statutes is renumbered 20.143 (2) (kg) and
8 amended to read:

9 20.143 (2) (kg) *Housing program services.* All moneys received from other state
10 agencies for housing program services, for ~~that~~ the purpose of providing housing
11 program services.

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

12 **SECTION 37.** 20.505 (7) (km) of the statutes is renumbered 20.505 (1) (kn) and
13 amended to read:

14 20.505 (1) (kn) *Weatherization assistance.* All moneys transferred from the
15 appropriation under par. ~~(e)~~ mb and all moneys received from other state agencies
16 or the department, for the weatherization program under s. ~~16.39~~ 16.26, for that
17 purpose.

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

18 **SECTION 38.** 20.505 (7) (m) of the statutes is renumbered 20.143 (2) (m) and
19 amended to read:

20 20.143 (2) (m) *Federal aid; state operations.* All moneys received from the
21 federal government for state operations related to housing assistance under subch.

1 ~~II of ch. 16 X~~ of ch. 560, as authorized by the governor under s. 16.54, for the purposes
2 of state operations.

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

3 **SECTION 39.** 20.505 (7) (n) of the statutes is renumbered 20.143 (2) (n) and
4 amended to read:

5 20.143 (2) (n) *Federal aid; local assistance.* All moneys received from the
6 federal government for local assistance related to housing assistance under subch.
7 ~~II of ch. 16 X~~ of ch. 560, as authorized by the governor under s. 16.54, for the purposes
8 of providing local assistance.

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

9 **SECTION 40.** 20.505 (7) (o) of the statutes is renumbered 20.143 (2) (o) and
10 amended to read:

11 20.143 (2) (o) *Federal aid; individuals and organizations.* All moneys received
12 from the federal government for aids to individuals and organizations related to
13 housing assistance under subch. ~~II of ch. 16 X~~ of ch. 560, as authorized by the
14 governor under s. 16.54, for the purpose of providing aids to individuals and
15 organizations.

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

16 **SECTION 41.** 23.15 (1) of the statutes is amended to read:

17 23.15 (1) The natural resources board may sell, at public or private sale, lands
18 and structures owned by the state under the jurisdiction of the department of natural
19 resources when the natural resources board determines that said lands are no longer
20 necessary for the state's use for conservation purposes and, if real property, the real
21 property is not the subject of a petition under s. ~~16.375~~ 560.9810 (2).

1 **SECTION 42.** 46.215 (1) (n) of the statutes is amended to read:

2 46.215 (1) (n) To collect and transmit information to the department of
3 administration so that a federal energy assistance payment may be made to an
4 eligible household; to collect and transmit information to the department of
5 administration so that weatherization services may be made available to an eligible
6 household; to receive applications from individuals seeking low-income energy
7 assistance under s. ~~16.385~~ 16.27 (4) or weatherization services under s. ~~16.39~~ 16.26;
8 to provide information on the income eligibility for weatherization of a recipient of
9 low-income energy assistance to an entity with which the department of
10 administration contracts for provision of weatherization under s. ~~16.39~~ 16.26; and
11 to receive a request, determine a correct payment amount, if any, and provide
12 payment, if any, for emergency assistance under s. ~~16.385~~ 16.27 (8).

13 **SECTION 43.** 46.22 (1) (b) 4m. c. of the statutes is amended to read:

14 46.22 (1) (b) 4m. c. To receive applications from individuals seeking low-income
15 energy assistance under s. ~~16.385~~ 16.27 (4) or weatherization services under s. ~~16.39~~
16 16.26.

17 **SECTION 44.** 46.22 (1) (b) 4m. d. of the statutes is amended to read:

18 46.22 (1) (b) 4m. d. To provide information on the income eligibility for
19 weatherization of a recipient of low-income energy assistance to an entity with
20 which the department of administration contracts for provision of weatherization
21 under s. ~~16.39~~ 16.26.

22 **SECTION 45.** 46.22 (1) (b) 4m. e. of the statutes is amended to read:

23 46.22 (1) (b) 4m. e. To receive a request, determine a correct payment amount,
24 if any, and provide payment, if any, for emergency assistance under s. ~~16.385~~ 16.27
25 (8).

1 **SECTION 46.** 50.01 (1g) (c) of the statutes is amended to read:

2 50.01 (1g) (c) A shelter facility as defined under s. ~~16.352~~ 560.9808 (1) (d).

3 **SECTION 47.** 51.35 (5) of the statutes is amended to read:

4 51.35 (5) RESIDENTIAL LIVING ARRANGEMENTS; TRANSITIONARY SERVICES. The
5 department and any person, director or board authorized to discharge or transfer
6 patients under this section shall ensure that a proper residential living arrangement
7 and the necessary transitional services are available and provided for the patient
8 being discharged or transferred. Under this subsection, a proper residential living
9 arrangement may not include a shelter facility, as defined under s. ~~16.352~~ 560.9808
10 (1) (d), unless the discharge or transfer to the shelter facility is made on an
11 emergency basis for a period not to exceed 10 days.

12 **SECTION 48.** 84.09 (5) of the statutes is amended to read:

13 84.09 (5) Subject to the approval of the governor, the department may sell at
14 public or private sale property of whatever nature owned by the state and under the
15 jurisdiction of the department when the department determines that the property
16 is no longer necessary for the state's use for highway purposes and, if real property,
17 the real property is not the subject of a petition under s. ~~16.375~~ 560.9810 (2). The
18 department shall present to the governor a full and complete report of the property
19 to be sold, the reason for the sale, and the minimum price for which the same should
20 be sold, together with an application for the governor's approval of the sale. The
21 governor shall thereupon make such investigation as he or she may deem necessary
22 and approve or disapprove the application. Upon such approval and receipt of the
23 full purchase price, the department shall by appropriate deed or other instrument
24 transfer the property to the purchaser. The approval of the governor is not required
25 for public or private sale of property having a fair market value at the time of sale

1 of not more than \$3,000, for the transfer of surplus state real property to the
2 department of administration under s. ~~16.375~~ 560.9810 or for the transfer of surplus
3 state personal property to the department of tourism under sub. (5s). The funds
4 derived from sales under this subsection shall be deposited in the transportation
5 fund, and the expense incurred by the department in connection with the sale shall
6 be paid from such fund.

7 **SECTION 49.** 84.09 (5r) of the statutes is amended to read:

8 84.09 (5r) In lieu of the sale or conveyance of property under sub. (5) or (5m),
9 the department may, subject to the approval of the governor, donate real property
10 that is adjacent to the veterans memorial site located at The Highground in Clark
11 County and owned by the state and under the jurisdiction of the department to the
12 Wisconsin Vietnam Veterans Memorial Project, Inc., for the purpose of the veterans
13 memorial site located at The Highground in Clark County for the purpose of a
14 memorial hall specified in s. 70.11 (9). The department may donate property under
15 this subsection only when the department determines that the property is no longer
16 necessary for the state's use for highway purposes and is not the subject of a petition
17 under s. ~~16.375~~ 560.9810 (2) and is transferred with a restriction that the donee may
18 not subsequently transfer the real property to any person except to this state, which
19 shall not be charged for any improvements thereon. Such restriction shall be
20 recorded in the office of the register of deeds in the county in which the property is
21 located. The department shall present to the governor a full and complete report of
22 the property to be donated, the reason for the donation, and the minimum price for
23 which the property could likely be sold under sub. (5), together with an application
24 for the governor's approval of the donation. The governor shall thereupon make such
25 investigation as he or she considers necessary and approve or disapprove the

1 application. Upon such approval, the department shall by appropriate deed or other
2 instrument transfer the property to the donee. The approval of the governor is not
3 required for donation of property having a fair market value at the time of donation
4 of not more than \$3,000. Any expense incurred by the department in connection with
5 the donation shall be paid from the transportation fund.

6 **SECTION 50.** 85.09 (4i) of the statutes is amended to read:

7 **85.09 (4i) DISPOSAL OF RAIL PROPERTY.** The department shall sell at public or
8 private sale rail property acquired under sub. (4) when the department determines
9 that the rail property is not necessary for a public purpose and, if real property, the
10 real property is not the subject of a petition under s. ~~16.375~~ 560.9810 (2). Upon
11 receipt of the full purchase price, the department shall, by appropriate deed or other
12 instrument, transfer the rail property to the purchaser. The funds derived from sales
13 under this subsection shall be deposited in the transportation fund, and the expense
14 incurred by the department in connection with the sale shall be paid from the
15 appropriation under s. 20.395 (2) (bq).

16 **SECTION 51.** 106.21 (1) (g) of the statutes is amended to read:

17 **106.21 (1) (g) “Public assistance”** means relief provided by counties under s.
18 59.53 (21), Wisconsin works under ss. 49.141 to 49.161, aid to families with
19 dependent children under s. 49.19, medical assistance under subch. IV of ch. 49,
20 low-income energy assistance under s. ~~16.385~~ 16.27 and the food stamp program
21 under 7 USC 2011 to 2029.

22 **SECTION 52.** 106.215 (1) (fm) of the statutes is amended to read:

23 **106.215 (1) (fm) “Public assistance”** means relief provided by counties under
24 s. 59.53 (21), Wisconsin works under ss. 49.141 to 49.161, aid to families with
25 dependent children under s. 49.19, medical assistance under subch. IV of ch. 49,

1 low-income energy assistance under s. ~~16.385~~ 16.27, weatherization assistance
2 under s. ~~16.39~~ 16.26 and the food stamp program under 7 USC 2011 to 2029.

3 **SECTION 53.** 114.33 (10) of the statutes is amended to read:

4 114.33 (10) Subject to the approval of the governor under this subsection, the
5 secretary may sell at public or private sale property of whatever nature owned by the
6 state and under the jurisdiction of the secretary when the secretary determines that
7 the property is no longer necessary for the state's use for airport purposes and, if real
8 property, the real property is not the subject of a petition under s. ~~16.375~~ 560.9810.

9 The secretary shall present to the governor a full and complete report of the property
10 to be sold, the reason for the sale, and the minimum price for which the property
11 should be sold, together with an application for the governor's approval of the sale.

12 The governor shall investigate the proposed sale as he or she deems necessary and
13 approve or disapprove the application. Upon approval and receipt of the full
14 purchase price, the secretary shall by appropriate deed or other instrument transfer
15 the property to the purchaser. The funds derived from the sale shall be deposited in
16 the appropriate airport fund, and the expense incurred by the secretary in
17 connection with the sale shall be paid from that fund.

18 **SECTION 54.** 134.80 of the statutes is amended to read:

19 **134.80 Home heating fuel dealers.** Any dealer selling fuel of any kind for
20 the purpose of heating a private residence shall notify each private residential
21 customer whose account is subject to disconnection of the existence of the fuel
22 assistance programs provided by the department of ~~administration~~ commerce under
23 s. ~~16.385~~ 16.27.

24 **SECTION 55.** 196.491 (2) (e) of the statutes is amended to read:

1 196.491 (2) (e) Any state agency, as defined in s. ~~16.375~~ 560.9810 (1), county,
2 municipality, town or person may submit written comments to the commission on a
3 strategic energy assessment within 90 days after copies of the draft are issued under
4 par. (b).

5 **SECTION 56.** 224.71 (3) (b) 1m. of the statutes is amended to read:

6 224.71 (3) (b) 1m. A community-based organization, as defined in s. ~~16.30~~
7 560.9801 (1), or a housing authority, as defined in s. ~~16.30~~ 560.9801 (2).

8 **SECTION 57.** 224.71 (4) (b) 1m. of the statutes is amended to read:

9 224.71 (4) (b) 1m. A community-based organization, as defined in s. ~~16.30~~
10 560.9801 (1), or a housing authority, as defined in s. ~~16.30~~ 560.9801 (2).

11 **SECTION 58.** 227.115 (1) (a) and (b) of the statutes are amended to read:

12 227.115 (1) (a) “Department” means the department of ~~administration~~
13 commerce.

14 (b) “State housing strategy plan” means the plan developed under s. ~~16.31~~
15 560.9802.

16 **SECTION 59.** 227.115 (3) (a) 5. of the statutes is amended to read:

17 227.115 (3) (a) 5. Housing costs, as defined in s. ~~16.30~~ 560.9801 (3) (a) and (b).

18 **SECTION 60.** 234.034 of the statutes is amended to read:

19 **234.034 Consistency with state housing strategy plan.** Subject to
20 agreements with bondholders or noteholders, the authority shall exercise its powers
21 and perform its duties related to housing consistent with the state housing strategy
22 plan under s. ~~16.31~~ 560.9802.

23 **SECTION 61.** 234.06 (1) of the statutes is amended to read:

24 234.06 (1) The authority may, as authorized in the state housing strategy plan
25 under s. ~~16.31~~ 560.9802, use the moneys held in the housing development fund to

1 make temporary loans to eligible sponsors, with or without interest, and with such
2 security for repayment, if any, as the authority determines reasonably necessary and
3 practicable, solely from the housing development fund, to defray development costs
4 for the construction of proposed housing projects for occupancy by persons and
5 families of low and moderate income. No temporary loan may be made unless the
6 authority may reasonably anticipate that satisfactory financing may be obtained by
7 the eligible sponsor for the permanent financing of the housing project.

8 **SECTION 62.** 234.06 (3) of the statutes is amended to read:

9 234.06 (3) The authority may, as authorized in the state housing strategy plan
10 under s. ~~16.31~~ 560.9802, use the moneys held in the housing development fund to
11 establish and administer programs of grants to counties, municipalities and eligible
12 sponsors of housing projects for persons of low and moderate income, to pay
13 organizational expenses, administrative costs, social services, technical services,
14 training expenses or costs incurred or expected to be incurred by counties,
15 municipalities or sponsors for land and building acquisition, construction,
16 improvements, renewal, rehabilitation, relocation or conservation under a plan to
17 provide housing or related facilities, if the costs are not reimbursable from other
18 private or public loan, grant or mortgage sources.

19 **SECTION 63.** 234.165 (2) (b) 2. of the statutes is amended to read:

20 234.165 (2) (b) 2. Annually before August 31 the authority shall submit to the
21 governor a plan for expending or encumbering the actual surplus reported under
22 subd. 1. The part of the plan related to housing shall be consistent with the state
23 housing strategy plan under s. ~~16.31~~ 560.9802. The plan submitted under this
24 subdivision may be attached to and submitted as a part of the report filed under subd.

25 1.

1 **SECTION 64.** 234.25 (1) (e) of the statutes is amended to read:

2 234.25 (1) (e) An evaluation of its progress in implementing within its own
3 housing programs the goals, policies and objectives of the state housing strategy plan
4 under s. ~~16.31~~ 560.9802, and recommendations for legislation to improve its ability
5 to carry out its programs consistent with the state housing strategy plan.

6 **SECTION 65.** 704.05 (5) (a) 2. of the statutes is amended to read:

7 704.05 (5) (a) 2. Give the tenant notice, personally or by ordinary mail
8 addressed to the tenant's last-known address, of the landlord's intent to dispose of
9 the personal property by sale or other appropriate means if the property is not
10 repossessed by the tenant. If the tenant fails to repossess the property within 30 days
11 after the date of personal service or the date of the mailing of the notice, the landlord
12 may dispose of the property by private or public sale or any other appropriate means.
13 The landlord may deduct from the proceeds of sale any costs of sale and any storage
14 charges if the landlord has first stored the personalty under subd. 1. If the proceeds
15 minus the costs of sale and minus any storage charges are not claimed within 60 days
16 after the date of the sale of the personalty, the landlord is not accountable to the
17 tenant for any of the proceeds of the sale or the value of the property. The landlord
18 shall send the proceeds of the sale minus the costs of the sale and minus any storage
19 charges to the department of administration for deposit in the appropriation under
20 s. ~~20.505 (7)~~ 20.143 (2) (h).

21 **SECTION 66.** 961.01 (20g) of the statutes is amended to read:

22 961.01 (20g) "Public housing project" means any housing project or
23 development administered by a housing authority, as defined in s. ~~16.30~~ 560.9801 (2).

24 **SECTION 9101. Nonstatutory provisions; administration.**

25 (1) TRANSFER OF HOUSING OPERATIONS TRANSITIONAL PROVISIONS.

Auto
REF A (to insert ~~RAM~~
22-23)

1 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
2 liabilities of the department of administration primarily related to the
3 administration of subchapter II of chapter 16, 2001 stats., other than sections 16.385
4 and 16.39, 2001 stats., as determined by the secretary of administration, shall
5 become the assets and liabilities of the department of commerce.

6 (b) *Position and employee transfers.* All incumbent employees holding
7 positions in the department of administration performing duties primarily related
8 to the administration of subchapter II of chapter 16, 2001 stats., other than sections
9 16.385 and 16.39, 2001 stats., as determined by the secretary of administration, are
10 transferred on the effective date of this paragraph to the department of commerce.

11 (c) *Employee status.* Employees transferred under paragraph (b) have all the
12 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
13 statutes in the department of commerce that they enjoyed in the department of
14 administration immediately before the transfer. Notwithstanding section 230.28 (4)
15 of the statutes, no employee so transferred who has attained permanent status in
16 class is required to serve a probationary period.

17 (d) *Tangible personal property.* On the effective date of this paragraph, all
18 tangible personal property, including records, of the department of administration
19 that is primarily related to the administration of subchapter II of chapter 16, 2001
20 stats., other than sections 16.385 and 16.39, 2001 stats., as determined by the
21 secretary of administration, is transferred to the department of commerce.

22 (e) *Contracts.* All contracts entered into by the department of administration
23 in effect on the effective date of this paragraph that are primarily related to the
24 administration of subchapter II of chapter 16, 2001 stats., other than sections 16.385
25 and 16.39, 2001 stats., as determined by the secretary of administration, remain in

1 effect and are transferred to the department of commerce. The department of
 2 commerce shall carry out any obligations under such a contract until the contract is
 3 modified, rescinded by the department of commerce to the extent allowed under the
 4 contract, or expires.

5 (f) *Rules and orders.* All rules promulgated by the department of
 6 administration in effect on the effective date of this paragraph that are primarily
 7 related to the administration of subchapter II of chapter 16, 2001 stats., other than
 8 sections 16.385 and 16.39, 2001 stats., remain in effect until their specified
 9 expiration date or until amended or repealed by the department of commerce. Any
 10 orders issued by the department of administration or the division of housing in the
 11 department of administration that are in effect on the effective date of this
 12 paragraph and that are primarily related to the administration of subchapter II of
 13 chapter 16, 2001 stats., other than sections 16.385 and 16.39, 2001 stats., remain in
 14 effect until their specified expiration date or until modified or rescinded by the
 15 department of commerce.

16 (g) *Pending matters.* Any matter pending with the department of
 17 administration or the division of housing in the department of administration that
 18 is primarily related to the administration of subchapter II of chapter 16, 2001 stats.,
 19 other than sections 16.385 and 16.39, 2001 stats., is transferred to the department
 20 of commerce and all materials submitted to or actions taken by the department of
 21 administration or the division of housing in the department of administration with
 22 respect to such a matter are considered as having been submitted to or taken by the
 23 department of commerce.

(END)

24

INSERT 22-23 ✓

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1634/3ins
RJM:.....

INSERT 22-23

SECTION 9401. Effective dates; administration. ✓

(1) TRANSFER OF HOUSING FUNCTIONS. The [✓] treatment of ^{section} ~~(... to repeal)~~ 15.103 (2); ^{of the statutes}
^{the renumbering of} ~~(to renumber)~~ subchapter II (title) of chapter 16 ^{precedes 16.30} 16.30, 16.31, ^{sections}
16.336, 16.35, 16.358, 16.375, 16.39 and 20.505 (7) (title); ^{and of the statutes} ~~to renumber and amend~~
^{the renumbering and amendment of sections} 15.105 (26), 16.25, 16.33, 16.334, 16.339, 16.351, 16.352, 16.385, 20.505 (4) (ec),
20.505 (4) (er), 20.505 (7) (a), 20.505 (7) (b), 20.505 (7) (c), 20.505 (7) (fm), 20.505 (7)
(h), 20.505 (7) (k), 20.505 (7) (kg), 20.505 (7) (km), 20.505 (7) (m), 20.505 (7) (n) and
20.505 (7) (o); ^{of the statutes} and ^{to amend} 13.099 (1) (a) and (b), 13.0999 (2) (a), 13.0999 (3) (a) 5.,
^{the amendment of sections} 13.94 (1) (q), 16.54 (2) (b), 16.705 (1m), 16.71 (5), 16.72 (2) (b), 16.957 (3) (a), 23.15
(1), 46.215 (1) (n), 46.22 (1) (b) 4m. c., 46.22 (1) (b) 4m. d., 46.22 (1) (b) 4m. e., 50.01
(1g) (c), 51.35 (5), 84.09 (5), 84.09 (5r), 85.09 (4i), 106.21 (1) (g), 106.215 (1) (fm),
114.33 (10), 134.80, 196.491 (2) (e), 224.71 (3) (b) 1m., 224.71 (4) (b) 1m., 227.115 (1)
(a) and (b), 227.115 (3) (a) 5., 234.034, 234.06 (1), 234.06 (3), 234.165 (2) (b) 2., 234.25
(1) (e), 704.05 (5) (a) 2. and 961.01 (20g) of the statutes; [;] and SECTION 9101 (?) of this
[✓] act [✓] takes effect on the 30th day beginning after publication.

Auto ref A
(from p. 20)



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1634/84
RJM:jld:rs

NOW

Done

DOA:.....Caucutt – BB0409, Transfer of DOA housing functions to Commerce

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

Don't gen

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

Analysis by the Legislative Reference Bureau
COMMERCE AND ECONOMIC DEVELOPMENT

ECONOMIC DEVELOPMENT

Currently, DOA is responsible for developing a state housing strategy, administering several grant programs that provide different types of housing assistance, and administering a program governing the use of surplus, state-owned real estate. This bill transfers these responsibilities to the Department of Commerce, except that DOA retains the responsibility to administer the weatherization assistance for low-income persons program and the low-income energy assistance program.

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

2 SECTION 1. 13.099 (1) (a) and (b) of the statutes are amended to read:

3 13.099 (1) (a) "Department" means the department of administration
4 commerce.

1 (b) “State housing strategy plan” means the plan developed under s. ~~16.31~~
2 560.9802.

3 **SECTION 2.** 13.0999 (2) (a) of the statutes is amended to read:

4 13.0999 (2) (a) If any bill that is introduced in either house of the legislature
5 directly or substantially affects the development, construction, cost or availability of
6 housing in this state, the department, ~~through the division of housing~~, shall prepare
7 a report on the bill within 30 days after it is introduced. The department may request
8 any information from other state agencies, local governments or individuals or
9 organizations that is reasonably necessary for the department to prepare the report.

10 **SECTION 3.** 13.0999 (3) (a) 5. of the statutes is amended to read:

11 13.0999 (3) (a) 5. Housing costs, as defined in s. ~~16.30~~ 560.9801 (3) (a) and (b).

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

13 13.94 (1) (q) No later than February 1, 2006, prepare a performance evaluation
14 audit of the volunteer fire fighter and emergency medical technician service award
15 program established under s. ~~16.25~~ 560.9813. The legislative audit bureau shall file
16 a copy of the audit report under this paragraph with the distributees specified in par.
17 (b).

18 **SECTION 5.** 15.103 (2) of the statutes is repealed.

19 **SECTION 6.** 15.105 (26) of the statutes is renumbered 15.155 (5), and 15.155 (5)

20 (a) (intro.), as renumbered, is amended to read:

21 15.155 (5) (a) (intro.) There is created a volunteer fire fighter and emergency
22 medical technician service award board that is attached to the department of
23 ~~administration~~ commerce under s. 15.03. The board shall consist of the secretary of
24 ~~administration~~ commerce or his or her designee and the following members
25 appointed for 3-year terms:

1 **SECTION 7.** 16.25 of the statutes is renumbered 560.9813, and 560.9813 (3) (d)
2 and (4), as renumbered, are amended to read:

3 560.9813 (3) (d) 1. Subject to subd. 2., the board shall match all annual
4 municipal contributions paid for volunteer fire fighters and emergency medical
5 technicians up to \$250 per fiscal year, other than contributions paid for the purchase
6 of additional years of service under par. (e), to be paid from the appropriation account
7 under s. ~~20.505 (4) (er)~~ 20.143 (1) (eu). This amount shall be adjusted annually on
8 July 1 to reflect any changes in the U.S. consumer price index for all urban
9 consumers, U.S. city average, as determined by the U.S. department of labor, for the
10 12-month period ending on the preceding December 31. The board shall pay all
11 amounts that are matched under this paragraph to the individuals and
12 organizations offering the plans selected by the municipalities.

13 2. If the moneys appropriated under s. ~~20.505 (4) (er)~~ 20.143 (1) (eu) are not
14 sufficient to fully fund the contributions required to be paid by the board under subd.
15 1., the board shall prorate the contributions paid for the volunteer fire fighters and
16 emergency medical technicians.

17 (4) (a) The board shall establish by rule the requirements for, and the
18 qualifications of, the individuals and organizations in the private sector that are
19 eligible to provide administrative services and investment plans under the program,
20 other than services funded from the appropriation under s. ~~20.505 (4) (ee)~~ 20.143 (1)
21 (et). In establishing the requirements and qualifications, the board shall develop
22 criteria of financial stability that each individual and organization must meet in
23 order to offer the services and plans under the program.

24 (b) The board may contract with any individual or organization in the private
25 sector that seeks to provide administrative services and investment plans required

1 for the program, other than services funded from the appropriation under s. ~~20.505~~
2 ~~(4)(ee)~~ 20.143 (1) (et), if the individual or organization fulfills the requirements and
3 has the qualifications established by the board under par. (a). Section 16.72 (2) (b)
4 does not apply to any such contract.

5 **SECTION 8.** Subchapter II (title) of chapter 16 [precedes 16.30] of the statutes
6 is renumbered subchapter X (title) of chapter 560 [precedes 560.9801] of the statutes.

7 **SECTION 9.** 16.30 of the statutes is renumbered 560.9801.

8 **SECTION 10.** 16.31 of the statutes is renumbered 560.9802.

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

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

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

18 **SECTION 12.** 16.334 of the statutes is renumbered 560.9804, and 560.9804 (1)
19 (a) and (c), as renumbered, are amended to read:

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

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

24 **SECTION 13.** 16.336 of the statutes is renumbered 560.9805.

1 **SECTION 14.** 16.339 of the statutes is renumbered 560.9806, and 560.9806 (2)

2 (a), as renumbered, is amended to read:

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

9 **SECTION 15.** 16.35 of the statutes is renumbered 560.9815.

10 **SECTION 16.** 16.351 of the statutes is renumbered 560.9807, and 560.9807 (1),
11 as renumbered, is amended to read:

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

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

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

INS 6-4 ✓

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

4 ^{Fix component} SECTION 18. 16.358 of the statutes is renumbered 560.9809

and 560.9809 (1),
as renumbered, is
amended to read:

5 SECTION 19. 16.375 of the statutes is renumbered 560.9810.

6 SECTION 20. 16.385 of the statutes is renumbered 16.27, and 16.27 (3) (b), (c),
7 (d), and (e) (intro.), 1. and 7., as renumbered, are amended to read:

8 16.27 (3) (b) By October 1 of every year from the appropriation under s. ~~20.505~~
9 ~~(7)(e)~~ 20.505 (1) (mb), determine the total amount available for payment of heating
10 assistance under sub. (6) and determine the benefit schedule.

11 (c) From the appropriation under s. ~~20.505 (7) (m)~~ 20.505 (1) (mb), allocate
12 \$1,100,000 in each federal fiscal year for the department's expenses in administering
13 the funds to provide low-income energy assistance.

14 (d) From the appropriation under s. ~~20.505 (7) (e)~~ 20.505 (1) (mb), allocate
15 \$2,900,000 in each federal fiscal year for the expenses of a county department,
16 another local governmental agency or a private nonprofit organization in
17 administering under sub. (4) the funds to provide low-income energy assistance.

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

- 19 1. Allocate and transfer to the appropriation under s. ~~20.505 (7) (kn)~~ (1) (kn),
20 15% of the moneys received under 42 USC 8621 to 8629 in each federal fiscal year
21 under the priority of maintaining funding for the geographical areas on July 20,
22 1985, and, if funding is reduced, prorating contracted levels of payment, for the
23 weatherization assistance program administered by the department under s. ~~16.39~~
24 16.26.

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

5 **SECTION 21.** ~~16.39~~ of the statutes is renumbered 16.26.

6 **SECTION 22.** ~~16.54~~ (2) (b) of the statutes is amended to read:

7 ~~16.54~~ (2) (b) Upon presentation by the department to the joint committee on
8 finance of alternatives to the provisions under s. ~~16.385~~ 16.27, the joint committee
9 on finance may revise the eligibility criteria under s. ~~16.385~~ 16.27 (5), benefit
10 payments under s. ~~16.385~~ 16.27 (6) or the amount allocated for crises under s. ~~16.385~~
11 16.27 (3) (e) 2. and the department shall implement those revisions. Benefits or
12 eligibility criteria so revised shall take into account and be consistent with the
13 requirements of federal regulations promulgated under 42 USC 8621 to 8629. If
14 funds received under 42 USC 8621 to 8629 in a federal fiscal year total less than 90%
15 of the amount received in the previous federal fiscal year, the department shall
16 submit to the joint committee on finance a plan for expenditure of the funds. The
17 department may not use the funds unless the committee approves the plan.

18 **SECTION 23.** ~~16.705~~ (1m) of the statutes is amended to read:

19 ~~16.705~~ (1m) Subsection (1) does not apply to contracts entered into by the
20 volunteer fire fighter and emergency medical technician service award board under
21 s. ~~16.25~~ 560.9813 (4) (b).

22 **SECTION 24.** ~~16.71~~ (5) of the statutes is amended to read:

23 ~~16.71~~ (5) The department shall delegate authority to the volunteer fire fighter
24 and emergency medical technician service award board to enter into contracts under
25 s. ~~16.25~~ 560.9813 (4) (b).

1 **SECTION 25.** 16.72 (2) (b) of the statutes is amended to read:

2 16.72 (2) (b) Except as provided in par. (a) and ss. ~~16.25 (4) (b)~~, 16.751 and,
3 560.9813 (4) (b), and 565.25 (2) (a) 4., the department shall prepare or review
4 specifications for all materials, supplies, equipment, other permanent personal
5 property and contractual services not purchased under standard specifications.
6 Such “nonstandard specifications” may be generic or performance specifications, or
7 both, prepared to describe in detail the article which the state desires to purchase
8 either by its physical properties or programmatic utility. When appropriate for such
9 nonstandard items or services, trade names may be used to identify what the state
10 requires, but wherever possible 2 or more trade names shall be designated and the
11 trade name of any Wisconsin producer, distributor or supplier shall appear first.

12 **SECTION 26.** 16.957 (3) (a) of the statutes is amended to read:

13 16.957 (3) (a) The ~~division of housing~~ department shall, on the basis of
14 competitive bids, contract with community action agencies described in s. 46.30 (2)
15 (a) 1., nonstock, nonprofit corporations organized under ch. 181 or local units of
16 government to provide services under the programs established under sub. (2) (a).

17 **SECTION 27.** 20.505 (4) (ec) of the statutes is renumbered 20.143 (1) (et) and
18 amended to read:

19 20.143 (1) (et) *Volunteer fire fighter and emergency medical technician service*
20 *award program; general program operations.* The amounts in the schedule for
21 general program operations of the volunteer fire fighter and emergency medical
22 technician service award board and to reimburse the department of ~~administration~~
23 commerce for all services provided by the department to the board.

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

1 **SECTION 28.** 20.505 (4) (er) of the statutes is renumbered 20.143 (1) (eu) and
2 amended to read:

3 20.143 (1) (eu) *Volunteer fire fighter and emergency medical technician service*
4 *award program; state matching awards.* A sum sufficient to make the payments
5 required under s. ~~16.25~~ 560.9813 (3) (d). The amount appropriated under this
6 paragraph may not exceed \$2,000,000 in a fiscal year.

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

7 **SECTION 29.** 20.505 (7) (title) of the statutes is renumbered 20.143 (2) (title).

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

8 **SECTION 30.** 20.505 (7) (a) of the statutes is renumbered 20.143 (2) (a) and
9 amended to read:

10 20.143 (2) (a) *General program operations.* The amounts in the schedule for
11 general program operations under subch. ~~II of ch. 16~~ X of ch. 560.

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

12 **SECTION 31.** 20.505 (7) (b) of the statutes is renumbered 20.143 (2) (b) and
13 amended to read:

14 20.143 (2) (b) *Housing grants and loans; general purpose revenue.* Biennially,
15 the amounts in the schedule for grants and loans under s. ~~16.33~~ 560.9803 and for
16 grants under s. ~~16.336~~ 560.9805.

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

17 **SECTION 32.** 20.505 (7) (c) of the statutes is renumbered 20.143 (2) (c) and
18 amended to read:

1 20.143 (2) (c) *Payments to designated agents.* The amounts in the schedule for
2 payments for services provided by agents designated under s. ~~16.334~~ 560.9804 (2),
3 in accordance with agreements entered into under s. ~~16.334~~ 560.9804 (1).

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

4 **SECTION 33.** 20.505 (7) (fm) of the statutes is renumbered 20.143 (2) (fm) and
5 amended to read:

6 20.143 (2) (fm) *Shelter for homeless and transitional housing grants.* The
7 amounts in the schedule for transitional housing grants under s. ~~16.339~~ 560.9806
8 and for grants to agencies and shelter facilities for homeless individuals and families
9 as provided under s. ~~16.352~~ 560.9808. Notwithstanding ss. 20.001 (3) (a) and 20.002
10 (1), the department may transfer funds between fiscal years under this paragraph.
11 All funds allocated but not encumbered by December 31 of each year lapse to the
12 general fund on the next January 1 unless transferred to the next calendar year by
13 the joint committee on finance.

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

14 **SECTION 34.** 20.505 (7) (h) of the statutes is renumbered 20.143 (2) (h) and
15 amended to read:

16 20.143 (2) (h) *Funding for the homeless.* All moneys received from interest on
17 real estate trust accounts under s. 452.13 for grants under s. ~~16.351~~ 560.9807, and
18 all moneys received under s. 704.05 (5) (a) 2., for grants to agencies and shelter
19 facilities for homeless individuals and families under s. ~~16.352~~ 560.9808 (2) (a) and
20 (b).

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

1 **SECTION 35.** 20.505 (7) (k) of the statutes is renumbered 20.143 (2) (k) and
2 amended to read:

3 20.143 (2) (k) *Sale of materials or services.* All moneys received from the sale
4 of materials or services related to housing assistance under subch. II of ch. ~~16~~ X of
5 ch. 560 to the department or other state agencies, for the purpose of providing those
6 materials and services.

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

7 **SECTION 36.** 20.505 (7) (kg) of the statutes is renumbered 20.143 (2) (kg) and
8 amended to read:

9 20.143 (2) (kg) *Housing program services.* All moneys received from other state
10 agencies for housing program services, for ~~that~~ the purpose of providing housing
11 program services.

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

12 **SECTION 37.** 20.505 (7) (km) of the statutes is renumbered 20.505 (1) (kn) and
13 amended to read:

14 20.505 (1) (kn) *Weatherization assistance.* All moneys transferred from the
15 appropriation under par. (e) (~~mb~~) and all moneys received from other state agencies
16 or the department, for the weatherization program under s. ~~16.39~~ 16.26, for that
17 purpose.

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

18 **SECTION 38.** 20.505 (7) (m) of the statutes is renumbered 20.143 (2) (m) and
19 amended to read:

20 20.143 (2) (m) *Federal aid; state operations.* All moneys received from the
21 federal government for state operations related to housing assistance under subch.

1 ~~II of ch. 16~~ X of ch. 560, as authorized by the governor under s. 16.54, for the purposes
2 of state operations.

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

3 **SECTION 39.** 20.505 (7) (n) of the statutes is renumbered 20.143 (2) (n) and
4 amended to read:

5 20.143 (2) (n) *Federal aid; local assistance.* All moneys received from the
6 federal government for local assistance related to housing assistance under subch.
7 ~~II of ch. 16~~ X of ch. 560, as authorized by the governor under s. 16.54, for the purposes
8 of providing local assistance.

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

9 **SECTION 40.** 20.505 (7) (o) of the statutes is renumbered 20.143 (2) (o) and
10 amended to read:

11 20.143 (2) (o) *Federal aid; individuals and organizations.* All moneys received
12 from the federal government for aids to individuals and organizations related to
13 housing assistance under subch. ~~II of ch. 16~~ X of ch. 560, as authorized by the
14 governor under s. 16.54, for the purpose of providing aids to individuals and
15 organizations.

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

16 **SECTION 41.** 23.15 (1) of the statutes is amended to read:

17 23.15 (1) The natural resources board may sell, at public or private sale, lands
18 and structures owned by the state under the jurisdiction of the department of natural
19 resources when the natural resources board determines that said lands are no longer
20 necessary for the state's use for conservation purposes and, if real property, the real
21 property is not the subject of a petition under s. ~~16.375~~ 560.9810 (2).

1 **SECTION 42.** 46.215 (1) (n) of the statutes is amended to read:

2 46.215 (1) (n) To collect and transmit information to the department of
3 administration so that a federal energy assistance payment may be made to an
4 eligible household; to collect and transmit information to the department of
5 administration so that weatherization services may be made available to an eligible
6 household; to receive applications from individuals seeking low-income energy
7 assistance under s. ~~16.385~~ 16.27 (4) or weatherization services under s. ~~16.39~~ 16.26;
8 to provide information on the income eligibility for weatherization of a recipient of
9 low-income energy assistance to an entity with which the department of
10 administration contracts for provision of weatherization under s. ~~16.39~~ 16.26; and
11 to receive a request, determine a correct payment amount, if any, and provide
12 payment, if any, for emergency assistance under s. ~~16.385~~ 16.27 (8).

13 **SECTION 43.** 46.22 (1) (b) 4m. c. of the statutes is amended to read:

14 46.22 (1) (b) 4m. c. To receive applications from individuals seeking low-income
15 energy assistance under s. ~~16.385~~ 16.27 (4) or weatherization services under s. ~~16.39~~
16 16.26.

17 **SECTION 44.** 46.22 (1) (b) 4m. d. of the statutes is amended to read:

18 46.22 (1) (b) 4m. d. To provide information on the income eligibility for
19 weatherization of a recipient of low-income energy assistance to an entity with
20 which the department of administration contracts for provision of weatherization
21 under s. ~~16.39~~ 16.26.

22 **SECTION 45.** 46.22 (1) (b) 4m. e. of the statutes is amended to read:

23 46.22 (1) (b) 4m. e. To receive a request, determine a correct payment amount,
24 if any, and provide payment, if any, for emergency assistance under s. ~~16.385~~ 16.27
25 (8).

1 **SECTION 46.** 50.01 (1g) (c) of the statutes is amended to read:

2 50.01 (1g) (c) A shelter facility as defined under s. ~~16.352~~ 560.9808 (1) (d).

3 **SECTION 47.** 51.35 (5) of the statutes is amended to read:

4 51.35 (5) **RESIDENTIAL LIVING ARRANGEMENTS; TRANSITIONARY SERVICES.** The
5 department and any person, director or board authorized to discharge or transfer
6 patients under this section shall ensure that a proper residential living arrangement
7 and the necessary transitional services are available and provided for the patient
8 being discharged or transferred. Under this subsection, a proper residential living
9 arrangement may not include a shelter facility, as defined under s. ~~16.352~~ 560.9808
10 (1) (d), unless the discharge or transfer to the shelter facility is made on an
11 emergency basis for a period not to exceed 10 days.

12 **SECTION 48.** 84.09 (5) of the statutes is amended to read:

13 84.09 (5) Subject to the approval of the governor, the department may sell at
14 public or private sale property of whatever nature owned by the state and under the
15 jurisdiction of the department when the department determines that the property
16 is no longer necessary for the state's use for highway purposes and, if real property,
17 the real property is not the subject of a petition under s. ~~16.375~~ 560.9810 (2). The
18 department shall present to the governor a full and complete report of the property
19 to be sold, the reason for the sale, and the minimum price for which the same should
20 be sold, together with an application for the governor's approval of the sale. The
21 governor shall thereupon make such investigation as he or she may deem necessary
22 and approve or disapprove the application. Upon such approval and receipt of the
23 full purchase price, the department shall by appropriate deed or other instrument
24 transfer the property to the purchaser. The approval of the governor is not required
25 for public or private sale of property having a fair market value at the time of sale

1 of not more than \$3,000, for the transfer of surplus state real property to the
2 department of administration under s. ~~16.375~~ 560.9810 or for the transfer of surplus
3 state personal property to the department of tourism under sub. (5s). The funds
4 derived from sales under this subsection shall be deposited in the transportation
5 fund, and the expense incurred by the department in connection with the sale shall
6 be paid from such fund.

7 **SECTION 49.** 84.09 (5r) of the statutes is amended to read:

8 **84.09 (5r)** In lieu of the sale or conveyance of property under sub. (5) or (5m),
9 the department may, subject to the approval of the governor, donate real property
10 that is adjacent to the veterans memorial site located at The Highground in Clark
11 County and owned by the state and under the jurisdiction of the department to the
12 Wisconsin Vietnam Veterans Memorial Project, Inc., for the purpose of the veterans
13 memorial site located at The Highground in Clark County for the purpose of a
14 memorial hall specified in s. 70.11 (9). The department may donate property under
15 this subsection only when the department determines that the property is no longer
16 necessary for the state's use for highway purposes and is not the subject of a petition
17 under s. ~~16.375~~ 560.9810 (2) and is transferred with a restriction that the donee may
18 not subsequently transfer the real property to any person except to this state, which
19 shall not be charged for any improvements thereon. Such restriction shall be
20 recorded in the office of the register of deeds in the county in which the property is
21 located. The department shall present to the governor a full and complete report of
22 the property to be donated, the reason for the donation, and the minimum price for
23 which the property could likely be sold under sub. (5), together with an application
24 for the governor's approval of the donation. The governor shall thereupon make such
25 investigation as he or she considers necessary and approve or disapprove the

1 application. Upon such approval, the department shall by appropriate deed or other
2 instrument transfer the property to the donee. The approval of the governor is not
3 required for donation of property having a fair market value at the time of donation
4 of not more than \$3,000. Any expense incurred by the department in connection with
5 the donation shall be paid from the transportation fund.

6 **SECTION 50.** 85.09 (4i) of the statutes is amended to read:

7 **85.09 (4i) DISPOSAL OF RAIL PROPERTY.** The department shall sell at public or
8 private sale rail property acquired under sub. (4) when the department determines
9 that the rail property is not necessary for a public purpose and, if real property, the
10 real property is not the subject of a petition under s. ~~16.375~~ 560.9810 (2). Upon
11 receipt of the full purchase price, the department shall, by appropriate deed or other
12 instrument, transfer the rail property to the purchaser. The funds derived from sales
13 under this subsection shall be deposited in the transportation fund, and the expense
14 incurred by the department in connection with the sale shall be paid from the
15 appropriation under s. 20.395 (2) (bq).

16 **SECTION 51.** 106.21 (1) (g) of the statutes is amended to read:

17 **106.21 (1) (g) “Public assistance”** means relief provided by counties under s.
18 59.53 (21), Wisconsin works under ss. 49.141 to 49.161, aid to families with
19 dependent children under s. 49.19, medical assistance under subch. IV of ch. 49,
20 low-income energy assistance under s. ~~16.385~~ 16.27 and the food stamp program
21 under 7 USC 2011 to 2029.

22 **SECTION 52.** 106.215 (1) (fm) of the statutes is amended to read:

23 **106.215 (1) (fm) “Public assistance”** means relief provided by counties under
24 s. 59.53 (21), Wisconsin works under ss. 49.141 to 49.161, aid to families with
25 dependent children under s. 49.19, medical assistance under subch. IV of ch. 49,

1 low-income energy assistance under s. ~~16.385~~ 16.27, weatherization assistance
2 under s. ~~16.39~~ 16.26 and the food stamp program under 7 USC 2011 to 2029.

3 **SECTION 53.** 114.33 (10) of the statutes is amended to read:

4 114.33 (10) Subject to the approval of the governor under this subsection, the
5 secretary may sell at public or private sale property of whatever nature owned by the
6 state and under the jurisdiction of the secretary when the secretary determines that
7 the property is no longer necessary for the state's use for airport purposes and, if real
8 property, the real property is not the subject of a petition under s. ~~16.375~~ 560.9810.

9 The secretary shall present to the governor a full and complete report of the property
10 to be sold, the reason for the sale, and the minimum price for which the property
11 should be sold, together with an application for the governor's approval of the sale.

12 The governor shall investigate the proposed sale as he or she deems necessary and
13 approve or disapprove the application. Upon approval and receipt of the full
14 purchase price, the secretary shall by appropriate deed or other instrument transfer
15 the property to the purchaser. The funds derived from the sale shall be deposited in
16 the appropriate airport fund, and the expense incurred by the secretary in
17 connection with the sale shall be paid from that fund.

18 **SECTION 54.** 134.80 of the statutes is amended to read:

19 **134.80 Home heating fuel dealers.** Any dealer selling fuel of any kind for
20 the purpose of heating a private residence shall notify each private residential
21 customer whose account is subject to disconnection of the existence of the fuel
22 assistance programs provided by the department of ~~administration~~ commerce under
23 s. ~~16.385~~ 16.27.

24 **SECTION 55.** 196.491 (2) (e) of the statutes is amended to read:

1 196.491 (2) (e) Any state agency, as defined in s. ~~16.375~~ 560.9810 (1), county,
2 municipality, town or person may submit written comments to the commission on a
3 strategic energy assessment within 90 days after copies of the draft are issued under
4 par. (b).

5 **SECTION 56.** 224.71 (3) (b) 1m. of the statutes is amended to read:

6 224.71 (3) (b) 1m. A community-based organization, as defined in s. ~~16.30~~
7 560.9801 (1), or a housing authority, as defined in s. ~~16.30~~ 560.9801 (2).

8 **SECTION 57.** 224.71 (4) (b) 1m. of the statutes is amended to read:

9 224.71 (4) (b) 1m. A community-based organization, as defined in s. ~~16.30~~
10 560.9801 (1), or a housing authority, as defined in s. ~~16.30~~ 560.9801 (2).

11 **SECTION 58.** 227.115 (1) (a) and (b) of the statutes are amended to read:

12 227.115 (1) (a) “Department” means the department of ~~administration~~
13 commerce.

14 (b) “State housing strategy plan” means the plan developed under s. ~~16.31~~
15 560.9802.

16 **SECTION 59.** 227.115 (3) (a) 5. of the statutes is amended to read:

17 227.115 (3) (a) 5. Housing costs, as defined in s. ~~16.30~~ 560.9801 (3) (a) and (b).

18 **SECTION 60.** 234.034 of the statutes is amended to read:

19 **234.034 Consistency with state housing strategy plan.** Subject to
20 agreements with bondholders or noteholders, the authority shall exercise its powers
21 and perform its duties related to housing consistent with the state housing strategy
22 plan under s. ~~16.31~~ 560.9802.

23 **SECTION 61.** 234.06 (1) of the statutes is amended to read:

24 234.06 (1) The authority may, as authorized in the state housing strategy plan
25 under s. ~~16.31~~ 560.9802, use the moneys held in the housing development fund to

1 make temporary loans to eligible sponsors, with or without interest, and with such
2 security for repayment, if any, as the authority determines reasonably necessary and
3 practicable, solely from the housing development fund, to defray development costs
4 for the construction of proposed housing projects for occupancy by persons and
5 families of low and moderate income. No temporary loan may be made unless the
6 authority may reasonably anticipate that satisfactory financing may be obtained by
7 the eligible sponsor for the permanent financing of the housing project.

8 **SECTION 62.** 234.06 (3) of the statutes is amended to read:

9 234.06 (3) The authority may, as authorized in the state housing strategy plan
10 under s. ~~16.31~~ 560.9802, use the moneys held in the housing development fund to
11 establish and administer programs of grants to counties, municipalities and eligible
12 sponsors of housing projects for persons of low and moderate income, to pay
13 organizational expenses, administrative costs, social services, technical services,
14 training expenses or costs incurred or expected to be incurred by counties,
15 municipalities or sponsors for land and building acquisition, construction,
16 improvements, renewal, rehabilitation, relocation or conservation under a plan to
17 provide housing or related facilities, if the costs are not reimbursable from other
18 private or public loan, grant or mortgage sources.

19 **SECTION 63.** 234.165 (2) (b) 2. of the statutes is amended to read:

20 234.165 (2) (b) 2. Annually before August 31 the authority shall submit to the
21 governor a plan for expending or encumbering the actual surplus reported under
22 subd. 1. The part of the plan related to housing shall be consistent with the state
23 housing strategy plan under s. ~~16.31~~ 560.9802. The plan submitted under this
24 subdivision may be attached to and submitted as a part of the report filed under subd.
25 1.

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1 SECTION 64. 234.25 (1) (e) of the statutes is amended to read:

2 234.25 (1) (e) An evaluation of its progress in implementing within its own
3 housing programs the goals, policies and objectives of the state housing strategy plan
4 under s. ~~16.31~~ 560.9802, and recommendations for legislation to improve its ability
5 to carry out its programs consistent with the state housing strategy plan.

6 SECTION 65. 704.05 (5) (a) 2. of the statutes is amended to read:

7 704.05 (5) (a) 2. Give the tenant notice, personally or by ordinary mail
8 addressed to the tenant's last-known address, of the landlord's intent to dispose of
9 the personal property by sale or other appropriate means if the property is not
10 repossessed by the tenant. If the tenant fails to repossess the property within 30 days
11 after the date of personal service or the date of the mailing of the notice, the landlord
12 may dispose of the property by private or public sale or any other appropriate means.
13 The landlord may deduct from the proceeds of sale any costs of sale and any storage
14 charges if the landlord has first stored the personalty under subd. 1. If the proceeds
15 minus the costs of sale and minus any storage charges are not claimed within 60 days
16 after the date of the sale of the personalty, the landlord is not accountable to the
17 tenant for any of the proceeds of the sale or the value of the property. The landlord
18 shall send the proceeds of the sale minus the costs of the sale and minus any storage
19 charges to the department of administration for deposit in the appropriation under
20 s. ~~20.505 (7)~~ 20.143 (2) (h).

21 SECTION 66. 961.01 (20g) of the statutes is amended to read:

22 961.01 (20g) "Public housing project" means any housing project or
23 development administered by a housing authority, as defined in s. ~~16.30~~ 560.9801 (2).

24 SECTION 9101. **Nonstatutory provisions; administration.**

25 (1) TRANSFER OF HOUSING OPERATIONS TRANSITIONAL PROVISIONS.

1 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
2 liabilities of the department of administration primarily related to the
3 administration of subchapter II of chapter 16, 2001 stats., other than sections 16.385
4 and 16.39, 2001 stats., as determined by the secretary of administration, shall
5 become the assets and liabilities of the department of commerce.

6 (b) *Position and employee transfers.* All incumbent employees holding
7 positions in the department of administration performing duties primarily related
8 to the administration of subchapter II of chapter 16, 2001 stats., other than sections
9 16.385 and 16.39, 2001 stats., as determined by the secretary of administration, are
10 transferred on the effective date of this paragraph to the department of commerce.

11 (c) *Employee status.* Employees transferred under paragraph (b) have all the
12 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
13 statutes in the department of commerce that they enjoyed in the department of
14 administration immediately before the transfer. Notwithstanding section 230.28 (4)
15 of the statutes, no employee so transferred who has attained permanent status in
16 class is required to serve a probationary period.

17 (d) *Tangible personal property.* On the effective date of this paragraph, all
18 tangible personal property, including records, of the department of administration
19 that is primarily related to the administration of subchapter II of chapter 16, 2001
20 stats., other than sections 16.385 and 16.39, 2001 stats., as determined by the
21 secretary of administration, is transferred to the department of commerce.

22 (e) *Contracts.* All contracts entered into by the department of administration
23 in effect on the effective date of this paragraph that are primarily related to the
24 administration of subchapter II of chapter 16, 2001 stats., other than sections 16.385
25 and 16.39, 2001 stats., as determined by the secretary of administration, remain in

1 effect and are transferred to the department of commerce. The department of
2 commerce shall carry out any obligations under such a contract until the contract is
3 modified, rescinded by the department of commerce to the extent allowed under the
4 contract, or expires.

5 (f) *Rules and orders.* All rules promulgated by the department of
6 administration in effect on the effective date of this paragraph that are primarily
7 related to the administration of subchapter II of chapter 16, 2001 stats., other than
8 sections 16.385 and 16.39, 2001 stats., remain in effect until their specified
9 expiration date or until amended or repealed by the department of commerce. Any
10 orders issued by the department of administration or the division of housing in the
11 department of administration that are in effect on the effective date of this
12 paragraph and that are primarily related to the administration of subchapter II of
13 chapter 16, 2001 stats., other than sections 16.385 and 16.39, 2001 stats., remain in
14 effect until their specified expiration date or until modified or rescinded by the
15 department of commerce.

16 (g) *Pending matters.* Any matter pending with the department of
17 administration or the division of housing in the department of administration that
18 is primarily related to the administration of subchapter II of chapter 16, 2001 stats.,
19 other than sections 16.385 and 16.39, 2001 stats., is transferred to the department
20 of commerce and all materials submitted to or actions taken by the department of
21 administration or the division of housing in the department of administration with
22 respect to such a matter are considered as having been submitted to or taken by the
23 department of commerce.

24 **SECTION 9401. Effective dates; administration.**

16.358,

1 (1) TRANSFER OF HOUSING FUNCTIONS. The repeal of section 15.103 (2) of the
2 statutes; the renumbering of sections 16.30, 16.31, 16.336, 16.35, ~~16.358~~ 16.375,
3 16.39 and 20.505 (7) (title) and subchapter II (title) of chapter 16 of the statutes; the
4 renumbering and amendment of sections 15.105 (26), 16.25, 16.33, 16.334, 16.339,
5 16.351, 16.352, 16.385, 20.505 (4) (ec), 20.505 (4) (er), 20.505 (7) (a), 20.505 (7) (b),
6 20.505 (7) (c), 20.505 (7) (fm), 20.505 (7) (h), 20.505 (7) (k), 20.505 (7) (kg), 20.505 (7)
7 (km), 20.505 (7) (m), 20.505 (7) (n) and 20.505 (7) (o) of the statutes; and the
8 amendment of sections 13.099 (1) (a) and (b), 13.0999 (2) (a), 13.0999 (3) (a) 5., 13.94
9 (1) (q), 16.54 (2) (b), 16.705 (1m), 16.71 (5), 16.72 (2) (b), 16.957 (3) (a), 23.15 (1),
10 46.215 (1) (n), 46.22 (1) (b) 4m. c., 46.22 (1) (b) 4m. d., 46.22 (1) (b) 4m. e., 50.01 (1g)
11 (c), 51.35 (5), 84.09 (5), 84.09 (5r), 85.09 (4i), 106.21 (1) (g), 106.215 (1) (fm), 114.33
12 (10), 134.80, 196.491 (2) (e), 224.71 (3) (b) 1m., 224.71 (4) (b) 1m., 227.115 (1) (a) and
13 (b), 227.115 (3) (a) 5., 234.034, 234.06 (1), 234.06 (3), 234.165 (2) (b) 2., 234.25 (1) (e),
14 704.05 (5) (a) 2. and 961.01 (20g) of the statutes; and SECTION 9101 (1) of this act take
15 effect on the 30th day beginning after publication.

16

(END)

560.045
560.045 (1),

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~~Section #. 16.358 (1) of the statutes is amended to read:~~

560.9809 ✓

~~16.358~~ (1) The department may administer housing programs, including the housing improvement grant program and the initial rehabilitation grant program, that are funded by a community development block grant, 42 USC 5301 to 5320, ~~under a contract entered into with the department of commerce under s. 560.045.~~

History: 1991 a. 39; 1995 a. 27 s. 9116 (5); 1997 a. 27.

(end ins 6-4)

INS 20-5

Section #. 560.045 (1) of the statutes is amended to read:

560.045 (1) ~~Notwithstanding s. 16.54 (2) (a), from moneys received under a community development block grant, 42 USC 5301 to 5320, the department shall contract with the department of administration for the administration of housing programs, including the housing improvement grant program and the initial rehabilitation grant program.~~ To the extent allowed under federal law or regulation, the department shall give priority in the awarding of grants under ~~the~~ programs to grants for projects related to the redevelopment of brownfields, as defined in s. 560.60 (1v).

History: 1991 a. 39; 1997 a. 27; 1999 a. 9.

(end ins 20-5

housing

1 which the property could likely be sold under sub. (5), together with an application
2 for the governor's approval of the donation. The governor shall thereupon make such
3 investigation as he or she considers necessary and approve or disapprove the
4 application. Upon such approval, the department shall by appropriate deed or other
5 instrument transfer the property to the donee. The approval of the governor is not
6 required for donation of property having a fair market value at the time of donation
7 of not more than \$3,000. Any expense incurred by the department in connection with
8 the donation shall be paid from the transportation fund.

9 **SECTION 50.** 85.09 (4i) of the statutes is amended to read:

10 85.09 (4i) DISPOSAL OF RAIL PROPERTY. The department shall sell at public or
11 private sale rail property acquired under sub. (4) when the department determines
12 that the rail property is not necessary for a public purpose and, if real property, the
13 real property is not the subject of a petition under s. ~~16.375~~ 560.9810 (2). Upon
14 receipt of the full purchase price, the department shall, by appropriate deed or other
15 instrument, transfer the rail property to the purchaser. The funds derived from sales
16 under this subsection shall be deposited in the transportation fund, and the expense
17 incurred by the department in connection with the sale shall be paid from the
18 appropriation under s. 20.395 (2) (bq).

19 **SECTION 51.** 106.21 (1) (g) of the statutes is amended to read:

20 106.21 (1) (g) "Public assistance" means relief provided by counties under s.
21 59.53 (21), Wisconsin works under ss. 49.141 to 49.161, aid to families with
22 dependent children under s. 49.19, medical assistance under subch. IV of ch. 49,
23 low-income energy assistance under s. ~~16.385~~ 16.27 and the food stamp program
24 under 7 USC 2011 to 2029.

25 **SECTION 52.** 106.215 (1) (fm) of the statutes is amended to read:

*Incorporate
G.M.M. + for
eff. date 1/1/04*

1 106.215 (1) (fm) "Public assistance" means relief provided by counties under
2 s. 59.53 (21), Wisconsin works under ss. 49.141 to 49.161, aid to families with
3 dependent children under s. 49.19, medical assistance under subch. IV of ch. 49,
4 low-income energy assistance under s. ~~16.385~~ 16.27, weatherization assistance
5 under s. ~~16.39~~ 16.26 and the food stamp program under 7 USC 2011 to 2029.

6 **SECTION 53.** 114.33 (10) of the statutes is amended to read:

7 114.33 (10) Subject to the approval of the governor under this subsection, the
8 secretary may sell at public or private sale property of whatever nature owned by the
9 state and under the jurisdiction of the secretary when the secretary determines that
10 the property is no longer necessary for the state's use for airport purposes and, if real
11 property, the real property is not the subject of a petition under s. ~~16.375~~ 560.9810.
12 The secretary shall present to the governor a full and complete report of the property
13 to be sold, the reason for the sale, and the minimum price for which the property
14 should be sold, together with an application for the governor's approval of the sale.
15 The governor shall investigate the proposed sale as he or she deems necessary and
16 approve or disapprove the application. Upon approval and receipt of the full
17 purchase price, the secretary shall by appropriate deed or other instrument transfer
18 the property to the purchaser. The funds derived from the sale shall be deposited in
19 the appropriate airport fund, and the expense incurred by the secretary in
20 connection with the sale shall be paid from that fund.

21 **SECTION 54.** 134.80 of the statutes is amended to read:

22 **134.80 Home heating fuel dealers.** Any dealer selling fuel of any kind for
23 the purpose of heating a private residence shall notify each private residential
24 customer whose account is subject to disconnection of the existence of the fuel

1 department of transportation may acquire any abandoned rail property under this
2 section regardless of the date of its abandonment.

3 **SECTION 31.** 91.19 (6s) (a) (intro.) of the statutes is amended to read:

4 91.19 **(6s)** (a) (intro.) The department may release from a farmland
5 preservation agreement any land acquired or to be acquired by ~~a local unit of~~
6 ~~government~~ the governing body of a municipality, as defined in s. 106.215 (1) (e)
7 281.59 (1) (c), for public improvements or structures, including highway
8 improvements, if all of the following occur:

9 **SECTION 32.** 106.215 (title) of the statutes is amended to read:

10 **106.215** (title) ~~Wisconsin conservation corps program~~ Youth
11 employment projects.

12 **SECTION 33.** 106.215 (1) (intro.) of the statutes is repealed.

13 **SECTION 34.** 106.215 (1) (a) of the statutes is repealed.

14 **SECTION 35.** 106.215 (1) (b) of the statutes is repealed.

15 **SECTION 36.** 106.215 (1) (c) of the statutes is repealed.

16 **SECTION 37.** 106.215 (1) (cg) of the statutes is repealed.

17 **SECTION 38.** 106.215 (1) (cm) of the statutes is repealed.

18 **SECTION 39.** 106.215 (1) (d) of the statutes is repealed.

19 **SECTION 40.** 106.215 (1) (e) of the statutes is repealed.

20 **SECTION 41.** 106.215 (1) (f) of the statutes is repealed.

21 **SECTION 42.** 106.215 (1) (fm) of the statutes is renumbered 977.01 (2) and
22 amended to read:

23 977.01 **(2)** "Public assistance" means relief provided by counties under s. 59.53
24 (21), Wisconsin works under ss. 49.141 to 49.161, ~~aid to families with dependent~~
25 ~~children under s. 49.19~~, medical assistance under subch. IV of ch. 49, low-income

1 energy assistance under s. 16.385, weatherization assistance under s. 16.39, and the
2 food stamp program under 7 USC 2011 to 2029.

3 SECTION 43. 106.215 (1) (g) of the statutes is repealed.

4 SECTION 44. 106.215 (2) of the statutes is amended to read:

5 106.215 (2) OBJECTIVES. The ~~board~~ department shall develop guidelines for the
6 ~~Wisconsin conservation corps program~~ youth employment projects funded under
7 sub. (1m) designed to promote ~~the~~ all of the following objectives of:

8 (a) *Employment of ~~young adults~~ youth*. Providing employment for ~~young men~~
9 ~~and women~~ youth 14 years of age or over, but under 21 years of age, in all regions of
10 the state.

11 (b) *Conservation*. Conserving, developing, enhancing, or maintaining the
12 natural resources of this state through the implementation of projects ~~which~~ that
13 have a long-term beneficial impact on the environment.

14 (c) *Personal development*. Encouraging and developing ~~work~~ employment and
15 life skills, discipline, and cooperation, in project participants by providing
16 meaningful work experiences and training and educational opportunities for ~~corps~~
17 ~~enrollees~~ those participants.

18 (d) *Human services*. Promoting the social well-being of children, the elderly,
19 persons with disabilities, and persons with low incomes through the implementation
20 of human services projects ~~that include human services activities~~.

21 SECTION 45. 106.215 (2) (e) of the statutes is created to read:

22 106.215 (2) (e) *Wages*. Providing project participants with a wage that is not
23 less than the federal minimum wage or the applicable state minimum wage
24 established under ch. 104, whichever is greater.

25 SECTION 46. 106.215 (3) of the statutes is repealed.

1 **SECTION 24.** 16.71 (5) of the statutes is amended to read:

2 16.71 (5) The department shall delegate authority to the volunteer fire fighter
3 and emergency medical technician service award board to enter into contracts under
4 s. ~~16.25~~ 560.9813 (4) (b).

5 ~~**SECTION 25.** 16.72 (2) (b) of the statutes is amended to read:~~

6 ~~16.72 (2) (b) Except as provided in par. (a) and ss. ~~16.25~~ (4) (b), 16.751 and~~
7 ~~560.9813 (4) (b), and 565.25 (2) (a) 4., the department shall prepare or review~~
8 ~~specifications for all materials, supplies, equipment, other permanent personal~~
9 ~~property and contractual services not purchased under standard specifications.~~
10 ~~Such "nonstandard specifications" may be generic or performance specifications, or~~
11 ~~both, prepared to describe in detail the article which the state desires to purchase~~
12 ~~either by its physical properties or programmatic utility. When appropriate for such~~
13 ~~nonstandard items or services, trade names may be used to identify what the state~~
14 ~~requires, but wherever possible 2 or more trade names shall be designated and the~~
15 ~~trade name of any Wisconsin producer, distributor or supplier shall appear first.~~

16 **SECTION 26.** 16.957 (3) (a) of the statutes is amended to read:

17 16.957 (3) (a) The ~~division of housing~~ department shall, on the basis of
18 competitive bids, contract with community action agencies described in s. 46.30 (2)
19 (a) 1., nonstock, nonprofit corporations organized under ch. 181 or local units of
20 government to provide services under the programs established under sub. (2) (a).

21 **SECTION 27.** 20.505 (4) (ec) of the statutes is renumbered 20.143 (1) (et) and
22 amended to read:

23 20.143 (1) (et) *Volunteer fire fighter and emergency medical technician service*
24 *award program; general program operations.* The amounts in the schedule for
25 general program operations of the volunteer fire fighter and emergency medical

1 16.72 (2) (a) The department of ~~administration~~ shall prepare standard
2 specifications, as far as possible, for all state purchases. By “standard specifications”
3 is meant a specification, either chemical or physical or both, prepared to describe in
4 detail the article which the state desires to purchase, and trade names shall not be
5 used. On the formulation, adoption and modification of any standard specifications,
6 the department of administration shall also seek and be accorded without cost, the
7 assistance, advice and cooperation of other agencies and officers. Each specification
8 adopted for any commodity shall, insofar as possible, satisfy the requirements of any
9 and all agencies which use it in common. ~~Any specifications for the purchase of~~
10 ~~materials, supplies, equipment, or contractual services for information technology~~
11 ~~or telecommunications purposes are subject to the approval of the chief information~~
12 ~~officer.~~

13 **SECTION 23.** 16.72 (2) (b) of the statutes is amended to read:

14 16.72 (2) (b) Except as provided in ~~par. (a) and~~ ss. 16.25 (4) (b), 16.751 and
15 565.25 (2) (a) 4., the department shall prepare or review specifications for all
16 materials, supplies, equipment, other permanent personal property and contractual
17 services not purchased under standard specifications. Such “nonstandard
18 specifications” may be generic or performance specifications, or both, prepared to
19 describe in detail the article which the state desires to purchase either by its physical
20 properties or by its programmatic utility. When appropriate for such nonstandard
21 items or services, trade names may be used to identify what the state requires, but
22 wherever possible 2 or more trade names shall be designated and the trade name of
23 any Wisconsin producer, distributor or supplier shall appear first.

24 **SECTION 24.** 16.72 (4) (a) of the statutes is amended to read:

1 which the property could likely be sold under sub. (5), together with an application
2 for the governor's approval of the donation. The governor shall thereupon make such
3 investigation as he or she considers necessary and approve or disapprove the
4 application. Upon such approval, the department shall by appropriate deed or other
5 instrument transfer the property to the donee. The approval of the governor is not
6 required for donation of property having a fair market value at the time of donation
7 of not more than \$3,000. Any expense incurred by the department in connection with
8 the donation shall be paid from the transportation fund.

9 **SECTION 50.** 85.09 (4i) of the statutes is amended to read:

10 **85.09 (4i) DISPOSAL OF RAIL PROPERTY.** The department shall sell at public or
11 private sale rail property acquired under sub. (4) when the department determines
12 that the rail property is not necessary for a public purpose and, if real property, the
13 real property is not the subject of a petition under s. ~~16-375~~ 560.9810 (2). Upon
14 receipt of the full purchase price, the department shall, by appropriate deed or other
15 instrument, transfer the rail property to the purchaser. The funds derived from sales
16 under this subsection shall be deposited in the transportation fund, and the expense
17 incurred by the department in connection with the sale shall be paid from the
18 appropriation under s. 20.395 (2) (bq).

19 **SECTION 51.** 106.21 (1) (g) of the statutes is amended to read:

NOTE
20 106.21 (1) (g) "Public assistance" means relief provided by counties under s.
21 59.53 (21), Wisconsin works under ss. 49.141 to 49.161, aid to families with
22 dependent children under s. 49.19, medical assistance under subch. IV of ch. 49,
23 low-income energy assistance under s. ~~16-385~~ 16.27 and the food stamp program
24 under 7 USC 2011 to 2029.

25 **SECTION 52.** 106.215 (1) (fm) of the statutes is amended to read:

1 officers and employees of the state. As determined under this subdivision, the
2 salaries shall be paid either monthly, semimonthly or for each 2-week period.

3 SECTION 2. 20.445 (1) (cm) of the statutes is amended to read:

4 20.445 (1) (cm) *Wisconsin service corps member compensation and support*
5 *education vouchers*. As a continuing appropriation, the amounts in the schedule for
6 the payment of Wisconsin service corps member ~~compensation and for other costs of~~
7 ~~projects under the Wisconsin service corps program under s. 106.21 if those costs are~~
8 ~~not paid by project sponsors. Corps member compensation includes the cost of~~
9 ~~salaries, benefits and education vouchers under s. 106.213.~~

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

10 SECTION 3. 20.445 (1) (cm) of the statutes, as affected by 2003 Wisconsin Act
11 (this act), is repealed.

****NOTE: This SECTION involves a change in an appropriation, but should not be reflected in the revised schedule in s. 20.005, stats., because of a delayed effective date.

12 SECTION 4. 20.445 (1) (jr) 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 5. 20.445 (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 6. 106.21 (title) of the statutes is repealed.

15 SECTION 7. 106.21 (1) of the statutes is repealed.

16 SECTION 8. 106.21 (2) of the statutes is repealed.

17 SECTION 9. 106.21 (3) of the statutes is repealed.

18 SECTION 10. 106.21 (4) of the statutes is repealed.

19 SECTION 11. 106.21 (5) of the statutes is repealed.

20 SECTION 12. 106.21 (6) of the statutes is repealed.

1 **SECTION 32.** 20.505 (7) (c) of the statutes is renumbered 20.143 (2) (c) and
2 amended to read:

3 20.143 (2) (c) *Payments to designated agents.* The amounts in the schedule for
4 payments for services provided by agents designated under s. ~~16.334~~ 560.9804 (2),
5 in accordance with agreements entered into under s. ~~16.334~~ 560.9804 (1).

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

6 **SECTION 33.** 20.505 (7) (fm) of the statutes is renumbered 20.143 (2) (fm) and
7 amended to read:

8 20.143 (2) (fm) *Shelter for homeless and transitional housing grants.* The
9 amounts in the schedule for transitional housing grants under s. ~~16.339~~ 560.9806
10 and for grants to agencies and shelter facilities for homeless individuals and families
11 as provided under s. ~~16.352~~ 560.9808. Notwithstanding ss. 20.001 (3) (a) and 20.002
12 (1), the department may transfer funds between fiscal years under this paragraph.
13 All funds allocated but not encumbered by December 31 of each year lapse to the
14 general fund on the next January 1 unless transferred to the next calendar year by
15 the joint committee on finance.

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

16 **SECTION 34.** 20.505 (7) (h) of the statutes is renumbered 20.143 (2) (h) and
17 amended to read:

18 20.143 (2) (h) *Funding for the homeless.* All moneys received from interest on
19 real estate trust accounts under s. 452.13 for grants under s. ~~16.351~~ 560.9807, and
20 all moneys received under s. 704.05 (5) (a) 2., for grants to agencies and shelter
21 facilities for homeless individuals and families under s. ~~16.352~~ 560.9808 (2) (a) and
22 (b).

DOA:.....Dombrowski – BB0234, Appropriation for designated agents under housing cost grant and loan program

FOR 2003-05 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

COMMERCE AND ECONOMIC DEVELOPMENT

ECONOMIC DEVELOPMENT

Currently, DOA makes grants and loans to individuals and families of low or moderate income to defray the individual's or family's housing costs. Current law allows DOA to designate agents, such as local units of government, for the administration of this grant and loan program. Current law contains a specific GPR appropriation to fund payments made by DOA to these designated agents for their services. This bill repeals this appropriation. Thus, under the bill, any such payments would be funded by the GPR appropriation covering DOA's general program operations in administering the subchapter of the statutes in which the grant and loan program is created.

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.** 20.505 (7) (c) 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.

2 **(END)**