



State of Wisconsin
2003 - 2004 LEGISLATURE

KJF

LRB-1922/P⁴
ALL:all:all

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to:

Analysis by the Legislative Reference Bureau

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

2 *-1449/1.1* SECTION 1. 5.05 (11) of the statutes is created to read:

3 5.05 (11) AIDS TO COUNTIES AND MUNICIPALITIES. From the appropriation under
4 s. 20.510 (1) (x), the board may provide financial assistance to eligible counties and
5 municipalities for election administration costs.

6 *-1449/1.2* SECTION 2. 7.31 (5) of the statutes is amended to read:

7 7.31 (5) The board shall conduct regular training and administer examinations
8 to ensure that individuals who are certified by the board under this section are
9 knowledgeable concerning their authority and responsibilities. The board shall pay
10 all costs required to conduct the training and to administer the examinations from
11 the ~~appropriation~~ appropriations under s. 20.510 (1) (bm) and (jm).

1 *~~1449~~/1.3* SECTION 3. 7.31 (6) of the statutes is created to read:

2 7.31 (6) The board may assess municipalities for costs incurred by the board
3 in conducting the training and certification program under this section. The amount
4 assessed to any municipality may not exceed the costs incurred by the board that are
5 attributable to that municipality. The board shall credit any moneys received under
6 this subsection to the appropriation under s. 20.510 (1) (jm).

7 *~~1289~~/7.1* SECTION 4. 7.33 (4) and (5) of the statutes are amended to read:

8 7.33 (4) Except as otherwise provided in this subsection, each local
9 governmental unit, as defined in s. ~~22.01~~ 16.97 (7), may, and each state agency shall,
10 upon proper application under sub. (3), permit each of its employees to serve as an
11 election official without loss of fringe benefits or seniority privileges earned for
12 scheduled working hours during the period specified in sub. (3), without loss of pay
13 for scheduled working hours during the period specified in sub. (3) except as provided
14 in sub. (5), and without any other penalty. For employees who are included in a
15 collective bargaining unit for which a representative is recognized or certified under
16 subch. V of ch. 111, this subsection shall apply unless otherwise provided in a
17 collective bargaining agreement.

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

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

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

5 (b) “State housing strategy plan” means the plan developed under s. ~~16.31~~
6 560.9802.

7 *~~1634/7.2~~* SECTION 6. 13.0999 (2) (a) of the statutes is amended to read:

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

14 *~~1634/7.3~~* SECTION 7. 13.0999 (3) (a) 5. of the statutes is amended to read:

15 13.0999 (3) (a) 5. Housing costs, as defined in s. ~~16.30~~ 560.9801 (3) (a) and (b).

16 *~~1599/1.1~~* SECTION 8. 13.101 (6) (a) of the statutes is amended to read:

17 13.101 (6) (a) As an emergency measure necessitated by decreased state
18 revenues and to prevent the necessity for a state tax on general property, the
19 committee may reduce any appropriation made to any board, commission,
20 department, or the University of Wisconsin System, or to any other state agency or
21 activity, by such amount as it deems feasible, not exceeding 25% of the
22 appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), ~~and~~
23 (cr), and (r), 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax), and
24 (6) (aq), (ar), and (at), 20.435 (6) (a) and (7) (da), and 20.445 (3) (a) and (dz) or for
25 forestry purposes under s. 20.370 (1), or any other moneys distributed to any county,

1 city, village, town, or school district. Appropriations of receipts and of a sum
2 sufficient shall for the purposes of this section be regarded as equivalent to the
3 amounts expended under such appropriations in the prior fiscal year which ended
4 June 30. All functions of said state agencies shall be continued in an efficient
5 manner, but because of the uncertainties of the existing situation no public funds
6 should be expended or obligations incurred unless there shall be adequate revenues
7 to meet the expenditures therefor. For such reason the committee may make
8 reductions of such appropriations as in its judgment will secure sound financial
9 operations of the administration for said state agencies and at the same time
10 interfere least with their services and activities.

11 ***-1289/7.2* SECTION 9.** 13.101 (14) of the statutes is amended to read:

12 13.101 (14) With the concurrence of the joint committee on information policy
13 and technology, direct the department of ~~electronic government~~ administration to
14 report to the committee concerning any specific information technology system
15 project in accordance with s. 13.58 (5) (b) 4.

16 ***-1504/1.1* SECTION 10.** 13.101 (16) (b) of the statutes is amended to read:

17 13.101 (16) (b) Annually, on June 15, beginning in 2004, the committee shall
18 transfer from the permanent endowment fund to the tobacco control fund the lesser
19 of ~~\$25,000,000~~ \$15,054,500 for fiscal year 2003-04, and the lesser of \$15,062,000 for
20 fiscal year 2004-05 and every fiscal year thereafter, or the proceeds of, and
21 investment earnings on, investments of the permanent endowment fund in the prior
22 calendar year.

23 ***-1630/2.1* SECTION 11.** 13.121 (1) of the statutes is amended to read:

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

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

5 13.121 (4) INSURANCE. For the purpose of premium determinations under s.
6 40.05 (4) and (5) each member of the legislature shall accrue sick leave at a rate
7 equivalent to a percentage of time worked recommended for such positions by the
8 secretary of employment relations administration and approved by the joint
9 committee on employment relations in the same manner as compensation for such
10 positions is determined under s. 20.923. This percentage of time worked shall be
11 applied to the sick leave accrual rate established under s. 230.35 (2). The approved
12 percentage shall be incorporated into the compensation plan under s. 230.12 (1).

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

14 13.123 (1) (a) 1. Any member of the legislature who has signified, by affidavit
15 filed with the department of administration, the necessity of establishing a
16 temporary residence at the state capital for the period of any regular or special
17 legislative session shall be entitled to an allowance for expenses incurred for food and
18 lodging for each day that he or she is in Madison on legislative business, but not
19 including any Saturday or Sunday unless the legislator is in actual attendance on
20 such day at a session of the legislature or a meeting of a standing committee of which
21 the legislator is a member. The amount of the allowance for each biennial session
22 shall be 90% of the per diem rate for travel for federal government business within
23 the city of Madison, as established by the federal general services administration.
24 For the purpose of determining the amount of the allowance, the secretary of
25 employment relations administration shall certify to the chief clerk of each house the

1 federal per diem rate in effect on December 1, or the first business day thereafter if
2 December 1 is not a business day, in each even-numbered year. Each legislator shall
3 file an affidavit with the chief clerk of his or her house certifying the specific dollar
4 amount within the authorized allowance the member wishes to receive. Such
5 affidavit, when filed, shall remain in effect for the biennial session.

6 ***-1630/2.2* SECTION 14.** 13.123 (1) (c) of the statutes is amended to read:

7 13.123 (1) (c) Each member shall certify to the chief clerk of the house in which
8 the member serves, as promptly as may be following the 1st of each month, the
9 number of days during the previous calendar month on which the member was in
10 Madison on legislative business and for which the member seeks the allowance
11 provided by this subsection. Such allowances shall be paid from the appropriation
12 under s. 20.765 (1) (a) or (b) or (5) within one week after each calendar month; and
13 shall be paid, upon the filing with the department of administration, the chief clerk's
14 affidavit stating the number of days in Madison on legislative business for all
15 members of the chief clerk's house.

16 ***-1630/2.3* SECTION 15.** 13.123 (2) (intro.) of the statutes is amended to read:

17 13.123 (2) INTERIM EXPENSES. (intro.) From the appropriation under s. 20.765
18 (1) (a) or (b) or (5), each member of the legislature shall be entitled to an expense
19 allowance for postage and clerical assistance for each full calendar month during
20 which the legislature is in actual session 3 days or less. No allowance is payable to
21 a representative to the assembly unless the speaker of the assembly files with the
22 chief clerk of the assembly a written authorization for the allowance to be paid. No
23 allowance is payable to a senator unless the majority leader of the senate files with
24 the chief clerk of the senate a written authorization for the allowance to be paid. An
25 authorization filed under this subsection becomes effective for the month in which

1 it is filed and continues in effect through the month in which the speaker of the
2 assembly or the majority leader of the senate files a written revocation of the
3 authorization with the chief clerk of the appropriate house. The rate of such
4 allowance shall be as follows:

5 ***-1630/2.4* SECTION 16.** 13.123 (3) (a) of the statutes is amended to read:

6 13.123 (3) (a) Any senator authorized by the committee on senate organization
7 to attend a meeting outside the state capital, any representative to the assembly
8 authorized by the committee on assembly organization to attend an out-of-state
9 meeting or authorized by the speaker to attend a meeting within this state outside
10 the state capital, and all members of the legislature required by law, legislative rule,
11 resolution or joint resolution to attend such meetings, shall be paid no additional
12 compensation for such services but shall be reimbursed for actual and necessary
13 expenses from the appropriation under s. 20.765 (1) (a) or (b) or (5), but no legislator
14 may be reimbursed under this subsection for expenses on any day for which the
15 legislator submits a claim under sub. (1).

16 ***-1630/2.5* SECTION 17.** 13.125 of the statutes is amended to read:

17 **13.125 Chaplains.** The officiating chaplain of the senate and assembly shall
18 be paid such amount as may be established by each house for each day of service from
19 the appropriation under s. 20.765 (1) (a) or (b) or (5). Payment shall be made on
20 certification by the chief clerk of the senate or of the assembly, respectively, showing
21 the amount to which each chaplain is entitled.

22 ***-1630/2.6* SECTION 18.** 13.14 (2) of the statutes is amended to read:

23 13.14 (2) **FLORAL PIECES.** The senate and assembly may procure floral pieces
24 for deceased or ill members of the legislature and state officers who, in the judgment
25 of the presiding officer and chief clerk, have been identified with the legislative

1 process. Such expenses shall be by voucher, signed by the presiding officer or chief
2 clerk of the respective house, and shall be drawn on the appropriation under s. 20.765
3 (1) (a) or (b) or (5).

4 ***-1630/2.7* SECTION 19.** 13.14 (3) of the statutes is amended to read:

5 13.14 (3) TRAVEL; LEGISLATIVE PERSONNEL. The actual and necessary expenses
6 of legislative policy research personnel, assistants to legislators, and research staff
7 assigned to legislative committees incident to attending meetings outside the state
8 capital shall be reimbursed from the appropriation under s. 20.765 (1) (a) or (b) or
9 (5).

10 ***-0576/8.3* SECTION 20.** 13.20 (2) of the statutes is amended to read:

11 13.20 (2) PAY RANGES; DURATION OF EMPLOYMENT. All legislative employees shall
12 be paid in accordance with the compensation and classification plan for employees
13 in the classified civil service within ranges approved by the joint committee on
14 legislative organization. The secretary of ~~employment relations~~ administration
15 shall make recommendations concerning a compensation and classification schedule
16 for legislative employees if requested to do so by the joint committee on legislative
17 organization or by the committee on organization of either house. If the joint
18 committee does not approve pay ranges for legislative employees, the committee on
19 organization of either house may approve pay ranges for its employees.
20 Appointments shall be made for the legislative session, unless earlier terminated by
21 the appointing officer.

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

23 13.40 (3) (b) An appropriation to honor a moral obligation undertaken
24 pursuant to ss. 16.523 (8), 16.526 (8), 16.527 (10), 18.61 (5), 85.25 (5), 101.143 (9m)

1 (i), 229.50 (7), 229.74 (7), 229.830 (7), 234.15 (4), 234.42 (4), 234.54 (4) (b), 234.626
2 (7), 234.93 (6), 234.932 (6), 234.933 (6), and 281.59 (13m).

***NOTE: This is reconciled s. 13.40 (3) (b). This SECTION has been affected by drafts with the following LRB numbers: LRB-1016, LRB-0854, and LRB-1797.

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

4 13.40 (3) (fm) An appropriation for the 2003-05 fiscal biennium to make
5 payments to counties, towns, villages, and cities under ss. 79.035 and 79.036.

6 ***-1711/5.1* SECTION 23.** 13.40 (3) (i) 1. of the statutes is repealed.

7 ***-1630/2.8* SECTION 24.** 13.45 (3) (a) of the statutes is amended to read:

8 13.45 (3) (a) For any day for which the legislator does not file a claim under s.
9 13.123 (1), any legislator appointed to serve on a legislative committee or a
10 committee to which the legislator was appointed by either house or the officers
11 thereof shall be reimbursed from the appropriations under s. 20.765 (1) (a) or (b) or
12 (5) for actual and necessary expenses incurred as a member of the committee.

13 ***-0576/8.4* SECTION 25.** 13.48 (2) (j) of the statutes is amended to read:

14 13.48 (2) (j) No later than the first day of the 7th month after the effective date
15 of each biennial budget act, the secretary of ~~employment relations~~ administration
16 shall report to the building commission, in writing, regarding the desirability of
17 including plans for day care facility space in the plans for any construction or major
18 remodeling project, enumerated in the state building program in the biennial budget
19 act, for any state office building. Based upon the report of the secretary of
20 ~~employment relations~~ administration, the building commission may direct that
21 plans for day care facility space be included in the plans for that construction or
22 major remodeling project.

23 ***-1746/4.1* SECTION 26.** 13.48 (14) (c) of the statutes is amended to read:

1 13.48 (14) (c) If there is any outstanding public debt used to finance the
2 acquisition of a building, structure or land or the construction of a building or
3 structure that is sold or leased under par. (b), the building commission shall deposit
4 a sufficient amount of the net proceeds from the sale or lease of the building,
5 structure or land in the bond security and redemption fund under s. 18.09 to repay
6 the principal and pay the interest on the debt, and any premium due upon refunding
7 any of that debt. If there is no such debt outstanding, or, if the net proceeds exceed
8 the amount required to repay that principal and pay that interest and premium, the
9 building commission shall ~~credit~~ deposit the net proceeds or remaining net proceeds
10 to in the ~~appropriation account under s. 20.865 (4) (a)~~ budget stabilization fund.

11 *~~1630/2.9~~* SECTION 27. 13.50 (6) (am) of the statutes is amended to read:

12 13.50 (6) (am) The cochairpersons of the joint survey committee on retirement
13 systems or the cochairpersons of the joint committee on finance, with respect to any
14 bill or amendment specified in par. (a), or the presiding officer of either house of the
15 legislature, with respect to any bill or amendment specified in par. (a) that is pending
16 in his or her house, may make a determination, based on any available information,
17 that the bill or amendment may have a significant fiscal impact on the costs,
18 actuarial balance or goals of the Wisconsin ~~retirement system~~ Retirement System
19 and order the attachment of an independent actuarial opinion on such impact. The
20 cochairpersons or presiding officer ordering such an opinion shall direct the staff
21 under sub. (4) to obtain the opinion. The staff shall make payment for the opinion
22 from the appropriation under s. 20.765 (2) (ab) or (5).

23 *~~0576/8.5~~* SECTION 28. 13.51 (2) (b) of the statutes is amended to read:

24 13.51 (2) (b) The secretary of ~~employment relations~~ administration or the
25 secretary's designee.

1 ***-1630/2.10*** SECTION 29. 13.56 (2) of the statutes is amended to read:

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

11 ***-1630/2.11*** SECTION 30. 13.57 (3) of the statutes is amended to read:

12 13.57 (3) All expenses under sub. (1) shall be reimbursed from the
13 appropriation under s. 20.765 (1) (a) or (b) or (5).

14 ***-1289/7.3*** SECTION 31. 13.58 (5) (a) 5. of the statutes is amended to read:

15 13.58 (5) (a) 5. Upon receipt of strategic plans from the department of electronic
16 government administration, the joint committee on legislative organization and the
17 director of state courts, review and transmit comments concerning the plans to the
18 entities submitting the plans.

19 ***-1289/7.4*** SECTION 32. 13.58 (5) (b) 1. of the statutes is amended to read:

20 13.58 (5) (b) 1. Direct the department of ~~electronic government~~ administration
21 to conduct studies or prepare reports on items related to the committee's duties under
22 par. (a).

23 ***-1289/7.5*** SECTION 33. 13.58 (5) (b) 4. (intro.) of the statutes is amended to
24 read:

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

8 *~~1630/2.12~~* SECTION 34. 13.81 (6) of the statutes is amended to read:

9 13.81 (6) REIMBURSEMENT FOR SPECIAL STUDIES. At the end of each fiscal year,
10 the general fund shall be reimbursed, from any other state fund, the amounts
11 actually expended by the joint legislative council under s. 20.765 (3) (e) or (5) for the
12 cost of making and publishing surveys and analyses of activities and policies related
13 to such funds. The council shall bill such state funds at the end of each fiscal year
14 for the costs so incurred, in accordance with cost records maintained by the council.

15 *~~1630/2.13~~* SECTION 35. 13.81 (8) of the statutes is amended to read:

16 13.81 (8) CONFERENCE ON LEGISLATIVE PROCEDURES. Following each general
17 election, the joint legislative council shall sponsor a conference to acquaint new
18 legislators or legislators-elect with legislative procedures. Expenses for the
19 conference shall be paid from the appropriation under s. 20.765 (3) (e) or (5).

20 *~~1630/2.14~~* SECTION 36. 13.83 (3) (c) 1. of the statutes is amended to read:

21 13.83 (3) (c) 1. The joint legislative council shall pay the expenses incurred by
22 the members appointed under par. (b) 1., in performing their functions on the special
23 committee, from the appropriation under s. 20.765 (3) (e) or (5).

24 *~~1630/2.15~~* SECTION 37. 13.90 (2) of the statutes is amended to read:

1 13.90 (2) The cochairpersons of the joint committee on legislative organization
2 or their designated agent shall accept service made under s. 806.04 (11). If the
3 committee, the senate organization committee or the assembly organization
4 committee, determines that the legislature should be represented in the proceeding,
5 that committee shall designate the legislature's representative for the proceeding.
6 The costs of participation in the proceeding shall be paid equally from the
7 appropriations under s. 20.765 (1) (a) and (b) or shall be paid from the appropriation
8 under s. 20.765 (5), if applicable, except that such costs incurred by the department
9 of justice shall be paid from the appropriation under s. 20.455 (1) (d).

10 *-1630/2.16* SECTION 38. 13.90 (4) of the statutes is amended to read:

11 13.90 (4) The cochairpersons of the joint committee on legislative organization
12 shall authorize payment of fees entitling the legislature to membership in national
13 organizations from the appropriation under s. 20.765 (3) (fa) or (5).

14 *-1289/7.6* SECTION 39. 13.90 (6) of the statutes is amended to read:

15 13.90 (6) The joint committee on legislative organization shall adopt, revise
16 biennially and submit to the cochairpersons of the joint committee on information
17 policy and technology, the governor and the ~~chief information officer~~ secretary of
18 administration, no later than September 15 of each even-numbered year, a strategic
19 plan for the utilization of information technology to carry out the functions of the
20 legislature and legislative service agencies, as defined in s. 16.70 (6). The plan shall
21 address the business needs of the legislature and legislative service agencies and
22 shall identify all resources relating to information technology which the legislature
23 and legislative service agencies desire to acquire, contingent upon funding
24 availability, the priority for such acquisitions and the justification for such

1 acquisitions. The plan shall also identify any changes in the functioning of the
2 legislature and legislative service agencies under the plan.

3 ***-1327/1.1* SECTION 40.** 13.92 (1) (b) 1. b. of the statutes is amended to read:
4 13.92 (1) (b) 1. b. Any agency, as defined in s. 16.70 ~~(1)~~ (1e), created under ch.
5 13, 14, 15, or 758.

6 ***-1373/8.1* SECTION 41.** 13.92 (3) of the statutes is amended to read:
7 13.92 (3) TREATMENT OF CERTAIN LEGISLATIVE REFERENCE BUREAU EMPLOYEES.
8 Notwithstanding s. 230.08 (2) (fc), those employees holding positions in the classified
9 service at the legislative reference bureau on June 16, 1998, who have achieved
10 permanent status in class before that date, shall retain, while serving in the
11 unclassified service at the legislative reference bureau, those protections afforded
12 employees in the classified service under ss. 230.34 (1) (a) (ah) and 230.44 (1) (c)
13 relating to demotion, suspension, discharge, layoff or reduction in base pay. Such
14 employees shall also have reinstatement privileges to the classified service as
15 provided under s. 230.33 (1). Those employees of the legislative reference bureau
16 holding positions in the classified service on June 16, 1998, who have not achieved
17 permanent status in class in any position at the legislative reference bureau on that
18 date are eligible to receive the protections, privileges and rights preserved under this
19 subsection if they successfully complete service equivalent to the probationary
20 period required in the classified service for the position which they hold on that date.

21 ***-1289/7.7* SECTION 42.** 13.93 (2) (h) of the statutes is amended to read:
22 13.93 (2) (h) Approve specifications and scheduling for computer databases
23 containing the Wisconsin statutes and for the printing of the Wisconsin statutes as
24 prescribed in ss. ~~22.03~~ 16.971 (6) and 35.56 (5).

25 ***-1630/2.17* SECTION 43.** 13.93 (2) (k) of the statutes is amended to read:

1 13.93 (2) (k) Pay, from the appropriation under s. 20.765 (3) (a) or (5), the
2 expenses of attendance at meetings of members of the Commission on Uniform State
3 Laws who are appointed by the governor.

4 ***-0529/4.1*** SECTION 44. 13.94 (1) (a) of the statutes is amended to read:

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

13 ***-0529/4.2*** SECTION 45. 13.94 (1) (d) 1. of the statutes is amended to read:

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

18 ***-0529/4.3*** SECTION 46. 13.94 (1) (d) 2. of the statutes is amended to read:

19 13.94 (1) (d) 2. If the governor directs that such an examination be conducted,
20 the order from the governor shall provide for reimbursement of the legislative audit
21 bureau's costs in making the examination from the appropriation under s. 20.525 (1)
22 (a). No order from the governor for an examination under this paragraph may take
23 precedence over any examination already scheduled by the legislative audit bureau
24 without approval of the joint legislative audit committee. If a deficiency is discovered
25 pursuant to an examination under this paragraph, the governor shall require the

1 ~~treasurer~~ secretary of administration to make up the deficiency immediately; and if
2 the ~~treasurer~~ secretary of administration refuses or neglects for 10 days thereafter
3 to have the full sum belonging to said funds in the treasury the attorney general shall
4 institute proceedings to recover the deficiency.

5 *~~0529/4.4~~* SECTION 47. 13.94 (1) (f) of the statutes is amended to read:

6 13.94 (1) (f) Certify Whenever a new secretary of administration takes office,
7 certify to the incoming ~~treasurer~~ secretary the balance in the treasury when he or
8 she came into office and all bonds and securities belonging to all public funds on
9 deposit in the treasury or properly accounted for and transmit a certified copy thereof
10 to the outgoing ~~treasurer~~ secretary.

11 *~~1634/7.4~~* SECTION 48. 13.94 (1) (q) of the statutes is amended to read:

12 13.94 (1) (q) No later than February 1, 2006, prepare a performance evaluation
13 audit of the volunteer fire fighter and emergency medical technician service award
14 program established under s. ~~16.25~~ 560.9813. The legislative audit bureau shall file
15 a copy of the audit report under this paragraph with the distributees specified in par.
16 (b).

17 *~~1630/2.18~~* SECTION 49. 13.94 (1m) of the statutes is amended to read:

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

1 *~~1373/8.2~~* SECTION 50. 13.94 (5) of the statutes is amended to read:

2 13.94 (5) TREATMENT OF CLASSIFIED EMPLOYEES. Notwithstanding sub. (3) (b),
3 those individuals holding positions in the classified service at the legislative audit
4 bureau who achieved permanent status in class on July 31, 1981, shall retain, while
5 serving in the unclassified service in the legislative audit bureau, those protections
6 afforded employees in the classified service under ss. 230.34 (1) ~~(a)~~ (ah) and 230.44
7 (1) (c) relating to demotion, suspension, discharge or layoff, except that the
8 applicability of any reduction in base pay of such an employecc shall be determined
9 on the basis of the base pay received by the employee on July 31, 1981, plus the total
10 amount of any subsequent general economic increases approved by the joint
11 committee on employment relations for nonrepresented employees in the classified
12 service. Such employees shall also have reinstatement privileges to the classified
13 service as provided under s. 230.33 (1). Employees of the legislative audit bureau
14 holding positions in the classified service on July 31, 1981, who have not achieved
15 permanent status in class in any position in the legislative audit bureau on that date
16 are eligible to receive the protections and privileges preserved under this subsection
17 if they successfully complete the probationary period required for the position which
18 they hold.

19 *~~1289/7.8~~* SECTION 51. 14.20 (1) (a) of the statutes is amended to read:

20 14.20 (1) (a) "Local governmental unit" has the meaning given in s. ~~22.01~~ 16.97
21 (7).

22 *~~1752/3.1~~* SECTION 52. 14.20 (2) of the statutes is amended to read:

23 14.20 (2) From the ~~appropriations~~ appropriation under s. 20.525 (1) (f) ~~and (kf)~~,
24 the governor may provide a grant to any local governmental unit or nonprofit
25 organization for support of a literacy improvement program.

1 ***-1630/2.19*** SECTION 53. 14.38 (10) (c) of the statutes is amended to read:

2 14.38 (10) (c) Publish in the official state newspaper within 10 days after the
3 date of publication of an act a notice certifying the number of each act, the number
4 of the bill from which it originated, the date of publication and the relating clause.
5 Each certificate shall also contain a notice of where the full text of each act can be
6 obtained. Costs under this paragraph shall be charged to the appropriation under
7 s. 20.765 (1) (d) or (5).

8 ***-0529/4.5*** SECTION 54. 14.58 (1) (intro.) of the statutes is repealed and
9 recreated to read:

10 14.58 (1) SIGN CHECKS, SHARE DRAFTS, AND OTHER DRAFTS. (intro.) Sign checks,
11 share drafts, and other drafts on depositories in which moneys may be deposited in
12 one of the following methods:

13 ***-0529/4.6*** SECTION 55. 14.58 (2) of the statutes is renumbered 16.401 (2) and
14 amended to read:

15 16.401 (2) ISSUE RECEIPTS. Issue receipts for all money paid to the treasurer
16 department.

17 ***-0529/4.7*** SECTION 56. 14.58 (3) of the statutes is renumbered 16.401 (3).

18 ***-0529/4.8*** SECTION 57. 14.58 (4) of the statutes is renumbered 16.401 (4) and
19 amended to read:

20 16.401 (4) PAY ON WARRANTS SUMS AUTHORIZED BY LAW. (a) Pay out of the treasury,
21 on demand, upon the warrants of the department of ~~administration~~, except as
22 provided in s. 20.929, such sums only as are authorized by law to be so paid, if there
23 are appropriate funds therein to pay the same, and, when any sum is required to be
24 paid out of a particular fund, pay it out of such fund only; and upon each such
25 warrant, when payment is made in currency, take the receipt endorsed on or annexed

1 thereto, of the payee therein named or an authorized agent or assignee. The state
2 ~~treasurer~~ secretary shall accept telephone advice believed by ~~the treasurer~~ him or
3 her to be genuine from any public depository, as defined in s. 34.01 (5), stating that
4 a specified amount of money has been deposited with such public depository for the
5 credit of the state ~~treasurer~~, and shall act upon such telephone advice as though it
6 had been in writing.

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

14 ***-0529/4.9* SECTION 58.** 14.58 (5) of the statutes is renumbered 16.401 (5) and
15 amended to read:

16 16.401 (5) ACCOUNT FOR INTEREST. Pay into the treasury and account for all
17 sums directly or indirectly received by the ~~treasurer~~ secretary by virtue of the
18 ~~treasurer's~~ secretary's office, or as interest or compensation for the use, deposit, or
19 forbearance of any state moneys in the ~~treasurer's~~ secretary's hands or under the
20 ~~treasurer's~~ secretary's control.

21 ***-0529/4.10* SECTION 59.** 14.58 (6) of the statutes is renumbered 16.401 (6)
22 and amended to read:

23 16.401 (6) KEEP CASH AND FUND ACCOUNTS. Keep records showing the number,
24 date, and amount of each cash receipt issued by the ~~treasurer's office~~ department and
25 classify said receipts by state funds; submit a summary statement of collections by

1 fund together with a copy of each remittance advice in support thereof; keep also
2 records showing the check, share draft, or other draft number, date, payee, and
3 amount of each cash disbursement and classify said disbursements by state funds;
4 keep a record of the date, payee, and amount of each disbursement made by a money
5 transfer technique other than a check or draft and classify the disbursement by state
6 fund; and verify at the end of each week the amounts shown by the ~~treasurer's~~
7 secretary's records to represent total cash balance and cash balances of individual
8 state funds by comparing said amounts with corresponding balances appearing on
9 records maintained by the department of administration.

10 *~~0529/4.11~~* SECTION 60. 14.58 (8) (intro.) and (a) to (c) of the statutes are
11 renumbered 16.401 (7) (intro.) and (a) to (c).

12 *~~0529/4.12~~* SECTION 61. 14.58 (8) (d) of the statutes is repealed.

13 *~~0529/4.13~~* SECTION 62. 14.58 (9) of the statutes is renumbered 16.401 (8)
14 and amended to read:

15 16.401 (8) ~~BIENNIAL SUBMIT BIENNIAL REPORT. On or before October 15 of each~~
16 ~~odd-numbered year, submit to the governor and the chief clerk of each house of the~~
17 ~~legislature, for distribution to the legislature under s. 13.172 (2), a report containing~~
18 ~~the same information required of departments and independent agencies under s.~~
19 ~~15.04 (1) (d). The report shall also~~ As part of the report submitted under s. 15.04 (1)
20 (d), include a statement showing for each of the 2 preceding fiscal years the cash
21 balance in each state fund at the beginning of the fiscal year, the aggregate amount
22 of receipts credited, and the aggregate amount of disbursements charged to each said
23 fund during the fiscal year and the resultant cash balance in each state fund at the
24 end of the fiscal year. This statement shall further show as of the end of each said
25 2 fiscal years, at par, the aggregate value of securities held for each state fund and

1 the aggregate value of securities held in trust or deposited for safekeeping, and shall
2 show the manner in which the total cash balance was accounted for by listing the
3 balances on deposit in each state account in a public depository, deducting from the
4 total of such balances the aggregate amount of checks, share drafts, or other drafts
5 outstanding and adding thereto the aggregate amount of cash and cash items in
6 office.

7 *~~0529/4.14~~* SECTION 63. 14.58 (10) of the statutes is renumbered 16.401 (9)
8 and amended to read:

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

16 *~~0529/4.15~~* SECTION 64. 14.58 (12) of the statutes is renumbered 16.401 (10)
17 and amended to read:

18 16.401 (10) STAMP CHECKS AND DRAFTS. Cause to be plainly printed or stamped
19 upon each check, share draft, and other draft issued by the ~~state treasurer~~ secretary
20 the period of time, as determined by the ~~state treasurer~~ secretary but not to exceed
21 one year, during which the check or other draft may be presented for payment. The
22 ~~state treasurer~~ secretary shall cancel on his or her records any check or other draft
23 that is not presented for payment within the prescribed time period and shall credit
24 the amount thereof to the fund upon which it is drawn. ~~Notice of such cancellation~~

1 and credit shall be immediately submitted by the state treasurer to the department
2 of administration.

3 *~~0529/4.16~~* SECTION 65. 14.58 (13) of the statutes is renumbered 16.401 (11)
4 and amended to read:

5 16.401 (11) ~~SERVICES PROVIDE SERVICES~~ IN CONNECTION WITH SECURITIES HELD IN
6 TRUST. Upon request therefor from any company, corporation, society, order, or
7 association ~~which~~ that has securities on deposit with the ~~treasurer~~ secretary, in
8 trust, mail to its address not to exceed 60 days before the same become due, any or
9 all interest coupons; return to it any or all bonds, notes, or other deposits as they
10 become due and are replaced by other securities; cut all interest coupons, make any
11 endorsement of interest or otherwise on any such securities; and collect therefor from
12 the company, corporation, society, order, or association making the request, a 25-cent
13 fee for a single coupon cut, or for each entry of interest endorsed on a note or return
14 of a bond, note, or other security, and a 10-cent fee for each additional coupon cut,
15 or entry of interest endorsed on a note, bond, or other security, and may withhold any
16 and all coupons cut or refuse endorsement of interest on securities until such fee is
17 paid. Such fees shall be paid into the state treasury as a part of the general fund,
18 and an extra charge may be required for postage or registered mail.

19 *~~0529/4.17~~* SECTION 66. 14.58 (17) of the statutes is renumbered 16.401 (12)
20 and amended to read:

21 16.401 (12) ~~SAFEKEEPING~~ HOLD SAFEKEEPING RECEIPTS FOR FEDERAL SECURITIES.
22 Whenever any federal securities are purchased under authority of any law and the
23 ~~state treasurer~~ secretary is custodian thereof the ~~treasurer~~ secretary may accept and
24 hold safekeeping receipts of a federal reserve bank for such securities. Each such

1 receipt shall be identified on its face with the name of the fund to which the securities
2 described in the receipt belong.

3 ***-0529/4.18* SECTION 67.** 14.58 (18) of the statutes is renumbered 16.401 (13)
4 and amended to read:

5 **16.401 (13) SALE OF INVESTMENTS.** Whenever the department of ~~administration~~
6 draws a check, share draft, or other draft dated the next following business day upon
7 a fund whose investment and collection is under the exclusive control of the
8 investment board pursuant to s. 25.17 (1), and the receipts of the state treasurer are
9 insufficient to permit a disbursement from said fund in the amount of such check,
10 share draft, or other draft, the investment board shall sell investments owned by
11 such fund for delivery in time to provide sufficient money to cover such check, share
12 draft, or other draft on the date ~~which~~ that it bears.

13 ***-0529/4.19* SECTION 68.** 14.58 (19) of the statutes is renumbered 16.401 (14).

14 ***-0529/4.20* SECTION 69.** 14.58 (21) of the statutes is repealed.

15 ***-1711/5.2* SECTION 70.** 14.63 (11m) of the statutes is amended to read:

16 **14.63 (11m) FINANCIAL AID CALCULATIONS.** The value of tuition units shall not
17 be included in the calculation of a beneficiary's eligibility for state financial aid for
18 higher education if the beneficiary notifies the ~~higher educational aids~~ board and the
19 institution of higher education that the beneficiary is planning to attend that he or
20 she is a beneficiary of a contract under this section and the contract owner agrees to
21 release to the ~~higher educational aids~~ board and the institution of higher education
22 information necessary for the calculation under this subsection.

23 ***-1711/5.3* SECTION 71.** 14.64 (8) of the statutes is amended to read:

24 **14.64 (8) FINANCIAL AID CALCULATIONS.** The balance of a college savings account
25 shall not be included in the calculation of a beneficiary's eligibility for state financial

1 aid for higher education if the beneficiary notifies the ~~higher educational aids board~~
2 Board of Regents of the University of Wisconsin System and the eligible educational
3 institution that the beneficiary is planning to attend that he or she is a beneficiary
4 of a college savings account and if the account owner agrees to release to the ~~higher~~
5 ~~educational aids board~~ Board of Regents of the University of Wisconsin System and
6 the eligible educational institution information necessary for the calculation under
7 this subsection.

8 *~~0356/3.1~~* SECTION 72. 14.65 (1) of the statutes is amended to read:

9 14.65 (1) The secretary of administration shall transfer from the tuition trust
10 fund or the college savings program trust fund to the general fund an amount equal
11 to the amount expended from the appropriations under s. 20.505 (9) (a), 1995 stats.,
12 and s. 20.585 (2) (a), 2001 stats., and s. 20.585 (2) (am), 2001 stats., when the
13 secretary of administration determines that funds in the tuition trust fund or the
14 college savings program trust fund are sufficient to make the transfer. The secretary
15 of administration may make the transfer in installments.

16 *~~1792/3.1~~* SECTION 73. 15.01 (2) of the statutes is amended to read:

17 15.01 (2) “Commission” means a 3-member governing body in charge of a
18 department or independent agency or of a division or other subunit within a
19 department, except for the Wisconsin waterways commission which shall consist of
20 5 members, the parole commission which shall consist of 8 members, and the Fox
21 River management commission which shall consist of 7 members. A Wisconsin group
22 created for participation in a continuing interstate body, or the interstate body itself,
23 shall be known as a “commission”, but is not a commission for purposes of s. 15.06.
24 The parole commission created under s. 15.145 (1) shall be known as a “commission”,
25 but is not a commission for purposes of s. 15.06. The sentencing commission created

1 under s. ~~15.105 (27)~~ 15.145 (4) shall be known as a “commission” but is not a
2 commission for purposes of s. 15.06 (1) to (4m), (7), and (9).

3 ***-1187/4.1* SECTION 74.** 15.03 of the statutes is amended to read:

4 **15.03 Attachment for limited purposes.** Any division, office, commission,
5 council or board attached under this section to a department or independent agency
6 or a specified division thereof shall be a distinct unit of that department, independent
7 agency or specified division. Any division, office, commission, council or board so
8 attached shall exercise its powers, duties and functions prescribed by law, including
9 rule making, licensing and regulation, and operational planning within the area of
10 program responsibility of the division, office, commission, council or board,
11 independently of the head of the department or independent agency, but budgeting,
12 program coordination and related management functions shall be performed under
13 the direction and supervision of the head of the department or independent agency,
14 ~~except that with respect to the office of the commissioner of railroads, all personnel~~
15 ~~and biennial budget requests by the office of the commissioner of railroads shall be~~
16 ~~provided to the department of transportation as required under s. 189.02 (7) and~~
17 ~~shall be processed and properly forwarded by the public service commission without~~
18 ~~change except as requested and concurred in by the office of the commissioner of~~
19 ~~railroads.~~

20 ***-1187/4.2* SECTION 75.** 15.06 (1) (ar) of the statutes is repealed.

21 ***-1767/3.1* SECTION 76.** 15.06 (1) (bm) of the statutes is created to read:

22 15.06 (1) (bm) The tax appeals commissioner shall be nominated by the
23 governor, and with the advice and consent of the senate, appointed for a 6-year term
24 expiring on March 1 of an odd-numbered year.

25 ***-1295/2.1* SECTION 77.** 15.06 (1) (d) of the statutes is repealed.

1 *-1711/5.4* SECTION 78. 15.07 (1) (a) 1. of the statutes is repealed.

2 *-1431/2.1* SECTION 79. 15.07 (1) (b) 5. of the statutes is amended to read:

3 15.07 (1) (b) 5. Savings and loan institutions review board.

4 *-1431/2.2* SECTION 80. 15.07 (1) (b) 18. of the statutes is repealed.

5 *-1689/3.1* SECTION 81. 15.07 (2) (k) of the statutes is repealed.

6 *-1289/7.9* SECTION 82. 15.07 (2) (L) of the statutes is amended to read:

7 15.07 (2) (L) The governor shall serve as chairperson of the information
8 technology management board and the ~~chief information officer~~ the secretary of
9 administration or his or her designee shall serve as secretary of that board.

10 *-1373/8.3* SECTION 83. 15.07 (2) (m) of the statutes is created to read:

11 15.07 (2) (m) The chairperson of the state prosecutor's board shall be
12 designated annually by the governor.

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

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

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

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

18 *-0576/8.6* SECTION 87. 15.103 (3m) of the statutes is created to read:

19 15.103 (3m) DIVISION OF MERIT RECRUITMENT AND SELECTION. (a) There is created
20 in the department of administration a division of merit recruitment and selection.

21 (b) The chief justice of the supreme court, the speaker of the assembly, the
22 president of the senate, and two individuals appointed by the governor, one of whom
23 may not be employed by the state, or their designees, shall compile a list of 3 qualified
24 individuals to serve as the administrator of the division of merit recruitment and
25 selection in the department of administration. The governor shall select an

1 individual from this list to serve as administrator or the governor shall request that
2 the chief justice of the supreme court, the speaker of the assembly, the president of
3 the senate, and two individuals appointed by the governor, one of whom may not be
4 employed by the state, or their designees, submit another list of 3 qualified
5 individuals. The chief justice of the supreme court, the speaker of the assembly, the
6 president of the senate, and two individuals appointed by the governor, one of whom
7 may not be employed by the state, or their designees, shall continue to submit lists
8 of 3 qualified individuals until such time that the governor selects an individual from
9 a list. The individual selected shall be nominated by the governor and, with the
10 advice and consent of the senate, appointed for a 5-year term.

11 ***-1767/3.2* SECTION 88.** 15.105 (1) of the statutes is repealed.

12 ***-1767/3.3* SECTION 89.** 15.105 (1m) of the statutes is created to read:

13 15.105 (1m) OFFICE OF COMMISSIONER OF TAX APPEALS. There is created an office
14 of the commissioner of tax appeals which is attached to the department of
15 administration under s. 15.03. The tax appeals commissioner shall be experienced
16 in tax matters. The commissioner may not serve on or under any committee of a
17 political party. The commissioner shall hold office until a successor is appointed and
18 qualified.

19 ***-1712/5.1* SECTION 90.** 15.105 (4) of the statutes is amended to read:

20 15.105 (4) PUBLIC RECORDS BOARD. There is created a public records board which
21 is attached to the department of administration under s. 15.03. The public records
22 board shall consist of the governor, the director of the historical society, the attorney
23 general, the state auditor, and the director of the legislative council staff, or their
24 designated representatives, and a representative of the small business community,

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

3 ~~*-1373/8.4*~~ **SECTION 91.** 15.105 (6) of the statutes is created to read:

4 15.105 (6) STATE PROSECUTORS BOARD. (a) There is created a state prosecutors
5 board which is attached to the department of administration under s. 15.03 and
6 which shall consist of eight district attorneys appointed by the governor.

7 (b) 1. Subject to subd. 2., the members of the state prosecutors board shall be
8 appointed for 4-year terms.

9 2. A person may not serve as a member of the board if he or she ceases to hold
10 the office of district attorney.

11 (c) Notwithstanding the provisions of any statute or ordinance, membership on
12 the state prosecutors board does not disqualify a member from holding any other
13 public office or employment.

14 ~~*-1607/P3.1*~~ **SECTION 92.** 15.105 (11) of the statutes is repealed.

15 ~~*-1614/1.1*~~ **SECTION 93.** 15.105 (12) (e) of the statutes is repealed.

16 ~~*-1614/1.2*~~ **SECTION 94.** 15.105 (12) (f) of the statutes is amended to read:

17 15.105 (12) (f) *Assistance.* ~~The executive director~~ board may request any state
18 agency to provide assistance necessary for the board to fulfill its duties.

19 ~~*-0666/9.1*~~ **SECTION 95.** 15.105 (25) of the statutes is repealed.

20 ~~*-1634/7.6*~~ **SECTION 96.** 15.105 (26) of the statutes is renumbered 15.155 (5),
21 and 15.155 (5) (a) (intro.), as renumbered, is amended to read:

22 15.155 (5) (a) (intro.) There is created a volunteer fire fighter and emergency
23 medical technician service award board that is attached to the department of
24 ~~administration~~ commerce under s. 15.03. The board shall consist of the secretary of

1 ~~administration~~ commerce or his or her designee and the following members
2 appointed for 3-year terms:

3 ***-1792/3.2* SECTION 97.** 15.105 (27) of the statutes is renumbered 15.145 (4),
4 and 15.145 (4) (a) (intro.), as renumbered, is amended to read:

5 15.145 (4) (a) *Creation; membership.* (intro.) There is created a sentencing
6 commission that is attached to the department of ~~administration~~ corrections under
7 s. 15.03 and that shall consist of the following members:

8 ***-1289/7.10* SECTION 98.** 15.107 (7) (f) of the statutes is amended to read:

9 15.107 (7) (f) A representative of the department of ~~electronic government~~
10 administration.

11 ***-1111/4.1* SECTION 99.** 15.13 of the statutes is amended to read:

12 **15.13 Department of agriculture, trade and consumer protection;**
13 **creation.** There is created a department of agriculture, trade and consumer
14 protection under the direction and supervision of the board of agriculture, trade and
15 consumer protection. The board shall consist of ~~7~~ 9 members with an agricultural
16 background and ~~2~~ members who are consumer representatives, appointed for
17 staggered 6-year terms. Appointments to the board shall be made without regard
18 to party affiliation, residence or interest in any special organized group.

19 ***-1111/4.2* SECTION 100.** 15.137 (1) (a) (intro.) of the statutes is amended to
20 read:

21 15.137 (1) (a) (intro.) There is created in the department of agriculture, trade
22 and consumer protection an agricultural producer security council consisting of the
23 following members appointed by the secretary of agriculture, trade, and rural
24 resources for 3-year terms:

25 ***-0576/8.7* SECTION 101.** 15.16 (1) (intro.) of the statutes is amended to read:

SECTION 101

1 15.16 (1) EMPLOYEE TRUST FUNDS BOARD. (intro.) The employee trust funds
2 board shall consist of the governor or the governor's designee on the group insurance
3 board, the secretary of ~~employment relations~~ administration or the secretary's
4 designee and 11 persons appointed or elected for 4-year terms as follows:

5 *~~-0576/8.8~~* SECTION 102. 15.165 (2) of the statutes is amended to read:

6 15.165 (2) GROUP INSURANCE BOARD. There is created in the department of
7 employee trust funds a group insurance board. The board shall consist of the
8 governor, the attorney general, the secretary of administration, ~~the secretary of~~
9 ~~employment relations~~ and the commissioner of insurance or their designees, and 5
10 persons appointed for 2-year terms, of whom one shall be an insured participant in
11 the Wisconsin retirement system who is not a teacher, one shall be an insured
12 participant in the Wisconsin retirement system who is a teacher, one shall be an
13 insured participant in the Wisconsin retirement system who is a retired employee,
14 and one shall be an insured employee of a local unit of government.

15 *~~-0576/8.9~~* SECTION 103. 15.17 of the statutes is repealed.

16 *~~-0576/8.10~~* SECTION 104. 15.173 of the statutes is repealed.

17 *~~-0576/8.11~~* SECTION 105. 15.175 (title) of the statutes is repealed.

18 *~~-0576/8.12~~* SECTION 106. 15.175 (1) of the statutes is renumbered 15.105
19 (25m) and amended to read:

20 15.105 (25m) STATE EMPLOYEES SUGGESTION BOARD. There is created in the
21 department of ~~employment relations~~ administration a state employees suggestion
22 board consisting of 3 persons, at least one of whom shall be a state officer or employee,
23 appointed for 4-year terms.

24 *~~-0576/8.13~~* SECTION 107. 15.177 (title) of the statutes is repealed.

1 ***-0576/8.14* SECTION 108.** 15.177 (1) of the statutes is renumbered ^{15.107} ~~15.105~~
2 (16m), and ^{15.107} ~~15.105~~ (16m) (a), as renumbered, is amended to read:

3 ^{15.107} ~~15.105~~ (16m) (a) There is created in the department of ~~employment relations~~
4 administration a council on affirmative action consisting of 15 members appointed
5 for 3-year terms. A majority of the members shall be public members and a majority
6 of the members shall be minority persons, women and persons with a disability
7 appointed with consideration to the appropriate representation of each group.

8 ***-1431/2.5* SECTION 109.** 15.183 (2) of the statutes is repealed.

9 ***-1431/2.6* SECTION 110.** 15.185 (3) of the statutes is amended to read:

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

15 ***-1431/2.7* SECTION 111.** 15.185 (4) of the statutes is repealed.

16 ***-1504/1.2* SECTION 112.** 15.195 (1) of the statutes is repealed.

17 ***-1289/7.11* SECTION 113.** 15.21 of the statutes is repealed.

18 ***-1289/7.12* SECTION 114.** 15.215 (title) of the statutes is repealed.

19 ***-1289/7.13* SECTION 115.** 15.215 (1) of the statutes is renumbered ⁽²⁸⁾ ~~15.105~~ ₍₂₇₎

20 and amended to read:

21 ⁽²⁸⁾ ~~15.105~~ ₍₂₇₎ INFORMATION TECHNOLOGY MANAGEMENT BOARD. There is created an
22 information technology management board that is attached to the department of
23 ~~electronic government~~ administration under s. 15.03. The board shall consist of the
24 governor, the cochairpersons of the joint committee on information policy and
25 technology or a member of the legislature from the same house as a cochairperson

1 designated by that cochairperson, one member of the minority party in each house
2 of the legislature, appointed in the same manner as members of standing committees
3 are appointed, the secretary of administration, 2 heads of departments or
4 independent agencies appointed to serve at the pleasure of the governor, 2 other
5 members appointed to serve for 4-year terms, and the ~~chief information officer~~
6 secretary of administration or his or her designee.

7 *-1712/5.2* SECTION 116. 15.225 (2) of the statutes is repealed.

8 *-1689/3.2* SECTION 117. 15.225 (3) (title) of the statutes is renumbered
9 15.227 (18) (title) and amended to read:

10 15.227 (18) (title) GOVERNOR'S WORK-BASED LEARNING BOARD COUNCIL.

11 *-1689/3.3* SECTION 118. 15.225 (3) (a) of the statutes is renumbered 15.227
12 (18) (a) and amended to read:

13 15.227 (18) (a) There is created a governor's work-based learning board which
14 is attached to the department of workforce development under s. 15.03 council
15 consisting of the members specified in par. (b).

16 *-1689/3.4* SECTION 119. 15.225 (3) (b) (intro.) of the statutes is renumbered
17 15.227 (18) (b) (intro.) and amended to read:

18 15.227 (18) (b) (intro.) The governor's work-based learning board council shall
19 consist of the following members:

20 *-1689/3.5* SECTION 120. 15.225 (3) (b) 1. of the statutes is renumbered 15.227
21 (18) (b) 1. and amended to read:

22 15.227 (18) (b) 1. The governor, who shall serve as chairperson of the council.

23 *-1689/3.6* SECTION 121. 15.225 (3) (b) 2. of the statutes is renumbered 15.227
24 (18) (b) 2.

1 ***-1689/3.7*** SECTION 122. 15.225 (3) (b) 3. of the statutes is renumbered 15.227
2 (18) (b) 3.

3 ***-1689/3.8*** SECTION 123. 15.225 (3) (b) 4. of the statutes is renumbered 15.227
4 (18) (b) 4.

5 ***-1689/3.9*** SECTION 124. 15.225 (3) (b) 5. of the statutes is renumbered 15.227
6 (18) (b) 5.

7 ***-1689/3.10*** SECTION 125. 15.225 (3) (b) 6. of the statutes is renumbered
8 15.227 (18) (b) 6.

9 ***-1689/3.11*** SECTION 126. 15.225 (3) (b) 6g. of the statutes is renumbered
10 15.227 (18) (b) 6g.

11 ***-1689/3.12*** SECTION 127. 15.225 (3) (b) 6m. of the statutes is renumbered
12 15.227 (18) (b) 6m.

13 ***-1689/3.13*** SECTION 128. 15.225 (3) (b) 7g. of the statutes is renumbered
14 15.227 (18) (b) 7g.

15 ***-1689/3.14*** SECTION 129. 15.225 (3) (b) 8g. of the statutes is renumbered
16 15.227 (18) (b) 8g.

17 ***-1689/3.15*** SECTION 130. 15.225 (3) (b) 8m. of the statutes is renumbered
18 15.227 (18) (b) 8m.

19 ***-1689/3.16*** SECTION 131. 15.225 (3) (b) 9. of the statutes is renumbered
20 15.227 (18) (b) 9.

21 ***-1794/1.1*** SECTION 132. 15.253 (4) of the statutes is repealed.

22 ***-1373/8.5*** SECTION 133. 15.255 (2) (b) 4. of the statutes is amended to read:

23 15.255 (2) (b) 4. Two members, who are citizens of this state but who are not
24 employed in law enforcement, by a district attorney, or as specified in subd. 3., who

1 ~~are citizens of this state and who are not assignable prosecutors, as defined in s.~~
2 978.001 (1c).

3 *-1711/5.5* SECTION 134. 15.67 of the statutes is repealed.

4 *-1373/8.6* SECTION 135. 15.78 of the statutes is amended to read:

5 **15.78 Public defender board.** There is created a public defender board
6 consisting of 9 members appointed for staggered 3-year terms. No member may be,
7 or be employed on the staff of, a judicial or law enforcement officer, district attorney,
8 corporation counsel, or the state public defender. No member may be an assignable
9 prosecutor, as defined in s. 978.001 (1c). At least 5 members shall be members of the
10 State Bar of Wisconsin.

11 *-1187/4.3* SECTION 136. 15.79 of the statutes is amended to read:

12 **15.79 Public service commission; creation.** There is created a public
13 service commission. No member of the commission may have a financial interest in
14 a ~~railroad or~~ public utility. If any member voluntarily becomes so interested, the
15 member's office shall become vacant. If the member involuntarily becomes so
16 interested, the member's office shall become vacant unless the member divests
17 himself or herself of the interest within a reasonable time. No commissioner may
18 serve on or under any committee of a political party. Each commissioner shall hold
19 office until a successor is appointed and qualified.

20 *-1187/4.4* SECTION 137. 15.795 of the statutes is repealed.

21 *-1295/2.2* SECTION 138. 15.80 of the statutes is repealed.

22 *-1373/8.7* SECTION 139. 16.003 (2) of the statutes is amended to read:

23 16.003 (2) STAFF. Except as provided in ss. 16.548, 16.57, 978.03 (1), (1m), and
24 (2), 978.04 and, 978.05 (8) (b), and 978.14 (1) (d), the secretary shall appoint the staff

1 necessary for performing the duties of the department. All staff shall be appointed
2 under the classified service except as otherwise provided by law.

3 ***-0576/8.15* SECTION 140.** 16.004 (7) (a) of the statutes is amended to read:

4 16.004 (7) (a) The secretary shall establish and maintain a personnel
5 management information system which shall be used to furnish the governor, and
6 the legislature ~~and the department of employment relations~~ with current
7 information pertaining to authorized positions, payroll and related items for all civil
8 service employees, except employees of the office of the governor, the courts and
9 judicial branch agencies, and the legislature and legislative service agencies. It is
10 the intent of the legislature that the University of Wisconsin System provide position
11 and other information to the department and the legislature, which includes
12 appropriate data on each position, facilitates accountability for each authorized
13 position and traces each position over time. Nothing in this paragraph may be
14 interpreted as limiting the authority of the board of regents of the University of
15 Wisconsin System to allocate and reallocate positions by funding source within the
16 legally authorized levels.

17 ***-1824/6.1* SECTION 141.** 16.004 (15) of the statutes is created to read:

18 16.004 (15) LEGAL SERVICES. Annually, the department shall assess each state
19 agency for the cost of the legal services provided to the state agency by the
20 department of justice based upon the itemized statement under s. 165.25 (4) (c). The
21 department shall credit all moneys received from state agencies under this
22 subsection to the appropriation account under s. 20.505 (1) (kr).

23 ***-1373/8.8* SECTION 142.** 16.006 of the statutes is amended to read:

24 **16.006 Treatment of classified employees.** Those individuals holding
25 positions in the classified service in the department who are engaged in legislative

1 text processing functions and who achieved permanent status in class on August 9,
2 1989, shall retain, while serving in the unclassified service in the legislature or any
3 legislative branch agency, those protections afforded employees in the classified
4 service under ss. 230.34 (1) (a) (ah) and 230.44 (1) (c) relating to demotion,
5 suspension, discharge, layoff, or reduction in base pay except that the applicability
6 of any reduction in base pay of such an employee shall be determined on the basis
7 of the base pay received by the employee on August 9, 1989, plus the total amount
8 of any subsequent general economic increases provided in the compensation plan
9 under s. 230.12 for nonrepresented employees in the classified service. Such
10 employees shall also have reinstatement privileges to the classified service as
11 provided under s. 230.33 (1). Employees of the department holding positions in the
12 classified service on August 9, 1989, who are engaged in legislative text processing
13 functions and who have not achieved permanent status in class in any position in the
14 department on that date are eligible to receive the protections and privileges
15 preserved under this section if they successfully complete service equivalent to the
16 probationary period required in the classified service for the positions which they
17 hold.

18 *~~1824/6.2~~* SECTION 143. 16.009 (3) (bm) of the statutes is amended to read:

19 16.009 (3) (bm) Employ With the advice and consent of the attorney general,
20 retain an attorney for provision of legal services in accordance with requirements of
21 the long-term care ombudsman program under 42 USC 3027 (a) (12) and 42 USC
22 3058g (g).

23 *~~1295/2.3~~* SECTION 144. 16.009 (5) (c) of the statutes is repealed.

24 *~~1295/2.4~~* SECTION 145. 16.009 (5) (d) of the statutes is amended to read:

1 16.009 (5) (d) Any employee of an employer not described in par. (c) and who
2 is discharged or otherwise retaliated or discriminated against in violation of par. (a)
3 may file a complaint with the department of workforce development under s. 106.54
4 (5).

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

6 16.009 (5) (e) Any person not described in par. (c) or (d) who is retaliated or
7 discriminated against in violation of par. (a) may commence an action in circuit court
8 for damages incurred as a result of the violation.

9 *~~1308/2.1~~* **SECTION 147.** 16.023 (2) of the statutes is amended to read:

10 16.023 (2) In conjunction with the working group established under sub. (1) (L)
11 1., the council shall, not later than one year after October 14, 1997, develop
12 evaluation criteria for its functions under sub. (1). The council shall complete a
13 report that contains an evaluation of its functions and activities not later than
14 September 1, 2002 2004, and shall submit the report to the chief clerk of each house
15 of the legislature, for distribution to the legislature under s. 13.172 (2), and to the
16 governor. The report shall also include a recommendation as to whether the council
17 should continue in existence past its sunset date specified in s. 15.107 (16) (e) and,
18 if so, a recommendation as to whether any structural modifications should be made
19 to the council's functions or to the state's land use programs.

20 *~~1308/2.2~~* **SECTION 148.** 16.023 (3) of the statutes is amended to read:

21 16.023 (3) Subsections (1) and (2) do not apply after August 31, 2003 2005.

22 *~~1634/7.7~~* **SECTION 149.** 16.25 of the statutes is renumbered 560.9813, and
23 560.9813 (3) (d) and (4), as renumbered, are amended to read:

24 560.9813 (3) (d) 1. Subject to subd. 2., the board shall match all annual
25 municipal contributions paid for volunteer fire fighters and emergency medical

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

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

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

20 (b) The board may contract with any individual or organization in the private
21 sector that seeks to provide administrative services and investment plans required
22 for the program, other than services funded from the appropriation under s. ~~20.505~~
23 ~~(4) (ee)~~ 20.143 (1) (et), if the individual or organization fulfills the requirements and
24 has the qualifications established by the board under par. (a). Section 16.72 (2) (b)
25 does not apply to any such contract.

1 *~~1634/7.8~~* SECTION 150. Subchapter II (title) of chapter 16 [precedes 16.30]
2 of the statutes is renumbered subchapter X (title) of chapter 560 [precedes 560.9801].

3 *~~1634/7.9~~* SECTION 151. 16.30 of the statutes is renumbered 560.9801.

4 *~~1634/7.10~~* SECTION 152. 16.31 of the statutes is renumbered 560.9802.

5 *~~1634/7.11~~* SECTION 153. 16.33 of the statutes, as affected by 2001 Wisconsin
6 Act 109, is renumbered 560.9803, and 560.9803 (1) (a) and (3) (a), as renumbered, are
7 amended to read:

8 560.9803 (1) (a) Subject to sub. (2), make grants or loans, directly or through
9 agents designated under s. ~~16.334~~ 560.9804, from the appropriation under s. ~~20.505~~
10 ~~(7)~~ 20.143 (2) (b) to persons or families of low or moderate income to defray housing
11 costs of the person or family.

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

14 *~~1634/7.12~~* SECTION 154. 16.334 of the statutes is renumbered 560.9804, and
15 560.9804 (1) (a) and (c), as renumbered, are amended to read:

16 560.9804 (1) (a) Award grants and loans under s. ~~16.33~~ 560.9803 (1) and (2)
17 subject to the approval of the department.

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

20 *~~1634/7.13~~* SECTION 155. 16.336 of the statutes is renumbered 560.9805.

21 *~~1634/7.14~~* SECTION 156. 16.339 of the statutes is renumbered 560.9806, and
22 560.9806 (2) (a), as renumbered, is amended to read:

23 560.9806 (2) (a) From the appropriation under s. ~~20.505~~ ~~(7)~~ 20.143 (2) (fm), the
24 department may award a grant to an eligible applicant for the purpose of providing
25 transitional housing and associated supportive services to homeless individuals and

1 families if the conditions under par. (b) are satisfied. The department shall ensure
2 that the funds for the grants are reasonably balanced among geographic areas of the
3 state, consistent with the quality of applications submitted.

4 ***-1634/7.15* SECTION 157.** 16.35 of the statutes is renumbered 560.9815.

5 ***-1634/7.16* SECTION 158.** 16.351 of the statutes is renumbered 560.9807, and
6 560.9807 (1), as renumbered, is amended to read:

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

11 ***-1634/7.17* SECTION 159.** 16.352 of the statutes is renumbered 560.9808, and
12 560.9808 (2) (a) and (b) (intro.), as renumbered, are amended to read:

13 560.9808 (2) (a) From the appropriations under s. ~~20.505 (7)~~ 20.143 (2) (fm) and
14 (h), the department shall award grants to eligible applicants for the purpose of
15 supplementing the operating budgets of agencies and shelter facilities that have or
16 anticipate a need for additional funding because of the renovation or expansion of an
17 existing shelter facility, the development of an existing building into a shelter facility,
18 the expansion of shelter services for homeless persons, or an inability to obtain
19 adequate funding to continue the provision of an existing level of services.

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

23 ***-1634/7.18* SECTION 160.** 16.358 of the statutes is renumbered 560.9809, and
24 560.9809 (1), as renumbered, is amended to read:

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

5 *~~1634/7.19~~* SECTION 161. 16.375 of the statutes is renumbered 560.9810.

6 *~~1634/7.20~~* SECTION 162. 16.385 of the statutes is renumbered 16.27, and
7 16.27 (3) (b), (c), (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 *~~1634/7.21~~* SECTION 163. 16.39 of the statutes is renumbered 16.26.

6 *~~0576/8.16~~* SECTION ^{credit auto-rel. RAC 3} (164) 16.40 (18) of the statutes is amended to read:

7 16.40 (18) REQUIRE AGENCIES TO PROVIDE COPIES. Require each state agency, at
8 the time that the agency submits a request to the department for an increased
9 appropriation to be provided in an executive budget bill which is necessitated by the
10 compensation plan under s. 230.12 or a collective bargaining agreement approved
11 under s. 111.92, to provide a copy of the request to ~~the secretary of employment~~
12 ~~relations and the joint committee on employment relations.~~

13 *~~0529/4.21~~* SECTION 165. 16.401 (intro.) of the statutes is created to read:

14 **16.401 Treasury management.** (intro.) The department shall:

15 *~~0529/4.22~~* SECTION 166. 16.401 (1) of the statutes is created to read:

16 16.401 (1) HAVE CUSTODY OF MONEYS. Receive and have charge of all moneys
17 paid into the treasury and any other moneys received by officers and employees of
18 state agencies, and pay out the moneys as directed by law, except as provided in ss.
19 16.52 (7), 20.907 (5) (b), 20.920, and 20.929.

20 *~~1386/4.1~~* SECTION 167. 16.406 of the statutes is created to read:

21 **16.406 Request to issue certain general obligation debt.** Annually, on or
22 before September 1, but not after 2005, the department shall prepare an estimate of
23 the net balances of the general fund for the fiscal year corresponding with the year
24 in which the department makes an estimate under this section. Copies of the
25 estimates shall be provided to the cochairpersons of the joint committee on finance

1 and to the legislative fiscal bureau. If the estimated net general fund balance for the
2 fiscal year, as certified by the department, is less than the estimated net general fund
3 balance for that fiscal year as shown in the most recent schedule under s. 20.005 (1),
4 the secretary of administration may request that the building commission refund the
5 whole or any part of any unpaid indebtedness used to finance tax-supported or
6 self-amortizing facilities from moneys appropriated under s. 20.866 (2) (xe).

7 *~~0529/4.23~~* SECTION 168. 16.412 of the statutes is amended to read:

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

13 *~~0576/8.17~~* SECTION ~~168~~¹⁶⁹ 16.415 (1) of the statutes is amended to read:

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

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

3 16.415 (1) Neither the secretary nor any other fiscal officer of this state may
4 draw, sign, or issue, or authorize the drawing, signing, or issuing of any warrant on
5 ~~the treasurer or other~~ any disbursing officer of the state to pay any compensation to
6 any person in the classified service of the state unless an estimate, payroll, or account
7 for such compensation, containing the names of every person to be paid, bears the
8 certificate of the appointing authority that each person named in the estimate,
9 payroll, or account has been appointed, employed, or subject to any other personnel
10 transaction in accordance with, and that the pay for the person has been established
11 in accordance with, the law, compensation plan, or applicable collective bargaining
12 agreement, and applicable rules of the administrator of the division of merit
13 recruitment and selection in the department then in effect.

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

14 ***-0576/8.18*** SECTION 171. 16.415 (3) of the statutes is amended to read:

15 16.415 (3) Any sums paid contrary to this section may be recovered from any
16 appointing authority making such appointments in contravention of law or of the
17 rules promulgated pursuant thereto, or from any appointing authority signing or
18 countersigning or authorizing the signing or countersigning of any warrant for the
19 payment of the same, or from the sureties on the official bond of any such appointing
20 authority, in an action in the circuit court for any county within the state, maintained
21 by the secretary of ~~employment relations~~ administration, or by a citizen resident
22 therein, who is assessed for, and liable to pay, or within one year before the
23 commencement of the action has paid, a state, city or county tax within this state.

1 All moneys recovered in any action brought under this section when collected, shall
2 be paid into the state treasury except that if a citizen taxpayer is plaintiff in any such
3 action he or she shall be entitled to receive for personal use the taxable cost of such
4 action and 5% of the amount recovered as attorney fees.

5 *~~1289/7.14~~* SECTION 172. 16.43 of the statutes is amended to read:

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

15 *~~1599/1.2~~* SECTION 173. 16.50 (1) (b) of the statutes is amended to read:

16 16.50 (1) (b) This subsection does not apply to appropriations under ss. 20.255
17 (2) (ac) and (r), 20.835, and 20.865 (4).

18 *~~0576/8.19~~* SECTION 174. 16.50 (3) of the statutes is amended to read:

19 16.50 (3) LIMITATION ON INCREASE OF FORCE AND SALARIES. No department, except
20 the legislature or the courts, may increase the pay of any employee, expend money
21 or incur any obligation except in accordance with the estimate that is submitted to
22 the secretary as provided in sub. (1) and approved by the secretary or the governor.
23 No change in the number of full-time equivalent positions authorized through the
24 biennial budget process or other legislative act may be made without the approval
25 of the joint committee on finance, except for position changes made by the governor

1 under s. 16.505 (1) (c) or (2), by the University of Wisconsin Hospitals and Clinics
2 Board under s. 16.505 (2n) or by the board of regents of the University of Wisconsin
3 System under s. 16.505 (2m) or (2p). The secretary may withhold, in total or in part,
4 the funding for any position, as defined in s. 230.03 (11), as well as the funding for
5 part-time or limited term employees until such time as the secretary determines
6 that the filling of the position or the expending of funds is consistent with s. 16.505
7 and with the intent of the legislature as established by law or in budget
8 determinations, or the intent of the joint committee on finance in creating or
9 abolishing positions under s. 13.10, the intent of the governor in creating or
10 abolishing positions under s. 16.505 (1) (c) or (2) or the intent of the board of regents
11 of the University of Wisconsin System in creating or abolishing positions under s.
12 16.505 (2m) or (2p). Until the release of funding occurs, recruitment or certification
13 for the position may not be undertaken. The secretary shall submit a quarterly
14 report to the joint committee on finance of any position changes made by the governor
15 under s. 16.505 (1) (c). No pay increase may be approved unless it is at the rate or
16 within the pay ranges prescribed in the compensation plan or as provided in a
17 collective bargaining agreement under subch. V of ch. 111. ~~At the request of the~~
18 ~~secretary of employment relations, the~~ The ~~secretary of administration~~ may
19 authorize the temporary creation of pool or surplus positions under any source of
20 funds if the ~~secretary of employment relations~~ determines that temporary positions
21 are necessary to maintain adequate staffing levels for high turnover classifications,
22 in anticipation of attrition, to fill positions for which recruitment is difficult. Surplus
23 or pool positions authorized by the secretary shall be reported quarterly to the joint
24 committee on finance in conjunction with the report required under s. 16.54 (8).

25 *-1296/5.1* SECTION 175. 16.502 of the statutes is created to read:

1 **16.502 Calculation of positions.** In any report prepared by the department
2 that calculates the number of positions, as defined in s. 230.03 (11), the department
3 shall separately calculate and present in the report the University of Wisconsin
4 Hospitals and Clinics Board's positions; positions of the board of regents of the
5 University of Wisconsin System funded by gifts, grants, auxiliary enterprises
6 revenue, or federal revenue; and all remaining positions in state government.

7 ***-1704/1.1* SECTION 176.** 16.505 (1) (intro.) of the statutes is amended to read:
8 16.505 (1) (intro.) Except as provided in subs. (2), (2d), (2m), (2n), and (2p), no
9 position, as defined in s. 230.03 (11), regardless of funding source or type, may be
10 created or abolished unless authorized by one of the following:

11 ***-1704/1.2* SECTION 177.** 16.505 (2d) of the statutes is created to read:
12 16.505 (2d) The department of revenue may request the governor to create a
13 full-time equivalent position or portion thereof funded from gross lottery revenues,
14 as defined in s. 25.75 (1) (b), in the department of revenue to perform services relating
15 to the state lottery that are not performed by one or more persons under contract with
16 the department of administration. Upon receiving such a request, the governor may
17 change the authorized level of full-time equivalent positions funded from such
18 revenues in the department of revenue in accordance with this subsection. The
19 governor may approve a different authorized level of positions than is requested. If
20 the governor proposes to change the number of full-time equivalent positions, the
21 governor shall notify the joint committee on finance in writing of his or her proposed
22 action. If the cochairpersons of the committee do not notify the governor that the
23 committee has scheduled a meeting for the purpose of reviewing the proposed action
24 within 14 working days after the date of the governor's notification, the position
25 changes may be made as proposed by the governor. If, within 14 working days after

1 the date of the governor's notification, the cochairpersons of the committee notify the
2 governor that the committee has scheduled a meeting for the purpose of reviewing
3 the proposed action, the position changes may be made under this subsection only
4 upon approval of the committee.

5 *1327/1.2* SECTION 178. 16.52 (6) (a) of the statutes is amended to read:

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

15 *-1599/1.3* SECTION 179. 16.52 (10) of the statutes is amended to read:

16 16.52 (10) DEPARTMENT OF PUBLIC INSTRUCTION. The provisions of sub. (2) with
17 respect to refunds and sub. (5) (a) with respect to reimbursements for the prior fiscal
18 year shall not apply to the ~~appropriation~~ appropriations under s. 20.255 (2) (ac) and
19 (r).

20 *-1797/7.1* SECTION 180. 16.523 of the statutes is created to read:

21 **16.523 Purchase of bonds issued by Badger Tobacco Asset**
22 **Securitization Corporation; revenue obligations.** (1) There is established a
23 tobacco settlement bond purchase program, to be administered by the department,
24 to purchase any bonds issued by Badger Tobacco Asset Securitization Corporation.
25 The legislature finds and determines that the tobacco settlement bond purchase

1 program is likely to produce sufficient net income to pay when due the principal of
2 and interest on revenue obligations issued by the state to make the purchase and,
3 thereby, constitutes a revenue-producing enterprise or program, as defined in s.
4 18.52 (6).

5 (2) The net proceeds of revenue obligations issued under subch. II of ch. 18, as
6 authorized under this section, shall be deposited in a fund in the state treasury, or
7 an account maintained by a trustee, created under s. 18.57 (1). The moneys shall be
8 applied for ancillary payments and the provision of reserves, as determined by the
9 building commission, and for the purchase by the department of any bonds issued
10 by Badger Tobacco Asset Securitization Corporation, as determined by the
11 department, and any remainder shall be paid into a tobacco settlement bond
12 purchase program redemption fund created under s. 18.561 (5) or the tobacco
13 settlement bond purchase program repayment fund, or both, as provided in the
14 authorizing resolution.

15 (3) The department shall have all powers necessary and convenient to
16 distribute the revenues from the tobacco settlement bond purchase program and the
17 proceeds of the revenue obligations issued under this section in accordance with
18 subch. II of ch. 18.

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

23 (5) (a) Subject to the limitation under par. (b), the building commission may
24 contract revenue obligations under this section in the maximum amount that the
25 building commission believes can be fully paid on a timely basis from moneys

1 received or anticipated to be received from the tobacco settlement bond purchase
2 program.

3 (b) The requirements for funds for the tobacco settlement bond purchase
4 program to be paid from revenue obligations issued under this section shall be
5 determined by the secretary of administration, but shall not exceed \$1,600,000,000
6 to purchase, acquire, conduct, control, operate, or manage the tobacco settlement
7 bond purchase program.

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

13 (7) As determined by the building commission, any moneys deposited into the
14 tobacco settlement bond purchase program repayment fund that are not required for
15 paying principal of and premium, if any, and interest on revenue obligations and
16 providing for reserves and for ancillary payments authorized to be paid from such
17 moneys are transferred in equal amounts to the tobacco control fund and to the
18 general fund.

19 (8) Recognizing its moral obligation to do so, the legislature expresses its
20 expectation and aspiration that, if the funds in the tobacco settlement bond purchase
21 program repayment fund are insufficient to pay the principal of and interest on the
22 revenue obligations issued under subch. II of ch. 18 pursuant to this section, the
23 legislature shall make an appropriation from the general fund sufficient to pay the
24 principal of and interest on the obligations or to replenish a reserve fund, if
25 applicable.