

This bill will be referred to the Joint Survey Committee on Retirement Systems for a detailed analysis, which will be printed as an appendix to this bill.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

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

---

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

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

2           5.05 (11) AIDS TO COUNTIES AND MUNICIPALITIES. From the appropriation under  
3           s. 20.510 (1) (x), the board may provide financial assistance to eligible counties and  
4           municipalities for election administration costs.

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

6           7.31 (5) The board shall conduct regular training and administer examinations  
7           to ensure that individuals who are certified by the board under this section are  
8           knowledgeable concerning their authority and responsibilities. The board shall pay  
9           all costs required to conduct the training and to administer the examinations from  
10          the ~~appropriation~~ appropriations under s. 20.510 (1) (bm) and (jm).

11          \***-1449/1.3\*** SECTION 3. 7.31 (6) of the statutes is created to read:

12          7.31 (6) The board may assess municipalities for costs incurred by the board  
13          in conducting the training and certification program under this section. The amount  
14          assessed to any municipality may not exceed the costs incurred by the board that are  
15          attributable to that municipality. The board shall credit any moneys received under  
16          this subsection to the appropriation under s. 20.510 (1) (jm).

17          \***-1289/7.1\*** SECTION 4. 7.33 (4) and (5) of the statutes are amended to read:

1           7.33 (4) Except as otherwise provided in this subsection, each local  
2 governmental unit, as defined in s. ~~22.01~~ 16.97 (7), may, and each state agency shall,  
3 upon proper application under sub. (3), permit each of its employees to serve as an  
4 election official without loss of fringe benefits or seniority privileges earned for  
5 scheduled working hours during the period specified in sub. (3), without loss of pay  
6 for scheduled working hours during the period specified in sub. (3) except as provided  
7 in sub. (5), and without any other penalty. For employees who are included in a  
8 collective bargaining unit for which a representative is recognized or certified under  
9 subch. V of ch. 111, this subsection shall apply unless otherwise provided in a  
10 collective bargaining agreement.

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

19           \*~~1634/7.1~~\* SECTION 5. 13.099 (1) (a) and (b) of the statutes are amended to  
20 read:

21           13.099 (1) (a) "Department" means the department of ~~administration~~  
22 commerce.

23           (b) "State housing strategy plan" means the plan developed under s. ~~16.31~~  
24 560.9802.

25           \*~~1634/7.2~~\* SECTION 6. 13.0999 (2) (a) of the statutes is amended to read:

1           13.0999 (2) (a) If any bill that is introduced in either house of the legislature  
2 directly or substantially affects the development, construction, cost or availability of  
3 housing in this state, the department, ~~through the division of housing,~~ shall prepare  
4 a report on the bill within 30 days after it is introduced. The department may request  
5 any information from other state agencies, local governments or individuals or  
6 organizations that is reasonably necessary for the department to prepare the report.

7           \*~~1634/7.3~~\* SECTION 7. 13.0999 (3) (a) 5. of the statutes is amended to read:  
8           13.0999 (3) (a) 5. Housing costs, as defined in s. ~~16.30~~ 560.9801 (3) (a) and (b).

9           \*~~1599/1.1~~\* SECTION 8. 13.101 (6) (a) of the statutes is amended to read:

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

1 reductions of such appropriations as in its judgment will secure sound financial  
2 operations of the administration for said state agencies and at the same time  
3 interfere least with their services and activities.

4 **\*-1289/7.2\* SECTION 9.** 13.101 (14) of the statutes is amended to read:

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

9 **\*-1504/1.1\* SECTION 10.** 13.101 (16) (b) of the statutes is amended to read:

10 13.101 (16) (b) Annually, on June 15, beginning in 2004, the committee shall  
11 transfer from the permanent endowment fund to the tobacco control fund the lesser  
12 of ~~\$25,000,000~~ \$15,054,500 for fiscal year 2003–04, and the lesser of \$15,062,000 for  
13 fiscal year 2004–05 and every fiscal year thereafter, or the proceeds of, and  
14 investment earnings on, investments of the permanent endowment fund in the prior  
15 calendar year.

16 **\*-1630/2.1\* SECTION 11.** 13.121 (1) of the statutes is amended to read:

17 13.121 (1) CURRENT MEMBER. From the appropriation under s. 20.765 (1) (a) or  
18 (b) or (5), each member of the legislature shall be paid, in equal installments, the  
19 salary provided under s. 20.923.

20 **\*-0576/8.1\* SECTION 12.** 13.121 (4) of the statutes is amended to read:

21 13.121 (4) INSURANCE. For the purpose of premium determinations under s.  
22 40.05 (4) and (5) each member of the legislature shall accrue sick leave at a rate  
23 equivalent to a percentage of time worked recommended for such positions by the  
24 secretary of ~~employment relations~~ administration and approved by the joint  
25 committee on employment relations in the same manner as compensation for such

1 positions is determined under s. 20.923. This percentage of time worked shall be  
2 applied to the sick leave accrual rate established under s. 230.35 (2). The approved  
3 percentage shall be incorporated into the compensation plan under s. 230.12 (1).

4 **\*-0576/8.2\* SECTION 13.** 13.123 (1) (a) 1. of the statutes is amended to read:

5 13.123 (1) (a) 1. Any member of the legislature who has signified, by affidavit  
6 filed with the department of administration, the necessity of establishing a  
7 temporary residence at the state capital for the period of any regular or special  
8 legislative session shall be entitled to an allowance for expenses incurred for food and  
9 lodging for each day that he or she is in Madison on legislative business, but not  
10 including any Saturday or Sunday unless the legislator is in actual attendance on  
11 such day at a session of the legislature or a meeting of a standing committee of which  
12 the legislator is a member. The amount of the allowance for each biennial session  
13 shall be 90% of the per diem rate for travel for federal government business within  
14 the city of Madison, as established by the federal general services administration.  
15 For the purpose of determining the amount of the allowance, the secretary of  
16 ~~employment relations~~ administration shall certify to the chief clerk of each house the  
17 federal per diem rate in effect on December 1, or the first business day thereafter if  
18 December 1 is not a business day, in each even-numbered year. Each legislator shall  
19 file an affidavit with the chief clerk of his or her house certifying the specific dollar  
20 amount within the authorized allowance the member wishes to receive. Such  
21 affidavit, when filed, shall remain in effect for the biennial session.

22 **\*-1630/2.2\* SECTION 14.** 13.123 (1) (c) of the statutes is amended to read:

23 13.123 (1) (c) Each member shall certify to the chief clerk of the house in which  
24 the member serves, as promptly as may be following the 1st of each month, the  
25 number of days during the previous calendar month on which the member was in

1 Madison on legislative business and for which the member seeks the allowance  
2 provided by this subsection. Such allowances shall be paid from the appropriation  
3 under s. 20.765 (1) (a) or (b) or (5) within one week after each calendar month; and  
4 shall be paid, upon the filing with the department of administration, the chief clerk's  
5 affidavit stating the number of days in Madison on legislative business for all  
6 members of the chief clerk's house.

7 **\*-1630/2.3\* SECTION 15.** 13.123 (2) (intro.) of the statutes is amended to read:

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

21 **\*-1630/2.4\* SECTION 16.** 13.123 (3) (a) of the statutes is amended to read:

22 13.123 (3) (a) Any senator authorized by the committee on senate organization  
23 to attend a meeting outside the state capital, any representative to the assembly  
24 authorized by the committee on assembly organization to attend an out-of-state  
25 meeting or authorized by the speaker to attend a meeting within this state outside

1 the state capital, and all members of the legislature required by law, legislative rule,  
2 resolution or joint resolution to attend such meetings, shall be paid no additional  
3 compensation for such services but shall be reimbursed for actual and necessary  
4 expenses from the appropriation under s. 20.765 (1) (a) or (b) or (5), but no legislator  
5 may be reimbursed under this subsection for expenses on any day for which the  
6 legislator submits a claim under sub. (1).

7 **\*-1630/2.5\* SECTION 17.** 13.125 of the statutes is amended to read:

8 **13.125 Chaplains.** The officiating chaplain of the senate and assembly shall  
9 be paid such amount as may be established by each house for each day of service from  
10 the appropriation under s. 20.765 (1) (a) or (b) or (5). Payment shall be made on  
11 certification by the chief clerk of the senate or of the assembly, respectively, showing  
12 the amount to which each chaplain is entitled.

13 **\*-1630/2.6\* SECTION 18.** 13.14 (2) of the statutes is amended to read:

14 **13.14 (2) FLORAL PIECES.** The senate and assembly may procure floral pieces  
15 for deceased or ill members of the legislature and state officers who, in the judgment  
16 of the presiding officer and chief clerk, have been identified with the legislative  
17 process. Such expenses shall be by voucher, signed by the presiding officer or chief  
18 clerk of the respective house, and shall be drawn on the appropriation under s. 20.765  
19 (1) (a) or (b) or (5).

20 **\*-1630/2.7\* SECTION 19.** 13.14 (3) of the statutes is amended to read:

21 **13.14 (3) TRAVEL; LEGISLATIVE PERSONNEL.** The actual and necessary expenses  
22 of legislative policy research personnel, assistants to legislators, and research staff  
23 assigned to legislative committees incident to attending meetings outside the state  
24 capital shall be reimbursed from the appropriation under s. 20.765 (1) (a) or (b) or  
25 (5).

1           \***-0576/8.3**\* SECTION 20. 13.20 (2) of the statutes is amended to read:

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

13           \***-1016/6.1**\* SECTION 21. 13.40 (3) (b) of the statutes is amended to read:

14           13.40 (3) (b) An appropriation to honor a moral obligation undertaken  
15 pursuant to ss. 16.523 (8), 16.526 (8), 16.527 (10), 18.61 (5), 85.25 (5), 101.143 (9m)  
16 (i), 229.50 (7), 229.74 (7), 229.830 (7), 234.15 (4), 234.42 (4), 234.54 (4) (b), 234.626  
17 (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.

18           \***-1748/2.1**\* SECTION 22. 13.40 (3) (fm) of the statutes is created to read:

19           13.40 (3) (fm) An appropriation for the 2003–05 fiscal biennium to make  
20 payments to counties, towns, villages, and cities under ss. 79.035 and 79.036.

21           \***-1711/5.1**\* SECTION 23. 13.40 (3) (i) 1. of the statutes is repealed.

22           \***-1630/2.8**\* SECTION 24. 13.45 (3) (a) of the statutes is amended to read:

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

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

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

16          \*~~1746/4.1~~\* SECTION 26. 13.48 (14) (c) of the statutes is amended to read:

17          13.48 (14) (c) If there is any outstanding public debt used to finance the  
18          acquisition of a building, structure or land or the construction of a building or  
19          structure that is sold or leased under par. (b), the building commission shall deposit  
20          a sufficient amount of the net proceeds from the sale or lease of the building,  
21          structure or land in the bond security and redemption fund under s. 18.09 to repay  
22          the principal and pay the interest on the debt, and any premium due upon refunding  
23          any of that debt. If there is no such debt outstanding, or, if the net proceeds exceed  
24          the amount required to repay that principal and pay that interest and premium, the

1 building commission shall ~~credit~~ deposit the net proceeds or remaining net proceeds  
2 to in the appropriation account under s. 20.865 (4) (a) budget stabilization fund.

3 **\*-1630/2.9\* SECTION 27.** 13.50 (6) (am) of the statutes is amended to read:

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

15 **\*-0576/8.5\* SECTION 28.** 13.51 (2) (b) of the statutes is amended to read:

16 13.51 (2) (b) The secretary of ~~employment relations~~ administration or the  
17 secretary's designee.

18 **\*-1630/2.10\* SECTION 29.** 13.56 (2) of the statutes is amended to read:

19 13.56 (2) PARTICIPATION IN CERTAIN PROCEEDINGS. The cochairpersons of the joint  
20 committee for review of administrative rules or their designated agents shall accept  
21 service made under ss. 227.40 (5) and 806.04 (11). If the committee determines that  
22 the legislature should be represented in the proceeding, it shall request the joint  
23 committee on legislative organization to designate the legislature's representative  
24 for the proceeding. The costs of participation in the proceeding shall be paid equally  
25 from the appropriations under s. 20.765 (1) (a) and (b) or shall be paid from the

1 appropriation under s. 20.765 (5), if applicable, except that such costs incurred by the  
2 department of justice shall be paid from the appropriation under s. 20.455 (1) (d).

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

4 13.57 (3) All expenses under sub. (1) shall be reimbursed from the  
5 appropriation under s. 20.765 (1) (a) or (b) or (5).

6 **\*-1289/7.3\* SECTION 31.** 13.58 (5) (a) 5. of the statutes is amended to read:

7 13.58 (5) (a) 5. Upon receipt of strategic plans from the department of ~~electronic~~  
8 government administration, the joint committee on legislative organization and the  
9 director of state courts, review and transmit comments concerning the plans to the  
10 entities submitting the plans.

11 **\*-1289/7.4\* SECTION 32.** 13.58 (5) (b) 1. of the statutes is amended to read:

12 13.58 (5) (b) 1. Direct the department of ~~electronic government~~ administration  
13 to conduct studies or prepare reports on items related to the committee's duties under  
14 par. (a).

15 **\*-1289/7.5\* SECTION 33.** 13.58 (5) (b) 4. (intro.) of the statutes is amended to  
16 read:

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

24 **\*-1630/2.12\* SECTION 34.** 13.81 (6) of the statutes is amended to read:

1           13.81 (6) REIMBURSEMENT FOR SPECIAL STUDIES. At the end of each fiscal year,  
2 the general fund shall be reimbursed, from any other state fund, the amounts  
3 actually expended by the joint legislative council under s. 20.765 (3) (e) or (5) for the  
4 cost of making and publishing surveys and analyses of activities and policies related  
5 to such funds. The council shall bill such state funds at the end of each fiscal year  
6 for the costs so incurred, in accordance with cost records maintained by the council.

7           \***-1630/2.13\*** SECTION 35. 13.81 (8) of the statutes is amended to read:

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

12           \***-1630/2.14\*** SECTION 36. 13.83 (3) (c) 1. of the statutes is amended to read:

13           13.83 (3) (c) 1. The joint legislative council shall pay the expenses incurred by  
14 the members appointed under par. (b) 1., in performing their functions on the special  
15 committee, from the appropriation under s. 20.765 (3) (e) or (5).

16           \***-1630/2.15\*** SECTION 37. 13.90 (2) of the statutes is amended to read:

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

1           \***-1630/2.16\*** SECTION 38. 13.90 (4) of the statutes is amended to read:

2           13.90 (4) The cochairpersons of the joint committee on legislative organization  
3 shall authorize payment of fees entitling the legislature to membership in national  
4 organizations from the appropriation under s. 20.765 (3) (fa) or (5).

5           \***-1289/7.6\*** SECTION 39. 13.90 (6) of the statutes is amended to read:

6           13.90 (6) The joint committee on legislative organization shall adopt, revise  
7 biennially and submit to the cochairpersons of the joint committee on information  
8 policy and technology, the governor and the ~~chief information officer~~ secretary of  
9 administration, no later than September 15 of each even-numbered year, a strategic  
10 plan for the utilization of information technology to carry out the functions of the  
11 legislature and legislative service agencies, as defined in s. 16.70 (6). The plan shall  
12 address the business needs of the legislature and legislative service agencies and  
13 shall identify all resources relating to information technology which the legislature  
14 and legislative service agencies desire to acquire, contingent upon funding  
15 availability, the priority for such acquisitions and the justification for such  
16 acquisitions. The plan shall also identify any changes in the functioning of the  
17 legislature and legislative service agencies under the plan.

18           \***-1327/1.1\*** SECTION 40. 13.92 (1) (b) 1. b. of the statutes is amended to read:

19           13.92 (1) (b) 1. b. Any agency, as defined in s. 16.70 ~~(1)~~ (1e), created under ch.  
20 13, 14, 15, or 758.

21           \***-1373/8.1\*** SECTION 41. 13.92 (3) of the statutes is amended to read:

22           13.92 (3) TREATMENT OF CERTAIN LEGISLATIVE REFERENCE BUREAU EMPLOYEES.  
23 Notwithstanding s. 230.08 (2) (fc), those employees holding positions in the classified  
24 service at the legislative reference bureau on June 16, 1998, who have achieved  
25 permanent status in class before that date, shall retain, while serving in the

1 unclassified service at the legislative reference bureau, those protections afforded  
2 employees in the classified service under ss. 230.34 (1) (a) (ah) and 230.44 (1) (c)  
3 relating to demotion, suspension, discharge, layoff or reduction in base pay. Such  
4 employees shall also have reinstatement privileges to the classified service as  
5 provided under s. 230.33 (1). Those employees of the legislative reference bureau  
6 holding positions in the classified service on June 16, 1998, who have not achieved  
7 permanent status in class in any position at the legislative reference bureau on that  
8 date are eligible to receive the protections, privileges and rights preserved under this  
9 subsection if they successfully complete service equivalent to the probationary  
10 period required in the classified service for the position which they hold on that date.

11 **\*-1289/7.7\* SECTION 42.** 13.93 (2) (h) of the statutes is amended to read:

12 13.93 (2) (h) Approve specifications and scheduling for computer databases  
13 containing the Wisconsin statutes and for the printing of the Wisconsin statutes as  
14 prescribed in ss. ~~22.03~~ 16.971 (6) and 35.56 (5).

15 **\*-1630/2.17\* SECTION 43.** 13.93 (2) (k) of the statutes is amended to read:

16 13.93 (2) (k) Pay, from the appropriation under s. 20.765 (3) (a) or (5), the  
17 expenses of attendance at meetings of members of the Commission on Uniform State  
18 Laws who are appointed by the governor.

19 **\*-0529/4.1\* SECTION 44.** 13.94 (1) (a) of the statutes is amended to read:

20 13.94 (1) (a) Audit the ~~books and accounts of the treasurer, the moneys on hand~~  
21 in the treasury and all bonds and securities belonging to all public funds on deposit  
22 in the treasury or properly accounted for by the ~~treasurer~~ secretary of  
23 administration, at least every 2 years; and report the result of such examination in  
24 writing to the governor and the joint committee on finance, specifying therein  
25 particularly the amount and kind of funds and of all such bonds and securities. The

1 bureau shall transmit a certified copy of such report to the ~~outgoing treasurer and~~  
2 successor secretary of administration.

3 **\*-0529/4.2\* SECTION 45.** 13.94 (1) (d) 1. of the statutes is amended to read:

4 13.94 (1) (d) 1. At least once every 2 years, and at such other times as the  
5 governor or legislature directs, examine and see that all the money appearing by the  
6 books of the department of administration and ~~state treasurer~~ as belonging to the  
7 several funds is in the vaults of the treasury or in the several state depositories.

8 **\*-0529/4.3\* SECTION 46.** 13.94 (1) (d) 2. of the statutes is amended to read:

9 13.94 (1) (d) 2. If the governor directs that such an examination be conducted,  
10 the order from the governor shall provide for reimbursement of the legislative audit  
11 bureau's costs in making the examination from the appropriation under s. 20.525 (1)  
12 (a). No order from the governor for an examination under this paragraph may take  
13 precedence over any examination already scheduled by the legislative audit bureau  
14 without approval of the joint legislative audit committee. If a deficiency is discovered  
15 pursuant to an examination under this paragraph, the governor shall require the  
16 ~~treasurer~~ secretary of administration to make up the deficiency immediately; and if  
17 the ~~treasurer~~ secretary of administration refuses or neglects for 10 days thereafter  
18 to have the full sum belonging to said funds in the treasury the attorney general shall  
19 institute proceedings to recover the deficiency.

20 **\*-0529/4.4\* SECTION 47.** 13.94 (1) (f) of the statutes is amended to read:

21 13.94 (1) (f) ~~Certify~~ Whenever a new secretary of administration takes office,  
22 certify to the incoming ~~treasurer~~ secretary the balance in the treasury when he or  
23 she came into office and all bonds and securities belonging to all public funds on  
24 deposit in the treasury or properly accounted for and transmit a certified copy thereof  
25 to the outgoing ~~treasurer~~ secretary.

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

2           13.94 (1) (q) No later than February 1, 2006, prepare a performance evaluation  
3           audit of the volunteer fire fighter and emergency medical technician service award  
4           program established under s. ~~16.25~~ 560.9813. The legislative audit bureau shall file  
5           a copy of the audit report under this paragraph with the distributees specified in par.  
6           (b).

7           \*~~1630/2.18~~\* SECTION 49. 13.94 (1m) of the statutes is amended to read:

8           13.94 (1m) INDEPENDENT EXPERTS. The legislative audit bureau may contract  
9           for the services of such independent professional or technical experts as deemed  
10          necessary to carry out the statutory duties and functions of the bureau within the  
11          limits of the amount provided under s. 20.765 (3) (c) or (5); and, in the case of  
12          postaudits involving the performance and program accomplishments of a  
13          department, shall contract for the services of such subject matter and program  
14          specialists from any state or federal agency or public institution of higher learning  
15          as deemed necessary by the joint committee on legislative organization.

16          \*~~1373/8.2~~\* SECTION 50. 13.94 (5) of the statutes is amended to read:

17          13.94 (5) TREATMENT OF CLASSIFIED EMPLOYEES. Notwithstanding sub. (3) (b),  
18          those individuals holding positions in the classified service at the legislative audit  
19          bureau who achieved permanent status in class on July 31, 1981, shall retain, while  
20          serving in the unclassified service in the legislative audit bureau, those protections  
21          afforded employees in the classified service under ss. 230.34 (1) (a) (ah) and 230.44  
22          (1) (c) relating to demotion, suspension, discharge or layoff, except that the  
23          applicability of any reduction in base pay of such an employee shall be determined  
24          on the basis of the base pay received by the employee on July 31, 1981, plus the total  
25          amount of any subsequent general economic increases approved by the joint

1 committee on employment relations for nonrepresented employees in the classified  
2 service. Such employees shall also have reinstatement privileges to the classified  
3 service as provided under s. 230.33 (1). Employees of the legislative audit bureau  
4 holding positions in the classified service on July 31, 1981, who have not achieved  
5 permanent status in class in any position in the legislative audit bureau on that date  
6 are eligible to receive the protections and privileges preserved under this subsection  
7 if they successfully complete the probationary period required for the position which  
8 they hold.

9 **\*-1289/7.8\* SECTION 51.** 14.20 (1) (a) of the statutes is amended to read:

10 14.20 (1) (a) "Local governmental unit" has the meaning given in s. ~~22.01~~ 16.97  
11 (7).

12 **\*-1752/3.1\* SECTION 52.** 14.20 (2) of the statutes is amended to read:

13 14.20 (2) From the ~~appropriations~~ appropriation under s. 20.525 (1) (f) and ~~(kf)~~,  
14 the governor may provide a grant to any local governmental unit or nonprofit  
15 organization for support of a literacy improvement program.

16 **\*-1630/2.19\* SECTION 53.** 14.38 (10) (c) of the statutes is amended to read:

17 14.38 (10) (c) Publish in the official state newspaper within 10 days after the  
18 date of publication of an act a notice certifying the number of each act, the number  
19 of the bill from which it originated, the date of publication and the relating clause.  
20 Each certificate shall also contain a notice of where the full text of each act can be  
21 obtained. Costs under this paragraph shall be charged to the appropriation under  
22 s. 20.765 (1) (d) or (5).

23 **\*-0529/4.5\* SECTION 54.** 14.58 (1) (intro.) of the statutes is repealed and  
24 recreated to read:

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

4           \*~~0529/4.6~~\* SECTION 55. 14.58 (2) of the statutes is renumbered 16.401 (2) and  
5 amended to read:

6           16.401 (2) ISSUE RECEIPTS. Issue receipts for all money paid to the ~~treasurer~~  
7 department.

8           \*~~0529/4.7~~\* SECTION 56. 14.58 (3) of the statutes is renumbered 16.401 (3).

9           \*~~0529/4.8~~\* SECTION 57. 14.58 (4) of the statutes is renumbered 16.401 (4) and  
10 amended to read:

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

23           (b) When in the judgment of the state ~~treasurer~~ secretary balances in state  
24 public depository accounts are temporarily in excess of that required under par. (a),  
25 ~~the treasurer, with the concurrence of the secretary of administration,~~ may authorize

1 the preparation of a warrant in excess of the funds contained in transfer the excess  
2 balance to the investment fund for the purpose of investment only. The earnings  
3 attributable to the investment of temporary excess balances shall be distributed as  
4 provided in sub. ~~(19)~~ (14).

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

7 16.401 (5) ACCOUNT FOR INTEREST. Pay into the treasury and account for all  
8 sums directly or indirectly received by the ~~treasurer~~ secretary by virtue of the  
9 ~~treasurer's~~ secretary's office, or as interest or compensation for the use, deposit, or  
10 forbearance of any state moneys in the ~~treasurer's~~ secretary's hands or under the  
11 ~~treasurer's~~ secretary's control.

12 \*~~0529/4.10~~\* SECTION 59. 14.58 (6) of the statutes is renumbered 16.401 (6)  
13 and amended to read:

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

1           \***-0529/4.11\*** SECTION 60. 14.58 (8) (intro.) and (a) to (c) of the statutes are  
2 renumbered 16.401 (7) (intro.) and (a) to (c).

3           \***-0529/4.12\*** SECTION 61. 14.58 (8) (d) of the statutes is repealed.

4           \***-0529/4.13\*** SECTION 62. 14.58 (9) of the statutes is renumbered 16.401 (8)  
5 and amended to read:

6           16.401 (8) ~~BIENNIAL~~ SUBMIT BIENNIAL REPORT. ~~On or before October 15 of each~~  
7 ~~odd-numbered year, submit to the governor and the chief clerk of each house of the~~  
8 ~~legislature, for distribution to the legislature under s. 13.172 (2), a report containing~~  
9 ~~the same information required of departments and independent agencies under s.~~  
10 ~~15.04 (1) (d). The report shall also~~ As part of the report submitted under s. 15.04 (1)  
11 (d), include a statement showing for each of the 2 preceding fiscal years the cash  
12 balance in each state fund at the beginning of the fiscal year, the aggregate amount  
13 of receipts credited, and the aggregate amount of disbursements charged to each said  
14 fund during the fiscal year and the resultant cash balance in each state fund at the  
15 end of the fiscal year. This statement shall further show as of the end of each said  
16 2 fiscal years, at par, the aggregate value of securities held for each state fund and  
17 the aggregate value of securities held in trust or deposited for safekeeping, and shall  
18 show the manner in which the total cash balance was accounted for by listing the  
19 balances on deposit in each state account in a public depository, deducting from the  
20 total of such balances the aggregate amount of checks, share drafts, or other drafts  
21 outstanding and adding thereto the aggregate amount of cash and cash items in  
22 office.

23           \***-0529/4.14\*** SECTION 63. 14.58 (10) of the statutes is renumbered 16.401 (9)  
24 and amended to read:

1           16.401 (9) REPORT CERTAIN PAYMENTS. Whenever the ~~state treasurer~~ secretary  
2 or any state department shall remit to any county, city, town, or village any sum in  
3 payment of a state aid or other item, the remitter shall transmit a statement of the  
4 amount and purpose thereof to the clerk of such municipality. After the receipt  
5 thereof, the clerk of such municipality shall present such statement at the next  
6 regular meeting of the governing body and shall thereafter file and keep such  
7 statement for 6 years.

8           \*~~0529/4.15~~\* SECTION 64. 14.58 (12) of the statutes is renumbered 16.401 (10)  
9 and amended to read:

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

19           \*~~0529/4.16~~\* SECTION 65. 14.58 (13) of the statutes is renumbered 16.401 (11)  
20 and amended to read:

21           16.401 (11) ~~SERVICES~~ PROVIDE SERVICES IN CONNECTION WITH SECURITIES HELD IN  
22 TRUST. Upon request therefor from any company, corporation, society, order, or  
23 association ~~which~~ that has securities on deposit with the ~~treasurer~~ secretary, in  
24 trust, mail to its address not to exceed 60 days before the same become due, any or  
25 all interest coupons; return to it any or all bonds, notes, or other deposits as they

1 become due and are replaced by other securities; cut all interest coupons, make any  
2 endorsement of interest or otherwise on any such securities; and collect therefor from  
3 the company, corporation, society, order, or association making the request, a 25-cent  
4 fee for a single coupon cut, or for each entry of interest endorsed on a note or return  
5 of a bond, note, or other security, and a 10-cent fee for each additional coupon cut,  
6 or entry of interest endorsed on a note, bond, or other security, and may withhold any  
7 and all coupons cut or refuse endorsement of interest on securities until such fee is  
8 paid. Such fees shall be paid into the state treasury as a part of the general fund,  
9 and an extra charge may be required for postage or registered mail.

10 \*~~0529/4.17~~\* SECTION 66. 14.58 (17) of the statutes is renumbered 16.401 (12)  
11 and amended to read:

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

18 \*~~0529/4.18~~\* SECTION 67. 14.58 (18) of the statutes is renumbered 16.401 (13)  
19 and amended to read:

20 16.401 (13) SALE OF INVESTMENTS. Whenever the department of ~~administration~~  
21 draws a check, share draft, or other draft dated the next following business day upon  
22 a fund whose investment and collection is under the exclusive control of the  
23 investment board pursuant to s. 25.17 (1), and the receipts of the ~~state treasurer~~ are  
24 insufficient to permit a disbursement from said fund in the amount of such check,  
25 share draft, or other draft, the investment board shall sell investments owned by

1 such fund for delivery in time to provide sufficient money to cover such check, share  
2 draft, or other draft on the date ~~which~~ that it bears.

3 **\*-0529/4.19\* SECTION 68.** 14.58 (19) of the statutes is renumbered 16.401 (14).

4 **\*-0529/4.20\* SECTION 69.** 14.58 (21) of the statutes is repealed.

5 **\*-1711/5.2\* SECTION 70.** 14.63 (11m) of the statutes is amended to read:

6 14.63 (11m) FINANCIAL AID CALCULATIONS. The value of tuition units shall not  
7 be included in the calculation of a beneficiary's eligibility for state financial aid for  
8 higher education if the beneficiary notifies the ~~higher educational aids~~ board and the  
9 institution of higher education that the beneficiary is planning to attend that he or  
10 she is a beneficiary of a contract under this section and the contract owner agrees to  
11 release to the ~~higher educational aids~~ board and the institution of higher education  
12 information necessary for the calculation under this subsection.

13 **\*-1711/5.3\* SECTION 71.** 14.64 (8) of the statutes is amended to read:

14 14.64 (8) FINANCIAL AID CALCULATIONS. The balance of a college savings account  
15 shall not be included in the calculation of a beneficiary's eligibility for state financial  
16 aid for higher education if the beneficiary notifies the ~~higher educational aids board~~  
17 Board of Regents of the University of Wisconsin System and the eligible educational  
18 institution that the beneficiary is planning to attend that he or she is a beneficiary  
19 of a college savings account and if the account owner agrees to release to the ~~higher~~  
20 ~~educational aids board~~ Board of Regents of the University of Wisconsin System and  
21 the eligible educational institution information necessary for the calculation under  
22 this subsection.

23 **\*-0356/3.1\* SECTION 72.** 14.65 (1) of the statutes is amended to read:

24 14.65 (1) The secretary of administration shall transfer from the tuition trust  
25 fund or the college savings program trust fund to the general fund an amount equal

1 to the amount expended from the appropriations under s. 20.505 (9) (a), 1995 stats.,  
2 and s. 20.585 (2) (a), 2001 stats., and s. 20.585 (2) (am), 2001 stats., when the  
3 secretary of administration determines that funds in the tuition trust fund or the  
4 college savings program trust fund are sufficient to make the transfer. The secretary  
5 of administration may make the transfer in installments.

6 **\*-1792/3.1\* SECTION 73.** 15.01 (2) of the statutes is amended to read:

7 15.01 (2) “Commission” means a 3-member governing body in charge of a  
8 department or independent agency or of a division or other subunit within a  
9 department, except for the Wisconsin waterways commission which shall consist of  
10 5 members, the parole commission which shall consist of 8 members, and the Fox  
11 River management commission which shall consist of 7 members. A Wisconsin group  
12 created for participation in a continuing interstate body, or the interstate body itself,  
13 shall be known as a “commission”, but is not a commission for purposes of s. 15.06.  
14 The parole commission created under s. 15.145 (1) shall be known as a “commission”,  
15 but is not a commission for purposes of s. 15.06. The sentencing commission created  
16 under s. ~~15.105 (27)~~ 15.145 (4) shall be known as a “commission” but is not a  
17 commission for purposes of s. 15.06 (1) to (4m), (7), and (9).

18 **\*-1187/4.1\* SECTION 74.** 15.03 of the statutes is amended to read:

19 **15.03 Attachment for limited purposes.** Any division, office, commission,  
20 council or board attached under this section to a department or independent agency  
21 or a specified division thereof shall be a distinct unit of that department, independent  
22 agency or specified division. Any division, office, commission, council or board so  
23 attached shall exercise its powers, duties and functions prescribed by law, including  
24 rule making, licensing and regulation, and operational planning within the area of  
25 program responsibility of the division, office, commission, council or board,

1 independently of the head of the department or independent agency, but budgeting,  
2 program coordination and related management functions shall be performed under  
3 the direction and supervision of the head of the department or independent agency,  
4 ~~except that with respect to the office of the commissioner of railroads, all personnel~~  
5 ~~and biennial budget requests by the office of the commissioner of railroads shall be~~  
6 ~~provided to the department of transportation as required under s. 189.02 (7) and~~  
7 ~~shall be processed and properly forwarded by the public service commission without~~  
8 ~~change except as requested and concurred in by the office of the commissioner of~~  
9 ~~railroads.~~

10 ~~\*-1187/4.2\*~~ SECTION 75. 15.06 (1) (ar) of the statutes is repealed.

11 ~~\*-1767/3.1\*~~ SECTION 76. 15.06 (1) (bm) of the statutes is created to read:

12 15.06 (1) (bm) The tax appeals commissioner shall be nominated by the  
13 governor, and with the advice and consent of the senate, appointed for a 6-year term  
14 expiring on March 1 of an odd-numbered year.

15 ~~\*-1295/2.1\*~~ SECTION 77. 15.06 (1) (d) of the statutes is repealed.

16 ~~\*-1711/5.4\*~~ SECTION 78. 15.07 (1) (a) 1. of the statutes is repealed.

17 ~~\*-1431/2.1\*~~ SECTION 79. 15.07 (1) (b) 5. of the statutes is amended to read:

18 15.07 (1) (b) 5. Savings and ~~loan~~ institutions review board.

19 ~~\*-1431/2.2\*~~ SECTION 80. 15.07 (1) (b) 18. of the statutes is repealed.

20 ~~\*-1689/3.1\*~~ SECTION 81. 15.07 (2) (k) of the statutes is repealed.

21 ~~\*-1289/7.9\*~~ SECTION 82. 15.07 (2) (L) of the statutes is amended to read:

22 15.07 (2) (L) The governor shall serve as chairperson of the information  
23 technology management board and the ~~chief information officer~~ the secretary of  
24 administration or his or her designee shall serve as secretary of that board.

25 ~~\*-1373/8.3\*~~ SECTION 83. 15.07 (2) (m) of the statutes is created to read:

1           15.07 (2) (m) The chairperson of the state prosecutor's board shall be  
2 designated annually by the governor.

3           \*-1431/2.3\* SECTION 84. 15.07 (5) (g) of the statutes is amended to read:

4           15.07 (5) (g) Members of the savings and loan institutions review board, \$10  
5 per day.

6           \*-1431/2.4\* SECTION 85. 15.07 (5) (gm) of the statutes is repealed.

7           \*-1634/7.5\* SECTION 86. 15.103 (2) of the statutes is repealed.

8           \*-0576/8.6\* SECTION 87. 15.103 (3m) of the statutes is created to read:

9           15.103 (3m) DIVISION OF MERIT RECRUITMENT AND SELECTION. (a) There is created  
10 in the department of administration a division of merit recruitment and selection.

11           (b) The chief justice of the supreme court, the speaker of the assembly, the  
12 president of the senate, and two individuals appointed by the governor, one of whom  
13 may not be employed by the state, or their designees, shall compile a list of 3 qualified  
14 individuals to serve as the administrator of the division of merit recruitment and  
15 selection in the department of administration. The governor shall select an  
16 individual from this list to serve as administrator or the governor shall request that  
17 the chief justice of the supreme court, the speaker of the assembly, the president of  
18 the senate, and two individuals appointed by the governor, one of whom may not be  
19 employed by the state, or their designees, submit another list of 3 qualified  
20 individuals. The chief justice of the supreme court, the speaker of the assembly, the  
21 president of the senate, and two individuals appointed by the governor, one of whom  
22 may not be employed by the state, or their designees, shall continue to submit lists  
23 of 3 qualified individuals until such time that the governor selects an individual from  
24 a list. The individual selected shall be nominated by the governor and, with the  
25 advice and consent of the senate, appointed for a 5-year term.

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

2           \***-1767/3.3\*** SECTION 89. 15.105 (1m) of the statutes is created to read:

3           15.105 (1m) OFFICE OF COMMISSIONER OF TAX APPEALS. There is created an office  
4 of the commissioner of tax appeals which is attached to the department of  
5 administration under s. 15.03. The tax appeals commissioner shall be experienced  
6 in tax matters. The commissioner may not serve on or under any committee of a  
7 political party. The commissioner shall hold office until a successor is appointed and  
8 qualified.

9           \***-1712/5.1\*** SECTION 90. 15.105 (4) of the statutes is amended to read:

10           15.105 (4) PUBLIC RECORDS BOARD. There is created a public records board which  
11 is attached to the department of administration under s. 15.03. The public records  
12 board shall consist of the governor, the director of the historical society, the attorney  
13 general, the state auditor, and the director of the legislative council staff, or their  
14 designated representatives, and a representative of the small business community,  
15 a representative of ~~a local unit of government~~ the governing body of a municipality,  
16 as defined in s. ~~106.215 (1) (e)~~ 281.59 (1) (c), and one other member.

17           \***-1373/8.4\*** SECTION 91. 15.105 (6) of the statutes is created to read:

18           15.105 (6) STATE PROSECUTORS BOARD. (a) There is created a state prosecutors  
19 board which is attached to the department of administration under s. 15.03 and  
20 which shall consist of eight district attorneys appointed by the governor.

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

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

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

4 \*-1607/P3.1\* SECTION 92. 15.105 (11) of the statutes is repealed.

5 \*-1614/1.1\* SECTION 93. 15.105 (12) (e) of the statutes is repealed.

6 \*-1614/1.2\* SECTION 94. 15.105 (12) (f) of the statutes is amended to read:

7 15.105 (12) (f) *Assistance*. The ~~executive director~~ board may request any state  
8 agency to provide assistance necessary for the board to fulfill its duties.

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

10 \*-1634/7.6\* SECTION 96. 15.105 (26) of the statutes is renumbered 15.155 (5),  
11 and 15.155 (5) (a) (intro.), as renumbered, is amended to read:

12 15.155 (5) (a) (intro.) There is created a volunteer fire fighter and emergency  
13 medical technician service award board that is attached to the department of  
14 ~~administration~~ commerce under s. 15.03. The board shall consist of the secretary of  
15 ~~administration~~ commerce or his or her designee and the following members  
16 appointed for 3-year terms:

17 \*-1792/3.2\* SECTION 97. 15.105 (27) of the statutes is renumbered 15.145 (4),  
18 and 15.145 (4) (a) (intro.), as renumbered, is amended to read:

19 15.145 (4) (a) *Creation; membership*. (intro.) There is created a sentencing  
20 commission that is attached to the department of ~~administration~~ corrections under  
21 s. 15.03 and that shall consist of the following members:

22 \*-1289/7.10\* SECTION 98. 15.107 (7) (f) of the statutes is amended to read:

23 15.107 (7) (f) A representative of the department of ~~electronic government~~  
24 administration.

25 \*-1111/4.1\* SECTION 99. 15.13 of the statutes is amended to read:

1           **15.13 Department of agriculture, trade and consumer protection;**  
2 **creation.** There is created a department of agriculture, trade and consumer  
3 protection under the direction and supervision of the board of agriculture, trade and  
4 consumer protection. The board shall consist of 7 9 members with an agricultural  
5 background ~~and 2 members who are consumer representatives~~, appointed for  
6 staggered 6-year terms. Appointments to the board shall be made without regard  
7 to party affiliation, residence or interest in any special organized group.

8           \*~~1111/4.2~~\* **SECTION 100.** 15.137 (1) (a) (intro.) of the statutes is amended to  
9 read:

10           15.137 (1) (a) (intro.) There is created in the department of agriculture, trade  
11 and consumer protection an agricultural producer security council consisting of the  
12 following members appointed by the secretary of agriculture, trade, and rural  
13 resources for 3-year terms:

14           \*~~0576/8.7~~\* **SECTION 101.** 15.16 (1) (intro.) of the statutes is amended to read:

15           15.16 (1) **EMPLOYEE TRUST FUNDS BOARD.** (intro.) The employee trust funds  
16 board shall consist of the governor or the governor's designee on the group insurance  
17 board, the secretary of ~~employment relations~~ administration or the secretary's  
18 designee and 11 persons appointed or elected for 4-year terms as follows:

19           \*~~0576/8.8~~\* **SECTION 102.** 15.165 (2) of the statutes is amended to read:

20           15.165 (2) **GROUP INSURANCE BOARD.** There is created in the department of  
21 employee trust funds a group insurance board. The board shall consist of the  
22 governor, the attorney general, the secretary of administration, ~~the secretary of~~  
23 ~~employment relations~~ and the commissioner of insurance or their designees, and 5  
24 persons appointed for 2-year terms, of whom one shall be an insured participant in  
25 the Wisconsin retirement system who is not a teacher, one shall be an insured

1 participant in the Wisconsin retirement system who is a teacher, one shall be an  
2 insured participant in the Wisconsin retirement system who is a retired employee,  
3 and one shall be an insured employee of a local unit of government.

4 **\*-0576/8.9\* SECTION 103.** 15.17 of the statutes is repealed.

5 **\*-0576/8.10\* SECTION 104.** 15.173 of the statutes is repealed.

6 **\*-0576/8.11\* SECTION 105.** 15.175 (title) of the statutes is repealed.

7 **\*-0576/8.12\* SECTION 106.** 15.175 (1) of the statutes is renumbered 15.105  
8 (25m) and amended to read:

9 15.105 (25m) STATE EMPLOYEES SUGGESTION BOARD. There is created in the  
10 department of ~~employment relations~~ administration a state employees suggestion  
11 board consisting of 3 persons, at least one of whom shall be a state officer or employee,  
12 appointed for 4-year terms.

13 **\*-0576/8.13\* SECTION 107.** 15.177 (title) of the statutes is repealed.

14 **\*-0576/8.14\* SECTION 108.** 15.177 (1) of the statutes is renumbered 15.107  
15 (16m), and 15.107 (16m) (a), as renumbered, is amended to read:

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

21 **\*-1431/2.5\* SECTION 109.** 15.183 (2) of the statutes is repealed.

22 **\*-1431/2.6\* SECTION 110.** 15.185 (3) of the statutes is amended to read:

23 15.185 (3) SAVINGS AND ~~LOAN~~ INSTITUTIONS REVIEW BOARD. There is created in the  
24 department of financial institutions a savings ~~and loan~~ institutions review board  
25 consisting of 7 5 members, at least 5 3 of whom shall have not less than 10 5 years'

1 experience in the savings and loan or savings bank business in this state, appointed  
2 for ~~staggered 4-year~~ 5-year terms.

3 **\*-1431/2.7\* SECTION 111.** 15.185 (4) of the statutes is repealed.

4 **\*-1504/1.2\* SECTION 112.** 15.195 (1) of the statutes is repealed.

5 **\*-1289/7.11\* SECTION 113.** 15.21 of the statutes is repealed.

6 **\*-1289/7.12\* SECTION 114.** 15.215 (title) of the statutes is repealed.

7 **\*-1289/7.13\* SECTION 115.** 15.215 (1) of the statutes is renumbered 15.105 (28)

8 and amended to read:

9 15.105 (28) INFORMATION TECHNOLOGY MANAGEMENT BOARD. There is created an  
10 information technology management board that is attached to the department of  
11 ~~electronic government administration~~ administration under s. 15.03. The board shall consist of the  
12 governor, the cochairpersons of the joint committee on information policy and  
13 technology or a member of the legislature from the same house as a cochairperson  
14 designated by that cochairperson, one member of the minority party in each house  
15 of the legislature, appointed in the same manner as members of standing committees  
16 are appointed, the secretary of administration, 2 heads of departments or  
17 independent agencies appointed to serve at the pleasure of the governor, 2 other  
18 members appointed to serve for 4-year terms, and the ~~chief information officer~~  
19 secretary of administration or his or her designee.

20 **\*-1712/5.2\* SECTION 116.** 15.225 (2) of the statutes is repealed.

21 **\*-1689/3.2\* SECTION 117.** 15.225 (3) (title) of the statutes is renumbered  
22 15.227 (18) (title) and amended to read:

23 15.227 (18) (title) GOVERNOR'S WORK-BASED LEARNING BOARD COUNCIL.

24 **\*-1689/3.3\* SECTION 118.** 15.225 (3) (a) of the statutes is renumbered 15.227  
25 (18) (a) and amended to read:

1           15.227 (18) (a) There is created a governor's work-based learning board which  
2 ~~is attached to the department of workforce development under s. 15.03~~ council  
3 consisting of the members specified in par. (b).

4           \***-1689/3.4\*** SECTION 119. 15.225 (3) (b) (intro.) of the statutes is renumbered  
5 15.227 (18) (b) (intro.) and amended to read:

6           15.227 (18) (b) (intro.) The governor's work-based learning board council shall  
7 consist of the following members:

8           \***-1689/3.5\*** SECTION 120. 15.225 (3) (b) 1. of the statutes is renumbered 15.227  
9 (18) (b) 1. and amended to read:

10           15.227 (18) (b) 1. The governor, who shall serve as chairperson of the council.

11           \***-1689/3.6\*** SECTION 121. 15.225 (3) (b) 2. of the statutes is renumbered 15.227  
12 (18) (b) 2.

13           \***-1689/3.7\*** SECTION 122. 15.225 (3) (b) 3. of the statutes is renumbered 15.227  
14 (18) (b) 3.

15           \***-1689/3.8\*** SECTION 123. 15.225 (3) (b) 4. of the statutes is renumbered 15.227  
16 (18) (b) 4.

17           \***-1689/3.9\*** SECTION 124. 15.225 (3) (b) 5. of the statutes is renumbered 15.227  
18 (18) (b) 5.

19           \***-1689/3.10\*** SECTION 125. 15.225 (3) (b) 6. of the statutes is renumbered  
20 15.227 (18) (b) 6.

21           \***-1689/3.11\*** SECTION 126. 15.225 (3) (b) 6g. of the statutes is renumbered  
22 15.227 (18) (b) 6g.

23           \***-1689/3.12\*** SECTION 127. 15.225 (3) (b) 6m. of the statutes is renumbered  
24 15.227 (18) (b) 6m.

1           \***-1689/3.13\*** SECTION 128. 15.225 (3) (b) 7g. of the statutes is renumbered  
2 15.227 (18) (b) 7g.

3           \***-1689/3.14\*** SECTION 129. 15.225 (3) (b) 8g. of the statutes is renumbered  
4 15.227 (18) (b) 8g.

5           \***-1689/3.15\*** SECTION 130. 15.225 (3) (b) 8m. of the statutes is renumbered  
6 15.227 (18) (b) 8m.

7           \***-1689/3.16\*** SECTION 131. 15.225 (3) (b) 9. of the statutes is renumbered  
8 15.227 (18) (b) 9.

9           \***-1794/1.1\*** SECTION 132. 15.253 (4) of the statutes is repealed.

10          \***-1373/8.5\*** SECTION 133. 15.255 (2) (b) 4. of the statutes is amended to read:  
11 15.255 (2) (b) 4. Two members, who are citizens of this state but who are not  
12 employed in law enforcement, by a district attorney, or as specified in subd. 3., who  
13 are citizens of this state and who are not assignable prosecutors, as defined in s.  
14 978.001 (1c).

15          \***-1711/5.5\*** SECTION 134. 15.67 of the statutes is repealed.

16          \***-1373/8.6\*** SECTION 135. 15.78 of the statutes is amended to read:

17          **15.78 Public defender board.** There is created a public defender board  
18 consisting of 9 members appointed for staggered 3-year terms. No member may be,  
19 or be employed on the staff of, a judicial or law enforcement officer, district attorney,  
20 corporation counsel, or the state public defender. No member may be an assignable  
21 prosecutor, as defined in s. 978.001 (1c). At least 5 members shall be members of the  
22 State Bar of Wisconsin.

23          \***-1187/4.3\*** SECTION 136. 15.79 of the statutes is amended to read:

24          **15.79 Public service commission; creation.** There is created a public  
25 service commission. No member of the commission may have a financial interest in

1 a railroad or public utility. If any member voluntarily becomes so interested, the  
2 member's office shall become vacant. If the member involuntarily becomes so  
3 interested, the member's office shall become vacant unless the member divests  
4 himself or herself of the interest within a reasonable time. No commissioner may  
5 serve on or under any committee of a political party. Each commissioner shall hold  
6 office until a successor is appointed and qualified.

7 **\*-1187/4.4\* SECTION 137.** 15.795 of the statutes is repealed.

8 **\*-1295/2.2\* SECTION 138.** 15.80 of the statutes is repealed.

9 **\*-1373/8.7\* SECTION 139.** 16.003 (2) of the statutes is amended to read:

10 16.003 (2) STAFF. Except as provided in ss. 16.548, 16.57, 978.03 (1), (1m), and  
11 (2), 978.04 and, 978.05 (8) (b), and 978.14 (1) (d), the secretary shall appoint the staff  
12 necessary for performing the duties of the department. All staff shall be appointed  
13 under the classified service except as otherwise provided by law.

14 **\*-0576/8.15\* SECTION 140.** 16.004 (7) (a) of the statutes is amended to read:

15 16.004 (7) (a) The secretary shall establish and maintain a personnel  
16 management information system which shall be used to furnish the governor; and  
17 the legislature ~~and the department of employment relations~~ with current  
18 information pertaining to authorized positions, payroll and related items for all civil  
19 service employees, except employees of the office of the governor, the courts and  
20 judicial branch agencies, and the legislature and legislative service agencies. It is  
21 the intent of the legislature that the University of Wisconsin System provide position  
22 and other information to the department and the legislature, which includes  
23 appropriate data on each position, facilitates accountability for each authorized  
24 position and traces each position over time. Nothing in this paragraph may be  
25 interpreted as limiting the authority of the board of regents of the University of

1 Wisconsin System to allocate and reallocate positions by funding source within the  
2 legally authorized levels.

3 **\*-1824/8.1\* SECTION 141.** 16.004 (15) of the statutes is created to read:

4 **16.004 (15) LEGAL SERVICES.** (a) In this subsection, “state agency” means an  
5 office, commission, department, independent agency, or board in the executive  
6 branch of state government, and includes the building commission.

7 (b) The department may provide legal services to state agencies. Annually, the  
8 department shall assess each state agency for the cost of the legal services provided  
9 to the state agency. The department shall credit all moneys received from state  
10 agencies under this paragraph to the appropriation account under s. 20.505 (1) (kr).

11 **\*-1373/8.8\* SECTION 142.** 16.006 of the statutes is amended to read:

12 **16.006 Treatment of classified employees.** Those individuals holding  
13 positions in the classified service in the department who are engaged in legislative  
14 text processing functions and who achieved permanent status in class on August 9,  
15 1989, shall retain, while serving in the unclassified service in the legislature or any  
16 legislative branch agency, those protections afforded employees in the classified  
17 service under ss. 230.34 (1) (~~a~~) (ah) and 230.44 (1) (c) relating to demotion,  
18 suspension, discharge, layoff, or reduction in base pay except that the applicability  
19 of any reduction in base pay of such an employee shall be determined on the basis  
20 of the base pay received by the employee on August 9, 1989, plus the total amount  
21 of any subsequent general economic increases provided in the compensation plan  
22 under s. 230.12 for nonrepresented employees in the classified service. Such  
23 employees shall also have reinstatement privileges to the classified service as  
24 provided under s. 230.33 (1). Employees of the department holding positions in the  
25 classified service on August 9, 1989, who are engaged in legislative text processing

1 functions and who have not achieved permanent status in class in any position in the  
2 department on that date are eligible to receive the protections and privileges  
3 preserved under this section if they successfully complete service equivalent to the  
4 probationary period required in the classified service for the positions which they  
5 hold.

6 **\*-1824/8.2\* SECTION 143.** 16.009 (3) (intro.), (a) and (bm) of the statutes are  
7 consolidated, renumbered 16.009 (3) amended to read:

8 16.009 (3) The board may: ~~(a) Contract~~ contract with any state agency to carry  
9 out the board's activities. ~~(bm) Employ an attorney for, including the provision of~~  
10 legal services in accordance with requirements of the long-term care ombudsman  
11 program under 42 USC 3027 (a) (12) and 42 USC 3058g (g).

12 **\*-1295/2.3\* SECTION 144.** 16.009 (5) (c) of the statutes is repealed.

13 **\*-1295/2.4\* SECTION 145.** 16.009 (5) (d) of the statutes is amended to read:

14 16.009 (5) (d) Any employee ~~of an employer not described in par. (c) and~~ who  
15 is discharged or otherwise retaliated or discriminated against in violation of par. (a)  
16 may file a complaint with the department of workforce development under s. 106.54  
17 (5).

18 **\*-1295/2.5\* SECTION 146.** 16.009 (5) (e) of the statutes is amended to read:

19 16.009 (5) (e) Any person not described in par. ~~(e) or~~ (d) who is retaliated or  
20 discriminated against in violation of par. (a) may commence an action in circuit court  
21 for damages incurred as a result of the violation.

22 **\*-1308/2.1\* SECTION 147.** 16.023 (2) of the statutes is amended to read:

23 16.023 (2) In conjunction with the working group established under sub. (1) (L)  
24 1., the council shall, not later than one year after October 14, 1997, develop  
25 evaluation criteria for its functions under sub. (1). The council shall complete a

1 report that contains an evaluation of its functions and activities not later than  
2 September 1, ~~2002~~ 2004, and shall submit the report to the chief clerk of each house  
3 of the legislature, for distribution to the legislature under s. 13.172 (2), and to the  
4 governor. The report shall also include a recommendation as to whether the council  
5 should continue in existence past its sunset date specified in s. 15.107 (16) (e) and,  
6 if so, a recommendation as to whether any structural modifications should be made  
7 to the council's functions or to the state's land use programs.

8 **\*-1308/2.2\* SECTION 148.** 16.023 (3) of the statutes is amended to read:

9 16.023 (3) Subsections (1) and (2) do not apply after August 31, ~~2003~~ 2005.

10 **\*-1634/7.7\* SECTION 149.** 16.25 of the statutes is renumbered 560.9813, and  
11 560.9813 (3) (d) and (4), as renumbered, are amended to read:

12 560.9813 (3) (d) 1. Subject to subd. 2., the board shall match all annual  
13 municipal contributions paid for volunteer fire fighters and emergency medical  
14 technicians up to \$250 per fiscal year, other than contributions paid for the purchase  
15 of additional years of service under par. (e), to be paid from the appropriation account  
16 under s. ~~20.505 (4) (er)~~ 20.143 (1) (eu). This amount shall be adjusted annually on  
17 July 1 to reflect any changes in the U.S. consumer price index for all urban  
18 consumers, U.S. city average, as determined by the U.S. department of labor, for the  
19 12-month period ending on the preceding December 31. The board shall pay all  
20 amounts that are matched under this paragraph to the individuals and  
21 organizations offering the plans selected by the municipalities.

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

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

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

14 \*~~1634/7.8~~\* SECTION 150. Subchapter II (title) of chapter 16 [precedes 16.30]  
15 of the statutes is renumbered subchapter X (title) of chapter 560 [precedes 560.9801].

16 \*~~1634/7.9~~\* SECTION 151. 16.30 of the statutes is renumbered 560.9801.

17 \*~~1634/7.10~~\* SECTION 152. 16.31 of the statutes is renumbered 560.9802.

18 \*~~1634/7.11~~\* SECTION 153. 16.33 of the statutes, as affected by 2001 Wisconsin  
19 Act 109, is renumbered 560.9803, and 560.9803 (1) (a) and (3) (a), as renumbered, are  
20 amended to read:

21 560.9803 (1) (a) Subject to sub. (2), make grants or loans, directly or through  
22 agents designated under s. ~~16.334~~ 560.9804, from the appropriation under s. ~~20.505~~  
23 ~~(7)~~ 20.143 (2) (b) to persons or families of low or moderate income to defray housing  
24 costs of the person or family.

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

3           \*~~1634/7.12~~\* **SECTION 154.** 16.334 of the statutes is renumbered 560.9804, and  
4 560.9804 (1) (a) and (c), as renumbered, are amended to read:

5           560.9804 (1) (a) Award grants and loans under s. ~~16.33~~ 560.9803 (1) and (2)  
6 subject to the approval of the department.

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

9           \*~~1634/7.13~~\* **SECTION 155.** 16.336 of the statutes is renumbered 560.9805.

10          \*~~1634/7.14~~\* **SECTION 156.** 16.339 of the statutes is renumbered 560.9806, and  
11 560.9806 (2) (a), as renumbered, is amended to read:

12          560.9806 (2) (a) From the appropriation under s. ~~20.505 (7)~~ 20.143 (2) (fm), the  
13 department may award a grant to an eligible applicant for the purpose of providing  
14 transitional housing and associated supportive services to homeless individuals and  
15 families if the conditions under par. (b) are satisfied. The department shall ensure  
16 that the funds for the grants are reasonably balanced among geographic areas of the  
17 state, consistent with the quality of applications submitted.

18          \*~~1634/7.15~~\* **SECTION 157.** 16.35 of the statutes is renumbered 560.9815.

19          \*~~1634/7.16~~\* **SECTION 158.** 16.351 of the statutes is renumbered 560.9807, and  
20 560.9807 (1), as renumbered, is amended to read:

21          560.9807 (1) **GRANTS.** From moneys available under s. ~~20.505 (7)~~ 20.143 (2) (h),  
22 the department shall make grants to organizations, including organizations  
23 operated for profit, that provide shelter or services to homeless individuals or  
24 families.

1           \*~~1634/7.17~~\* SECTION 159. 16.352 of the statutes is renumbered 560.9808, and  
2           560.9808 (2) (a) and (b) (intro.), as renumbered, are amended to read:

3           560.9808 (2) (a) From the appropriations under s. ~~20.505 (7)~~ 20.143 (2) (fm) and  
4           (h), the department shall award grants to eligible applicants for the purpose of  
5           supplementing the operating budgets of agencies and shelter facilities that have or  
6           anticipate a need for additional funding because of the renovation or expansion of an  
7           existing shelter facility, the development of an existing building into a shelter facility,  
8           the expansion of shelter services for homeless persons, or an inability to obtain  
9           adequate funding to continue the provision of an existing level of services.

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

13           \*~~1634/7.18~~\* SECTION 160. 16.358 of the statutes is renumbered 560.9809, and  
14           560.9809 (1), as renumbered, is amended to read:

15           560.9809 (1) The department may administer housing programs, including the  
16           housing improvement grant program and the initial rehabilitation grant program,  
17           that are funded by a community development block grant, 42 USC 5301 to 5320,  
18           ~~under a contract entered into with the department of commerce under s. 560.045.~~

19           \*~~1634/7.19~~\* SECTION 161. 16.375 of the statutes is renumbered 560.9810.

20           \*~~1634/7.20~~\* SECTION 162. 16.385 of the statutes is renumbered 16.27, and  
21           16.27 (3) (b), (c), (d) and (e) (intro.), 1. and 7., as renumbered, are amended to read:

22           16.27 (3) (b) By October 1 of every year from the appropriation under s. ~~20.505~~  
23           ~~(7)(a)~~ 20.505 (1) (mb), determine the total amount available for payment of heating  
24           assistance under sub. (6) and determine the benefit schedule.

1 (c) From the appropriation under s. ~~20.505 (7) (m)~~ 20.505 (1) (mb), allocate  
2 \$1,100,000 in each federal fiscal year for the department's expenses in administering  
3 the funds to provide low-income energy assistance.

4 (d) From the appropriation under s. ~~20.505 (7) (o)~~ 20.505 (1) (mb), allocate  
5 \$2,900,000 in each federal fiscal year for the expenses of a county department,  
6 another local governmental agency or a private nonprofit organization in  
7 administering under sub. (4) the funds to provide low-income energy assistance.

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

9 1. Allocate and transfer to the appropriation under s. ~~20.505 (7) (km)~~ (1) (kn),  
10 15% of the moneys received under 42 USC 8621 to 8629 in each federal fiscal year  
11 under the priority of maintaining funding for the geographical areas on July 20,  
12 1985, and, if funding is reduced, prorating contracted levels of payment, for the  
13 weatherization assistance program administered by the department under s. ~~16.39~~  
14 16.26.

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

19 **\*-1634/7.21\* SECTION 163.** 16.39 of the statutes is renumbered 16.26.

20 **\*-0576/8.16\* SECTION 164.** 16.40 (18) of the statutes is amended to read:

21 16.40 (18) REQUIRE AGENCIES TO PROVIDE COPIES. Require each state agency, at  
22 the time that the agency submits a request to the department for an increased  
23 appropriation to be provided in an executive budget bill which is necessitated by the  
24 compensation plan under s. 230.12 or a collective bargaining agreement approved

1 under s. 111.92, to provide a copy of the request to ~~the secretary of employment~~  
2 ~~relations and~~ the joint committee on employment relations.

3 \*~~-0529/4.21~~\* SECTION 165. 16.401 (intro.) of the statutes is created to read:

4 **16.401 Treasury management.** (intro.) The department shall:

5 \*~~-0529/4.22~~\* SECTION 166. 16.401 (1) of the statutes is created to read:

6 16.401 (1) HAVE CUSTODY OF MONEYS. Receive and have charge of all moneys  
7 paid into the treasury and any other moneys received by officers and employees of  
8 state agencies, and pay out the moneys as directed by law, except as provided in ss.  
9 16.52 (7), 20.907 (5) (b), 20.920, and 20.929.

10 \*~~-1386/4.1~~\* SECTION 167. 16.406 of the statutes is created to read:

11 **16.406 Request to issue certain general obligation debt.** Annually, on or  
12 before September 1, but not after 2005, the department shall prepare an estimate of  
13 the net balances of the general fund for the fiscal year corresponding with the year  
14 in which the department makes an estimate under this section. Copies of the  
15 estimates shall be provided to the cochairpersons of the joint committee on finance  
16 and to the legislative fiscal bureau. If the estimated net general fund balance for the  
17 fiscal year, as certified by the department, is less than the estimated net general fund  
18 balance for that fiscal year as shown in the most recent schedule under s. 20.005 (1),  
19 the secretary of administration may request that the building commission refund the  
20 whole or any part of any unpaid indebtedness used to finance tax-supported or  
21 self-amortizing facilities from moneys appropriated under s. 20.866 (2) (xe).

22 \*~~-0529/4.23~~\* SECTION 168. 16.412 of the statutes is amended to read:

23 **16.412 Agency payments.** At the request of any agency, the secretary, ~~with~~  
24 ~~the approval of the state treasurer,~~ may authorize the processing of specified regular  
25 periodic payments through the use of money transfer techniques including, without

1 limitation because of enumeration, direct deposit, electronic funds transfer, and  
2 automated clearinghouse procedures.

3 **\*-0576/8.17\* SECTION 169.** 16.415 (1) of the statutes is amended to read:

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

16 **\*-0529/4.24\* SECTION 170.** 16.415 (1) of the statutes, as affected by 2003  
17 Wisconsin Act .... (this act), is amended to read:

18 16.415 (1) Neither the secretary nor any other fiscal officer of this state may  
19 draw, sign, or issue, or authorize the drawing, signing, or issuing of any warrant on  
20 ~~the treasurer or other~~ any disbursing officer of the state to pay any compensation to  
21 any person in the classified service of the state unless an estimate, payroll, or account  
22 for such compensation, containing the names of every person to be paid, bears the  
23 certificate of the appointing authority that each person named in the estimate,  
24 payroll, or account has been appointed, employed, or subject to any other personnel  
25 transaction in accordance with, and that the pay for the person has been established

1 in accordance with, the law, compensation plan, or applicable collective bargaining  
2 agreement, and applicable rules of the administrator of the division of merit  
3 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.

4 **\*–0576/8.18\* SECTION 171.** 16.415 (3) of the statutes is amended to read:

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

18 **\*–1289/7.14\* SECTION 172.** 16.43 of the statutes is amended to read:

19 **16.43 Budget compiled.** The secretary shall compile and submit to the  
20 governor or the governor–elect and to each person elected to serve in the legislature  
21 during the next biennium, not later than November 20 of each even–numbered year,  
22 a compilation giving all of the data required by s. 16.46 to be included in the state  
23 budget report, except the recommendations of the governor and the explanation

1 thereof. The secretary shall not include in the compilation any provision for the  
2 development or implementation of an information technology development project  
3 for an executive branch agency that is not consistent with the strategic plan of the  
4 agency, as approved under s. ~~22.13~~ 16.976.

5 **\*-1599/1.2\* SECTION 173.** 16.50 (1) (b) of the statutes is amended to read:

6 16.50 (1) (b) This subsection does not apply to appropriations under ss. 20.255  
7 (2) (ac) and (r), 20.835, and 20.865 (4).

8 **\*-0576/8.19\* SECTION 174.** 16.50 (3) of the statutes is amended to read:

9 16.50 (3) LIMITATION ON INCREASE OF FORCE AND SALARIES. No department, except  
10 the legislature or the courts, may increase the pay of any employee, expend money  
11 or incur any obligation except in accordance with the estimate that is submitted to  
12 the secretary as provided in sub. (1) and approved by the secretary or the governor.  
13 No change in the number of full-time equivalent positions authorized through the  
14 biennial budget process or other legislative act may be made without the approval  
15 of the joint committee on finance, except for position changes made by the governor  
16 under s. 16.505 (1) (c) or (2), by the University of Wisconsin Hospitals and Clinics  
17 Board under s. 16.505 (2n) or by the board of regents of the University of Wisconsin  
18 System under s. 16.505 (2m) or (2p). The secretary may withhold, in total or in part,  
19 the funding for any position, as defined in s. 230.03 (11), as well as the funding for  
20 part-time or limited term employees until such time as the secretary determines  
21 that the filling of the position or the expending of funds is consistent with s. 16.505  
22 and with the intent of the legislature as established by law or in budget  
23 determinations, or the intent of the joint committee on finance in creating or  
24 abolishing positions under s. 13.10, the intent of the governor in creating or  
25 abolishing positions under s. 16.505 (1) (c) or (2) or the intent of the board of regents

1 of the University of Wisconsin System in creating or abolishing positions under s.  
2 16.505 (2m) or (2p). Until the release of funding occurs, recruitment or certification  
3 for the position may not be undertaken. The secretary shall submit a quarterly  
4 report to the joint committee on finance of any position changes made by the governor  
5 under s. 16.505 (1) (c). No pay increase may be approved unless it is at the rate or  
6 within the pay ranges prescribed in the compensation plan or as provided in a  
7 collective bargaining agreement under subch. V of ch. 111. ~~At the request of the~~  
8 ~~secretary of employment relations, the~~ The secretary of administration may  
9 authorize the temporary creation of pool or surplus positions under any source of  
10 funds if the secretary of employment relations determines that temporary positions  
11 are necessary to maintain adequate staffing levels for high turnover classifications,  
12 in anticipation of attrition, to fill positions for which recruitment is difficult. Surplus  
13 or pool positions authorized by the secretary shall be reported quarterly to the joint  
14 committee on finance in conjunction with the report required under s. 16.54 (8).

15 **\*-1296/5.1\* SECTION 175.** 16.502 of the statutes is created to read:

16 **16.502 Calculation of positions.** In any report prepared by the department  
17 that calculates the number of positions, as defined in s. 230.03 (11), the department  
18 shall separately calculate and present in the report the University of Wisconsin  
19 Hospitals and Clinics Board's positions; positions of the board of regents of the  
20 University of Wisconsin System funded by gifts, grants, auxiliary enterprises  
21 revenue, or federal revenue; and all remaining positions in state government.

22 **\*-1704/1.1\* SECTION 176.** 16.505 (1) (intro.) of the statutes is amended to read:

23 16.505 (1) (intro.) Except as provided in subs. (2), (2d), (2m), (2n), and (2p), no  
24 position, as defined in s. 230.03 (11), regardless of funding source or type, may be  
25 created or abolished unless authorized by one of the following:

1           \***-1704/1.2\*** SECTION 177. 16.505 (2d) of the statutes is created to read:

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

20           \***-1327/1.2\*** SECTION 178. 16.52 (6) (a) of the statutes is amended to read:

21           16.52 (6) (a) Except as authorized in s. 16.74, all purchase orders, contracts,  
22 or printing orders for any agency, as defined in s. 16.70 (1) (1e), shall, before any  
23 liability is incurred thereon, be submitted to the secretary for his or her approval as  
24 to legality of purpose and sufficiency of appropriated and allotted funds therefor. In  
25 all cases the date of the contract or order governs the fiscal year to which the contract

1 or order is chargeable, unless the secretary determines that the purpose of the  
2 contract or order is to prevent lapsing of appropriations or to otherwise circumvent  
3 budgetary intent. Upon such approval, the secretary shall immediately encumber  
4 all contracts or orders, and indicate the fiscal year to which they are chargeable.

5 **\*-1599/1.3\* SECTION 179.** 16.52 (10) of the statutes is amended to read:

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

10 **\*-1797/7.1\* SECTION 180.** 16.523 of the statutes is created to read:

11 **16.523 Purchase of bonds issued by Badger Tobacco Asset**  
12 **Securitization Corporation; revenue obligations.** (1) There is established a  
13 tobacco settlement bond purchase program, to be administered by the department,  
14 to purchase any bonds issued by Badger Tobacco Asset Securitization Corporation.  
15 The legislature finds and determines that the tobacco settlement bond purchase  
16 program is likely to produce sufficient net income to pay when due the principal of  
17 and interest on revenue obligations issued by the state to make the purchase and,  
18 thereby, constitutes a revenue-producing enterprise or program, as defined in s.  
19 18.52 (6).

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

1 department, and any remainder shall be paid into a tobacco settlement bond  
2 purchase program redemption fund created under s. 18.561 (5) or the tobacco  
3 settlement bond purchase program repayment fund, or both, as provided in the  
4 authorizing resolution.

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

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

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

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

23 (6) Unless otherwise expressly provided in resolutions authorizing the  
24 issuance of revenue obligations under this section or in other agreements with the  
25 owners of revenue obligations, each issue of revenue obligations under this section

1 shall be on a parity with every other revenue obligation issued under this section and  
2 in accordance with subch. II of ch. 18.

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

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

16 \*-0854/5.1\* SECTION 181. 16.526 of the statutes is created to read:

17 **16.526 Payment of the state's unfunded prior service liability under**  
18 **the Wisconsin Retirement System; revenue obligations.** (1) For purposes of  
19 subch. II of ch. 18, the purpose of paying of the state's unfunded prior service liability  
20 under s. 40.05 (2) (b) is a special fund program, and the excise tax fund is a special  
21 fund. The legislature finds and determines that the excise tax fund is a segregated  
22 fund consisting of fees, penalties, or excise taxes and that the special program to pay  
23 the state's unfunded prior service liability under s. 40.05 (2) (b) from the net proceeds  
24 of revenue obligations issued under this section is appropriate and will serve a public  
25 purpose.