

SENATE BILL 44

(A) 1 (7) As determined by the building commission, any moneys deposited in the
2 excise tax fund that are not required for the retirement of revenue obligations and
3 providing for reserves and for ancillary payments authorized to be paid from such
4 moneys are transferred to the general fund.

5 (8) Recognizing its moral obligation to do so, the legislature expresses its
6 expectation and aspiration that, if the funds in the excise tax fund are insufficient
7 to pay the principal of and interest on the revenue obligations issued under subch.
8 II of ch. 18 pursuant to this section, the legislature shall make an appropriation from
9 the general fund sufficient to pay the principal and interest on the obligations or to
10 replenish a reserve fund, if applicable.

11 *-1016/6.2* SECTION 182. 16.527 of the statutes is created to read:

12 **16.527 Retirement of state's unfunded liabilities under the Wisconsin**
13 **Retirement System; appropriation obligations.** (1) LEGISLATIVE FINDING AND
14 DETERMINATION. Recognizing that the state, by prepaying part or all of the state's
15 unfunded prior service liability under s. 40.05 (2) (b) and the state's unfunded
16 liability under s. 40.05 (4) (b), (bc), and (bw) and subch. IX of ch. 40, may reduce its
17 costs and better ensure the timely and full payment of retirement benefits to
18 participants and their beneficiaries under the Wisconsin Retirement System, the
19 legislature finds and determines that it is in the public interest for the state to issue
20 appropriation obligations to obtain proceeds to pay the state's anticipated unfunded
21 prior service liability under s. 40.05 (2) (b) and to pay part or all of the state's
22 unfunded prior service liability under s. 40.05 (2) (b) and the state's unfunded
23 liability under s. 40.05 (4) (b), (bc), and (bw) and subch. IX of ch. 40.

24 (2) DEFINITIONS. In this section:

(B) MJL
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SECTION 182

1 (a) “Appropriation obligation” means an undertaking by the state to repay a
2 certain amount of borrowed money that is all of the following:

3 1. Payable from moneys annually appropriated by law for debt service due with
4 respect to such undertaking in that year.

5 2. Used for the purpose of paying part or all of the state’s unfunded prior service
6 liability under s. 40.05 (2) (b) and the state’s unfunded liability under s. 40.05 (4) (b),
7 (bc), and (bw) and subch. IX of ch. 40.

8 3. Not public debt under s. 18.01 (4).

9 (b) “Evidence of appropriation obligation” means a written promise to pay an
10 appropriation obligation.

11 (c) “Refunding obligation” means an appropriation obligation contracted to
12 fund or refund all or any part of one or more outstanding appropriation obligations.

13 (3) AUTHORIZATION OF APPROPRIATION OBLIGATIONS. (a) The department shall
14 have all powers necessary and convenient to carry out its duties, and exercise its
15 authority, under this section.

16 (b) 1. Subject to the limitation under subd. 2., the department may contract
17 appropriation obligations of the state under this section.

18 2. The sum of appropriation obligations issued under this section, ^{close space} excluding
19 any obligations that have been defeased under a cash optimization program
20 administered by the building commission and any obligations issued pursuant to
21 subd. 3., and revenue obligations issued under s. 16.526, if any, may not exceed

22 ⁹¹ \$1,350,000,000. ~~may not~~ ^{3. The department may} contract appropriation obligations as the department
23 determines is desirable to fund or refund outstanding appropriation obligations
24 issued under this section, to pay issuance or administrative expenses, to make
25 deposits to reserve funds, to pay accrued or funded interest, to pay the costs of credit

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1 enhancement, or to make payments under other agreements entered into under sub.
2 (4) (e).

3 (4) TERMS. (a) Money may be borrowed and evidences of appropriation
4 obligation issued therefor pursuant to one or more written authorizing certifications
5 under sub. (5), unless otherwise provided in the certification, at any time, in any
6 specific amounts, at any rates of interest, for any term, payable at any intervals, at
7 any place, in any manner, and having any other terms or conditions that the
8 department considers necessary or useful. Appropriation obligations may bear
9 interest at variable or fixed rates, bear no interest, or bear interest payable only at
10 maturity or upon redemption prior to maturity.

11 (b) The department may authorize evidences of appropriation obligation
12 having any provisions for prepayment considered necessary or useful, including the
13 payment of any premium.

14 (c) Interest shall cease to accrue on an appropriation obligation on the date that
15 the obligation becomes due for payment if payment is made or duly provided for, but
16 the obligation and accrued interest shall continue to be a binding obligation
17 according to its terms until 6 years overdue for payment, or such longer period as may
18 be required by federal law. At that time, unless demand for its payment has been
19 made, it shall be extinguished and considered no longer outstanding.

20 (d) All money borrowed by the state pursuant to evidences of appropriation
21 obligation issued under this section shall be lawful money of the United States, and
22 all appropriation obligations shall be payable in such money.

23 (e) At the time of, or in anticipation of, contracting for the appropriation
24 obligations and at any time thereafter so long as the appropriation obligations are
25 outstanding, the department may enter into agreements and ancillary

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1 arrangements relating to the appropriation obligations, including trust indentures,
2 liquidity facilities, remarketing or dealer agreements, letter of credit agreements,
3 insurance policies, guaranty agreements, reimbursement agreements, indexing
4 agreements, or interest exchange agreements. Any payments made or received
5 pursuant to any such agreement or ancillary arrangement shall be made from or
6 deposited into a program revenue appropriation account in the general fund.

7 (f) All evidences of appropriation obligation owned or held by any state fund are
8 outstanding in all respects and the state agency controlling the fund shall have the
9 same rights with respect to an evidence of appropriation obligation as a private party,
10 but if any sinking fund acquires evidences of appropriation obligation that gave rise
11 to such fund, the obligations are considered paid for all purposes and no longer
12 outstanding and shall be canceled as provided in sub. (8) (e). All evidences of
13 appropriation obligation owned by any state fund shall be registered to the fullest
14 extent registrable.

15 (g) The state shall not be generally liable on evidences of appropriation
16 obligation and evidences of appropriation obligation shall not be a debt of the state
17 for any purpose whatsoever. Evidences of appropriation obligation, including the
18 principal thereof and interest thereon, shall be payable only from amounts that the
19 legislature may, from year to year, appropriate for the payment thereof.

20 (5) PROCEDURES. (a) No evidence of appropriation obligation may be issued by
21 the state unless the issuance is pursuant to a written authorizing certification. The
22 certification shall set forth the aggregate principal amount of appropriation
23 obligations authorized thereby, the manner of sale of the evidences of appropriation
24 obligation, and the form and terms thereof. The certification shall be signed by the
25 secretary, or his or her designee, and shall be transmitted to the governor.

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1 (b) Appropriation obligations may be sold at either public or private sale and
2 may be sold at any price or percentage of par value. The department may provide
3 in any authorizing certification for refunding obligations under sub. (7) that they be
4 exchanged privately in payment and discharge of any of the outstanding obligations
5 being refinanced. All appropriation obligations sold at public sale shall be noticed
6 as provided in the authorizing certification. Any bid received at public sale may be
7 rejected.

8 **(6) FORM.** (a) Evidences of appropriation obligation may be in the form of
9 bonds, notes, or other evidences of obligation, and may be issued in book-entry form
10 or in certificated form. Notwithstanding s. 403.104 (1), every evidence of
11 appropriation obligation is a negotiable instrument.

12 (b) Every evidence of appropriation obligation shall be executed in the name
13 of and for the state by the governor and shall be sealed with the great seal of the state
14 or a facsimile thereof. The facsimile signature of the governor ^{↓ close space} may be imprinted in
15 lieu of the manual signature of such officer, as the department directs, if approved
16 by such officer. An evidence of appropriation obligation bearing the manual or
17 facsimile signature of a person in office at the time such signature was signed or
18 imprinted shall be fully valid notwithstanding that before or after the delivery
19 thereof such person ceased to hold such office.

20 (c) Every evidence of appropriation obligation shall be dated not later than the
21 date issued, shall contain a reference by date to the appropriate authorizing
22 certification, shall state the limitation established in sub. (4) (g), and shall be in
23 accordance with the authorizing certification.

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1 (d) An evidence of appropriation obligation shall be in such form and contain
2 such statements or terms as determined by the department, and may not conflict
3 with law or with the appropriate authorizing certification.

4 (7) REFUNDING OBLIGATIONS. (a) 1. The department may authorize the issuance
5 of appropriation obligation refunding obligations. Refunding obligations may be
6 issued, subject to any contract rights vested in owners of obligations being
7 refinanced, to refinance all or any part of one or more issue of obligations
8 notwithstanding that the obligations may have been issued at different times. The
9 principal amount of the refunding obligations may not exceed the sum of: the
10 principal amount of the obligations being refinanced; applicable redemption
11 premiums; unpaid interest on the obligations to the date of delivery or exchange of
12 the refunding obligations; in the event the proceeds are to be deposited in trust as
13 provided in par. (c); interest to accrue on the obligations from the date of delivery to
14 the date of maturity or to the redemption date selected by the department, whichever
15 is earlier; and the expenses incurred in the issuance of the refunding obligations and
16 the payment of the obligations.

17 2. A determination by the department that a refinancing is advantageous or
18 that any of the amounts provided subd. 1. should be included in the refinancing shall
19 be conclusive.

20 (b) If the department determines to exchange refunding obligations, they may
21 be exchanged privately for and in payment and discharge of any of the outstanding
22 obligations being refinanced. Refunding obligations may be exchanged for such
23 principal amount of the obligations being exchanged therefor as may be determined
24 by the department to be necessary or advisable. The owners of the obligations being
25 refunded who elect to exchange need not pay accrued interest on the refunding

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1 obligations if and to the extent that interest is accrued and unpaid on the obligations
2 being refunded and to be surrendered. If any of the obligations to be refinanced are
3 to be called for redemption, the department shall determine which redemption dates
4 are to be used, if more than one date is applicable and shall, prior to the issuance of
5 the refunding obligations, provide for notice of redemption to be given in the manner
6 and at the times required by the certification authorizing the outstanding
7 obligations.

8 (c) 1. The principal proceeds from the sale of any refunding obligations shall
9 be applied either to the immediate payment and retirement of the obligations being
10 refinanced or, if the obligations have not matured and are not presently redeemable,
11 to the creation of a trust for and shall be pledged to the payment of the obligations
12 being refinanced.

13 2. If a trust is created, a separate deposit shall be made for each issue of
14 appropriation obligations being refinanced. Each deposit shall be with the secretary
15 of administration or a bank or trust company that is a member of the Federal Deposit
16 Insurance Corporation. If the total amount of any deposit, including money other
17 than sale proceeds but legally available for such purpose, is less than the principal
18 amount of the obligations being refinanced and for the payment of which the deposit
19 has been created and pledged, together with applicable redemption premiums and
20 interest accrued and to accrue to maturity or to the date of redemption, then the
21 application of the sale proceeds shall be legally sufficient only if the money deposited
22 is invested in securities issued by the United States or one of its agencies, or
23 securities fully guaranteed by the United States, and only if the principal amount
24 of the securities at maturity and the income therefrom to maturity will be sufficient
25 and available, without the need for any further investment or reinvestment, to pay

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1 at maturity or upon redemption the principal amount of the obligations being
2 refinanced together with applicable redemption premiums and interest accrued and
3 to accrue to maturity or to the date of redemption. The income from the principal
4 proceeds of the securities shall be applied solely to the payment of the principal of
5 and interest and redemption premiums on the obligations being refinanced, but
6 provision may be made for the pledging and disposition of any surplus.

7 3. Nothing in this paragraph may be construed as a limitation on the duration
8 of any deposit in trust for the retirement of obligations being refinanced that have
9 not matured and that are not presently redeemable. Nothing in this paragraph may
10 be construed to prohibit reinvestment of the income of a trust if the reinvestments
11 will mature at such times that sufficient cash will be available to pay interest,
12 applicable premiums, and principal on the obligations being refinanced.

13 (8) FISCAL REGULATIONS. (a) The department shall act as registrar for each
14 evidence of appropriation obligation. No transfer of a registered evidence of
15 appropriation obligation is valid unless made on a register maintained by the
16 department, and the state may treat the registered owner as the owner of the
17 instrument for all purposes. Payments of principal and interest shall be by electronic
18 funds transfer, check, share draft, or other draft to the registered owner at the
19 owner's address as it appears on the register, unless the department has otherwise
20 provided. Information in the register is not available for inspection and copying
21 under s. 19.35 (1). The department may make any other provision respecting
22 registration as it considers necessary or useful. The department may enter into a
23 contract for the performance of any of its functions relating to appropriation
24 obligations.

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1 (b) The department, or the department's agent, shall maintain records
2 containing a full and correct description of each evidence of appropriation obligation
3 issued, identifying it, and showing its date, issue, amount, interest rate, payment
4 dates, payments made, registration, destruction, and every other relevant
5 transaction.

6 (c) The secretary may appoint one or more trustees and fiscal agents for each
7 issue of appropriation obligations. The secretary may be denominated the trustee
8 and the sole fiscal agent or a cofiscal agent for any issue of appropriation obligations.
9 Every other fiscal agent shall be an incorporated bank or trust company authorized
10 by the laws of the United States or of the state in which it is located to do a banking
11 or trust company business. There may be deposited with a trustee, in a special
12 account, moneys to be used only for the purposes expressly provided in the
13 certification authorizing the issuance of evidences of appropriation obligation or an
14 agreement between the department and the trustee. The department may make
15 other provisions respecting trustees and fiscal agents as the department considers
16 necessary or useful and may enter into a contract with any trustee or fiscal agent
17 containing such terms, including compensation, and conditions in regard to the
18 trustee or fiscal agent as the department considers necessary or useful.

19 (d) If any evidence of appropriation obligation is destroyed, lost, or stolen, the
20 department shall execute and deliver a new evidence of appropriation obligation,
21 upon filing with the department evidence satisfactory to the department that the
22 evidence of appropriation obligation has been destroyed, lost, or stolen, upon
23 providing proof of ownership thereof, and upon furnishing the department with
24 indemnity satisfactory to it and complying with such other rules of the department

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1 and paying any expenses that the department may incur. The department shall
2 cancel the evidences of appropriation obligation surrendered to the department.

3 (e) Unless otherwise directed by the department, every evidence of
4 appropriation obligation paid or otherwise retired shall be marked “canceled” and
5 delivered, through the secretary if delivered to a fiscal agent other than the
6 secretary, to the auditor who shall destroy them and deliver to the state department
7 a certificate to that effect.

*This deletion
was not
included
in
an amendment
but
should
have
been.
(Section
#130)*

8 (9) APPROPRIATION OBLIGATIONS AS LEGAL INVESTMENTS. Any of the following may
9 legally invest any sinking funds, moneys, or other funds belonging to them or under
10 their control in any appropriation obligations issued under this section:

11 (a) The state, the investment board, public officers, municipal corporations,
12 political subdivisions, and public bodies.

13 (b) Banks and bankers, savings and loan associations, credit unions, trust
14 companies, savings banks and institutions, investment companies, insurance
15 companies, insurance associations, and other persons carrying on a banking or
16 insurance business.

17 (c) Personal representatives, guardians, trustees, and other fiduciaries.

18 (10) MORAL OBLIGATION PLEDGE. Recognizing its moral obligation to do so, the
19 legislature expresses its expectation and aspiration that it shall make timely
20 appropriations from moneys in the general fund that are sufficient to pay the
21 principal and interest due with respect to any appropriation obligations in any year.

22 *b0210/2.24* SECTION 182d. 16.529 of the statutes is created to read:

23 **16.529 Lapses and fund transfers relating to unfunded retirement**
24 **liability debt service.** (1) DEFINITIONS. The definitions in s. 20.001 are applicable

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SECTION 182d

1 in this section, except that “state agency” does not include the department of
2 employee trust funds or the investment board.

3 (2) LAPSES AND TRANSFERS REQUIRED. If obligations are issued under s. 16.526
4 or 16.527, or both, any executive budget bill prepared under s. 16.47 (1) shall require
5 the secretary during the fiscal biennium to which the executive budget bill relates
6 to lapse to the general fund from each appropriation of program revenues, program
7 revenues—service, and federal revenues and to lapse to the applicable fund from each
8 appropriation of segregated fund revenues, segregated fund revenues — service, and
9 segregated federal revenues and subsequently transfer to the general fund an
10 amount equal to that portion of the total amount of principal and interest to be paid
11 on the obligations during the succeeding fiscal biennium that is allocable to the
12 appropriation, as determined under sub. (3). The secretary shall ensure that each
13 state agency includes in the program and financial information forwarded under s.
14 16.42 (1) an itemization of each amount that is required to be lapsed, or lapsed and
15 transferred, under this subsection. ✓

16 (3) DETERMINATION OF ALLOCATED AMOUNT. The secretary shall determine the
17 amount of the allocations required under sub. (2) as follows:

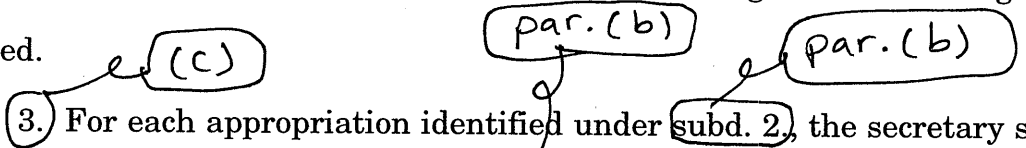
18 (1) ^(a) The secretary shall first compute the total amount that would have been
19 expended from all appropriations, had obligations under s. 16.526 or 16.527 not been
20 issued, under s. 40.05 (2) (b) and (4) (b), (bc), and (bw) and subch. IX of ch. 40 during
21 the fiscal biennium during which the obligations are issued.

22 (2) ^(b) The secretary shall then calculate the percentage of the total computed
23 under ^{par. (a)} subd. 1. that is allocable to each appropriation of program revenues, program
24 revenues—service, segregated fund revenues, segregated fund revenues — service,
25 federal revenues, and segregated federal revenues from which moneys would have

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1 been expended under s. 40.05 (2) (b) and (4) (b), (bc), and (bw) and subch. IX of ch.
 2 40 had the obligations not been issued. The percentage shall be based upon the
 3 amount that would have been required to be expended from the appropriation, had
 4 the obligations not been issued, under s. 40.05 (2) (b) and (4) (b), (bc), and (bw) and
 5 subch. IX of ch. 40 during the fiscal biennium during which the obligations are
 6 issued.



7 3.) For each appropriation identified under subd. 2., the secretary shall then
 8 apply the percentage calculated under subd. 2. to the total amount of principal and
 9 interest to be paid during the succeeding fiscal biennium on obligations issued under
 10 ss. 16.526 and 16.527. This amount is the portion of the total amount of principal
 11 and interest paid on the obligations during that fiscal biennium that is allocable to
 12 each appropriation.

13 *-1688/2.1* SECTION 183. 16.53 (1) (d) 1. of the statutes is amended to read:

14 16.53 (1) (d) 1. The secretary, with the approval of the joint committee on
 15 employment relations, shall fix the time, ~~except as provided in ss. 106.21 (9) (c) and~~
 16 ~~s. 106.215 (10) (e),~~ and frequency for payment of salaries due elective and appointive
 17 officers and employees of the state. As determined under this subdivision, the
 18 salaries shall be paid either monthly, semimonthly or for each 2-week period.

****NOTE: This is reconciled s. 16.53 (1) (d) 1. This SECTION has been affected by
 drafts with the following LRB numbers: LRB-1688/1 and LRB-1712/3.

19 *-0529/4.25* SECTION 184. 16.53 (5) of the statutes is amended to read:

20 16.53 (5) WARRANTS; WHAT TO SPECIFY. The secretary shall draw a warrant on
 21 the state ~~treasurer~~ treasury payable to the claimant for the amount allowed by the
 22 secretary upon every claim audited under sub. (1), except as authorized in s. 16.52
 23 (7), 20.920, or 20.929, specifying from what fund to be paid, the particular law which

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1 ~~that~~ authorizes the claim to be paid out of the state treasury, and at the secretary's
2 discretion the post-office address of the payee. ~~The secretary shall not credit the~~
3 ~~treasurer for any sum of money paid out by the treasurer~~ No moneys may be paid out
4 of the state treasury under this section otherwise than upon such warrants.

5 *~~0529/4.26~~* SECTION 185. 16.53 (10) (a) of the statutes is amended to read:

6 16.53 (10) (a) If an emergency arises which requires the department to draw
7 vouchers for payments which will be in excess of available moneys in any state fund,
8 the secretary, ~~in consultation with the state treasurer, and~~ after notifying the joint
9 committee on finance under par. (b), may prorate and establish priority schedules for
10 all payments within each fund, including those payments for which a specific
11 payment date is provided by statute, except as otherwise provided in this paragraph.
12 The secretary shall draw all vouchers according to the preference provided in this
13 paragraph. All direct or indirect payments of principal or interest on state bonds and
14 notes issued under subch. I of ch. 18 have first priority. All direct or indirect
15 payments of principal or interest on state notes issued under subch. III of ch. 18 have
16 2nd priority. No payment having a 1st or 2nd priority may be prorated or reduced
17 under this subsection. All state employee payrolls have 3rd priority. The secretary
18 shall draw all remaining vouchers according to a priority determined by the
19 secretary. The secretary shall maintain records of all claims prorated under this
20 subsection ~~and shall provide written notice to the state treasurer when a potential~~
21 ~~cash flow emergency is anticipated.~~

22 *~~0529/4.27~~* SECTION 186. 16.53 (10) (b) of the statutes is amended to read:

23 16.53 (10) (b) Before exercising authority under par. (a) the secretary shall,
24 ~~after consultation with the state treasurer,~~ notify the joint committee on finance as
25 to the need for and the procedures under which proration or priority schedules under

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SECTION 186

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

6 ***-1327/1.3* SECTION 187.** 16.53 (13) (a) of the statutes is amended to read:

7 16.53 (13) (a) In this subsection, "agency" has the meaning given in s. 16.70 (~~1~~)
8 (1e).

9 ***-1634/7.22* SECTION 188.** 16.54 (2) (b) of the statutes is amended to read:

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

21 ***-1327/1.4* SECTION 189.** 16.545 (9) of the statutes is amended to read:

22 16.545 (9) To initiate contacts with the federal government for the purpose of
23 facilitating participation by agencies, as defined in s. 16.70 (~~1~~) (1e), in federal aid
24 programs, to assist those agencies in applying for such aid, and to facilitate
25 influencing the federal government to make policy changes that will be beneficial to

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1 this state. The department may assess an agency to which it provides services under
2 this subsection a fee for the expenses incurred by the department in providing those
3 services.

4 ***-1289/7.15* SECTION 190.** 16.61 (2) (af) of the statutes is amended to read:
5 16.61 (2) (af) “Form” has the meaning specified in s. ~~22.01~~ 16.97 (5p).

6 ***-1289/7.16* SECTION 191.** 16.61 (3n) of the statutes is amended to read:
7 16.61 (3n) EXEMPT FORMS. The board may not receive or investigate complaints
8 about the forms specified in s. ~~22.03~~ 16.971 (2m).

9 ***-1327/1.5* SECTION 192.** 16.70 (1) of the statutes is renumbered 16.70 (1e).

10 ***-1327/1.6* SECTION 193.** 16.70 (1b) of the statutes is created to read:
11 16.70 (1b) “Affiliate” means a person, as defined in s. 77.51 (10), that controls,
12 is controlled by, or is under common control with another person, as defined in s.
13 77.51 (10).

14 ***-1327/1.8* SECTION 195.** 16.70 (3e) of the statutes is created to read:

15 16.70 (3e) “Control” means to own, directly or indirectly, more than 10% of the
16 interest in or voting securities of a business.

17 ***b0306/4.1* SECTION 196d.** 16.70 (3m) of the statutes is amended to read:

18 16.70 (3m) “Educational technology” has the meaning given in s. ~~44.70~~ 16.99
19 (3).

20 ***-1289/7.17* SECTION 197.** 16.70 (4m) of the statutes is amended to read:

21 16.70 (4m) “Information technology” has the meaning given in s. ~~22.01~~ 16.97
22 (6).

23 ***-1289/7.18* SECTION 198.** 16.70 (15) of the statutes is amended to read:

24 16.70 (15) “Telecommunications” has the meaning given in s. ~~22.01~~ 16.97 (10).

25 ***-1327/1.9* SECTION 199.** 16.70 (16) of the statutes is created to read:

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SECTION 199

1 16.70 (16) "Voting securities" means securities that confer upon the holder the
 2 right to vote for the election of members of the board of directors or similar governing
 3 body of a business, or are convertible into, or entitle the holder to receive upon their
 4 exercise, securities that confer such a right to vote.

5 *~~0576/8.20~~* SECTION 201. 16.705 (3) (intro.) of the statutes is amended to
 6 read:

7 16.705 (3) (intro.) ~~Contracts for contractual services shall be submitted by the~~
 8 ~~department for the review and approval of the secretary of employment relations~~ The
 9 director of the office of state human resources management, prior to award, under
 10 conditions established by rule of the department. ~~The secretary of employment~~
 11 ~~relations, shall review such contracts~~ for contractual services in order to ensure that
 12 agencies:

13 *~~1289/7.19~~* SECTION 202. 16.71 (1m) of the statutes is amended to read:

14 16.71 (1m) The department shall not delegate to any executive branch agency,
 15 other than the board of regents of the University of Wisconsin System, the authority
 16 to enter into any contract for materials, supplies, equipment, or contractual services
 17 relating to information technology ^{delete extra space} or telecommunications prior to review and
 18 approval of the contract by the ~~chief information officer~~ department. No executive
 19 branch agency, other than the board of regents of the University of Wisconsin
 20 System, may enter into any such contract ^{delete extra space} without review and approval of the
 21 contract by the ~~chief information officer~~ department.

22 *~~1289/7.20~~* SECTION 203. 16.71 (2m) of the statutes is repealed.

23 *~~b0306/4.3~~* SECTION 204d. 16.71 (4) of the statutes is repealed.

24 *~~1289/7.21~~* SECTION 206. 16.72 (2) (a) of the statutes is amended to read:

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

13 *~~1289/7.22~~* SECTION 207. 16.72 (2) (b) of the statutes is amended to read:

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

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SECTION 207

****NOTE: This is reconciled s. 16.72 (2) (b). This SECTION has been affected by drafts with the following LRB numbers: LRB-1634/4 and LRB-1289/6.

1 ***-1289/7.23* SECTION 208.** 16.72 (4) (a) of the statutes is amended to read:

2 16.72 (4) (a) Except as provided in ss. 16.71 and 16.74 or as otherwise provided
3 in this subchapter and the rules promulgated under s. 16.74 and this subchapter, all
4 supplies, materials, equipment and contractual services shall be purchased for and
5 furnished to any agency only upon requisition to the department. The department
6 shall prescribe the form, contents, number and disposition of requisitions and shall
7 promulgate rules as to time and manner of submitting such requisitions for
8 processing. No agency or officer may engage any person to perform contractual
9 services without the specific prior approval of the department for each such
10 engagement. Purchases of supplies, materials, equipment or contractual services by
11 ~~the department of electronic government,~~ the legislature, the courts or legislative
12 service or judicial branch agencies do not require approval under this paragraph.

13 ***-1746/4.2* SECTION 209.** 16.72 (4) (b) of the statutes is amended to read:

14 16.72 (4) (b) The department shall promulgate rules for the declaration as
15 surplus of supplies, materials and equipment in any agency and for the transfer to
16 other agencies or for the disposal by private or public sale of supplies, materials and
17 equipment. ~~In~~ Except as provided in s. 51.06 (6), in either case due credit shall be
18 ~~given to the agency releasing the same, the department shall deposit the net~~
19 proceeds in the budget stabilization fund, except that the department shall transfer
20 any supplies, materials or equipment declared to be surplus to the department of
21 tourism, upon request of the department of tourism, at no cost, if the transfer is
22 permitted by the agency having possession of the supplies, materials or equipment.

23 ***b0306/4.4* SECTION 210d.** 16.72 (8) of the statutes is amended to read:

SENATE BILL 44

1 16.72 (8) The department may purchase educational technology materials,
2 supplies, equipment, or contractual services from orders placed with the department
3 by ~~the technology for educational achievement in Wisconsin board on behalf of school~~
4 districts, cooperative educational service agencies, technical college districts, and
5 the board of regents of the University of Wisconsin System.

6 *~~1327/1.10~~* SECTION 211. 16.75 (1) (a) 1. of the statutes is amended to read:

7 16.75 (1) (a) 1. All orders awarded or contracts made by the department for all
8 materials, supplies, equipment, and contractual services to be provided to any
9 agency, except as otherwise provided in par. (c) and subs. (2), (2g), (2m), (3m), (3t),
10 (6), (7), (8), and (9), and (10m) and ss. 16.73 (4) (a), 16.751, 16.754, 16.964 (8), 50.05
11 (7) (f), 153.05 (2m) (a), and 287.15 (7), shall be awarded to the lowest responsible
12 bidder, taking into consideration life cycle cost estimates under sub. (1m), when
13 appropriate, the location of the agency, the quantities of the articles to be supplied,
14 their conformity with the specifications, and the purposes for which they are
15 required and the date of delivery.

16 *~~1289/7.24~~* SECTION 212. 16.75 (3t) (a) of the statutes is amended to read:

17 16.75 (3t) (a) In this subsection, “form” has the meaning given under s. ~~22.01~~
18 16.97 (5p).

19 *~~1289/7.25~~* SECTION 213. 16.75 (6) (am) of the statutes is amended to read:

20 16.75 (6) (am) Subsections (1) and (3t) do not apply to procurements by the
21 ~~department of electronic government~~ department relating to information technology
22 or telecommunications. Annually not later than October 1, the department of
23 ~~electronic government~~ shall report to the ~~department of administration~~ governor, in
24 the form specified by the ~~secretary~~ governor, concerning all procurements relating
25 to information technology or telecommunications by the ~~department of electronic~~

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SECTION 213

1 government department during the preceding fiscal year that were not made in
2 accordance with the requirements of subs. (1) and (3t).

3 ***-1327/1.11* SECTION 214.** 16.75 (10m) of the statutes is created to read:

4 16.75 (10m) The department, any other designated purchasing agent under s.
5 16.71 (1), any agency making purchases under s. 16.74, and any authority shall not
6 enter into any contract or order for the purchase of materials, supplies, equipment,
7 or contractual services with a person if the name of the person, or the name of an
8 affiliate of that person, is certified to the department by the secretary of revenue
9 under s. 77.66.

10 ***b0146/2.2* SECTION 214b.** 16.752 (12) (a) of the statutes is amended to read:

11 16.752 (12) (a) Except as provided in pars. (c), (d), (h) ~~and~~, (i), and (j) and as
12 authorized under sub. (13), agencies shall obtain materials, supplies, equipment and
13 services on the list maintained by the board under sub. (2) (g).

14 ***-1289/7.26* SECTION 215.** 16.752 (12) (i) of the statutes is amended to read:

15 16.752 (12) (i) Paragraph (a) does not apply to procurements by the department
16 of electronic government relating to information technology or telecommunications.

17 ***b0146/2.3* SECTION 215c.** 16.752 (12) (j) of the statutes is created to read:

18 16.752 (12) (j) Paragraph (a) does not apply to services purchased under a
19 contract under s. 153.05 (2m) (a).

20 ***b0336/2.2* SECTION 215m.** 16.76 (4) (ag) of the statutes is amended to read:

21 16.76 (4) (ag) The Except as otherwise provided in this paragraph, the
22 department may pay or agree to pay under a master lease a sum substantially
23 equivalent to or in excess of the aggregate value of property or services obtained and
24 it may be agreed that the department or one or more agencies will become, or for no
25 other or nominal consideration has the option to become, the owner of property

SENATE BILL 44

1 obtained or to be obtained under a master lease upon full compliance with its terms.
 2 If the master lease is for personal computer hardware and software, the department
 3 may make agreements concerning payments and ownership as described in this
 4 paragraph only if the master lease pursuant to which the department makes such
 5 agreements is more cost-effective to the state than one or more leases for the
 6 hardware and software pursuant to which the department does not make
 7 agreements concerning payments and ownership as described in this paragraph.

8 *1289/7.27* SECTION 216. 16.78 (title) of the statutes is amended to read:

9 16.78 (title) **Purchases from department of ~~electronic government~~**
 10 **relating to information technology or telecommunications.**

11 *b0312/2.4* SECTION 217c. 16.78 (1) of the statutes is amended to read:

12 16.78 (1) Every agency other than the board of regents of the University of
 13 Wisconsin System or an agency making purchases under s. 16.74 shall make all
 14 purchases of materials, supplies, equipment, and contractual services relating to
 15 information technology ^{text space} or telecommunications from the department of electronic
 16 government, unless

17 ^{wp} the department of ~~electronic government~~ requires the agency to purchase the
 18 materials, supplies, equipment, or contractual services pursuant to a master
 19 contract established under s. ~~22.05~~ 16.972 (2) (h), or grants written authorization to
 20 the agency to procure the materials, supplies, equipment, or contractual services
 21 under s. 16.75 (1) or (2m), to purchase the materials, supplies, equipment, or
 22 contractual services from another agency or to provide the materials, supplies,
 23 equipment, or contractual services to itself. The board of regents of the University
 24 of Wisconsin System may make purchases of materials, supplies, equipment, and

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SECTION 217c

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contractual services relating to information technology) or telecommunications from
the department of ~~electronic government~~.

3 ***-1289/7.29* SECTION 218.** 16.78 (2) of the statutes is amended to read:

4 16.78 (2) Sections 16.705 to 16.767 and 16.77 (1) do not apply to the purchase
5 of materials, supplies, equipment, or contractual services by any agency from the
6 department of ~~electronic government~~ under sub. (1). *delete space*

7 ***-1910/2.1* SECTION 219.** 16.836 of the statutes is repealed.

8 ***-1327/1.12* SECTION 220.** 16.84 (14) of the statutes is amended to read:

9 16.84 (14) Provide interagency mail delivery service for agencies, as defined
10 in s. 16.70 ~~(1)~~ (1e). The department may charge agencies for this service. Any moneys
11 collected shall be credited to the appropriation account under s. 20.505 (1) (kb).

12 ***-1327/1.13* SECTION 221.** 16.841 (1) (a) of the statutes is amended to read:

13 16.841 (1) (a) "Agency" has the meaning given in s. 16.70 ~~(1)~~ (1e).

14 ***-1327/1.14* SECTION 222.** 16.855 (16) (b) 1. of the statutes is amended to read:

15 16.855 (16) (b) 1. In this paragraph, "agency" has the meaning given in s. 16.70
16 ~~(1)~~ (1e).

17 ***b0233/2.1* SECTION 222m.** 16.865 (9) of the statutes is created to read:

18 16.865 (9) Notwithstanding s. 20.001 (3) (c), if the department makes any
19 payment from the appropriation under s. 20.505 (2) (a), lapse to the general fund
20 from the appropriation account under s. 20.505 (2) (k) an amount equal to the
21 payment, plus interest from the date on which the payment is made until the date
22 on which a corresponding amount is lapsed under this subsection computed at the
23 average interest rate earned by the state investment fund during that period. The
24 department shall effect the lapse required under this subsection in accordance with

SENATE BILL 44

1 a schedule determined by the department, but the total amount of each lapse shall
2 be effected no later than 6 years after the date of the payment to which it relates.

3 ***-1634/7.25* SECTION 223.** 16.957 (3) (a) of the statutes is amended to read:

4 16.957 (3) (a) The ~~division of housing~~ department shall, on the basis of
5 competitive bids, contract with community action agencies described in s. 46.30 (2)
6 (a) 1., nonstock, nonprofit corporations organized under ch. 181 or local units of
7 government to provide services under the programs established under sub. (2) (a).

8

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9 ***-1559/2.1* SECTION 230.** 16.964 (9) (intro.) of the statutes is created to read:

10 16.964 (9) (intro.) From the appropriations under s. 20.505 (6) (kp) and (p), the
11 office of justice assistance shall provide \$185,000 annually to the department of
12 health and family services to distribute the following grants for children's
13 community programs:

14 ***b0235/4.2* SECTION 230g.** 16.965 (3m) of the statutes is created to read:

15 16.965 (3m) The department shall not approve a proposed grant to a local
16 governmental unit under this section to be funded in whole or in part from the
17 appropriation under s. 20.505 (1) (if) unless the application for the grant contains all
18 of the following elements:

19 (a) Planning efforts that expedite and integrate the use of preexisting locally
20 created and maintained Wisconsin land information program data.

21 (b) Planning efforts that utilize digital data that is consistent with Wisconsin
22 land information program interests, modernization, and public access standards.

23 (c) Planning efforts that maximize public participation through access to
24 planning support tools.

25

SENATE BILL 44

SECTION 230r

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1 ***b0235/4.2* SECTION 230r.** 16.965 (4) (intro.) of the statutes is amended to
2 read:

3 16.965 (4) (intro.) In determining whether to approve a proposed grant to be
4 funded from the appropriations under s. 20.505 (1) (cm) and (if), preference shall be
5 accorded to applications of local governmental units that contain all of the following
6 elements:

7 ***b0336/2.3* SECTION 230d.** 16.966 (3) of the statutes is amended to read:
8 16.966 (3) The Subject to approval of the land information board under s.
9 16.967 (3) (f), the department may develop and maintain geographic information
10 systems relating to land in this state for the use of governmental and
11 nongovernmental units.

12 ***b0336/2.3* SECTION 230h.** 16.966 (3) of the statutes, as affected by 2003
13 Wisconsin Act (this act), is amended to read:
14 16.966 (3) ~~Subject to approval of the land information board under s. 16.967~~
15 ~~(3) (f), the~~ The department may develop and maintain geographic information
16 systems relating to land in this state for the use of governmental and
17 nongovernmental units.

18 ***b0336/2.3* SECTION 230p.** 16.967 (3) (f) of the statutes is created to read:
19 16.967 (3) (f) Review and approve or disapprove proposed expenditures for the
20 development and maintenance of land information systems under s. 16.966 (3). The
21 board shall ensure that all expenditures are consistent with the requirements under
22 sub. (6).

23 ***b0336/2.3* SECTION 230t.** 16.967 (6) of the statutes, as affected by 1999
24 Wisconsin Act 27, section 141am, is amended to read:

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1 16.967 (6) REPORTS. By March 31 of each year, the department of
2 administration, the department of agriculture, trade and consumer protection, the
3 department of commerce, the department of health and family services, the
4 department of natural resources, the department of tourism, the department of
5 revenue, the department of transportation, the board of regents of the University of
6 Wisconsin System, the public service commission and the board of curators of the
7 historical society shall each submit to the board a plan to integrate land information
8 to enable such information to be readily translatable, retrievable and geographically
9 referenced for use by any state, local governmental unit or public utility. The plans
10 shall include the information that will be needed by local governmental units to
11 prepare comprehensive plans containing the planning elements required under s.
12 66.1001 (2). Upon receipt of this information, the board shall integrate the
13 information to enable the information to be used to meet land information data
14 needs. The integrated information shall be readily translatable, retrievable, and
15 geographically referenced to enable members of the public to use access the
16 information on the Internet.

17 *~~1289/7.31~~* SECTION 231. Subchapter VII (title) of chapter 16 [precedes
18 16.97] of the statutes is amended to read:

CHAPTER 16**SUBCHAPTER VII****EDUCATIONAL INFORMATION****TECHNOLOGY**

23 *~~1289/7.30~~* SECTION 232. 16.97 of the statutes is renumbered 16.97 (intro.)
24 and amended to read:

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SECTION 232

1 **16.97 Definition Definitions.** (intro.) In this subchapter,
2 “telecommunications” has the meaning given in s. 22.01 (10).:

3 *~~1289/7.32~~* SECTION 233. 16.974 (intro.) of the statutes is repealed.

4 ***b0306/4.5*** SECTION 234d. 16.974 (1) of the statutes is amended to read:

5 16.974 (1) ~~Coordinate with the technology for educational achievement in~~
6 ~~Wisconsin board to provide~~ Provide secured correctional facilities, as defined in s.
7 44.70 (3r), school districts, and cooperative educational service agencies with
8 telecommunications access under s. 44.73 16.997 and contract with
9 telecommunications providers to provide such that access.

10 *~~1289/7.33~~* SECTION 235. 16.974 (1) to (4) of the statutes, as affected by 2003
11 Wisconsin Act (this act), are renumbered 16.971 (13) to (16).

****NOTE: This is reconciled s. 16.974 (1) to (4). This SECTION has been affected by drafts with the following LRB numbers: LRB-0666/9 and LRB-1289/6.

****NOTE: This is reconciled s. 16.974 (2). This SECTION has been affected by drafts with the following LRB numbers: LRB-0392/2 and LRB-0666/8.

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13 ***b0306/4.7*** SECTION 236d. 16.974 (2) of the statutes is amended to read:

14 16.974 (2) ~~Subject to s. 44.73 (5), coordinate with the technology for educational~~
15 ~~achievement in Wisconsin board to provide~~ Provide private colleges, technical college
16 districts, public library boards and, public library systems, and public museums with
17 telecommunications access under s. 44.73 16.997 and contract with
18 telecommunications providers to provide such that access.

19 ***b0306/4.7*** SECTION 237d. 16.974 (3) of the statutes is amended to read:

20 16.974 (3) ~~Coordinate with the technology for educational achievement in~~
21 ~~Wisconsin board to provide~~ Provide private schools with telecommunications access

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SECTION 237d

1 under s. 44.73 16.997 and contract with telecommunications providers to provide
2 such that access.

3 ***b0306/4.7* SECTION 238d.** 16.974 (4) of the statutes is amended to read:

4 16.974 (4) ~~Coordinate with the technology for educational achievement in~~
5 ~~Wisconsin board to provide~~ Provide the Wisconsin Center for the Blind and Visually
6 Impaired and the Wisconsin Educational Services Program for the Deaf and Hard
7 of Hearing with telecommunications access under s. 44.73 16.997 and contract with
8 telecommunications providers to provide such that access.

9 ***b0306/4.7* SECTION 238m.** Subchapter IX (title) of chapter 16 [precedes
10 16.99] of the statutes is created to read:

11 **CHAPTER 16**

12 **SUBCHAPTER IX**

13 **TECHNOLOGY FOR EDUCATIONAL**

14 **ACHIEVEMENT**

15 ***b0306/4.7* SECTION 238n.** 16.99 (3p) of the statutes is created to read:

16 16.99 (3p) “Public museum” means a nonprofit or publicly owned museum
17 located in this state that is accredited by the American Association of Museums or
18 an educational center that is affiliated with such a museum.

19 ***b0306/4.7* SECTION 238p.** 16.99 (4) of the statutes, as affected by 2003
20 Wisconsin Act ... (this act), is amended to read:

21 16.99 (4) “Telecommunications” has the meaning given in s. 22.01 16.97 (10).

22 ***b0306/4.7* SECTION 238pm.** 16.993 (10) of the statutes is created to read:

23 16.993 (10) Coordinate an annual conference on educational technology,
24 hosted by the governor, for elementary, secondary, and postsecondary educators and
25 establish a schedule of fees for attending the conference, which fees may not exceed

SENATE BILL 44

SECTION 238pm

1 the actual costs incurred in conducting the conference. All fees collected under this
2 subsection shall be credited to the appropriation account under s. 20.505 (4) (hc).

3 ***b0306/4.7* SECTION 238q.** 16.995 (3m) of the statutes is created to read:

4 16.995 (3m) PUBLIC DEBT REPAYMENT. To the extent that sufficient moneys are
5 available in the appropriation account under s. 20.505 (4) (mp) after payment of the
6 administrative expenses specified in s. 20.505 (4) (mp), the department shall use
7 those available moneys to reimburse s. 20.505 (4) (es) and (et) for the payment of
8 principal and interest costs incurred in financing educational technology
9 infrastructure financial assistance under this section and to make full payment of
10 the amounts determined by the building commission under s. 13.488 (1) (m).

11 ***b0306/4.7* SECTION 238r.** 16.997 (6) (a) of the statutes, as affected by 2003
12 Wisconsin Act (this act), is amended to read:

13 16.997 (6) (a) From the appropriation under s. 20.505 (4) (s) or (tm), the
14 department may award an annual grant to a school district or private school that had
15 in effect on October 14, 1997, a contract for access to a data line or video link, as
16 documented by the department. The department shall determine the amount of the
17 grant, which shall be equal to the cost incurred by the state to provide
18 telecommunications access to a school district or private school under a contract
19 entered into under s. ~~16.974 (1) or (3)~~ 16.971 (13) or (15) less the amount that the
20 school district or private school would be paying under sub. (2) (d) if the school district
21 or private school were participating in the program established under sub. (1), except
22 that the amount may not be greater than the cost that a school district or private
23 school incurs under the contract in effect on October 14, 1997. A school district or
24 private school receiving a grant under this subsection is not eligible to participate in

SENATE BILL 44

1 the program under sub. (1). No grant may be awarded under this subsection after
2 December 31, 2005.

3

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4 ~~*-1932/4.2*~~ SECTION 243. 18.07 (2) of the statutes is amended to read:

5 18.07 (2) Every loan agreement entered into pursuant to s. 18.06 (2) and every
6 evidence of indebtedness given under such a loan agreement shall be executed in the
7 name of and for the state by the secretary of the commission. Every other evidence
8 of indebtedness shall be executed in the name of and for the state by the governor and
9 by the ~~state treasurer~~ secretary of administration and shall be sealed with the great
10 seal of the state or a facsimile thereof of any size, ~~and every interest coupon~~
11 ~~appurtenant thereto shall be executed in the name of and for the state by the~~
12 ~~governor.~~ The facsimile signature of either the governor or ~~state treasurer~~ secretary
13 of administration or both may be imprinted in lieu of the manual signature of such
14 officer, as the commission directs, if approved by such officer, ~~and shall be so~~
15 ~~imprinted in the case of interest coupons.~~ Evidence of indebtedness and ~~interest~~
16 ~~coupons appurtenant thereto~~ bearing the manual or facsimile signature of a person
17 in office at the time such signature was signed or imprinted shall be fully valid
18 notwithstanding that before or after the delivery thereof such person ceased to hold
19 such office.

20

21 ~~*-1932/4.7*~~ SECTION 249. 18.10 (4) of the statutes is amended to read:

22 18.10 (4) DEBT HELD BY STATE. All evidence of indebtedness owned or held by
23 any state fund shall be deemed to be outstanding in all respects and the agency
24 having such fund under its control shall have the same rights with respect to such
25 evidence of indebtedness as a private party, but if any sinking fund acquires bonds

SENATE BILL 44

SECTION 249

1 which gave rise to such fund, such bonds shall be deemed paid for all purposes and
2 no longer outstanding and, ~~together with any interest coupons appurtenant thereto,~~
3 shall be canceled as provided in sub. (11). All evidence of indebtedness owned by any
4 state fund shall be registered to the fullest extent registrable.

5 ***-1932/4.8* SECTION 250.** 18.10 (5) of the statutes is amended to read:

6 18.10 (5) REGISTRATION. The ~~state treasurer~~ department of administration
7 shall act as registrar for evidence evidences of indebtedness registrable as to
8 principal or interest or both. No transfer of a registered evidence of indebtedness is
9 valid unless made on the register maintained by the ~~state treasurer~~ department of
10 administration for that purpose, and the state shall be entitled to treat the registered
11 owner as the owner of such instrument for all purposes. Payments of principal and
12 interest, when registered as to interest, of registered instruments shall be by
13 electronic funds transfer, check, share draft or other draft to the registered owner at
14 the owner's address as it appears on the register, unless the commission has
15 otherwise provided. Information in the register relating to the owners of evidence
16 of indebtedness is not available for inspection and copying under s. 19.35 (1). The
17 commission may make such other provisions respecting registration as it deems
18 necessary or useful. The ~~state treasurer~~ department of administration may enter
19 into a contract for the performance of any of his or her functions under this subsection
20 and sub. (7).

21 ***b0176/2.23* SECTION 250m.** 18.10 (7) of the statutes is amended to read:

22 18.10 (7) RECORD OF INSTRUMENTS. The ~~state treasurer~~ department of
23 administration or the ~~treasurer's~~ department's agent shall maintain records
24 containing a full and correct description of each evidence of indebtedness issued,

SENATE BILL 44

1 identifying it and showing its date, issue, amount, interest rate, payment dates,
2 payments made, registration, destruction and every other relevant transaction.

3 ***-1932/4.9* SECTION 251.** 18.10 (8) of the statutes is amended to read:

4 18.10 (8) TRUSTEES AND FISCAL AGENTS. The commission may appoint one or
5 more trustees and fiscal agents for each issue of bonds or notes. The ~~state treasurer~~
6 secretary of administration may be denominated the trustee and the sole fiscal agent
7 or a cofiscal agent for any issue of bonds or notes. Every other such fiscal agent shall
8 be an incorporated bank or trust company authorized by the laws of the United
9 States or of the state in which it is located to do a banking or trust company business.
10 ~~The commission shall periodically require competitive proposals, under procedures~~
11 ~~established by the commission, for fiscal agent services and, in so doing, shall consult~~
12 ~~the state treasurer.~~ There may be deposited with a trustee, in a special account
13 administered as provided in this chapter, moneys to be used only for the purposes
14 expressly provided in a resolution authorizing the issuance of debt or an agreement
15 between the commission and the trustee. ~~There may be deposited with a fiscal agent,~~
16 ~~in a special account for such purpose only, a sum estimated to be sufficient to enable~~
17 ~~such fiscal agent to pay the principal and interest on public debt which will come due~~
18 ~~not more than 15 days after the date of such deposit.~~ The commission may make such
19 other provisions respecting trustees and fiscal agents as it deems necessary or useful
20 and may enter into a contract with any trustee or fiscal agent containing such terms,
21 including compensation, and conditions in regard to the trustee or fiscal agent as it
22 deems necessary or useful.

23 ***b0176/2.25* SECTION 251m.** 18.10 (11) of the statutes is amended to read:

24 18.10 (11) CANCELLATION OF INSTRUMENTS. Unless otherwise directed by the
25 commission, every evidence of indebtedness and interest coupon paid or otherwise

SENATE BILL 44**SECTION 251m**

1 retired shall forthwith be marked “canceled” and shall be delivered by the state
2 ~~treasurer~~ department of administration or fiscal agent accepting the surrender
3 thereof, through the ~~state treasurer~~ department to the state auditor who shall
4 destroy them and shall forthwith deliver to the ~~state treasurer~~ department a
5 certificate to that effect.

6 ***-1932/4.10* SECTION 252.** 18.51 of the statutes is amended to read:

7 **18.51 Provisions applicable.** The following sections apply to this
8 subchapter, except that all references to “public debt” or “debt” shall be read to refer
9 to a “revenue obligation” and all references to “evidences of indebtedness” shall be
10 read to refer to “evidences of revenue obligation”: ss. 18.02, 18.03, 18.06 (8), 18.07,
11 18.10 (1), (2), (4) to (9) ~~and~~, (11), and (12), and 18.17.

12 ***-1932/4.11* SECTION 253.** 18.52 (1) of the statutes is renumbered 18.52 (1m).

13 ***-1932/4.12* SECTION 254.** 18.52 (1e) of the statutes is created to read:

14 **18.52 (1e)** “Ancillary payments” means payments for issuance costs and
15 expenses, payments under contracts entered into under s. 18.55 (6), payments of
16 accrued or funded interest, and payments of other costs and expenses of
17 administering revenue obligations.

18 ***-1932/4.13* SECTION 255.** 18.53 (4) of the statutes is repealed and recreated
19 to read:

20 **18.53 (4)** Unless otherwise provided in laws applicable to the issuance of a
21 specific revenue obligation, in addition to the requirements established under sub.
22 (3), the commission shall establish the amounts required for ancillary payments and
23 establishment of reserves relating to the revenue obligations.

24 ***-1932/4.14* SECTION 256.** 18.54 (2) of the statutes is amended to read:

SENATE BILL 44

1 18.54 (2) The amount of evidences of revenue obligation issued or outstanding
2 for purposes specified by the legislature under s. 18.53 (3) and (4) are subject only
3 to the limits provided in the legislation which authorizes that revenue obligation.
4 No refunding obligation is subject to any limitation specified by that legislation.

5 *~~1932/4.16~~* SECTION 258. 18.55 (6) of the statutes is created to read:

6 18.55 (6) AGREEMENTS AND ARRANGEMENTS; DELEGATION; USE OF REVENUE
7 OBLIGATIONS. (a) At the time of, or in anticipation of, contracting revenue obligations
8 and at any time thereafter while the revenue obligations are outstanding, the
9 commission may enter into agreements and ancillary arrangements relating to the
10 revenue obligations, including trust indentures, liquidity facilities, remarketing or
11 dealer agreements, letter of credit agreements, insurance policies, guaranty
12 agreements, reimbursement agreements, indexing agreements, or interest
13 exchange agreements. Any payment made or received pursuant to any such
14 agreements or ancillary arrangements shall be made from or deposited into a fund
15 relating to the relevant revenue obligation, as determined by the commission.

16 (b) The commission may delegate to other persons the authority and
17 responsibility to take actions necessary and appropriate to implement agreements
18 and ancillary arrangements under par. (a).

19 (c) Any revenue obligations may include revenue obligations contracted to fund
20 interest, accrued or to accrue, on the revenue obligations.

21 *~~1932/4.17~~* SECTION 261. 18.561 (5) of the statutes is amended to read:

22 18.561 (5) REDEMPTION FUND. The proportion which shall be set aside for the
23 payment of the principal of and interest on the enterprise obligations ~~shall from~~
24 ~~month to month as they accrue and are received~~ and, as directed by the commission,
25 payments to be received with respect to an agreement or ancillary arrangement

SENATE BILL 44

SECTION 261

1 entered into pursuant to s. 18.55 (6), shall, at such times as provided in the
2 authorizing resolution, be set apart and paid into a separate fund in the treasury or
3 in an account maintained by a trustee appointed for that purpose in the authorizing
4 resolution to be identified as “the ... redemption fund”. Each redemption fund shall
5 be expended, and all moneys from time to time on hand therein are irrevocably
6 appropriated, in sums sufficient, only for the payment of principal of and interest on
7 the enterprise obligations giving rise to it and premium, if any, due upon redemption
8 of any such obligations, and for ~~other obligations that are secured by the property or~~
9 ~~income, or both, of the enterprise or program~~ payment of obligations under an
10 agreement or ancillary arrangement entered into under s. 18.55 (6) to the extent
11 provided for in an authorizing resolution. Moneys in the redemption funds may be
12 commingled only for the purpose of investment with other public funds, but they
13 shall be invested only in investment instruments permitted in s. 25.17 (3) (dr). All
14 such investments shall be the exclusive property of the fund and all earnings on or
15 income from such investments shall be credited to the fund.

16 *~~1581/5.1~~* SECTION 262. 18.562 (1) of the statutes is renumbered 18.562 (1)

17 (a) and amended to read:

18 18.562 (1) (a) There is a security interest, for the benefit of the owners of the
19 special fund obligations and other persons specified in the authorizing resolution
20 providing for the issuance of the particular special fund obligations, in the amounts
21 that arise after the creation of the special fund program in the special fund related
22 to the special fund obligations. For this purpose, amounts in the special fund shall
23 be accounted for on a first-in, first-out basis. ~~No, and no~~ physical delivery,
24 recordation, or other action is required to perfect the security interest.

SENATE BILL 44

1 (c) The special fund shall remain subject to the security interest until provision
2 for payment in full of the principal and interest of the special fund obligations, and
3 other obligations specified in the authorizing resolution providing for the issuance
4 of the particular special fund obligations, has been made, as provided in the
5 authorizing resolution.

6 (d) An owner of special fund obligations may either at law or in equity protect
7 and enforce the security interest and compel performance of all duties required by
8 this section.

9 ***-1581/5.2*** SECTION 263. 18.562 (1) (b) of the statutes is created to read:

10 18.562 (1) (b) 1. Except as provided in subd. 2., the security interest for the
11 benefit of the owners of the special fund obligations and other persons specified in
12 the authorizing resolution providing for the issuance of the particular special fund
13 obligations shall have priority over all conflicting security interests to the fees,
14 penalties, or excise taxes that are required to be deposited in the special fund.

15 2. For different special fund obligations secured by the same fees, penalties, or
16 excise taxes, priority shall be established according to the date of issuance of the
17 special fund obligation or the incurrence of the other obligations specified in an
18 authorizing resolution, if applicable, with earlier issuances or incurrences having
19 priority over later issuances or incurrences, unless laws governing the issuance of
20 a particular special fund obligation or the authorizing resolution providing for the
21 issuance of a particular special fund obligation permit later issuances or incurrences
22 on a parity or priority basis.

23 ***-1932/4.18*** SECTION 264. 18.562 (3) of the statutes is amended to read:

24 18.562 (3) REDEMPTION FUND. The special fund revenues that are to be set aside
25 for the payment of the principal of and interest of on the special fund obligations and,

SENATE BILL 44

SECTION 264

1 as directed by the commission, payments to be received with respect to an agreement
2 or ancillary arrangement entered into under s. 18.55 (6), shall be paid into a separate
3 fund in the treasury or in an account maintained by a trustee appointed for that
4 purpose in the authorizing resolution to be identified as “the ... redemption fund”.
5 Each redemption fund shall be expended, and all moneys from time to time on hand
6 therein are irrevocably appropriated, in sums sufficient, only for the payment of
7 principal ~~of~~ and interest on the special fund obligations giving rise to it and premium,
8 if any, due upon redemption of any such obligations, and for ~~other obligations that~~
9 ~~are secured by any fees, penalties, or excise taxes deposited in the special fund~~
10 payment of obligations under an agreement or ancillary arrangement entered into
11 under s. 18.55 (6) to the extent provided for in an authorizing resolution. Moneys in
12 the redemption funds may be commingled only for the purpose of investment with
13 other public funds, but they shall be invested only in investment instruments
14 permitted in s. 25.17 (3) (dr). All such investments shall be the exclusive property
15 of the fund and all earnings on or income from such investments shall be credited to
16 the fund.

17 *~~1932/4.19~~* SECTION 265. 18.57 (1) of the statutes is amended to read:

18 18.57 (1) A separate and distinct fund shall be established in the state treasury
19 or in an account maintained by a trustee appointed for that purpose by the
20 authorizing resolution with respect to each revenue-producing enterprise or
21 program the income from which is to be applied to the payment of any enterprise
22 obligation. A separate and distinct fund shall be established in the state treasury
23 or in an account maintained by a trustee appointed for that purpose by the
24 authorizing resolution with respect to any special fund program that is ~~created by~~
25 ~~the imposition of fees, penalties or excise taxes and is applied to the payment~~

SENATE BILL 44

1 financed through the issuance of special fund obligations. All moneys resulting from
2 the issuance of evidences of revenue obligation shall be credited to the appropriate
3 fund, applied for refunding or note renewal purposes, or to make deposits to reserve
4 funds, except that moneys which represent ~~premium or accrued interest~~ or, to the
5 extent provided in the resolution authorizing the issuance of such evidences of
6 revenue obligation, premium received on the issuance of evidences shall be credited
7 to the appropriate redemption fund. As determined by the commission, payments
8 to be received under an agreement or ancillary arrangement entered into under s.
9 18.55 (6) with respect to any such issuance of evidences of revenue obligation shall
10 be credited to the appropriate fund.

***NOTE: This is reconciled s. 18.57 (1). This SECTION has been affected by drafts with the following LRB numbers: LRB-1581 and LRB-1932.

11 ***-1932/4.20* SECTION 266.** 18.57 (2) of the statutes is amended to read:

12 18.57 (2) Moneys in such funds may be expended, pursuant to appropriations,
13 only for the purposes and in the amounts for which borrowed, for the payment of the
14 principal of and interest on related revenue obligations, to make deposits to reserve
15 funds, and ~~for expenses incurred in issuing such obligations~~ to make ancillary
16 payments.

17 ***-1932/4.21* SECTION 267.** 18.58 (2) of the statutes is repealed.

18 ***-1932/4.22* SECTION 268.** 18.60 (2) of the statutes is amended to read:

19 18.60 (2) If the commission determines to exchange refunding obligations, they
20 may be exchanged privately for and in payment and discharge of any of the
21 outstanding obligations or notes being refinanced. Refunding obligations may be
22 exchanged for ~~a like or greater principal amount of the obligations or notes being~~
23 ~~exchanged therefor except that the principal amount of the refunding obligations~~

SENATE BILL 44**SECTION 268**

1 ~~may exceed the principal amount of the obligations or notes being exchanged~~
2 ~~therefor only to the extent determined by the commission to be necessary or~~
3 ~~advisable to pay redemption premiums and unpaid interest to the date of exchange~~
4 ~~not otherwise provided for such principal amount of the obligations or notes being~~
5 ~~exchanged therefore as may be determined by the commission to be necessary or~~
6 advisable. The owners of the obligations or notes being refunded who elect to
7 exchange need not pay accrued interest on the refunding obligations if and to the
8 extent that interest is accrued and unpaid on the obligations or notes being refunded
9 and to be surrendered. If any of the obligations or notes to be refinanced are to be
10 called for redemption, the commission shall determine which redemption dates shall
11 be used, if more than one date is applicable and shall, prior to the issuance of the
12 refunding obligations, provide for notice of redemption to be given in the manner and
13 at the times required by the proceedings authorizing the outstanding obligations or
14 notes.

15 *~~0529/4.28~~* **SECTION 269.** 18.60 (3) of the statutes is amended to read:

16 18.60 (3) The principal proceeds from the sale of any refunding obligations
17 shall be applied either to the immediate payment and retirement of the obligations
18 or notes being refinanced or, if the obligations or notes have not matured and are not
19 presently redeemable, to the creation of a trust for and shall be pledged to the
20 payment of the obligations or notes being refinanced. If a trust is created, a separate
21 deposit shall be made for each issue of obligations or notes being refinanced. Each
22 deposit shall be with the ~~state treasurer~~ secretary of administration or a bank or
23 trust company that is then a member of the federal deposit insurance corporation.
24 If the total amount of any deposit, including money other than sale proceeds but
25 legally available for such purpose, is less than the principal amount of the obligations

SENATE BILL 44

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

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21
 22 *-1289/7.34* SECTION 276. 19.36 (4) of the statutes is amended to read:

23 19.36 (4) COMPUTER PROGRAMS AND DATA. A computer program, as defined in s.
 24 ~~22.03~~ 16.971 (4) (c), is not subject to examination or copying under s. 19.35 (1), but
 25 the material used as input for a computer program or the material produced as a

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1 product of the computer program is subject to the right of examination and copying,
2 except as otherwise provided in s. 19.35 or this section.

3 ***-0529/4.29*** SECTION 277. 19.43 (7) of the statutes is amended to read:

4 19.43 (7) If an official required to file fails to make a timely filing, the board
5 shall promptly provide notice of the delinquency to the ~~state treasurer~~ secretary of
6 administration, and to the chief executive of the department of which the official's
7 office or position is a part, or, in the case of a district attorney, to the chief executive
8 of that department and to the county clerk of each county served by the district
9 attorney or in the case of a municipal judge to the clerk of the municipality of which
10 the official's office is a part, or in the case of a justice, court of appeals judge, or circuit
11 judge, to the director of state courts. Upon such notification both the ~~state treasurer~~
12 secretary of administration and the department, municipality, or director shall
13 withhold all payments for compensation, reimbursement of expenses, and other
14 obligations to the official until the board notifies the officers to whom notice of the
15 delinquency was provided that the official has complied with this section.

16 ***-0576/8.21*** SECTION 279. 19.45 (11) (a) of the statutes is amended to read:

17 19.45 (11) (a) The administrator of the division of merit recruitment and
18 selection in the ~~department of employment relations~~ office of state human resources
19 management shall, with the board's advice, promulgate rules to implement a code
20 of ethics for classified and unclassified state employees except state public officials
21 subject to this subchapter, unclassified personnel in the University of Wisconsin
22 System and officers and employees of the judicial branch.

23 ***-1761/4.1*** SECTION 280. 20.003 (4) (e) of the statutes is amended to read:

24 20.003 (4) (e) For fiscal year 2003–04, ~~1.6%~~ \$35,000,000.

25 ***-1761/4.2*** SECTION 281. 20.003 (4) (f) of the statutes is amended to read:

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- 1 20.003 (4) (f) For fiscal year 2004–05, ~~1.8%~~ \$40,000,000.
- 2 *~~1761/4.3~~* **SECTION 282.** 20.003 (4) (fm) of the statutes is created to read:
- 3 20.003 (4) (fm) For fiscal year 2005–06, \$75,000,000.
- 4 *~~1761/4.4~~* **SECTION 283.** 20.003 (4) (g) of the statutes is amended to read:
- 5 20.003 (4) (g) For fiscal year ~~2005–06~~ 2006–07 and each fiscal year thereafter,
- 6 2%.
- 7 *~~1273/P2.1~~* **SECTION 284.** 20.005 (1) of the statutes is repealed and recreated
- 8 to read:
- 9 20.005 (1) SUMMARY OF ALL FUNDS. The budget governing fiscal operations for
- 10 the state of Wisconsin for all funds beginning on July 1, 2003, and ending on June
- 11 30, 2005, is summarized as follows: [See Figure 20.005 (1) following]

****NOTE: The following schedules are from the 2001 budget bill from two years ago. They need 2003–05 versions. The 2001–03 years topping each column in all tables will need to be changed to 2003–05 years.

12 **Figure: 20.005 (1)**

13 ****NOTE: The following schedules are from the 2001 budget bill from two years ago. They need to be updated with the 2003–05 figures.

GENERAL FUND SUMMARY

| | 2003–04 | 2004–05 |
|--------------------------------|-------------------------|-------------------------|
| Opening Balance, July 1 | \$ -292,172,300 | \$ 35,354,100 |
| Revenues and Transfers | | |
| Taxes | \$10,746,900,000 | \$11,350,900,000 |
| Departmental Revenues | | |
| New Tribal Gaming Revenues | 112,000,000 | 125,000,000 |
| Other | <u>218,843,900</u> | <u>227,677,100</u> |
| Total Available | \$10,785,571,600 | \$11,738,931,200 |

SENATE BILL 44**SECTION 284**

| | 2003-04 | 2004-05 |
|---|-------------------------|-------------------------|
| Appropriations, Transfers and Reserves | | |
| Gross Appropriations | \$10,783,708,900 | \$11,678,898,200 |
| Compensation Reserves | 115,812,900 | 176,359,600 |
| Transfer to Tobacco Control Fund | 15,345,100 | 15,345,100 |
| Less Lapses | <u>-164,649,400</u> | <u>-171,873,700</u> |
| Total Expenditures | \$10,750,217,500 | \$11,698,729,200 |
| Balances | | |
| Gross Balance | \$ 35,354,100 | \$ 40,202,000 |
| Less Required Statutory Balance | <u>-35,000,000</u> | <u>-40,000,000</u> |
| Net Balance, June 30 | \$ 354,100 | \$ 202,000 |
| Structural Balance | \$ 327,526,400 | \$ 4,847,900 |

SUMMARY OF APPROPRIATIONS — ALL FUNDS

| | 2003-04 | 2004-05 |
|-------------------------|--------------------|--------------------|
| General Purpose Revenue | \$11,578,951,600 | \$11,670,350,400 |
| Federal Revenue | | |
| Program Revenue | 4,759,271,300 | 4,833,602,200 |
| Segregated Revenue | <u>716,680,000</u> | <u>745,123,600</u> |
| | \$ 5,475,951,300 | \$ 5,578,725,800 |
| Program Revenue | | |
| Nonservice | 2,293,638,000 | 2,352,071,600 |
| Service | <u>729,931,100</u> | <u>723,413,200</u> |
| | \$ 3,023,569,100 | \$ 3,075,484,800 |
| Segregated Revenue | | |
| State nonservice | 2,968,116,600 | 2,713,296,900 |
| Local | 72,740,300 | 72,081,200 |
| Service | <u>160,654,400</u> | <u>165,381,100</u> |
| | \$ 3,201,511,300 | \$ 2,950,759,200 |

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| | 2003-04 | 2004-05 |
|--------------------|------------------|------------------|
| GRAND TOTAL | \$23,279,983,300 | \$23,275,320,200 |

SUMMARY OF COMPENSATION RESERVES — ALL FUNDS

| | 2003-04 | 2004-05 |
|-------------------------|----------------|----------------|
| General Purpose Revenue | \$ 115,812,900 | \$ 176,359,600 |
| Federal Revenue | 29,559,200 | 45,012,600 |
| Program | 25,502,400 | 38,835,000 |
| Segregated | 4,056,800 | 6,177,600 |
| Program Revenue | 88,926,600 | 135,417,200 |
| Nonservice | 81,650,600 | 124,337,300 |
| Service | 7,276,000 | 11,079,900 |
| Segregated Revenue | 17,852,200 | 27,185,300 |
| State nonservice | 17,811,600 | 27,123,400 |
| Local | -0- | -0- |
| Service | <u>40,600</u> | <u>61,900</u> |
| TOTAL | \$ 252,150,900 | \$ 383,974,700 |

LOTTERY FUND SUMMARY

| | 2003-04 | 2004-05 |
|-----------------------|----------------|----------------|
| Gross Revenue | | |
| Ticket Sales | \$ 417,198,100 | \$ 418,049,000 |
| Miscellaneous Revenue | <u>100,600</u> | <u>100,600</u> |
| | \$ 417,298,700 | \$ 418,149,600 |

SENATE BILL 44**SECTION 284**

| | 2003-04 | 2004-05 |
|--|-------------------|-------------------|
| Expenses | | |
| Prizes | \$ 238,113,600 | \$ 238,701,200 |
| Administrative Expenses | <u>64,958,700</u> | <u>66,237,200</u> |
| | \$ 303,072,300 | \$ 304,938,400 |
| Net Proceeds | \$ 114,266,400 | \$ 113,211,200 |
| Total Available for Property Tax Relief | | |
| Opening Balance | \$ 8,256,300 | \$ 8,346,000 |
| Net Proceeds | 114,226,400 | 113,211,200 |
| Interest Earnings | 1,395,300 | 1,457,100 |
| Gaming-related Revenue | <u>1,348,900</u> | <u>1,311,700</u> |
| | \$ 125,226,900 | \$ 124,326,000 |
| Property Tax Relief | \$ 116,880,900 | \$ 115,963,000 |
| Gross Closing Balance | \$ 8,346,000 | \$ 8,363,000 |
| Reserve | \$ 8,346,000 | \$ 8,363,000 |
| Net Closing Balance | <u>\$ -0-</u> | <u>\$ -0-</u> |

1

2

SECTION 285. 20.005 (2) of the statutes is repealed and recreated to read:

3

20.005 (2) STATE BORROWING PROGRAM SUMMARY. The following schedule sets

4

forth the state borrowing program summary: [See Figures 20.005 (2) (a) and (b)

5

following]

SENATE BILL 44

***NOTE: The following schedules are from the 2001 budget bill from two years ago.
They need to be updated with the 2003–05 figures.

**SUMMARY OF BONDING AUTHORITY MODIFICATIONS
2003–05 FISCAL BIENNIUM**

| Source and Purpose | Amount |
|--|-----------------------|
| GENERAL OBLIGATIONS | |
| Agriculture, Trade and Consumer Protection | |
| Soil and water | \$ 7,000,000 |
| Building Commission | |
| Refunding general obligation debt | 350,000,000 |
| Natural Resources | |
| Nonpoint source grants | 9,546,800 |
| Urban nonpoint source cost sharing | 4,700,000 |
| Environmental repair | 6,000,000 |
| Transportation | |
| Harbor improvements | 3,000,000 |
| Rail acquisitions and improvements | 4,500,000 |
| Veterans Affairs | |
| Refunding bonds | <u>175,000,000</u> |
| TOTAL General Obligation Bonds | \$ 559,746,800 |

REVENUE OBLIGATIONS

| | |
|--|----------------|
| Administration | |
| Unfunded prior service liability obligations | \$ 750,000,000 |
| Tobacco settlement bond purchase program | 1,600,000,000 |

Commerce

SENATE BILL 44

SECTION 285

| | |
|--|----------------------|
| Source and Purpose | Amount |
| PECFA | 115,000,000 |
| Environmental Improvement Program | |
| Clean water fund program | 259,670,000 |
| Transportation | |
| Major highway projects, Marquette Interchange, state highway rehabilitation | <u>1,163,335,500</u> |
| TOTAL Revenue Obligation Bonds | \$ 3,888,005,500 |
| GRAND TOTAL Bonding Authority Modifications | \$ 4,447,752,300 |

1
2
3

Figure: 20.005 (2) (b)

**GENERAL OBLIGATION AND
BUILDING CORPORATION DEBT SERVICE
FISCAL YEARS 2003-04 AND 2004-05**

| STATUTE, AGENCY AND PURPOSE | SOURCE | 2003-04 | 2004-05 |
|--|--------|-----------|-----------|
| <i>20.115 Agriculture, trade and consumer protection, department of</i> | | | |
| (2) (d) Principal repayment and interest | GPR | \$ 18,900 | \$ 17,100 |
| (7) (b) Principal repayment and interest, conservation reserve enhancement | GPR | 1,560,300 | 4,140,000 |
| (7) (f) Principal repayment and interest; soil and water | GPR | 502,400 | 696,100 |
| <i>20.190 State fair park board</i> | | | |
| (1) (c) Housing facilities principal repayment, interest and rebates | GPR | 927,200 | 926,000 |
| (1) (d) Principal repayment and interest | GPR | 571,800 | 1,013,500 |

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| STATUTE, AGENCY AND PURPOSE | SOURCE | 2003-04 | 2004-05 |
|--|---------------|----------------|----------------|
| <i>20.225 Educational communications board</i> | | | |
| (1) (c) Principal repayment and interest | GPR | 1,453,900 | 2,011,300 |
| <i>20.245 Historical society</i> | | | |
| (1) (e) Principal repayment, interest, and rebates | GPR | 1,259,800 | 1,210,200 |
| <i>20.250 Medical College of Wisconsin</i> | | | |
| (1) (c) Principal repayment, interest, and rebates; biomedical research and technology incubator | GPR | –0– | 1,405,700 |
| (1) (e) Principal repayment and interest | GPR | 158,800 | 158,700 |
| <i>20.255 Public instruction, department of</i> | | | |
| (1) (d) Principal repayment and interest | GPR | 1,229,600 | 1,123,700 |
| (4) (er) Principal, interest and rebates; general purpose revenue – public library boards | GPR | 73,900 | 159,500 |
| (4) (es) Principal, interest, and rebates; general purpose revenue – schools | GPR | 5,197,200 | 6,467,800 |
| <i>20.275 Technology for educational achievement in Wisconsin board</i> | | | |
| (1) (er) Principal, interest and rebates; general purpose revenue – public library boards | GPR | –0– | –0– |
| (1) (es) Principal, interest and rebates; general purpose revenue – school boards | GPR | –0– | –0– |
| <i>20.285 University of Wisconsin System</i> | | | |
| (1) (d) Principal repayment and interest | GPR | 100,798,400 | 101,057,700 |
| (1) (db) Self-amortizing facilities principal and interest | GPR | –0– | –0– |

SENATE BILL 44

| STATUTE, AGENCY AND PURPOSE | SOURCE | 2003-04 | 2004-05 |
|--|--------|------------|------------|
| (1) (fh) State laboratory of hygiene; principal repayment and interest | GPR | -0- | -0- |
| 20.320 Environmental improvement program | | | |
| (1) (c) Principal repayment and interest – clean water fund program | GPR | 33,950,200 | 37,989,700 |
| (2) (c) Principal repayment and interest – safe drinking water loan program | GPR | 1,450,800 | 1,711,800 |
| 20.370 Natural resources, department of | | | |
| (7) (aa) Resource acquisition and development – principal repayment and interest | GPR | 26,702,900 | 30,162,700 |
| (7) (ac) Principal repayment and interest – recreational boating bonds | GPR | -0- | -0- |
| | GPR | -0- | -0- |
| (7) (ca) Principal repayment and interest – nonpoint source grants | GPR | 4,629,900 | 5,844,700 |
| (7) (cb) Principal repayment and interest – pollution abatement bonds | GPR | 57,109,900 | 51,506,300 |
| (7) (cc) Principal repayment and interest – combined sewer overflow; pollution abatement bonds | GPR | 16,563,500 | 16,576,100 |
| (7) (cd) Principal repayment and interest – municipal clean drinking water grants | GPR | 1,136,800 | 1,394,400 |
| (7) (ce) Principal repayment and interest – nonpoint source | GPR | 181,000 | 181,000 |
| (7) (cf) Principal repayment and interest – urban nonpoint source cost-sharing | GPR | 832,800 | 1,314,000 |

SENATE BILL 44

| STATUTE, AGENCY AND PURPOSE | SOURCE | 2003-04 | 2004-05 |
|--|---------------|----------------|----------------|
| (7) (ea) Administrative facilities – principal repayment and interest | GPR | 565,000 | 621,300 |
| <i>20.395 Transportation, department of</i> | | | |
| (6) (af) Principal repayment and interest, local roads for job preservation, state funds | GPR | 168,900 | 168,900 |
| <i>20.410 Corrections, department of</i> | | | |
| (1) (e) Principal repayment and interest | GPR | 71,027,900 | 67,497,300 |
| (1) (ec) Prison industries principal, interest and rebates | GPR | –0– | –0– |
| (3) (e) Principal repayment and interest | GPR | 4,600,000 | 4,496,600 |
| <i>20.435 Health and family services, department of</i> | | | |
| (2) (ee) Principal repayment and interest | GPR | 12,078,900 | 11,848,400 |
| (2) (ef) Lease rental payments | GPR | –0– | –0– |
| (6) (e) Principal repayment and interest | GPR | 59,800 | 54,300 |
| <i>20.465 Military affairs, department of</i> | | | |
| (1) (d) Principal repayment and interest | GPR | 3,368,600 | 3,413,600 |
| <i>20.485 Veterans affairs, department of</i> | | | |
| (1) (e) Lease rental payments | GPR | –0– | –0– |
| (1) (f) Principal repayment and interest | GPR | 1,511,900 | 1,421,200 |
| <i>20.505 Administration, department of</i> | | | |
| (5) (c) Principal repayment and interest; Black Point Estate | GPR | 45,000 | 112,600 |
| <i>20.855 Miscellaneous appropriations</i> | | | |
| (8) (a) Dental clinic and education facility; principal repayment, interest and rebates | GPR | 973,100 | 974,800 |

SENATE BILL 44

| STATUTE, AGENCY AND PURPOSE | SOURCE | 2003-04 | 2004-05 |
|---|--------|----------------------|----------------------|
| <i>20.867 Building commission</i> | | | |
| (1) (a) Principal repayment and interest; housing of state agencies | GPR | -0- | -0- |
| (1) (b) Principal repayment and interest; capitol and executive residence | GPR | 12,362,900 | 15,407,200 |
| (3) (a) Principal repayment and interest | GPR | 19,684,600 | 37,202,900 |
| (3) (b) Principal repayment and interest | GPR | 1,864,000 | 2,865,400 |
| (3) (bm) Principal repayment, interest, and rebates; HR Academy, Inc. | GPR | 126,700 | 126,700 |
| (3) (bp) Principal repayment, interest and rebates | GPR | 56,300 | 84,500 |
| (3) (br) Principal repayment, interest and rebates | GPR | 79,900 | 80,400 |
| (3) (bt) Principal repayment, interest, and rebates; Discovery Place Museum | GPR | 56,300 | 84,500 |
| (3) (c) Lease rental payments | GPR | -0- | -0- |
| (3) (e) Principal repayment, interest and rebates; parking ramp | GPR | -0- | -0- |
| TOTAL General Purpose Revenue Debt Service | | \$384,939,800 | \$413,528,900 |

20.190 State Fair Park Board

| | | | |
|--|----|--------------|--------------|
| (1) (j) State fair principal repayment, interest and rebates | PR | \$ 3,912,500 | \$ 6,046,800 |
|--|----|--------------|--------------|

20.225 Educational communications board

| | | | |
|---|----|-----|-----|
| (1) (i) Program revenue facilities; principal repayment, interest and rebates | PR | -0- | -0- |
|---|----|-----|-----|

SENATE BILL 44

| STATUTE, AGENCY AND PURPOSE | SOURCE | 2003-04 | 2004-05 |
|--|---------------|----------------|----------------|
| <i>20.245 Historical society</i> | | | |
| (1) (j) Self-amortizing facilities; principal repayment, interest and rebates | PR | 157,800 | 248,900 |
| <i>20.255 Public instruction, department of</i> | | | |
| (4) (h) Principal, interest, and rebates; program revenue – schools | PR | 3,206,800 | 4,487,000 |
| (4) (hb) Principal, interest, and rebates; program revenue – public library boards | PR | 72,700 | 158,200 |
| <i>20.275 Technology for educational achievement in Wisconsin board</i> | | | |
| (1) (h) Principal, interest and rebates; program revenue – schools | PR | –0– | –0– |
| (1) (hb) Principal, interest and rebates; program revenue – public library boards | PR | –0– | –0– |
| <i>20.285 University of Wisconsin System</i> | | | |
| (1) (ih) State laboratory of hygiene; principal repayment and interest | PR | –0– | –0– |
| (1) (kd) Principal repayment, interest and rebates | PR-S | 36,095,700 | 46,895,300 |
| (1) (ke) Lease rental payments | PR-S | –0– | –0– |
| <i>20.370 Natural resources, department of</i> | | | |
| (7) (ag) Land acquisition – principal repayment and interest | PR | –0– | –0– |
| (7) (cg) Principal repayment and interest – nonpoint repayments | PR | –0– | –0– |
| <i>20.410 Corrections, department of</i> | | | |
| (1) (ko) Prison industries principal repayment, interest and rebates | PR-S | 270,000 | 517,400 |

SENATE BILL 44

| STATUTE, AGENCY AND PURPOSE | SOURCE | 2003-04 | 2004-05 |
|--|--------|----------------------|----------------------|
| 20.485 Veterans Affairs, department of | | | |
| (1) (go) Self-amortizing housing facilities; principal repayment and interest | PR | 1,030,900 | 2,211,300 |
| 20.505 Administration, department of | | | |
| (5) (g) Principal repayment, interest and rebates; parking | PR | 1,762,100 | 1,763,600 |
| (5) (kc) Principal repayment, interest and rebates | PR-S | 16,769,500 | 16,281,700 |
| 20.867 Building commission | | | |
| (3) (g) Principal repayment, interest and rebates; program revenues | PR | -0- | -0- |
| (3) (h) Principal repayment, interest and rebates | PR | -0- | -0- |
| (3) (i) Principal repayment, interest and rebates; capital equipment | PR | <u>145,300</u> | <u>191,300</u> |
| TOTAL Program Revenue Debt Service | | \$ 63,423,300 | \$ 79,341,400 |
| 20.320 Environmental improvement program | | | |
| (1) (t) Principal repayment and interest – clean water fund program bonds | SEG | \$ 6,000,000 | \$ 6,000,000 |
| (1) (u) Principal repayment and interest – clean water fund program revenue obligation repayment | SEG | -0- | -0- |
| 20.370 Natural resources, department of | | | |
| (7) (aq) Resource acquisition and development – principal repayment and interest | SEG | 233,000 | 233,400 |
| (7) (ar) Dam repair and removal – principal repayment and interest | SEG | 426,400 | 509,500 |

SENATE BILL 44

| STATUTE, AGENCY AND PURPOSE | SOURCE | 2003-04 | 2004-05 |
|---|---------------|----------------------|----------------------|
| (7) (at) Recreation development – principal repayment and interest | SEG | –0– | –0– |
| (7) (au) State forest acquisition and development – principal repayment and interest | SEG | 8,000,000 | 8,000,000 |
| (7) (bq) Principal repayment and interest – remedial action | SEG | 3,203,700 | 3,771,600 |
| (7) (eq) Administrative facilities – principal repayment and interest | SEG | 1,747,700 | 2,208,800 |
| (7) (er) Administrative facilities – principal repayment and interest; environmental fund | SEG | 253,400 | 487,700 |
| <i>20.395 Transportation, department of</i> | | | |
| (6) (aq) Principal repayment and interest, transportation facilities, state funds | SEG | 4,421,500 | 4,841,800 |
| (6) (ar) Principal repayment and interest, buildings, state funds | SEG | 112,100 | 62,000 |
| <i>20.485 Veterans affairs, department of</i> | | | |
| (3) (t) Debt service | SEG | 81,019,900 | 81,370,000 |
| (3) (v) Revenue obligation prepayment | SEG | –0– | –0– |
| (4) (qm) Repayment of principal and interest | SEG | 103,600 | 99,700 |
| <i>20.866 Public debt</i> | | | |
| (1) (u) Principal repayment and interest | SEG | –0– | –0– |
| <i>20.867 Building commission</i> | | | |
| (3) (q) Principal repayment and interest; segregated revenues | SEG | –0– | –0– |
| TOTAL Segregated Revenue Debt Service | | \$105,521,300 | \$107,584,500 |
| GRAND TOTAL All Debt Service | | \$553,884,400 | \$600,454,800 |

SENATE BILL 44

SECTION 286

1 *-1273/P2.3* SECTION 286. 20.005 (3) of the statutes is repealed and recreated
2 to read:

3 20.005 (3) APPROPRIATIONS. The following schedule sets forth all annual,
4 biennial, and sum certain continuing appropriations and anticipated expenditures
5 from other appropriations for the programs and other purposes indicated. All
6 appropriations are made from the general fund unless otherwise indicated. The
7 letter abbreviations shown designating the type of appropriation apply to both fiscal
8 years in the schedule unless otherwise indicated. [See Figure 20.005 (3) following]

9
10 **Figure: 20.005 (3)**

11
12 Insert Schedule 20 here

end of
B

13
14 *~~b0260/5.3~~* SECTION 287p. 20.115 (1) (km) of the statutes is created to read:
15 20.115 (1) (km) *Consumer protection assessments*. All moneys transferred
16 under s. 100.261 (4) from the department of justice's sum certain, general purpose
17 revenue state operations appropriations, for consumer protection and consumer
18 information and education.

C

19 *~~0310/2.1~~* SECTION 289. 20.115 (7) (v) of the statutes is repealed.

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

20 *~~0310/2.2~~* SECTION 290. 20.115 (7) (va) of the statutes is created to read:

21 20.115 (7) (va) *Clean sweep grants*. From the recycling fund, the amounts in
22 the schedule for chemical and container collection grants under s. 93.55 and for
23 household hazardous waste grants under s. 93.57.

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

24 *~~b0260/5.4~~* SECTION 291n. 20.115 (8) (jm) of the statutes is amended to read: