



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
SENATE SUBSTITUTE AMENDMENT,
TO 2003 SENATE BILL 44

Do Not Gen

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AN ACT ^e relating to: state finances and appropriations, constituting the executive budget act of the 2003 legislature.

INS. "Bill Guide"

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

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

1 subch. V of ch. 111, this subsection shall apply unless otherwise provided in a
2 collective bargaining agreement.

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

11 SECTION 5. 13.099 (1) (a) and (b) of the statutes are amended to read:

12 13.099 (1) (a) "Department" means the department of ~~administration~~
13 commerce.

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

16 SECTION 6. 13.099 (2) (a) of the statutes is amended to read:

17 13.099 (2) (a) If any bill that is introduced in either house of the legislature
18 directly or substantially affects the development, construction, cost or availability of
19 housing in this state, the department, ~~through the division of housing,~~ shall prepare
20 a report on the bill within 30 days after it is introduced. The department may request
21 any information from other state agencies, local governments or individuals or
22 organizations that is reasonably necessary for the department to prepare the report.

23 SECTION 7. 13.099 (3) (a) 5. of the statutes is amended to read:

24 13.099 (3) (a) 5. Housing costs, as defined in s. ~~16.30~~ 560.9801 (3) (a) and (b).

25 SECTION 8. 13.101 (6) (a) of the statutes is amended to read:

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

20 **SECTION 8m.** 13.101 (6) (a) of the statutes, as affected by 2003 Wisconsin Act
21 (this act), is amended to read:

22 13.101 (6) (a) As an emergency measure necessitated by decreased state
23 revenues and to prevent the necessity for a state tax on general property, the
24 committee may reduce any appropriation made to any board, commission,
25 department, or the University of Wisconsin System, or to any other state agency or

1 activity, by such amount as it deems feasible, not exceeding 25% of the
2 appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and
3 (cr), ~~and (r)~~, 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax), and
4 (6) (aq), (ar), and (at), 20.435 (6) (a) and (7) (da), and 20.445 (3) (a) and (dz) or for
5 forestry purposes under s. 20.370 (1), or any other moneys distributed to any county,
6 city, village, town, or school district. Appropriations of receipts and of a sum
7 sufficient shall for the purposes of this section be regarded as equivalent to the
8 amounts expended under such appropriations in the prior fiscal year which ended
9 June 30. All functions of said state agencies shall be continued in an efficient
10 manner, but because of the uncertainties of the existing situation no public funds
11 should be expended or obligations incurred unless there shall be adequate revenues
12 to meet the expenditures therefor. For such reason the committee may make
13 reductions of such appropriations as in its judgment will secure sound financial
14 operations of the administration for said state agencies and at the same time
15 interfere least with their services and activities.

16 **SECTION 9.** 13.101 (14) of the statutes is amended to read:

17 13.101 (14) With the concurrence of the joint committee on information policy
18 and technology, direct the department of ~~electronic government~~ administration to
19 report to the committee concerning any specific information technology system
20 project in accordance with s. 13.58 (5) (b) 4.

21 **SECTION 10c.** 13.101 (16) of the statutes is repealed.

22 **SECTION 10r.** 13.101 (17) of the statutes is created to read:

23 13.101 (17) From the appropriation under s. 20.435 (2) (gk), the committee may
24 approve expenditure of moneys received by the state under s. 51.06 (6) only to
25 support any state activity conducted or performed on the property occupied or

1 managed on the effective date of this subsection [revisor inserts date], by the
2 department of health and family services or the department of corrections at the
3 Northern Center for the Developmentally Disabled.

4 **SECTION 11.** 13.121 (1) of the statutes is amended to read:

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

8 **SECTION 12.** 13.121 (4) of the statutes is amended to read:

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

18 **SECTION 13.** 13.123 (1) (a) 1. of the statutes is amended to read:

19 13.123 (1) (a) 1. Any member of the legislature who has signified, by affidavit
20 filed with the department of administration, the necessity of establishing a
21 temporary residence at the state capital for the period of any regular or special
22 legislative session shall be entitled to an allowance for expenses incurred for food and
23 lodging for each day that he or she is in Madison on legislative business, but not
24 including any Saturday or Sunday unless the legislator is in actual attendance on
25 such day at a session of the legislature or a meeting of a standing committee of which

1 the legislator is a member. The amount of the allowance for each biennial session
2 shall be 90% of the per diem rate for travel for federal government business within
3 the city of Madison, as established by the federal general services administration.
4 For the purpose of determining the amount of the allowance, the ~~secretary of~~
5 ~~employment relations~~ director of the office of state human resources management
6 shall certify to the chief clerk of each house the federal per diem rate in effect on
7 December 1, or the first business day thereafter if December 1 is not a business day,
8 in each even-numbered year. Each legislator shall file an affidavit with the chief
9 clerk of his or her house certifying the specific dollar amount within the authorized
10 allowance the member wishes to receive. Such affidavit, when filed, shall remain in
11 effect for the biennial session.

12 **SECTION 14.** 13.123 (1) (c) of the statutes is amended to read:

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

22 **SECTION 15.** 13.123 (2) (intro.) of the statutes is amended to read:

23 13.123 (2) INTERIM EXPENSES. (intro.) From the appropriation under s. 20.765
24 (1) (a) or (b) or (5), each member of the legislature shall be entitled to an expense
25 allowance for postage and clerical assistance for each full calendar month during

1 which the legislature is in actual session 3 days or less. No allowance is payable to
2 a representative to the assembly unless the speaker of the assembly files with the
3 chief clerk of the assembly a written authorization for the allowance to be paid. No
4 allowance is payable to a senator unless the majority leader of the senate files with
5 the chief clerk of the senate a written authorization for the allowance to be paid. An
6 authorization filed under this subsection becomes effective for the month in which
7 it is filed and continues in effect through the month in which the speaker of the
8 assembly or the majority leader of the senate files a written revocation of the
9 authorization with the chief clerk of the appropriate house. The rate of such
10 allowance shall be as follows:

11 **SECTION 16.** 13.123 (3) (a) of the statutes is amended to read:

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

22 **SECTION 17.** 13.125 of the statutes is amended to read:

23 **13.125 Chaplains.** The officiating chaplain of the senate and assembly shall
24 be paid such amount as may be established by each house for each day of service from
25 the appropriation under s. 20.765 (1) (a) or (b) or (5). Payment shall be made on

1 certification by the chief clerk of the senate or of the assembly, respectively, showing
2 the amount to which each chaplain is entitled.

3 **SECTION 18.** 13.14 (2) of the statutes is amended to read:

4 13.14 (2) FLORAL PIECES. The senate and assembly may procure floral pieces
5 for deceased or ill members of the legislature and state officers who, in the judgment
6 of the presiding officer and chief clerk, have been identified with the legislative
7 process. Such expenses shall be by voucher, signed by the presiding officer or chief
8 clerk of the respective house, and shall be drawn on the appropriation under s. 20.765
9 (1) (a) or (b) or (5).

10 **SECTION 19.** 13.14 (3) of the statutes is amended to read:

11 13.14 (3) TRAVEL; LEGISLATIVE PERSONNEL. The actual and necessary expenses
12 of legislative policy research personnel, assistants to legislators, and research staff
13 assigned to legislative committees incident to attending meetings outside the state
14 capital shall be reimbursed from the appropriation under s. 20.765 (1) (a) or (b) or
15 (5).

16 **SECTION 20.** 13.20 (2) of the statutes is amended to read:

17 13.20 (2) PAY RANGES; DURATION OF EMPLOYMENT. All legislative employees shall
18 be paid in accordance with the compensation and classification plan for employees
19 in the classified civil service within ranges approved by the joint committee on
20 legislative organization. The ~~secretary of employment relations~~ director of the office
21 of state human resources management shall make recommendations concerning a
22 compensation and classification schedule for legislative employees if requested to do
23 so by the joint committee on legislative organization or by the committee on
24 organization of either house. If the joint committee does not approve pay ranges for
25 legislative employees, the committee on organization of either house may approve

1 pay ranges for its employees. Appointments shall be made for the legislative session,
2 unless earlier terminated by the appointing officer.

3 **SECTION 20d.** 13.40 (1) (a) of the statutes is renumbered 13.40 (1) (am).

4 **SECTION 20h.** 13.40 (1) (ad) of the statutes is created to read:

5 13.40 (1) (ad) “Compensation reserves” means the total estimated amount
6 designated as compensation reserves for a given fiscal year as shown in the schedule
7 under s. 20.005 (1) published in the biennial budget act or the modified total amount
8 of compensation reserves for that fiscal year specified in any other act.

9 **SECTION 20p.** 13.40 (1) (c) of the statutes is created to read:

10 13.40 (1) (c) “State operations” means all purposes except aids to individuals
11 and organizations and local assistance.

12 **SECTION 20t.** 13.40 (2) (intro.) of the statutes is amended to read:

13 13.40 (2) (intro.) Except as provided in ~~sub.~~ subs. (3) and (3m), the amount
14 appropriated from general purpose revenue for each fiscal biennium, excluding any
15 amount under an appropriation specified in sub. (3) (a) to (i), as determined under
16 sub. (4), may not exceed the sum of:

17 **SECTION 21.** 13.40 (3) (b) of the statutes is amended to read:

18 13.40 (3) (b) An appropriation to honor a moral obligation undertaken
19 pursuant to ss. 16.526 (8), 16.527 (10), 18.61 (5), 85.25 (5), 101.143 (9m) (i), 229.50
20 (7), 229.74 (7), 229.830 (7), 234.15 (4), 234.42 (4), 234.54 (4) (b), 234.626 (7), 234.93
21 (6), 234.932 (6), 234.933 (6), and 281.59 (13m).

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

23 13.40 (3) (fm) An appropriation for the 2003–05 fiscal biennium to make
24 payments to counties, towns, villages, and cities under s. 79.035.

25 **SECTION 23m.** 13.40 (3m) of the statutes is created to read:

1 13.40 (3m) (a) In addition to the limitation under sub. (2), the amount
2 appropriated from general purpose revenue for state operations in fiscal year
3 2003–04, in fiscal year 2004–05, and in fiscal year 2005–06, plus the amount
4 designated for compensation reserves from general purpose revenue but excluding
5 the estimated amount to be expended from general purpose revenue for debt service
6 for that fiscal year, may not exceed the amount appropriated from general purpose
7 revenue for state operations in fiscal year 2002–03, plus the amount designated for
8 compensation reserves from general purpose revenue but excluding the estimated
9 amount to be expended from general purpose revenue for debt service for that fiscal
10 year, as shown in the schedule under s. 20.005 (3) published in the 2001–02
11 Wisconsin Statutes.

12 (b) For purposes of par. (a), the amount of any sum sufficient appropriation for
13 fiscal year 2002–03 is considered to be the amount shown in the schedule under s.
14 20.005 (3) as published in the 2001–02 Wisconsin Statutes, and the amount of any
15 sum sufficient appropriation for any other fiscal year is considered to be the amount
16 shown in the schedule under s. 20.005 (3) in the latest act specifying the estimated
17 expenditures for that appropriation for that fiscal year. For purposes of par. (a), the
18 amount of any biennial appropriation for fiscal year 2002–03 is considered to be the
19 amount shown in the schedule under s. 20.005 (3) as published in the 2001–02
20 Wisconsin Statutes, and the amount of any biennial appropriation for any other
21 fiscal year is considered to be the amount shown in the schedule under s. 20.005 (3)
22 in the latest act specifying the amount appropriated for that appropriation for that
23 fiscal year.

24 **SECTION 24.** 13.45 (3) (a) of the statutes is amended to read:

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

6 **SECTION 25.** 13.48 (2) (j) of the statutes is amended to read:

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

17 **SECTION 26.** 13.48 (14) (c) of the statutes is amended to read:

18 13.48 (14) (c) If there is any outstanding public debt used to finance the
19 acquisition of a building, structure or land or the construction of a building or
20 structure that is sold or leased under par. (b), the building commission shall deposit
21 a sufficient amount of the net proceeds from the sale or lease of the building,
22 structure or land in the bond security and redemption fund under s. 18.09 to repay
23 the principal and pay the interest on the debt, and any premium due upon refunding
24 any of that debt. If Except as provided in s. 51.06 (6), if there is no such debt
25 outstanding, or, if the net proceeds exceed the amount required to repay that

1 principal and pay that interest and premium, the building commission shall credit
2 deposit the net proceeds or remaining net proceeds to in the appropriation account
3 under s. 20.865 (4) (a) budget stabilization fund.

4 **SECTION 27.** 13.50 (6) (am) of the statutes is amended to read:

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

16 **SECTION 28.** 13.51 (2) (b) of the statutes is amended to read:

17 13.51 (2) (b) ~~The secretary of employment relations~~ director of the office of state
18 human resources management or the secretary's director's designee.

19 **SECTION 29.** 13.56 (2) of the statutes is amended to read:

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

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

4 **SECTION 30.** 13.57 (3) of the statutes is amended to read:

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

7 **SECTION 31.** 13.58 (5) (a) 5. of the statutes is amended to read:

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

12 **SECTION 32.** 13.58 (5) (b) 1. of the statutes is amended to read:

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

16 **SECTION 33.** 13.58 (5) (b) 4. (intro.) of the statutes is amended to read:

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

24 **SECTION 34.** 13.81 (6) of the statutes is amended to read:

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

7 **SECTION 35.** 13.81 (8) of the statutes is amended to read:

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

12 **SECTION 36.** 13.83 (3) (c) 1. of the statutes is amended to read:

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

16 **SECTION 37.** 13.90 (2) of the statutes is amended to read:

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

1 **SECTION 38.** 13.90 (4) of the statutes is amended to read:

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

5 **SECTION 39.** 13.90 (6) of the statutes is amended to read:

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

18 **SECTION 40.** 13.92 (1) (b) 1. b. of the statutes is amended to read:

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

21 **SECTION 40m.** 13.92 (1) (f) of the statutes is created to read:

22 13.92 (1) (f) *Assistance in locating potential sources of federal funds.* The chief
23 of the legislative reference bureau shall assign an employee of the bureau to
24 full-time responsibility for working with state departments and agencies created
25 under ch. 15 and the federal government to try to increase the amount of funds that

1 the departments and agencies receive from the federal government. At the request
2 of a state department or agency, the bureau employee shall assist the department or
3 agency in locating potential sources of federal funding that it may be eligible for and
4 in completing federal grant-writing activities or other application procedures.

5 **SECTION 42.** 13.93 (2) (h) of the statutes is amended to read:

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

9 **SECTION 43.** 13.93 (2) (k) of the statutes is amended to read:

10 13.93 (2) (k) Pay, from the appropriation under s. 20.765 (3) (a) or (5), the
11 expenses of attendance at meetings of members of the Commission on Uniform State
12 Laws who are appointed by the governor.

13 **SECTION 44.** 13.94 (1) (a) of the statutes is amended to read:

14 13.94 (1) (a) Audit the ~~books and accounts of the treasurer, the moneys on hand~~
15 in the treasury and all bonds and securities belonging to all public funds on deposit
16 in the treasury or properly accounted for by the ~~treasurer~~ secretary of
17 administration, at least every 2 years; and report the result of such examination in
18 writing to the governor and the joint committee on finance, specifying therein
19 particularly the amount and kind of funds and of all such bonds and securities. The
20 bureau shall transmit a certified copy of such report to the ~~outgoing treasurer and~~
21 successor secretary of administration.

22 **SECTION 45.** 13.94 (1) (d) 1. of the statutes is amended to read:

23 13.94 (1) (d) 1. At least once every 2 years, and at such other times as the
24 governor or legislature directs, examine and see that all the money appearing by the

1 books of the department of administration and ~~state treasurer~~ as belonging to the
2 several funds is in the vaults of the treasury or in the several state depositories.

3 **SECTION 46.** 13.94 (1) (d) 2. of the statutes is amended to read:

4 13.94 (1) (d) 2. If the governor directs that such an examination be conducted,
5 the order from the governor shall provide for reimbursement of the legislative audit
6 bureau's costs in making the examination from the appropriation under s. 20.525 (1)
7 (a). No order from the governor for an examination under this paragraph may take
8 precedence over any examination already scheduled by the legislative audit bureau
9 without approval of the joint legislative audit committee. If a deficiency is discovered
10 pursuant to an examination under this paragraph, the governor shall require the
11 ~~treasurer~~ secretary of administration to make up the deficiency immediately; and if
12 the ~~treasurer~~ secretary of administration refuses or neglects for 10 days thereafter
13 to have the full sum belonging to said funds in the treasury the attorney general shall
14 institute proceedings to recover the deficiency.

15 **SECTION 47.** 13.94 (1) (f) of the statutes is amended to read:

16 13.94 (1) (f) ~~Certify~~ Whenever a new secretary of administration takes office,
17 certify to the incoming ~~treasurer~~ secretary the balance in the treasury when he or
18 she came into office and all bonds and securities belonging to all public funds on
19 deposit in the treasury or properly accounted for and transmit a certified copy thereof
20 to the outgoing ~~treasurer~~ secretary.

21 **SECTION 49.** 13.94 (1m) of the statutes is amended to read:

22 13.94 (1m) INDEPENDENT EXPERTS. The legislative audit bureau may contract
23 for the services of such independent professional or technical experts as deemed
24 necessary to carry out the statutory duties and functions of the bureau within the
25 limits of the amount provided under s. 20.765 (3) (c) or (5); and, in the case of

1 postaudits involving the performance and program accomplishments of a
2 department, shall contract for the services of such subject matter and program
3 specialists from any state or federal agency or public institution of higher learning
4 as deemed necessary by the joint committee on legislative organization.

5 **SECTION 51.** 14.20 (1) (a) of the statutes is amended to read:

6 14.20 (1) (a) “Local governmental unit” has the meaning given in s. ~~22.01~~ 16.97
7 (7).

8 **SECTION 52.** 14.20 (2) of the statutes is amended to read:

9 14.20 (2) From the ~~appropriations~~ appropriation under s. 20.525 (1) (f) and ~~(k)~~,
10 the governor may provide a grant to any local governmental unit or nonprofit
11 organization for support of a literacy improvement program.

12 **SECTION 53.** 14.38 (10) (c) of the statutes is amended to read:

13 14.38 (10) (c) Publish in the official state newspaper within 10 days after the
14 date of publication of an act a notice certifying the number of each act, the number
15 of the bill from which it originated, the date of publication and the relating clause.
16 Each certificate shall also contain a notice of where the full text of each act can be
17 obtained. Costs under this paragraph shall be charged to the appropriation under
18 s. 20.765 (1) (d) or (5).

19 **SECTION 53m.** 14.46 of the statutes is repealed.

20 **SECTION 54.** 14.58 (1) (intro.) of the statutes is repealed and recreated to read:

21 14.58 (1) SIGN CHECKS, SHARE DRAFTS, AND OTHER DRAFTS. (intro.) Sign checks,
22 share drafts, and other drafts on depositories in which moneys may be deposited in
23 one of the following methods:

24 **SECTION 55.** 14.58 (2) of the statutes is renumbered 16.401 (2) and amended
25 to read:

1 16.401 (2) ISSUE RECEIPTS. Issue receipts for all money paid to the ~~treasurer~~
2 department.

3 **SECTION 56.** 14.58 (3) of the statutes is renumbered 16.401 (3).

4 **SECTION 57.** 14.58 (4) of the statutes is renumbered 16.401 (4) and amended
5 to read:

6 16.401 (4) PAY ON WARRANTS SUMS AUTHORIZED BY LAW. (a) Pay out of the treasury,
7 on demand, upon the warrants of the department ~~of administration~~, except as
8 provided in s. 20.929, such sums only as are authorized by law to be so paid, if there
9 are appropriate funds therein to pay the same, and, when any sum is required to be
10 paid out of a particular fund, pay it out of such fund only; and upon each such
11 warrant, when payment is made in currency, take the receipt endorsed on or annexed
12 thereto, of the payee therein named or an authorized agent or assignee. The ~~state~~
13 ~~treasurer~~ secretary shall accept telephone advice believed by the ~~treasurer~~ him or
14 her to be genuine from any public depository, as defined in s. 34.01 (5), stating that
15 a specified amount of money has been deposited with such public depository for the
16 credit of the state ~~treasurer~~, and shall act upon such telephone advice as though it
17 had been in writing.

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

1 **SECTION 58.** 14.58 (5) of the statutes is renumbered 16.401 (5) and amended
2 to read:

3 **16.401 (5) ACCOUNT FOR INTEREST.** Pay into the treasury and account for all
4 sums directly or indirectly received by the ~~treasurer~~ secretary by virtue of the
5 ~~treasurer's~~ secretary's office, or as interest or compensation for the use, deposit, or
6 forbearance of any state moneys in the ~~treasurer's~~ secretary's hands or under the
7 ~~treasurer's~~ secretary's control.

8 **SECTION 59.** 14.58 (6) of the statutes is renumbered 16.401 (6) and amended
9 to read:

10 **16.401 (6) KEEP CASH AND FUND ACCOUNTS.** Keep records showing the number,
11 date, and amount of each cash receipt issued by the ~~treasurer's office~~ department and
12 classify said receipts by state funds; submit a summary statement of collections by
13 fund together with a copy of each remittance advice in support thereof; keep also
14 records showing the check, share draft, or other draft number, date, payee, and
15 amount of each cash disbursement and classify said disbursements by state funds;
16 keep a record of the date, payee, and amount of each disbursement made by a money
17 transfer technique other than a check or draft and classify the disbursement by state
18 fund; and verify at the end of each week the amounts shown by the ~~treasurer's~~
19 secretary's records to represent total cash balance and cash balances of individual
20 state funds by comparing said amounts with corresponding balances appearing on
21 records maintained by the department of administration.

22 **SECTION 60.** 14.58 (8) (intro.) and (a) to (c) of the statutes are renumbered
23 16.401 (7) (intro.) and (a) to (c).

24 **SECTION 61.** 14.58 (8) (d) of the statutes is repealed.

1 **SECTION 62.** 14.58 (9) of the statutes is renumbered 16.401 (8) and amended
2 to read:

3 16.401 (8) BIENNIAL SUBMIT BIENNIAL REPORT. ~~On or before October 15 of each~~
4 ~~odd-numbered year, submit to the governor and the chief clerk of each house of the~~
5 ~~legislature, for distribution to the legislature under s. 13.172 (2), a report containing~~
6 ~~the same information required of departments and independent agencies under s.~~
7 ~~15.04 (1) (d). The report shall also~~ As part of the report submitted under s. 15.04 (1)
8 (d), include a statement showing for each of the 2 preceding fiscal years the cash
9 balance in each state fund at the beginning of the fiscal year, the aggregate amount
10 of receipts credited, and the aggregate amount of disbursements charged to each said
11 fund during the fiscal year and the resultant cash balance in each state fund at the
12 end of the fiscal year. This statement shall further show as of the end of each said
13 2 fiscal years, at par, the aggregate value of securities held for each state fund and
14 the aggregate value of securities held in trust or deposited for safekeeping, and shall
15 show the manner in which the total cash balance was accounted for by listing the
16 balances on deposit in each state account in a public depository, deducting from the
17 total of such balances the aggregate amount of checks, share drafts, or other drafts
18 outstanding and adding thereto the aggregate amount of cash and cash items in
19 office.

20 **SECTION 63.** 14.58 (10) of the statutes is renumbered 16.401 (9) and amended
21 to read:

22 16.401 (9) REPORT CERTAIN PAYMENTS. Whenever the ~~state treasurer~~ secretary
23 or any state department shall remit to any county, city, town, or village any sum in
24 payment of a state aid or other item, the remitter shall transmit a statement of the
25 amount and purpose thereof to the clerk of such municipality. After the receipt

1 thereof, the clerk of such municipality shall present such statement at the next
2 regular meeting of the governing body and shall thereafter file and keep such
3 statement for 6 years.

4 **SECTION 64.** 14.58 (12) of the statutes is renumbered 16.401 (10) and amended
5 to read:

6 **16.401 (10) STAMP CHECKS AND DRAFTS.** Cause to be plainly printed or stamped
7 upon each check, share draft, and other draft issued by the ~~state treasurer~~ secretary
8 the period of time, as determined by the ~~state treasurer~~ secretary but not to exceed
9 one year, during which the check or other draft may be presented for payment. The
10 ~~state treasurer~~ secretary shall cancel on his or her records any check or other draft
11 that is not presented for payment within the prescribed time period and shall credit
12 the amount thereof to the fund upon which it is drawn. ~~Notice of such cancellation~~
13 ~~and credit shall be immediately submitted by the state treasurer to the department~~
14 ~~of administration.~~

15 **SECTION 65.** 14.58 (13) of the statutes is renumbered 16.401 (11) and amended
16 to read:

17 **16.401 (11) SERVICES PROVIDE SERVICES IN CONNECTION WITH SECURITIES HELD IN**
18 **TRUST.** Upon request therefor from any company, corporation, society, order, or
19 association which that has securities on deposit with the ~~treasurer~~ secretary, in
20 trust, mail to its address not to exceed 60 days before the same become due, any or
21 all interest coupons; return to it any or all bonds, notes, or other deposits as they
22 become due and are replaced by other securities; cut all interest coupons, make any
23 endorsement of interest or otherwise on any such securities; and collect therefor from
24 the company, corporation, society, order, or association making the request, a 25-cent
25 fee for a single coupon cut, or for each entry of interest endorsed on a note or return

1 of a bond, note, or other security, and a 10-cent fee for each additional coupon cut,
2 or entry of interest endorsed on a note, bond, or other security, and may withhold any
3 and all coupons cut or refuse endorsement of interest on securities until such fee is
4 paid. Such fees shall be paid into the state treasury as a part of the general fund,
5 and an extra charge may be required for postage or registered mail.

6 **SECTION 66.** 14.58 (17) of the statutes is renumbered 16.401 (12) and amended
7 to read:

8 **16.401 (12) ~~SAFEKEEPING~~ HOLD SAFEKEEPING RECEIPTS FOR FEDERAL SECURITIES.**
9 Whenever any federal securities are purchased under authority of any law and the
10 ~~state treasurer secretary~~ is custodian thereof the ~~treasurer secretary~~ may accept and
11 hold safekeeping receipts of a federal reserve bank for such securities. Each such
12 receipt shall be identified on its face with the name of the fund to which the securities
13 described in the receipt belong.

14 **SECTION 67.** 14.58 (18) of the statutes is renumbered 16.401 (13) and amended
15 to read:

16 **16.401 (13) SALE OF INVESTMENTS.** Whenever the department of administration
17 draws a check, share draft, or other draft dated the next following business day upon
18 a fund whose investment and collection is under the exclusive control of the
19 investment board pursuant to s. 25.17 (1), and the receipts of the state treasurer are
20 insufficient to permit a disbursement from said fund in the amount of such check,
21 share draft, or other draft, the investment board shall sell investments owned by
22 such fund for delivery in time to provide sufficient money to cover such check, share
23 draft, or other draft on the date ~~which~~ that it bears.

24 **SECTION 68.** 14.58 (19) of the statutes is renumbered 16.401 (14).

25 **SECTION 69.** 14.58 (21) of the statutes is repealed.

1 **SECTION 72.** 14.65 (1) of the statutes is amended to read:

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

9 **SECTION 77.** 15.06 (1) (d) of the statutes is repealed.

10 **SECTION 79.** 15.07 (1) (b) 5. of the statutes is amended to read:

11 15.07 (1) (b) 5. Savings and loan institutions review board.

12 **SECTION 80.** 15.07 (1) (b) 18. of the statutes is repealed.

13 **SECTION 81.** 15.07 (2) (k) of the statutes is repealed.

14 **SECTION 82.** 15.07 (2) (L) of the statutes is amended to read:

15 15.07 (2) (L) The governor shall serve as chairperson of the information
16 technology management board and the ~~chief information officer~~ the secretary of
17 administration or his or her designee shall serve as secretary of that board.

18 **SECTION 84.** 15.07 (5) (g) of the statutes is amended to read:

19 15.07 (5) (g) Members of the savings and loan institutions review board, \$10
20 per day.

21 **SECTION 85.** 15.07 (5) (gm) of the statutes is repealed.

22 **SECTION 86.** 15.103 (2) of the statutes is repealed.

23 **SECTION 87s.** 15.105 (title) of the statutes is amended to read:

24 **15.105 (title) Same; attached boards, commissions, and office offices.**

25 **SECTION 90.** 15.105 (4) of the statutes is amended to read:

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

8 **SECTION 92.** 15.105 (11) of the statutes is repealed.

9 **SECTION 92x.** 15.105 (12) of the statutes is renumbered 15.345 (4), and 15.345
10 (4) (a) (intro.), as renumbered, is amended to read:

11 15.345 (4) (a) *Creation; membership.* (intro.) There is created a waste facility
12 siting board, attached to the department of ~~administration~~ natural resources under
13 s. 15.03, consisting of the following members:

14 **SECTION 95.** 15.105 (25) ⁹ of the statutes is repealed.

15 **SECTION 97d.** 15.105 ⁽²⁹⁾ (28) of the statutes is created to read:

16 15.105 ⁽²⁹⁾ (28) OFFICE OF STATE HUMAN RESOURCES MANAGEMENT. (a) *Creation.*
17 There is created an office of state human resources management which is attached
18 to the department of administration under s. 15.03 under the direction and
19 supervision of a director. The director shall be nominated by the governor and with
20 the advice and consent of the senate appointed to serve at the pleasure of the
21 governor.

22 (b) *Same; specified divisions.* 1. 'Division of merit recruitment and selection.'
23 There is created in the office of state human resources management a division of
24 merit recruitment and selection. The administrator of the division of merit
25 recruitment and selection shall be nominated by the governor, and with the advice

1 and consent of the senate appointed for a 5-year term, under the unclassified service
2 from a register of at least 5 names certified to the governor by the director of the office
3 of state human resources management. The director of the office of state human
4 resources management shall prepare and conduct an examination for the position
5 of administrator according to the requirements for classified positions under subch.
6 II of ch. 230. The administrator of the division may be renominated by the governor,
7 and with the advice and consent of the senate reappointed.

8 2. 'Division of compensation and labor relations.' There is created in the office
9 of state human resources management a division of compensation and labor
10 relations. The administrator of the division shall be appointed by the director of the
11 office of state human resources management outside the classified service.

12 3. 'Division of affirmative action.' There is created in the office of state human
13 resources management a division of affirmative action. The administrator of the
14 division shall be appointed by the director of the office of state human resources
15 management outside the classified service.

16 (c) *Same; attached board.* 1. 'State employees suggestion board.' There is
17 created in the office of state human resources management a state employees
18 suggestion board consisting of 3 persons, at least one of whom shall be a state officer
19 or employee, appointed for 4-year terms.

20 (d) *Same; council.* 1. 'Council on affirmative action.' a. There is created in the
21 office of state human resources management a council on affirmative action
22 consisting of 15 members appointed for 3-year terms. A majority of members shall
23 be public members and a majority of members shall be minority persons, women, or
24 persons with disabilities, appointed with consideration to the appropriate
25 representation of each group.

1 b. The president of the senate, the speaker of the assembly, the minority leader
2 of the senate, and the minority leader of the assembly each shall appoint one member
3 and the remaining members shall be appointed by the governor.

4 **SECTION 98.** 15.107 (7) (f) of the statutes is amended to read:

5 15.107 (7) (f) A representative of the department of ~~electronic government~~
6 administration.

7 **SECTION 98e.** 15.107 (16) (e) of the statutes is amended to read:

8 15.107 (16) (e) *Sunset*. This subsection does not apply after August 31, 2003
9 2005.

10 **SECTION 100p.** 15.155 (2) of the statutes is repealed.

11 **SECTION 101.** 15.16 (1) (intro.) of the statutes is amended to read:

12 15.16 (1) EMPLOYEE TRUST FUNDS BOARD. (intro.) The employee trust funds
13 board shall consist of the governor or the governor's designee on the group insurance
14 board, the ~~secretary of employment relations~~ director of the office of state human
15 resources management or the secretary's director's designee and 11 persons
16 appointed or elected for 4-year terms as follows:

17 **SECTION 102.** 15.165 (2) of the statutes is amended to read:

18 15.165 (2) GROUP INSURANCE BOARD. There is created in the department of
19 employee trust funds a group insurance board. The board shall consist of the
20 governor, the attorney general, the secretary of administration, the ~~secretary of~~
21 ~~employment relations~~ the director of the office of state human resources
22 management, and the commissioner of insurance or their designees, and 5 persons
23 appointed for 2-year terms, of whom one shall be an insured participant in the
24 Wisconsin retirement system who is not a teacher, one shall be an insured
25 participant in the Wisconsin retirement system who is a teacher, one shall be an

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

3 **SECTION 103.** 15.17 of the statutes is repealed.

4 **SECTION 104.** 15.173 of the statutes is repealed.

5 **SECTION 105.** 15.175 of the statutes is repealed.

6 **SECTION 107.** 15.177 of the statutes is repealed.

7 **SECTION 109.** 15.183 (2) of the statutes is repealed.

8 **SECTION 110.** 15.185 (3) of the statutes is amended to read:

9 15.185 (3) ~~SAVINGS AND LOAN~~ INSTITUTIONS REVIEW BOARD. There is created in the
10 department of financial institutions a savings ~~and loan~~ institutions review board
11 consisting of ~~7~~ 5 members, at least ~~5~~ 3 of whom shall have not less than ~~10~~ 5 years'
12 experience in the savings and loan or savings bank business in this state, appointed
13 for staggered ~~4-year~~ 5-year terms.

14 **SECTION 111.** 15.185 (4) of the statutes is repealed.

15 **SECTION 112.** 15.195 (1) of the statutes is repealed.

16 **SECTION 113.** 15.21 of the statutes is repealed.

17 **SECTION 114.** 15.215 (title) of the statutes is repealed.

18 **SECTION 115.** 15.215 (1) of the statutes is renumbered 15.105 (28) and amended
19 to read:

20 15.105 (28) INFORMATION TECHNOLOGY MANAGEMENT BOARD. There is created an
21 information technology management board that is attached to the department of
22 ~~electronic government~~ administration under s. 15.03. The board shall consist of the
23 governor, the cochairpersons of the joint committee on information policy and
24 technology or a member of the legislature from the same house as a cochairperson
25 designated by that cochairperson, one member of the minority party in each house

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

6 **SECTION 116.** 15.225 (2) of the statutes is repealed.

7 **SECTION 117d.** 15.225 (3) of the statutes is repealed.

8 **SECTION 132.** 15.253 (4) of the statutes is repealed.

9 **SECTION 138.** 15.80 of the statutes is repealed.

10 **SECTION 140.** 16.004 (7) (a) of the statutes is amended to read:

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

24 **SECTION 141m.** 16.004 (16) of the statutes is created to read:

1 16.004 (16) OFFICE OF STATE HUMAN RESOURCES MANAGEMENT DIVISION
2 ADMINISTRATOR POSITIONS. The secretary shall assign 3 of the unclassified division
3 administrator positions authorized for the department to the office of state human
4 resources management.

5 **SECTION 141f.** 16.004 (17) of the statutes is created to read:

6 16.004 (17) BUSINESS INTELLIGENCE AND DATA WAREHOUSING SYSTEM. The
7 department may implement an enterprise-wide reporting, data warehousing, and
8 data analysis system applicable to every agency, as defined in s. 16.70 (1), ^{ie} other than
9 the legislative and judicial branches of state government.

10 **SECTION 144.** 16.009 (5) (c) of the statutes is repealed.

11 **SECTION 145.** 16.009 (5) (d) of the statutes is amended to read:

12 16.009 (5) (d) Any employee ~~of an employer not described in par. (c) and~~ who
13 is discharged or otherwise retaliated or discriminated against in violation of par. (a)
14 may file a complaint with the department of workforce development under s. 106.54
15 (5).

16 **SECTION 146.** 16.009 (5) (e) of the statutes is amended to read:

17 16.009 (5) (e) Any person not described in par. ~~(e) or~~ (d) who is retaliated or
18 discriminated against in violation of par. (a) may commence an action in circuit court
19 for damages incurred as a result of the violation.

20 **SECTION 147.** 16.023 (2) of the statutes is amended to read:

21 16.023 (2) In conjunction with the working group established under sub. (1) (L)
22 1., the council shall, not later than one year after October 14, 1997, develop
23 evaluation criteria for its functions under sub. (1). The council shall complete a
24 report that contains an evaluation of its functions and activities not later than
25 September 1, ~~2002~~ 2004, and shall submit the report to the chief clerk of each house

1 of the legislature, for distribution to the legislature under s. 13.172 (2), and to the
2 governor. The report shall also include a recommendation as to whether the council
3 should continue in existence past its sunset date specified in s. 15.107 (16) (e) and,
4 if so, a recommendation as to whether any structural modifications should be made
5 to the council's functions or to the state's land use programs.

6 **SECTION 148.** 16.023 (3) of the statutes is amended to read:

7 16.023 (3) Subsections (1) and (2) do not apply after August 31, ~~2003~~ 2005.

8 **SECTION 150.** Subchapter II (title) of chapter 16 [precedes 16.30] of the statutes
9 is renumbered subchapter X (title) of chapter 560 [precedes 560.9801].

10 **SECTION 151.** 16.30 of the statutes is renumbered 560.9801.

11 **SECTION 152.** 16.31 of the statutes is renumbered 560.9802.

12 **SECTION 153.** 16.33 of the statutes, as affected by 2001 Wisconsin Act 109, is
13 renumbered 560.9803, and 560.9803 (1) (a) and (3) (a), as renumbered, are amended
14 to read:

15 560.9803 (1) (a) Subject to sub. (2), make grants or loans, directly or through
16 agents designated under s. ~~16.334~~ 560.9804, from the appropriation under s. ~~20.505~~
17 ~~(7)~~ 20.143 (2) (b) to persons or families of low or moderate income to defray housing
18 costs of the person or family.

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

21 **SECTION 154.** 16.334 of the statutes is renumbered 560.9804, and 560.9804 (1)
22 (a) and (c), as renumbered, are amended to read:

23 560.9804 (1) (a) Award grants and loans under s. ~~16.33~~ 560.9803 (1) and (2)
24 subject to the approval of the department.

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

3 **SECTION 155.** 16.336 of the statutes is renumbered 560.9805.

4 **SECTION 156.** 16.339 of the statutes is renumbered 560.9806, and 560.9806 (2)
5 (a), as renumbered, is amended to read:

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

12 **SECTION 157.** 16.35 of the statutes is renumbered 560.9815.

13 **SECTION 158.** 16.351 of the statutes is renumbered 560.9807, and 560.9807 (1),
14 as renumbered, is amended to read:

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

19 **SECTION 159.** 16.352 of the statutes is renumbered 560.9808, and 560.9808 (2)
20 (a) and (b) (intro.), as renumbered, are amended to read:

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

1 the expansion of shelter services for homeless persons, or an inability to obtain
2 adequate funding to continue the provision of an existing level of services.

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

6 **SECTION 160.** 16.358 of the statutes is renumbered 560.9809, and 560.9809 (1),
7 as renumbered, is amended to read:

8 560.9809 (1) The department may administer housing programs, including the
9 housing improvement grant program and the initial rehabilitation grant program,
10 that are funded by a community development block grant, 42 USC 5301 to 5320,
11 ~~under a contract entered into with the department of commerce under s. 560.045.~~

12 **SECTION 161.** 16.375 of the statutes is renumbered 560.9810.

13 **SECTION 162.** 16.385 of the statutes is renumbered 16.27, and 16.27 (3) (b), (c),
14 (d) and (e) (intro.), 1. and 7., as renumbered, are amended to read:

15 16.27 (3) (b) By October 1 of every year from the appropriation under s. ~~20.505~~
16 ~~(7)(e)~~ 20.505 (1) (mb), determine the total amount available for payment of heating
17 assistance under sub. (6) and determine the benefit schedule.

18 (c) From the appropriation under s. ~~20.505 (7) (m)~~ 20.505 (1) (mb), allocate
19 \$1,100,000 in each federal fiscal year for the department's expenses in administering
20 the funds to provide low-income energy assistance.

21 (d) From the appropriation under s. ~~20.505 (7) (e)~~ 20.505 (1) (n), allocate
22 \$2,900,000 in each federal fiscal year for the expenses of a county department,
23 another local governmental agency or a private nonprofit organization in
24 administering under sub. (4) the funds to provide low-income energy assistance.

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

1 1. Allocate and transfer to the appropriation under s. 20.505 ~~(7) (km)~~ (1) (kn),
2 15% of the moneys received under 42 USC 8621 to 8629 in each federal fiscal year
3 under the priority of maintaining funding for the geographical areas on July 20,
4 1985, and, if funding is reduced, prorating contracted levels of payment, for the
5 weatherization assistance program administered by the department under s. ~~16.39~~
6 16.26.

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

11 **SECTION 163.** 16.39 of the statutes is renumbered 16.26.

12 **SECTION 164.** 16.40 (18) of the statutes is amended to read:

13 16.40 (18) REQUIRE AGENCIES TO PROVIDE COPIES. Require each state agency, at
14 the time that the agency submits a request to the department for an increased
15 appropriation to be provided in an executive budget bill which is necessitated by the
16 compensation plan under s. 230.12 or a collective bargaining agreement approved
17 under s. 111.92, to provide a copy of the request to the ~~secretary of employment~~
18 relations director of the office of state human resources management and the joint
19 committee on employment relations.

20 **SECTION 165.** 16.401 (intro.) of the statutes is created to read:

21 **16.401 Treasury management.** (intro.) The department shall:

22 **SECTION 166.** 16.401 (1) of the statutes is created to read:

23 16.401 (1) HAVE CUSTODY OF MONEYS. Receive and have charge of all moneys
24 paid into the treasury and any other moneys received by officers and employees of

1 state agencies, and pay out the moneys as directed by law, except as provided in ss.
2 16.52 (7), 20.907 (5) (b), 20.920, and 20.929.

3 **SECTION 168.** 16.412 of the statutes is amended to read:

4 **16.412 Agency payments.** At the request of any agency, the secretary, with
5 the approval of the state treasurer, may authorize the processing of specified regular
6 periodic payments through the use of money transfer techniques including, without
7 limitation because of enumeration, direct deposit, electronic funds transfer, and
8 automated clearinghouse procedures.

9 **SECTION 169.** 16.415 (1) of the statutes is amended to read:

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

23 **SECTION 170.** 16.415 (1) of the statutes, as affected by 2003 Wisconsin Act ...
24 (this act), is amended to read:

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

13 **SECTION 171.** 16.415 (3) of the statutes is amended to read:

14 16.415 (3) Any sums paid contrary to this section may be recovered from any
15 appointing authority making such appointments in contravention of law or of the
16 rules promulgated pursuant thereto, or from any appointing authority signing or
17 countersigning or authorizing the signing or countersigning of any warrant for the
18 payment of the same, or from the sureties on the official bond of any such appointing
19 authority, in an action in the circuit court for any county within the state, maintained
20 by the ~~secretary of employment relations~~ director of the office of state human
21 resources management, or by a citizen resident therein, who is assessed for, and
22 liable to pay, or within one year before the commencement of the action has paid, a
23 state, city or county tax within this state. All moneys recovered in any action brought
24 under this section when collected, shall be paid into the state treasury except that
25 if a citizen taxpayer is plaintiff in any such action he or she shall be entitled to receive

1 for personal use the taxable cost of such action and 5% of the amount recovered as
2 attorney fees.

3 **SECTION 171m.** 16.42 (1) (g) of the statutes is created to read:

4 16.42 (1) (g) The information required under s. 16.529 (2).

5 **SECTION 172.** 16.43 of the statutes is amended to read:

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

15 **SECTION 172m.** 16.47 (1) of the statutes is amended to read:

16 16.47 (1) The Except as provided in s. 16.529 (2), the executive budget bill or
17 bills shall incorporate the governor’s recommendations for appropriations for the
18 succeeding biennium. The appropriation method shown in the bill or bills shall in
19 no way affect the amount of detail or manner of presentation which may be requested
20 by the joint committee on finance. Appropriation requests may be divided into 3
21 allotments: personal services, other operating expenses and capital outlay or such
22 other meaningful classifications as may be approved by the joint committee on
23 finance.

24 **SECTION 173.** 16.50 (1) (b) of the statutes is amended to read:

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

3 **SECTION 173m.** 16.50 (1) (b) of the statutes, as affected by 2003 Wisconsin Act
4 (this act), is amended to read:

5 16.50 (1) (b) This subsection does not apply to appropriations under ss. 20.255
6 (2) (ac) ~~and (r)~~, 20.835, and 20.865 (4).

7 **SECTION 174.** 16.50 (3) of the statutes is amended to read:

8 16.50 (3) LIMITATION ON INCREASE OF FORCE AND SALARIES. No department, except
9 the legislature or the courts, may increase the pay of any employee, expend money
10 or incur any obligation except in accordance with the estimate that is submitted to
11 the secretary as provided in sub. (1) and approved by the secretary or the governor.
12 No change in the number of full-time equivalent positions authorized through the
13 biennial budget process or other legislative act may be made without the approval
14 of the joint committee on finance, except for position changes made by the governor
15 under s. 16.505 (1) (c) or (2), by the University of Wisconsin Hospitals and Clinics
16 Board under s. 16.505 (2n) or by the board of regents of the University of Wisconsin
17 System under s. 16.505 (2m) or (2p). The secretary may withhold, in total or in part,
18 the funding for any position, as defined in s. 230.03 (11), as well as the funding for
19 part-time or limited term employees until such time as the secretary determines
20 that the filling of the position or the expending of funds is consistent with s. 16.505
21 and with the intent of the legislature as established by law or in budget
22 determinations, or the intent of the joint committee on finance in creating or
23 abolishing positions under s. 13.10, the intent of the governor in creating or
24 abolishing positions under s. 16.505 (1) (c) or (2) or the intent of the board of regents
25 of the University of Wisconsin System in creating or abolishing positions under s.

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

15 **SECTION 177g.** 16.519 (3) of the statutes is repealed.

16 **SECTION 178.** 16.52 (6) (a) of the statutes is amended to read:

17 16.52 (6) (a) Except as authorized in s. 16.74, all purchase orders, contracts,
18 or printing orders for any agency, as defined in s. 16.70 (1) (1e), shall, before any
19 liability is incurred thereon, be submitted to the secretary for his or her approval as
20 to legality of purpose and sufficiency of appropriated and allotted funds therefor. In
21 all cases the date of the contract or order governs the fiscal year to which the contract
22 or order is chargeable, unless the secretary determines that the purpose of the
23 contract or order is to prevent lapsing of appropriations or to otherwise circumvent
24 budgetary intent. Upon such approval, the secretary shall immediately encumber
25 all contracts or orders, and indicate the fiscal year to which they are chargeable.