

1 **SECTION 179.** 16.52 (10) of the statutes is amended to read:

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

6 **SECTION 179m.** 16.52 (10) of the statutes, as affected by 2003 Wisconsin Act ...
7 (this act), is amended to read:

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

12 **SECTION 181.** 16.526 of the statutes is created to read:

13 **16.526 Payment of the state's unfunded liabilities under the Wisconsin**
14 **Retirement System; revenue obligations.** (1) For purposes of subch. II of ch.
15 18, the purposes of obtaining proceeds to pay the state's anticipated unfunded prior
16 service liability under s. 40.05 (2) (b) and of paying the state's unfunded prior service
17 liability under s. 40.05 (2) (b) and the state's unfunded liability under s. 40.05 (4) (b),
18 (bc), and (bw) and subch. IX of ch. 40 is a special fund program, and the excise tax
19 fund is a special fund. The legislature finds and determines that the excise tax fund
20 is a segregated fund consisting of fees, penalties, or excise taxes and that the special
21 program to pay the state's unfunded prior service liability under s. 40.05 (2) (b) and
22 the state's unfunded liability under s. 40.05 (4) (b), (bc), and (bw) and subch. IX of ch.
23 40 from the net proceeds of revenue obligations issued under this section is
24 appropriate and will serve a public purpose.

1 (2) The net proceeds of revenue obligations issued under subch. II of ch. 18, as
2 authorized under this section, shall be deposited in a fund in the state treasury, or
3 an account maintained by a trustee, created under s. 18.57 (1). The moneys shall be
4 applied for ancillary payments and for the provision of reserves, as determined by
5 the building commission, and for the payment of part or all of the state's unfunded
6 prior service liability under s. 40.05 (2) (b) and the state's unfunded liability under
7 s. 40.05 (4) (b), (bc), and (bw) and subch. IX of ch. 40, as determined by the
8 department, and any remainder shall be paid into a retirement liability obligation
9 redemption fund created under 18.562 (3).

10 (3) The department shall have all powers necessary and convenient to
11 distribute the excise tax fund revenues and to distribute the proceeds of the revenue
12 obligations issued under this section in accordance with subch. II of ch. 18.

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

17 (5) (a) Subject to the limitation under par. (b), the building commission may
18 contract revenue obligations, payable from the excise tax fund, under this section in
19 the maximum amount that the building commission believes can be fully paid on a
20 timely basis from moneys received or anticipated to be received in the excise tax fund.

21 (b) Except as otherwise provided in this paragraph, the requirements for funds
22 obtained to pay the state's anticipated unfunded prior service liability under s. 40.05
23 (2) (b) and funds used for the payment of the state's unfunded prior service liability
24 under s. 40.05 (2) (b) and the state's unfunded liability under s. 40.05 (4) (b), (bc), and
25 (bw) and subch. IX of ch. 40, that are to be paid from revenue obligations issued under

1 this section, shall be determined by the secretary. The sum of revenue obligations
2 issued under this section and appropriation obligations issued under s. 16.527, if any,
3 excluding any appropriation obligations that have been defeased under a cash
4 optimization program administered by the building commission and any
5 appropriation obligations issued pursuant to s. 16.527 (3) (b) 3., shall not exceed
6 \$1,350,000,000.

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

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

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

22 **SECTION 182.** 16.527 of the statutes is created to read:

23 **16.527 Retirement of state's unfunded liabilities under the Wisconsin**
24 **Retirement System; appropriation obligations.** (1) **LEGISLATIVE FINDING AND**
25 **DETERMINATION.** Recognizing that the state, by prepaying part or all of the state's

1 unfunded prior service liability under s. 40.05 (2) (b) and the state's unfunded
2 liability under s. 40.05 (4) (b), (bc), and (bw) and subch. IX of ch. 40, may reduce its
3 costs and better ensure the timely and full payment of retirement benefits to
4 participants and their beneficiaries under the Wisconsin Retirement System, the
5 legislature finds and determines that it is in the public interest for the state to issue
6 appropriation obligations to obtain proceeds to pay the state's anticipated unfunded
7 prior service liability under s. 40.05 (2) (b) and to pay part or all of the state's
8 unfunded prior service liability under s. 40.05 (2) (b) and the state's unfunded
9 liability under s. 40.05 (4) (b), (bc), and (bw) and subch. IX of ch. 40.

10 (2) DEFINITIONS. In this section:

11 (a) "Appropriation obligation" means an undertaking by the state to repay a
12 certain amount of borrowed money that is all of the following:

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

15 2. Used for the purpose of paying part or all of the state's unfunded prior service
16 liability under s. 40.05 (2) (b) and the state's unfunded liability under s. 40.05 (4) (b),
17 (bc), and (bw) and subch. IX of ch. 40.

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

19 (b) "Evidence of appropriation obligation" means a written promise to pay an
20 appropriation obligation.

21 (c) "Refunding obligation" means an appropriation obligation contracted to
22 fund or refund all or any part of one or more outstanding appropriation obligations.

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

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

3 2. The sum of appropriation obligations issued under this section, excluding
4 any obligations that have been defeased under a cash optimization program
5 administered by the building commission and any obligations issued pursuant to
6 subd. 3., and revenue obligations issued under s. 16.526, if any, may not exceed
7 \$1,350,000,000.

8 3. The department may contract appropriation obligations as the department
9 determines is desirable to fund or refund outstanding appropriation obligations
10 issued under this section, to pay issuance or administrative expenses, to make
11 deposits to reserve funds, to pay accrued or funded interest, to pay the costs of credit
12 enhancement, or to make payments under other agreements entered into under sub.
13 (4) (e).

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

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

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

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

10 (e) At the time of, or in anticipation of, contracting for the appropriation
11 obligations and at any time thereafter so long as the appropriation obligations are
12 outstanding, the department may enter into agreements and ancillary
13 arrangements relating to the appropriation obligations, including trust indentures,
14 liquidity facilities, remarketing or dealer agreements, letter of credit agreements,
15 insurance policies, guaranty agreements, reimbursement agreements, indexing
16 agreements, or interest exchange agreements. Any payments made or received
17 pursuant to any such agreement or ancillary arrangement shall be made from or
18 deposited into a program revenue appropriation account in the general fund.

19 (f) All evidences of appropriation obligation owned or held by any state fund are
20 outstanding in all respects and the state agency controlling the fund shall have the
21 same rights with respect to an evidence of appropriation obligation as a private party,
22 but if any sinking fund acquires evidences of appropriation obligation that gave rise
23 to such fund, the obligations are considered paid for all purposes and no longer
24 outstanding and shall be canceled as provided in sub. (8) (e). All evidences of

1 appropriation obligation owned by any state fund shall be registered to the fullest
2 extent registrable.

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

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

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

21 (6) FORM. (a) Evidences of appropriation obligation may be in the form of
22 bonds, notes, or other evidences of obligation, and may be issued in book–entry form
23 or in certificated form. Notwithstanding s. 403.104 (1), every evidence of
24 appropriation obligation is a negotiable instrument.

1 (b) Every evidence of appropriation obligation shall be executed in the name
2 of and for the state by the governor and shall be sealed with the great seal of the state
3 or a facsimile thereof. The facsimile signature of the governor may be imprinted in
4 lieu of the manual signature of such officer, as the department directs, if approved
5 by such officer. An evidence of appropriation obligation bearing the manual or
6 facsimile signature of a person in office at the time such signature was signed or
7 imprinted shall be fully valid notwithstanding that before or after the delivery
8 thereof such person ceased to hold such office.

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

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

16 (7) REFUNDING OBLIGATIONS. (a) 1. The department may authorize the issuance
17 of appropriation obligation refunding obligations. Refunding obligations may be
18 issued, subject to any contract rights vested in owners of obligations being
19 refinanced, to refinance all or any part of one or more issue of obligations
20 notwithstanding that the obligations may have been issued at different times. The
21 principal amount of the refunding obligations may not exceed the sum of: the
22 principal amount of the obligations being refinanced; applicable redemption
23 premiums; unpaid interest on the obligations to the date of delivery or exchange of
24 the refunding obligations; in the event the proceeds are to be deposited in trust as
25 provided in par. (c), interest to accrue on the obligations from the date of delivery to

1 the date of maturity or to the redemption date selected by the department, whichever
2 is earlier; and the expenses incurred in the issuance of the refunding obligations and
3 the payment of the obligations.

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

7 (b) If the department determines to exchange refunding obligations, they may
8 be exchanged privately for and in payment and discharge of any of the outstanding
9 obligations being refinanced. Refunding obligations may be exchanged for such
10 principal amount of the obligations being exchanged therefor as may be determined
11 by the department to be necessary or advisable. The owners of the obligations being
12 refunded who elect to exchange need not pay accrued interest on the refunding
13 obligations if and to the extent that interest is accrued and unpaid on the obligations
14 being refunded and to be surrendered. If any of the obligations to be refinanced are
15 to be called for redemption, the department shall determine which redemption dates
16 are to be used, if more than one date is applicable and shall, prior to the issuance of
17 the refunding obligations, provide for notice of redemption to be given in the manner
18 and at the times required by the certification authorizing the outstanding
19 obligations.

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

1 2. If a trust is created, a separate deposit shall be made for each issue of
2 appropriation obligations being refinanced. Each deposit shall be with the secretary
3 of administration or a bank or trust company that is a member of the Federal Deposit
4 Insurance Corporation. If the total amount of any deposit, including money other
5 than sale proceeds but legally available for such purpose, is less than the principal
6 amount of the obligations being refinanced and for the payment of which the deposit
7 has been created and pledged, together with applicable redemption premiums and
8 interest accrued and to accrue to maturity or to the date of redemption, then the
9 application of the sale proceeds shall be legally sufficient only if the money deposited
10 is invested in securities issued by the United States or one of its agencies, or
11 securities fully guaranteed by the United States, and only if the principal amount
12 of the securities at maturity and the income therefrom to maturity will be sufficient
13 and available, without the need for any further investment or reinvestment, to pay
14 at maturity or upon redemption the principal amount of the obligations being
15 refinanced together with applicable redemption premiums and interest accrued and
16 to accrue to maturity or to the date of redemption. The income from the principal
17 proceeds of the securities shall be applied solely to the payment of the principal of
18 and interest and redemption premiums on the obligations being refinanced, but
19 provision may be made for the pledging and disposition of any surplus.

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

1 (8) FISCAL REGULATIONS. (a) The department shall act as registrar for each
2 evidence of appropriation obligation. No transfer of a registered evidence of
3 appropriation obligation is valid unless made on a register maintained by the
4 department, and the state may treat the registered owner as the owner of the
5 instrument for all purposes. Payments of principal and interest shall be by electronic
6 funds transfer, check, share draft, or other draft to the registered owner at the
7 owner's address as it appears on the register, unless the department has otherwise
8 provided. Information in the register is not available for inspection and copying
9 under s. 19.35 (1). The department may make any other provision respecting
10 registration as it considers necessary or useful. The department may enter into a
11 contract for the performance of any of its functions relating to appropriation
12 obligations.

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

18 (c) The secretary may appoint one or more trustees and fiscal agents for each
19 issue of appropriation obligations. The secretary may be denominated the trustee
20 and the sole fiscal agent or a cofiscal agent for any issue of appropriation obligations.
21 Every other fiscal agent shall be an incorporated bank or trust company authorized
22 by the laws of the United States or of the state in which it is located to do a banking
23 or trust company business. There may be deposited with a trustee, in a special
24 account, moneys to be used only for the purposes expressly provided in the
25 certification authorizing the issuance of evidences of appropriation obligation or an

1 agreement between the department and the trustee. The department may make
2 other provisions respecting trustees and fiscal agents as the department considers
3 necessary or useful and may enter into a contract with any trustee or fiscal agent
4 containing such terms, including compensation, and conditions in regard to the
5 trustee or fiscal agent as the department considers necessary or useful.

6 (d) If any evidence of appropriation obligation is destroyed, lost, or stolen, the
7 department shall execute and deliver a new evidence of appropriation obligation,
8 upon filing with the department evidence satisfactory to the department that the
9 evidence of appropriation obligation has been destroyed, lost, or stolen, upon
10 providing proof of ownership thereof, and upon furnishing the department with
11 indemnity satisfactory to it and complying with such other rules of the department
12 and paying any expenses that the department may incur. The department shall
13 cancel the evidences of appropriation obligation surrendered to the department.

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

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

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

24 (b) Banks and bankers, savings and loan associations, credit unions, trust
25 companies, savings banks and institutions, investment companies, insurance

1 companies, insurance associations, and other persons carrying on a banking or
2 insurance business.

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

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

8 SECTION 182d. 16.529 of the statutes is created to read:

9 **16.529 Lapses and fund transfers relating to unfunded retirement**
10 **liability debt service.** (1) DEFINITIONS. The definitions in s. 20.001 are applicable
11 in this section, except that “state agency” does not include the department of
12 employee trust funds or the investment board.

13 (2) LAPSES AND TRANSFERS REQUIRED. If obligations are issued under s. 16.526
14 or 16.527, or both, any executive budget bill prepared under s. 16.47 (1) shall require
15 the secretary during the fiscal biennium to which the executive budget bill relates
16 to lapse to the general fund from each appropriation of program revenues, program
17 revenues—service, and federal revenues and to lapse to the applicable fund from each
18 appropriation of segregated fund revenues, segregated fund revenues — service, and
19 segregated federal revenues and subsequently transfer to the general fund an
20 amount equal to that portion of the total amount of principal and interest to be paid
21 on the obligations during the succeeding fiscal biennium that is allocable to the
22 appropriation, as determined under sub. (3). The secretary shall ensure that each
23 state agency includes in the program and financial information forwarded under s.
24 16.42 (1) an itemization of each amount that is required to be lapsed, or lapsed and
25 transferred, under this subsection.

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

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

7 (b) The secretary shall then calculate the percentage of the total computed
8 under par. (a) that is allocable to each appropriation of program revenues, program
9 revenues—service, segregated fund revenues, segregated fund revenues — service,
10 federal revenues, and segregated federal revenues from which moneys would have
11 been expended under s. 40.05 (2) (b) and (4) (b), (bc), and (bw) and subch. IX of ch.
12 40 had the obligations not been issued. The percentage shall be based upon the
13 amount that would have been required to be expended from the appropriation, had
14 the obligations not been issued, under s. 40.05 (2) (b) and (4) (b), (bc), and (bw) and
15 subch. IX of ch. 40 during the fiscal biennium during which the obligations are
16 issued.

17 (c) For each appropriation identified under par. (b), the secretary shall then
18 apply the percentage calculated under par. (b) to the total amount of principal and
19 interest to be paid during the succeeding fiscal biennium on obligations issued under
20 ss. 16.526 and 16.527. This amount is the portion of the total amount of principal
21 and interest paid on the obligations during that fiscal biennium that is allocable to
22 each appropriation.

23 **SECTION 183.** 16.53 (1) (d) 1. of the statutes is amended to read:

24 16.53 (1) (d) 1. The secretary, with the approval of the joint committee on
25 employment relations, shall fix the time, ~~except as provided in ss. 106.21 (9) (c) and~~

1 s. 106.215 (10) (e), and frequency for payment of salaries due elective and appointive
2 officers and employees of the state. As determined under this subdivision, the
3 salaries shall be paid either monthly, semimonthly or for each 2-week period.

4 **SECTION 184.** 16.53 (5) of the statutes is amended to read:

5 16.53 (5) WARRANTS; WHAT TO SPECIFY. The secretary shall draw a warrant on
6 the state treasurer treasury payable to the claimant for the amount allowed by the
7 secretary upon every claim audited under sub. (1), except as authorized in s. 16.52
8 (7), 20.920, or 20.929, specifying from what fund to be paid, the particular law ~~which~~
9 that authorizes the claim to be paid out of the state treasury, and at the secretary's
10 discretion the post-office address of the payee. ~~The secretary shall not credit the~~
11 ~~treasurer for any sum of money paid out by the treasurer~~ No moneys may be paid out
12 of the state treasury under this section otherwise than upon such warrants.

13 **SECTION 185.** 16.53 (10) (a) of the statutes is amended to read:

14 16.53 (10) (a) If an emergency arises which requires the department to draw
15 vouchers for payments which will be in excess of available moneys in any state fund,
16 the secretary, ~~in consultation with the state treasurer, and~~ after notifying the joint
17 committee on finance under par. (b), may prorate and establish priority schedules for
18 all payments within each fund, including those payments for which a specific
19 payment date is provided by statute, except as otherwise provided in this paragraph.
20 The secretary shall draw all vouchers according to the preference provided in this
21 paragraph. All direct or indirect payments of principal or interest on state bonds and
22 notes issued under subch. I of ch. 18 have first priority. All direct or indirect
23 payments of principal or interest on state notes issued under subch. III of ch. 18 have
24 2nd priority. No payment having a 1st or 2nd priority may be prorated or reduced
25 under this subsection. All state employee payrolls have 3rd priority. The secretary

1 shall draw all remaining vouchers according to a priority determined by the
2 secretary. The secretary shall maintain records of all claims prorated under this
3 subsection and shall provide written notice to the state treasurer when a potential
4 cash flow emergency is anticipated.

5 **SECTION 186.** 16.53 (10) (b) of the statutes is amended to read:

6 16.53 (10) (b) Before exercising authority under par. (a) the secretary shall,
7 after consultation with the state treasurer, notify the joint committee on finance as
8 to the need for and the procedures under which proration or priority schedules under
9 par. (a) shall occur. If the joint committee on finance has not, within 2 working days
10 after the notification, scheduled a meeting to review the secretary's proposal, the
11 secretary may proceed with the proposed action. If, within 2 working days after the
12 notification, the committee schedules a meeting, the secretary may not proceed with
13 the proposed action until after the meeting is held.

14 **SECTION 187.** 16.53 (13) (a) of the statutes is amended to read:

15 16.53 (13) (a) In this subsection, "agency" has the meaning given in s. 16.70 (1)
16 (1e).

17 **SECTION 188.** 16.54 (2) (b) of the statutes is amended to read:

18 16.54 (2) (b) Upon presentation by the department to the joint committee on
19 finance of alternatives to the provisions under s. ~~16.385~~ 16.27, the joint committee
20 on finance may revise the eligibility criteria under s. ~~16.385~~ 16.27 (5), benefit
21 payments under s. ~~16.385~~ 16.27 (6) or the amount allocated for crises under s. ~~16.385~~
22 16.27 (3) (e) 2. and the department shall implement those revisions. Benefits or
23 eligibility criteria so revised shall take into account and be consistent with the
24 requirements of federal regulations promulgated under 42 USC 8621 to 8629. If
25 funds received under 42 USC 8621 to 8629 in a federal fiscal year total less than 90%

1 of the amount received in the previous federal fiscal year, the department shall
2 submit to the joint committee on finance a plan for expenditure of the funds. The
3 department may not use the funds unless the committee approves the plan.

4 **SECTION 189.** 16.545 (9) of the statutes is amended to read:

5 16.545 (9) To initiate contacts with the federal government for the purpose of
6 facilitating participation by agencies, as defined in s. 16.70 (~~1~~) (1e), in federal aid
7 programs, to assist those agencies in applying for such aid, and to facilitate
8 influencing the federal government to make policy changes that will be beneficial to
9 this state. The department may assess an agency to which it provides services under
10 this subsection a fee for the expenses incurred by the department in providing those
11 services.

12 **SECTION 190.** 16.61 (2) (af) of the statutes is amended to read:

13 16.61 (2) (af) “Form” has the meaning specified in s. ~~22.01~~ 16.97 (5p).

14 **SECTION 191.** 16.61 (3n) of the statutes is amended to read:

15 16.61 (3n) EXEMPT FORMS. The board may not receive or investigate complaints
16 about the forms specified in s. ~~22.03~~ 16.971 (2m).

17 **SECTION 192.** 16.70 (1) of the statutes is renumbered 16.70 (1e).

18 **SECTION 193.** 16.70 (1b) of the statutes is created to read:

19 16.70 (1b) “Affiliate” means a person, as defined in s. 77.51 (10), that controls,
20 is controlled by, or is under common control with another person, as defined in s.
21 77.51 (10).

22 **SECTION 195.** 16.70 (3e) of the statutes is created to read:

23 16.70 (3e) “Control” means to own, directly or indirectly, more than 10% of the
24 interest in or voting securities of a business.

25 **SECTION 196d.** 16.70 (3m) of the statutes is amended to read:

1 16.70 (3m) “Educational technology” has the meaning given in s. 44.70 16.99

2 (3).

3 **SECTION 197.** 16.70 (4m) of the statutes is amended to read:

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

5 (6).

6 **SECTION 198.** 16.70 (15) of the statutes is amended to read:

7 16.70 (15) “Telecommunications” has the meaning given in s. 22.01 16.97 (10).

8 **SECTION 199.** 16.70 (16) of the statutes is created to read:

9 16.70 (16) “Voting securities” means securities that confer upon the holder the
10 right to vote for the election of members of the board of directors or similar governing
11 body of a business, or are convertible into, or entitle the holder to receive upon their
12 exercise, securities that confer such a right to vote.

13 **SECTION 201.** 16.705 (3) (intro.) of the statutes is amended to read:

14 16.705 (3) (intro.) ~~Contracts for contractual services shall be submitted by the~~
15 ~~department for the review and approval of the secretary of employment relations~~ The
16 director of the office of state human resources management, prior to award, under
17 conditions established by rule of the department. ~~The secretary of employment~~
18 ~~relations, shall review such contracts~~ for contractual services in order to ensure that
19 agencies:

20 **SECTION 202.** 16.71 (1m) of the statutes is amended to read:

21 16.71 (1m) The department shall not delegate to any executive branch agency,
22 other than the board of regents of the University of Wisconsin System, the authority
23 to enter into any contract for materials, supplies, equipment, or contractual services
24 relating to information technology or telecommunications prior to review and
25 approval of the contract by the ~~chief information officer~~ department. No executive

1 branch agency, other than the board of regents of the University of Wisconsin
2 System, may enter into any such contract without review and approval of the
3 contract by the ~~chief information officer~~ department.

4 **SECTION 203.** 16.71 (2m) of the statutes is repealed.

5 **SECTION 204d.** 16.71 (4) of the statutes is repealed.

6 **SECTION 206.** 16.72 (2) (a) of the statutes is amended to read:

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

19 **SECTION 207.** 16.72 (2) (b) of the statutes is amended to read:

20 16.72 (2) (b) Except as provided in ~~par. (a) and ss. 16.25 (4) (b), 16.751 and,~~
21 560.9813 (4) (b), and 565.25 (2) (a) 4., the department shall prepare or review
22 specifications for all materials, supplies, equipment, other permanent personal
23 property and contractual services not purchased under standard specifications.
24 Such “nonstandard specifications” may be generic or performance specifications, or
25 both, prepared to describe in detail the article which the state desires to purchase

1 either by its physical properties or by its programmatic utility. When appropriate
2 for such nonstandard items or services, trade names may be used to identify what
3 the state requires, but wherever possible 2 or more trade names shall be designated
4 and the trade name of any Wisconsin producer, distributor or supplier shall appear
5 first.

6 **SECTION 208.** 16.72 (4) (a) of the statutes is amended to read:

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

18 **SECTION 209.** 16.72 (4) (b) of the statutes is amended to read:

19 16.72 (4) (b) The department shall promulgate rules for the declaration as
20 surplus of supplies, materials and equipment in any agency and for the transfer to
21 other agencies or for the disposal by private or public sale of supplies, materials and
22 equipment. ~~In Except as provided in s. 51.06 (6), in either case due credit shall be~~
23 ~~given to the agency releasing the same , the department shall deposit the net~~
24 ~~proceeds in the budget stabilization fund,~~ except that the department shall transfer
25 any supplies, materials or equipment declared to be surplus to the department of

1 tourism, upon request of the department of tourism, at no cost, if the transfer is
2 permitted by the agency having possession of the supplies, materials or equipment.

3 **SECTION 210d.** 16.72 (8) of the statutes is amended to read:

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

9 **SECTION 211.** 16.75 (1) (a) 1. of the statutes is amended to read:

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

19 **SECTION 212.** 16.75 (3t) (a) of the statutes is amended to read:

20 16.75 (3t) (a) In this subsection, “form” has the meaning given under s. ~~22.01~~
21 16.97 (5p).

22 **SECTION 213.** 16.75 (6) (am) of the statutes is amended to read:

23 16.75 (6) (am) Subsections (1) and (3t) do not apply to procurements by the
24 ~~department of electronic government~~ department relating to information technology
25 or telecommunications. Annually not later than October 1, the department of

1 ~~electronic government shall report to the department of administration governor, in~~
2 ~~the form specified by the secretary governor, concerning all procurements relating~~
3 ~~to information technology or telecommunications by the department of electronic~~
4 ~~government department during the preceding fiscal year that were not made in~~
5 ~~accordance with the requirements of subs. (1) and (3t).~~

6 **SECTION 214.** 16.75 (10m) of the statutes is created to read:

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

13 **SECTION 214b.** 16.752 (12) (a) of the statutes is amended to read:

14 16.752 (12) (a) Except as provided in pars. (c), (d), (h) and, (i), and (j) and as
15 authorized under sub. (13), agencies shall obtain materials, supplies, equipment and
16 services on the list maintained by the board under sub. (2) (g).

17 **SECTION 215.** 16.752 (12) (i) of the statutes is amended to read:

18 16.752 (12) (i) Paragraph (a) does not apply to procurements by the department
19 ~~of electronic government relating to information technology or telecommunications.~~

20 **SECTION 215c.** 16.752 (12) (j) of the statutes is created to read:

21 16.752 (12) (j) Paragraph (a) does not apply to services purchased under a
22 contract under s. 153.05 (2m) (a).

23 **SECTION 215m.** 16.76 (4) (ag) of the statutes is amended to read:

24 16.76 (4) (ag) The Except as otherwise provided in this paragraph, the
25 department may pay or agree to pay under a master lease a sum substantially

1 equivalent to or in excess of the aggregate value of property or services obtained and
2 it may be agreed that the department or one or more agencies will become, or for no
3 other or nominal consideration has the option to become, the owner of property
4 obtained or to be obtained under a master lease upon full compliance with its terms.
5 If the master lease is for personal computer hardware and software, the department
6 may make agreements concerning payments and ownership as described in this
7 paragraph only if the master lease pursuant to which the department makes such
8 agreements is more cost-effective to the state than one or more leases for the
9 hardware and software pursuant to which the department does not make
10 agreements concerning payments and ownership as described in this paragraph.

11 SECTION 216. 16.78 (title) of the statutes is amended to read:

12 16.78 (title) **Purchases from department of ~~electronic government~~**
13 **relating to information technology or telecommunications.**

14 SECTION 217c. 16.78 (1) of the statutes is amended to read:

15 16.78 (1) Every agency other than the board of regents of the University of
16 Wisconsin System or an agency making purchases under s. 16.74 shall make all
17 purchases of materials, supplies, equipment, and contractual services relating to
18 information technology or telecommunications from the department of ~~electronic~~
19 ~~government~~, unless the department of ~~electronic government~~ requires the agency to
20 purchase the materials, supplies, equipment, or contractual services pursuant to a
21 master contract established under s. ~~22.05~~ 16.972 (2) (h), or grants written
22 authorization to the agency to procure the materials, supplies, equipment, or
23 contractual services under s. 16.75 (1) or (2m), to purchase the materials, supplies,
24 equipment, or contractual services from another agency or to provide the materials,
25 supplies, equipment, or contractual services to itself. The board of regents of the

1 University of Wisconsin System may make purchases of materials, supplies,
2 equipment, and contractual services relating to information technology or
3 telecommunications from the department of ~~electronic government~~.

4 **SECTION 218.** 16.78 (2) of the statutes is amended to read:

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

8 **SECTION 219.** 16.836 of the statutes is repealed.

9 **SECTION 220.** 16.84 (14) of the statutes is amended to read:

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

13 **SECTION 221.** 16.841 (1) (a) of the statutes is amended to read:

14 16.841 (1) (a) “Agency” has the meaning given in s. 16.70 ~~(1)~~ (1e).

15 **SECTION 222.** 16.855 (16) (b) 1. of the statutes is amended to read:

16 16.855 (16) (b) 1. In this paragraph, “agency” has the meaning given in s. 16.70
17 ~~(1)~~ (1e).

18 **SECTION 222m.** 16.865 (9) of the statutes is created to read:

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

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

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

13 **SECTION 230b.** 16.965 (3m) of the statutes is created to read:

14 16.965 (3m) The department shall not approve a proposed grant to a local
15 governmental unit under this section to be funded in whole or in part from the
16 appropriation under s. 20.505 (1) (if) unless the application for the grant contains all
17 of the following elements:

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

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

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

24 **SECTION 230c.** 16.965 (4) (intro.) of the statutes is amended to read:

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

5 **SECTION 230d.** 16.966 (3) of the statutes is amended to read:

6 16.966 (3) The Subject to approval of the land information board under s.
7 16.967 (3) (f), the department may develop and maintain geographic information
8 systems relating to land in this state for the use of governmental and
9 nongovernmental units.

10 **SECTION 230h.** 16.966 (3) of the statutes, as affected by 2003 Wisconsin Act
11 (this act), is amended to read:

12 16.966 (3) ~~Subject to approval of the land information board under s. 16.967~~
13 ~~(3) (f), the~~ The department may develop and maintain geographic information
14 systems relating to land in this state for the use of governmental and
15 nongovernmental units.

16 **SECTION 230p.** 16.967 (3) (f) of the statutes is created to read:

17 16.967 (3) (f) Review and approve or disapprove proposed expenditures for the
18 development and maintenance of land information systems under s. 16.966 (3). The
19 board shall ensure that all expenditures are consistent with the requirements under
20 sub. (6).

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

23 16.967 (6) **REPORTS.** By March 31 of each year, the department of
24 administration, the department of agriculture, trade and consumer protection, the
25 department of commerce, the department of health and family services, the

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

14 **SECTION 231.** Subchapter VII (title) of chapter 16 [precedes 16.97] of the
15 statutes is amended to read:

16 **CHAPTER 16**

17 **SUBCHAPTER VII**

18 **EDUCATIONAL INFORMATION**

19 **TECHNOLOGY**

20 **SECTION 232.** 16.97 of the statutes is renumbered 16.97 (intro.) and amended
21 to read:

22 **16.97 Definition Definitions.** (intro.) In this subchapter,
23 “telecommunications” ~~has the meaning given in s. 22.01 (10).~~;

24 **SECTION 233.** 16.974 (intro.) of the statutes is repealed.

25 **SECTION 234d.** 16.974 (1) of the statutes is amended to read:

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

6 **SECTION 235.** 16.974 (1) to (4) of the statutes, as affected by 2003 Wisconsin Act
7 (this act), are renumbered 16.971 (13) to (16).

8 **SECTION 236d.** 16.974 (2) of the statutes is amended to read:

9 ~~16.974 (2) Subject to s. 44.73 (5), coordinate with the technology for educational~~
10 ~~achievement in Wisconsin board to provide~~ Provide private colleges, technical college
11 districts, public library boards and, public library systems, and public museums with
12 telecommunications access under s. ~~44.73~~ 16.997 and contract with
13 telecommunications providers to provide ~~such~~ that access.

14 **SECTION 237d.** 16.974 (3) of the statutes is amended to read:

15 ~~16.974 (3) Coordinate with the technology for educational achievement in~~
16 ~~Wisconsin board to provide~~ Provide private schools with telecommunications access
17 under s. ~~44.73~~ 16.997 and contract with telecommunications providers to provide
18 ~~such~~ that access.

19 **SECTION 238d.** 16.974 (4) of the statutes is amended to read:

20 ~~16.974 (4) Coordinate with the technology for educational achievement in~~
21 ~~Wisconsin board to provide~~ Provide the Wisconsin Center for the Blind and Visually
22 Impaired and the Wisconsin Educational Services Program for the Deaf and Hard
23 of Hearing with telecommunications access under s. ~~44.73~~ 16.997 and contract with
24 telecommunications providers to provide ~~such~~ that access.

1 **SECTION 238m.** Subchapter IX (title) of chapter 16 [precedes 16.99] of the
2 statutes is created to read:

3 **CHAPTER 16**

4 **SUBCHAPTER IX**

5 **TECHNOLOGY FOR EDUCATIONAL**

6 **ACHIEVEMENT**

7 **SECTION 238n.** 16.99 (3p) of the statutes is created to read:

8 16.99 (3p) “Public museum” means a nonprofit or publicly owned museum
9 located in this state that is accredited by the American Association of Museums or
10 an educational center that is affiliated with such a museum.

11 **SECTION 238p.** 16.99 (4) of the statutes, as affected by 2003 Wisconsin Act ...
12 (this act), is amended to read:

13 16.99 (4) “Telecommunications” has the meaning given in s. ~~22.01~~ 16.97 (10).

14 **SECTION 238pm.** 16.993 (10) of the statutes is created to read:

15 16.993 (10) Coordinate an annual conference on educational technology,
16 hosted by the governor, for elementary, secondary, and postsecondary educators and
17 establish a schedule of fees for attending the conference, which fees may not exceed
18 the actual costs incurred in conducting the conference. All fees collected under this
19 subsection shall be credited to the appropriation account under s. 20.505 (4) (hc).

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

21 16.995 (3m) **PUBLIC DEBT REPAYMENT.** To the extent that sufficient moneys are
22 available in the appropriation account under s. 20.505 (4) (mp) after payment of the
23 administrative expenses specified in s. 20.505 (4) (mp), the department shall use
24 those available moneys to reimburse s. 20.505 (4) (es) and (et) for the payment of
25 principal and interest costs incurred in financing educational technology

1 infrastructure financial assistance under this section and to make full payment of
2 the amounts determined by the building commission under s. 13.488 (1) (m).

3 **SECTION 238r.** 16.997 (6) (a) of the statutes, as affected by 2003 Wisconsin Act
4 (this act), is amended to read:

5 16.997 (6) (a) From the appropriation under s. 20.505 (4) (s) or (tm), the
6 department may award an annual grant to a school district or private school that had
7 in effect on October 14, 1997, a contract for access to a data line or video link, as
8 documented by the department. The department shall determine the amount of the
9 grant, which shall be equal to the cost incurred by the state to provide
10 telecommunications access to a school district or private school under a contract
11 entered into under s. ~~16.974 (1) or (3)~~ 16.971 (13) or (15) less the amount that the
12 school district or private school would be paying under sub. (2) (d) if the school district
13 or private school were participating in the program established under sub. (1), except
14 that the amount may not be greater than the cost that a school district or private
15 school incurs under the contract in effect on October 14, 1997. A school district or
16 private school receiving a grant under this subsection is not eligible to participate in
17 the program under sub. (1). No grant may be awarded under this subsection after
18 December 31, 2005.

19 **SECTION 243.** 18.07 (2) of the statutes is amended to read:

20 18.07 (2) Every loan agreement entered into pursuant to s. 18.06 (2) and every
21 evidence of indebtedness given under such a loan agreement shall be executed in the
22 name of and for the state by the secretary of the commission. Every other evidence
23 of indebtedness shall be executed in the name of and for the state by the governor and
24 by the ~~state treasurer~~ secretary of administration and shall be sealed with the great
25 seal of the state or a facsimile thereof of any size, ~~and every interest coupon~~

1 ~~appurtenant thereto shall be executed in the name of and for the state by the~~
2 ~~governor. The facsimile signature of either the governor or state treasurer~~ secretary
3 of administration or both may be imprinted in lieu of the manual signature of such
4 officer, as the commission directs, if approved by such officer, ~~and shall be so~~
5 ~~imprinted in the case of interest coupons. Evidence of indebtedness and interest~~
6 ~~coupons appurtenant thereto bearing the manual or facsimile signature of a person~~
7 in office at the time such signature was signed or imprinted shall be fully valid
8 notwithstanding that before or after the delivery thereof such person ceased to hold
9 such office.

10 **SECTION 249.** 18.10 (4) of the statutes is amended to read:

11 18.10 (4) DEBT HELD BY STATE. All evidence of indebtedness owned or held by
12 any state fund shall be deemed to be outstanding in all respects and the agency
13 having such fund under its control shall have the same rights with respect to such
14 evidence of indebtedness as a private party, but if any sinking fund acquires bonds
15 which gave rise to such fund, such bonds shall be deemed paid for all purposes and
16 no longer outstanding and, ~~together with any interest coupons appurtenant thereto,~~
17 shall be canceled as provided in sub. (11). All evidence of indebtedness owned by any
18 state fund shall be registered to the fullest extent registrable.

19 **SECTION 250.** 18.10 (5) of the statutes is amended to read:

20 18.10 (5) REGISTRATION. The ~~state treasurer~~ department of administration
21 shall act as registrar for evidence evidences of indebtedness registrable as to
22 principal or interest or both. No transfer of a registered evidence of indebtedness is
23 valid unless made on the register maintained by the ~~state treasurer~~ department of
24 administration for that purpose, and the state shall be entitled to treat the registered
25 owner as the owner of such instrument for all purposes. Payments of principal and

1 interest, when registered as to interest, of registered instruments shall be by
2 electronic funds transfer, check, share draft or other draft to the registered owner at
3 the owner's address as it appears on the register, unless the commission has
4 otherwise provided. Information in the register relating to the owners of evidence
5 of indebtedness is not available for inspection and copying under s. 19.35 (1). The
6 commission may make such other provisions respecting registration as it deems
7 necessary or useful. ~~The state treasurer~~ department of administration may enter
8 into a contract for the performance of any of his or her functions under this subsection
9 and sub. (7).

10 **SECTION 250m.** 18.10 (7) of the statutes is amended to read:

11 18.10 (7) RECORD OF INSTRUMENTS. ~~The state treasurer~~ department of
12 administration or the ~~treasurer's~~ department's agent shall maintain records
13 containing a full and correct description of each evidence of indebtedness issued,
14 identifying it and showing its date, issue, amount, interest rate, payment dates,
15 payments made, registration, destruction and every other relevant transaction.

16 **SECTION 251.** 18.10 (8) of the statutes is amended to read:

17 18.10 (8) TRUSTEES AND FISCAL AGENTS. The commission may appoint one or
18 more trustees and fiscal agents for each issue of bonds or notes. ~~The state treasurer~~
19 secretary of administration may be denominated the trustee and the sole fiscal agent
20 or a cofiscal agent for any issue of bonds or notes. Every other such fiscal agent shall
21 be an incorporated bank or trust company authorized by the laws of the United
22 States or of the state in which it is located to do a banking or trust company business.
23 ~~The commission shall periodically require competitive proposals, under procedures~~
24 ~~established by the commission, for fiscal agent services and, in so doing, shall consult~~
25 ~~the state treasurer.~~ There may be deposited with a trustee, in a special account

1 administered as provided in this chapter, moneys to be used only for the purposes
2 expressly provided in a resolution authorizing the issuance of debt or an agreement
3 between the commission and the trustee. ~~There may be deposited with a fiscal agent,~~
4 ~~in a special account for such purpose only, a sum estimated to be sufficient to enable~~
5 ~~such fiscal agent to pay the principal and interest on public debt which will come due~~
6 ~~not more than 15 days after the date of such deposit.~~ The commission may make such
7 other provisions respecting trustees and fiscal agents as it deems necessary or useful
8 and may enter into a contract with any trustee or fiscal agent containing such terms,
9 including compensation, and conditions in regard to the trustee or fiscal agent as it
10 deems necessary or useful.

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

12 18.10 (11) CANCELLATION OF INSTRUMENTS. Unless otherwise directed by the
13 commission, every evidence of indebtedness and interest coupon paid or otherwise
14 retired shall forthwith be marked “canceled” and shall be delivered by the state
15 ~~treasurer~~ department of administration or fiscal agent accepting the surrender
16 thereof, through the ~~state treasurer~~ department to the state auditor who shall
17 destroy them and shall forthwith deliver to the ~~state treasurer~~ department a
18 certificate to that effect.

19 **SECTION 252.** 18.51 of the statutes is amended to read:

20 **18.51 Provisions applicable.** The following sections apply to this
21 subchapter, except that all references to “public debt” or “debt” shall be read to refer
22 to a “revenue obligation” and all references to “evidences of indebtedness” shall be
23 read to refer to “evidences of revenue obligation”: ss. 18.02, 18.03, ~~18.06 (8)~~, 18.07,
24 18.10 (1), (2), (4) to (9) ~~and, (11), and (12)~~, and 18.17.

25 **SECTION 253.** 18.52 (1) of the statutes is renumbered 18.52 (1m).