

1 (6) ADJUSTMENT OF TOTALS. In the 2001–03 Authorized State Building Program,
2 the appropriate totals are adjusted to reflect the changes made by SECTIONS 2813e,
3 2813g, and 2813j of this act.

4 (7) 2001–2003 AUTHORIZED STATE BUILDING PROGRAM DELETION. In 2001
5 Wisconsin Act 16, section 9107 (1) (j) 2., under projects financed by program revenue
6 supported borrowing, the 2001–03 state building project identified as Exposition hall
7 is deleted and the appropriate totals are decreased accordingly.

8 **SECTION 9107. Nonstatutory provisions; child abuse and neglect**
9 **prevention board.**

10 **SECTION 9108. Nonstatutory provisions; circuit courts.**

11 **SECTION 9109. Nonstatutory provisions; commerce.**

12 (1d) WISCONSIN DEVELOPMENT FUND GRANTS; PLANT CLOSINGS.

13 (a) *Definitions.* In this subsection:

14 1. “Department” means the department of commerce.

15 2. “Secretary” means the secretary of commerce.

16 (b) *Generally.* During the period beginning on the effective date of this
17 paragraph and ending on June 30, 2004, the department shall make grants from the
18 appropriations under section 20.143 (1) (c) and (ie) of the statutes, as affected by this
19 act, to persons to whom any of the following applies:

20 1. The person resides, is located, or, if a municipality, has territory in a county
21 where, during any 12–month period beginning on or after February 1, 2001, a plant
22 closing has eliminated 500 jobs or multiple plant closings have eliminated 1,000 jobs.

23 2. The person resides, is located, or, if a municipality, has territory in a county
24 where a plant closed on or after February 1, 2001, and that had an average

1 unemployment rate of at least 7.5% during any 12-month period beginning on or
2 after February 1, 2001.

3 (b) *Requirements.* The department shall make a grant to a person under
4 paragraph (b) only if all of the following apply:

5 1. The person submits a plan to the department detailing the proposed use of
6 the grant and the secretary approves the plan.

7 2. The person enters into a written agreement with the department that
8 specifies the conditions for the use of the proceeds of the grant, including reporting
9 and auditing requirements.

10 3. The person agrees in writing to submit to the department the reports
11 required under paragraph (d) by the time required under paragraph (d).

12 (d) *Reporting.* If a person receives a grant under this subsection, the person
13 shall submit to the department, within 6 months after spending the full amount of
14 the grant, a report detailing how the grant proceeds were used.

15 (e) *Limit on grants.* The aggregate total of grants made under paragraph (b)
16 may not exceed \$1,000,000.

17 (1z) BROWNFIELDS GRANTS. During fiscal year 2003–04, the department of
18 commerce may review applications submitted to the department by October 25,
19 2002, for grants under section 560.13 of the statutes and may use the criteria under
20 that section and rules promulgated by the department under that section to make
21 grants of up to a total of \$6,250,000 from the appropriation under section 20.143 (1)
22 (qm) of the statutes to applicants that would have been eligible for grants in fiscal
23 year 2002–03.

24 (2q) WISCONSIN DEVELOPMENT FUND GRANTS; MINORITY BUSINESS OPPORTUNITY
25 COMMITTEE.

1 (a) In this subsection:

2 1. “Department” means the department of commerce.

3 2. “Secretary” means the secretary of commerce.

4 (b) The department shall make a grant of \$100,000 in fiscal year 2003–04 and
5 a grant of \$100,000 in fiscal year 2004–05 to the Wisconsin minority business
6 opportunity committee. The grants shall be made from the appropriations under
7 section 20.143 (1) (c) and (ie) of the statutes, as affected by this act. The grants shall
8 be made only if all of the following apply:

9 1. The Wisconsin minority business opportunity committee submits a plan to
10 the department detailing the proposed use of the grants and the secretary approves
11 the plan.

12 2. The Wisconsin minority business opportunity committee submits a
13 statement to the department indicating that the grants will match federal funding
14 that has or will be provided to the Wisconsin minority business opportunity
15 committee for the proposed use indicated in the plan submitted under subdivision
16 1.

17 3. The Wisconsin minority business opportunity committee enters into a
18 written agreement with the department that specifies the conditions for the use of
19 the proceeds of the grants, including reporting and auditing requirements.

20 4. The Wisconsin minority business opportunity committee agrees in writing
21 to submit to the department the reports required under paragraph (c) by the time
22 required under paragraph (c).

23 (c) If the Wisconsin minority business opportunity committee receives the
24 grants under this subsection, it shall submit to the department, within 6 months

1 after spending the full amount of each grant, a report detailing how the grant
2 proceeds were used.

3 **SECTION 9110. Nonstatutory provisions; corrections.**

4 **SECTION 9111. Nonstatutory provisions; court of appeals.**

5 **SECTION 9112. Nonstatutory provisions; district attorneys.**

6 **SECTION 9113. Nonstatutory provisions; educational communications**
7 **board.**

8 **SECTION 9114. Nonstatutory provisions; elections board.**

9 **SECTION 9115. Nonstatutory provisions; electronic government.**

10 (1) ABOLITION OF DEPARTMENT OF ELECTRONIC GOVERNMENT.

11 (a) *Assets and liabilities.* Except as provided in SECTION 9215 (1) of this act, on
12 the effective date of this paragraph, the assets and liabilities of the department of
13 electronic government shall become assets and liabilities of the department of
14 administration.

15 (b) *Positions and employees.*

16 1. On the effective date of this subdivision, all full-time equivalent positions
17 in the department of electronic government, except the positions occupied by the
18 secretary, the deputy secretary, the executive assistant, and 2 division administrator
19 positions determined by the secretary of administration, are transferred to the
20 department of administration.

21 2. All incumbent employees holding positions that are transferred under
22 subdivision 1. are transferred on the effective date of this subdivision to the
23 department of administration.

24 3. Employees transferred under subdivision 2. have all of the rights and the
25 same status under subch. V of ch. 111 and chapter 230 of the statutes in the

1 department of administration that they enjoyed in the department of electronic
2 government immediately before the transfer. Notwithstanding section 230.28 (4) of
3 the statutes, no employee so transferred who has attained permanent status in class
4 is required to serve a probationary period.

5 (c) *Tangible personal property.* On the effective date of this paragraph, all
6 tangible personal property, including records, of the department of electronic
7 government is transferred to the department of administration.

8 (d) *Contracts.* All contracts entered into by the department of electronic
9 government that are in effect on the effective date of this paragraph remain in effect
10 and are transferred to the department of administration. The department of
11 administration shall carry out any contractual obligations under such a contract
12 until the contract is modified or rescinded by the department of administration to the
13 extent allowed under the contract.

14 (e) *Rules and orders.* All rules promulgated by the department of electronic
15 government that are in effect on the effective date of this paragraph remain in effect
16 until their specified expiration dates or until amended or repealed by the department
17 of administration. All orders issued by the department of electronic government that
18 are in effect on the effective date of this paragraph remain in effect until their
19 specified expiration dates or until modified or rescinded by the department of
20 administration.

21 (f) *Pending matters.* Any matter pending with the department of electronic
22 government on the effective date of this paragraph is transferred to the department
23 of administration, and all materials submitted to or actions taken by the department
24 of electronic government with respect to the pending matter are considered as having
25 been submitted to or taken by the department of administration.

1 (2) FUNDING OF OPERATIONS AND PROGRAMS AT THE DEPARTMENT OF ELECTRONIC
2 GOVERNMENT. Notwithstanding the requirement under section 20.001 (3) (a) of the
3 statutes that annual appropriations are expendable only up to the amount shown in
4 the schedule and only for the fiscal year for which made, during the period that
5 begins on the effective date of this subsection and ends on the 30th day after the
6 effective date of this subsection, the annual appropriations to the department of
7 electronic government under section 20.530 of the statutes provided for the 2002–03
8 fiscal year shall remain in effect until the 30th day after the effective date of this
9 subsection, except that the department of electronic government may not expend or
10 encumber more than one-twelfth of the amounts appropriated for the 2002–03 fiscal
11 year from each appropriation.

12 **SECTION 9116. Nonstatutory provisions; employee trust funds.**

13 **SECTION 9117. Nonstatutory provisions; employment relations**
14 **commission.**

15 **SECTION 9118. Nonstatutory provisions; employment relations**
16 **department.**

17 (1b) OFFICE OF STATE HUMAN RESOURCES MANAGEMENT.

18 (a) *Assets and liabilities.* On the effective date of this paragraph, all assets and
19 liabilities of the department of employment relations shall become the assets and
20 liabilities of the office of state human resources management.

21 (b) *Tangible personal property.* On the effective date of this paragraph, all
22 tangible personal property, including records, of the department of employment
23 relations is transferred to the office of state human resources management.

24 (c) *Contracts.* All contracts entered into by the department of employment
25 relations that are in effect on the effective date of this paragraph remain in effect and

1 are transferred to the office of state human resources management. The office of
2 state human resources management shall carry out any obligations under such a
3 contract until the contract is modified or rescinded by the office of state human
4 resources management to the extent allowed under the contract.

5 (d) *Employee transfers and status; position conversion.* On the effective date
6 of this paragraph, all incumbent employees holding classified positions in the
7 department of employment relations are transferred to the office of state human
8 resources management. Employees transferred under this paragraph have all of the
9 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
10 statutes in the office of state human resources management that they enjoyed in the
11 department of employment relations immediately before the transfer.
12 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
13 has attained permanent status in class may be required to serve a probationary
14 period. Notwithstanding section 16.505 (1) of the statutes, the director of the office
15 of state human resources management may, during the 2003–05 fiscal biennium,
16 delete one vacant classified position authorized for the office and thereafter create
17 one unclassified position in the office for the purpose of employing the executive
18 assistant authorized under section 230.08 (2) (ya) of the statutes, as created by this
19 act.

20 (e) *Rules and orders.* All rules promulgated by the department of employment
21 relations that are in effect on the effective date of this paragraph remain in effect
22 until their specified expiration dates or until amended or repealed by the office of
23 state human resources management. All orders issued by the department of
24 employment relations that are in effect on the effective date of this paragraph remain

1 in effect until their specified expiration dates or until modified or rescinded by the
2 office of state human resources management.

3 (f) *Pending matters.* Any matter pending with the department of employment
4 relations on the effective date of this paragraph is transferred to the office of state
5 human resources management and all materials submitted to or actions taken by the
6 department of employment relations with respect to the pending matter are
7 considered as having been submitted to or taken by the office of state human
8 resources management.

9 (2) FUNDING OF OPERATIONS AND PROGRAMS AT THE DEPARTMENT OF EMPLOYMENT
10 RELATIONS. Notwithstanding the requirement under section 20.001 (3) (a) of the
11 statutes that annual appropriations are expendable only up to the amount shown in
12 the schedule and only for the fiscal year for which made, during the period that
13 begins on the effective date of this subsection and ends on the 30th day after the
14 effective date of this subsection, the annual appropriations to the department of
15 employment relations under section 20.512 of the statutes provided for the 2002–03
16 fiscal year shall remain in effect until the 30th day after the effective date of this
17 subsection, except that the department of employment relations may not expend or
18 encumber more than one-twelfth of the amounts appropriated for the 2002–03 fiscal
19 year from each appropriation.

20 **SECTION 9119. Nonstatutory provisions; ethics board.**

21 **SECTION 9120. Nonstatutory provisions; financial institutions.**

22 (1) LIMITED LIABILITY COMPANY ANNUAL REPORTS. Notwithstanding section
23 183.0120 (3) of the statutes, as affected by this act, a domestic limited liability
24 company in existence on the effective date of this subsection shall deliver its initial
25 annual report under section 183.0120 of the statutes to the department of financial

1 institutions during the calendar quarter occurring in 2004 during which the
2 anniversary of the effective date of the limited liability company's articles of
3 organization under section 183.0111 of the statutes occurs.

4 (2) REVIEW BOARD TRANSITIONAL PROVISIONS.

5 (a) *Current members of savings bank review board and savings and loan review*
6 *board.* Notwithstanding section 15.07 (1) (c) of the statutes and section 15.185 (3)
7 and (4), 2001 stats., the terms of office of all members of the savings bank review
8 board and all members of the savings and loan review board terminate on the
9 effective date of this paragraph.

10 (b) *Initial members of savings institutions review board.* Notwithstanding
11 section 15.185 (3) of the statutes, as affected by this act, the terms of office of the
12 members initially appointed to the savings institutions review board terminate as
13 follows:

14 1. Two members, on May 1, 2007.

15 2. Three members, on May 1, 2009.

16 (c) *Rules and orders.* All rules promulgated by the division of savings
17 institutions that are in effect on the effective date of this paragraph shall become
18 rules of the division of banking and shall remain in effect until their specified
19 expiration dates or until amended or repealed by the division of banking. All orders
20 issued by the division of savings institutions that are in effect on the effective date
21 of this paragraph shall become orders of the division of banking and shall remain in
22 effect until their specified expiration dates or until modified or rescinded by the
23 division of banking.

24 (d) *Contracts.* All contracts entered into by the division of savings institutions
25 in effect on the effective date of this paragraph remain in effect and are transferred

1 to the division of banking. The division of banking shall carry out any obligations
2 under such a contract until the contract expires or is modified or rescinded by the
3 division of banking to the extent allowed under the contract.

4 (e) *Pending matters.* Any matter pending with the division of savings
5 institutions on the effective date of this paragraph is transferred to the division of
6 banking and all materials submitted to or actions taken by the division of savings
7 institutions with respect to the pending matter are considered as having been
8 submitted to or taken by the division of banking.

9 **SECTION 9121. Nonstatutory provisions; Fox River Navigational**
10 **System Authority.**

11 **SECTION 9122. Nonstatutory provisions; governor.**

12 **SECTION 9123. Nonstatutory provisions; Health and Educational**
13 **Facilities Authority.**

14 **SECTION 9124. Nonstatutory provisions; health and family services.**

15 (1f) **DENTAL CLINIC START-UP COSTS.** From the appropriation under section
16 20.435 (5) (dm) of the statutes, as affected by this act, the department of health and
17 family services shall distribute \$50,000 in state fiscal year 2003–04 for payment to
18 support one–time start–up costs for the tri–county dental clinic in the city of
19 Appleton that will serve low–income persons in the counties of Winnebago, Calumet,
20 and Outagamie.

21 (2) **MENTAL HEALTH AND ALCOHOL OR OTHER DRUG ABUSE MANAGED CARE**
22 **DEMONSTRATION PROJECTS.**

23 (a) From the appropriation under section 20.435 (6) (jm) of the statutes, as
24 affected by this act, the department of health and family services shall expend
25 \$362,100 in state fiscal year 2003–04 and \$224,600 in state fiscal year 2004–05 to

1 contract with counties to provide up to 6 demonstration projects. The demonstration
2 projects shall be to provide mental health and alcohol or other drug abuse services
3 under managed care programs to persons who suffer from mental illness, alcohol or
4 other drug dependency, or both mental illness and alcohol or other drug dependency.

5 (b) The department of health and family services shall submit for approval by
6 the secretary of the federal department of health and human services any requests
7 for waiver of federal medical assistance laws that are necessary to secure federal
8 financial participation for the managed care demonstration projects under this
9 subsection. Regardless of whether a waiver is approved, the department of health
10 and family services may contract for the provision of the managed care
11 demonstration projects under this subsection.

12 (3) ASSESSMENT OF FACILITY LICENSED BEDS; REVISED RULES.

13 (a) The department of health and family services shall submit in proposed form
14 a revision of rules required under section 50.14 (5) (b) of the statutes to the legislative
15 council staff under section 227.15 (1) of the statutes no later than the first day of the
16 4th month beginning after the effective date of this paragraph.

17 (b) Using the procedure under section 227.24 of the statutes, the department
18 of health and family services may promulgate as emergency rules a revision of rules
19 required under section 50.14 (5) (b) of the statutes for the period before the effective
20 date of the revised rules submitted under paragraph (a), but not to exceed the period
21 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding
22 section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department of health and
23 family services is not required to provide evidence that promulgating a rule under
24 this paragraph as an emergency rule is necessary for the preservation of the public

1 peace, health, safety, or welfare and is not required to provide a finding of emergency
2 for a rule promulgated under this paragraph.

3 (4) MEDICAL ASSISTANCE MANAGED CARE WAIVER REQUEST. By January 1, 2004, the
4 department of health and family services shall request from the secretary of the
5 federal department of health and human services, under 42 USC 1396n (c), any
6 waivers of federal Medical Assistance Program laws necessary to authorize the
7 department of health and family services to require that those recipients of Medical
8 Assistance who are eligible for the Supplemental Security Income Program under 42
9 USC 1382 to 1383f enroll for services in managed care plans, including recipients
10 who are in a geographic service region that contains no more than a single managed
11 care organization as service provider.

12 (5) TRANSFER OF GRADE A DAIRY OPERATIONS CERTIFICATION.

13 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
14 liabilities of the department of health and family services primarily related to the
15 certification of grade A dairy operations, as determined by the secretary of
16 administration, shall become the assets and liabilities of the department of
17 agriculture, trade and consumer protection.

18 (b) *Employee transfers.* All positions and all incumbent employees holding
19 those positions in the department of health and family services performing duties
20 primarily related to the certification of grade A dairy operations, as determined by
21 the secretary of administration, are transferred on the effective date of this
22 paragraph to the department of agriculture, trade and consumer protection.

23 (c) *Employee status.* Employees transferred under paragraph (b) have all the
24 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
25 statutes in the department of agriculture, trade and consumer protection that they

1 enjoyed in the department of health and family services immediately before the
2 transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so
3 transferred who has attained permanent status in class is required to serve a
4 probationary period.

5 (d) *Tangible personal property.* On the effective date of this paragraph, all
6 tangible personal property, including records, of the department of health and family
7 services that is primarily related to the certification of grade A dairy operations, as
8 determined by the secretary of administration, is transferred to the department of
9 agriculture, trade and consumer protection.

10 (e) *Contracts.* All contracts entered into by the department of health and family
11 services in effect on the effective date of this paragraph that are primarily related
12 to the certification of grade A dairy operations, as determined by the secretary of
13 administration, remain in effect and are transferred to the department of
14 agriculture, trade and consumer protection. The department of agriculture, trade
15 and consumer protection shall carry out any obligations under such a contract until
16 the contract is modified or rescinded by the department of agriculture, trade and
17 consumer protection to the extent allowed under the contract.

18 (f) *Pending matters.* Any matter pending with the department of health and
19 family services on the effective date of this paragraph that is primarily related to the
20 certification of grade A dairy operations is transferred to the department of
21 agriculture, trade and consumer protection and all materials submitted to or actions
22 taken by the department of health and family services with respect to the pending
23 matter are considered as having been submitted to or taken by the department of
24 agriculture, trade and consumer protection.

1 (5x) TOBACCO CONTROL ADVISORY COMMITTEE; INITIAL APPOINTMENTS.

2 Notwithstanding the length of terms specified in section 255.15 (2m) (a) (intro.) of
3 the statutes, as created by this act, the initial members of the tobacco control
4 advisory committee shall be appointed by the first day of the 4th month beginning
5 after the effective date of this subsection for the following terms:

6 (a) The members specified in section 255.15 (2m) (a) 1. to 3. of the statutes, as
7 created by this act, for terms expiring on July 1, 2008.

8 (b) The members specified in section 255.15 (2m) (a) 4. to 7. of the statutes, as
9 created by this act, for terms expiring on July 1, 2007.

10 (c) The members specified in section 255.15 (2m) (a) 8. to 10. and 14. of the
11 statutes, as created by this act, for terms expiring on July 1, 2006.

12 (7c) PAYMENT INCREASES FOR HEALTH MAINTENANCE ORGANIZATIONS. If before July
13 1, 2005, the department of health and family services determines that supplemental
14 rebate agreements entered into, or prior authorization requirements imposed, in
15 accordance with section 49.45 (49m) of the statutes, as created by this act, generate
16 more rebate earnings or more savings in spending on prescription drugs under the
17 Medical Assistance program or the Badger Care health care program or under the
18 program under section 49.688 of the statutes, as affected by this act, than are
19 allocated for expenditure under the 2003–05 biennial budget act, as determined by
20 the department of health and family services, the department of health and family
21 services shall submit a plan, including any proposed appropriation transfers that are
22 necessary to implement the plan, to the secretary of administration to use the
23 additional earnings or savings to fund increases in rates paid to health maintenance
24 organizations under the Medical Assistance program and the Badger Care health
25 care program. If the secretary approves the plan, the secretary shall submit the plan

1 to the joint committee on finance. If the cochairpersons of the committee do not notify
2 the secretary within 14 working days after the date of the secretary's submittal that
3 the committee has scheduled a meeting for the purpose of reviewing the plan, the
4 department of health and family services may implement the plan as proposed by the
5 secretary. If, within 14 working days after the date of the secretary's submittal, the
6 cochairpersons of the committee notify the secretary that the committee has
7 scheduled a meeting for the purpose of reviewing the proposed plan, the department
8 of health and family services may implement the plan only upon approval of the
9 committee.

10 (8) COUNTY DEPARTMENT AND LOCAL HEALTH DEPARTMENT OPERATING DEFICIT
11 REDUCTION.

12 (a) If an amendment to the state medical assistance plan that provides for a
13 revised payment methodology for medical assistance services that are provided by
14 a local government is approved by the federal center for medicare and medicaid
15 services before July 1, 2005, no county department under section 46.215, 46.22,
16 46.23, or 51.42 of the statutes and no local health department, as defined in section
17 250.01 (4) of the statutes, may receive a distribution of an allocation under section
18 49.45 (6t) of the statutes, as affected by this act.

19 (b) If paragraph (a) applies, any county department or local health department
20 that has received distribution of an allocation under section 49.45 (6t) of the statutes,
21 as affected by this act, for any year after 2002 shall, upon demand by the department
22 of health and family services, return to the department of health and family services
23 all those moneys so distributed.

24 (8c) AUTISM SPECTRUM DISORDER WAIVER. As part of waivers requested under
25 2001 Wisconsin Act 16, section 9123 (16rs) (b), the department of health and family

1 services may, by January 1, 2004, seek a waiver under 42 USC 1396n (c) permitting
2 Medical Assistance reimbursement on a statewide basis for certain in-home
3 habilitation services specified in the waiver request for children who are diagnosed
4 with an autism spectrum disorder.

5 (8w) PRESCRIPTION DRUG PRIOR AUTHORIZATION REPORT. By January 1, 2004, the
6 department of health and family services shall report to the governor, the members
7 of the joint committee on finance, and, in the manner provided under section 13.172
8 (3) of the statutes, the appropriate standing committees of the legislature on all of
9 the following:

10 (a) The name and therapeutic class of each prescription drug for which the
11 department requires prior authorization under the Medical Assistance program or
12 the program under section 49.665 or 49.668 of the statutes, as affected by this act.

13 (b) The criteria for approving prior authorization requests for each prescription
14 drug identified under paragraph (a).

15 (9c) USE OF INCOME AUGMENTATION REVENUE.

16 (a) Subject to paragraph (b), from the appropriation account under section
17 20.435 (8) (mb) of the statutes, the department of health and family services shall
18 support the costs of all of the following:

19 1. Compliance with the federal Health Insurance Portability and
20 Accountability Act, 42 USC 300gg to 300gg–92.

21 2. Implementation and operation of the statewide automated child welfare
22 information system established under section 46.03 (7) (g) of the statutes.

23 3. Activities to reduce errors in the payment of benefits under the federal Food
24 Stamp Program under 7 USC 2011 to 2036.

1 (b) In supporting the costs specified in paragraph (a), the department of health
2 and family services shall expend revenues received under 42 USC 670 to 679a, 42
3 USC 1395 to 1395dd, and 42 USC 1396 to 1396v received before July 1, 2002, before
4 expending revenues received from those sources after June 30, 2002.

5 (10c) PRIMARY HEALTH CARE PROGRAM CLAIMS. Before July 1, 2004, from the
6 appropriation account under section 20.435 (4) (gp) of the statutes, as affected by this
7 act, the department of health and family services may pay outstanding claims for
8 services provided under section 146.93, 2001 stats.

9 (10f) REPORT ON MEDICAL ASSISTANCE BENEFITS AND FINANCING.

10 (a) In this subsection, “Medical Assistance” means services or items provided
11 as a benefit under subchapter IV of chapter 49 of the statutes.

12 (b) By December 1, 2003, the department of administration shall submit to the
13 joint committee on finance a report that includes all of the following:

14 1. A comparison of the amount of state funding that is budgeted for Medical
15 Assistance under 2003 Wisconsin Act ... (this act) with projected expenditures for
16 Medical Assistance in the 2003–05 state fiscal biennium.

17 2. Identification of all federal funding that is available to support Medical
18 Assistance in the 2003–05 state fiscal biennium, including any supplemental
19 funding that this state may receive as the result of federal legislation, any approval
20 by the federal department of health and human services of waivers of federal Medical
21 Assistance Program laws, and any creation or expansion of claims for federal Medical
22 Assistance Program moneys under 42 CFR 433.51.

23 3. Proposals and recommendations, including proposed statutory changes, to
24 reduce Medical Assistance costs if projected expenditures exceed projected revenues.

1 (10h) REQUEST FOR PROPOSALS FOR PLAN ADMINISTRATOR. Not later than the first
2 day of the 7th month beginning after the effective date of this subsection, the
3 department of health and family services shall have prepared, and shall submit to
4 the cochairpersons of the joint committee on finance, a request for proposals for
5 administration of the Health Insurance Risk-Sharing Plan. If the cochairpersons
6 of the joint committee on finance do not notify the secretary of health and family
7 services within 14 working days after receiving the request for proposals that the
8 cochairpersons have scheduled a meeting for the purpose of reviewing the request
9 for proposals, the department of health and family services may issue the request for
10 proposals. If within 14 working days after receiving the request for proposals the
11 cochairpersons notify the secretary of health and family services that the
12 cochairpersons have scheduled a meeting for the purpose of reviewing the request
13 for proposals, the department of health and family services may issue the request for
14 proposals only upon approval of the committee.

15 (10k) TRANSFER OF HEALTH CARE INFORMATION TO ENTITY; TRANSITION ASSISTANCE.

16 (a) Before 12 months have elapsed after a contract is agreed upon under section
17 153.05 (2m) of the statutes, as created by this act, the department of health and
18 family services shall provide to the entity under that contract all health care
19 information databases and computer software related to hospitals and ambulatory
20 surgery centers, including manuals, documentation, and program codes, that the
21 department possesses under chapter 153 of the statutes, as affected by this act.

22 (b) The department of health and family services shall provide the entity under
23 contract under section 153.05 (2m) (a) of the statutes, as created by this act, with
24 transition assistance concerning health care data collection and dissemination to

1 assist the entity in ensuring that the entity's program under the contract is
2 functioning by January 1, 2004.

3 (10m) EMERGENCY RULES FOR COVERAGE OF PSYCHOSOCIAL SERVICES. Using the
4 procedure under section 227.24 of the statutes, the department of health and family
5 services may promulgate the rules required under section 49.45 (30e) (b) 1. to 3. of
6 the statutes and under section 49.45 (30e) (b) 4. of the statutes, as created by this act,
7 for the period before the effective date of the permanent rules promulgated under
8 section 49.45 (30e) (b) 1. to 3. of the statutes and under section 49.45 (30e) (b) 4. of
9 the statutes, as created by this act, but not to exceed the period authorized under
10 section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a),
11 (2) (b), and (3) of the statutes, the department is not required to provide evidence that
12 promulgating a rule under this subsection as an emergency rule is necessary for the
13 preservation of the public peace, health, safety, or welfare and is not required to
14 provide a finding of emergency for a rule promulgated under this subsection.

15 (11f) MEDICAL ASSISTANCE FEDERAL FUNDING REPORT. If, before July 1, 2005,
16 sufficient federal Medical Assistance Program moneys are available to support any
17 of the following state Medical Assistance programs or services at the level of funding
18 recommended by the governor in 2003 Senate Bill 44, the department of health and
19 family services shall so report to the legislature in the manner provided under
20 section 13.172 (2) of the statutes and include in the report any proposed legislation
21 necessary for implementation:

22 (a) Administrative costs for implementing created or expanded claims for
23 federal Medical Assistance Program moneys under 42 CFR 433.51.

24 (b) Noninstitutional Medical Assistance service provider rates.

25 (c) Reduction in the use of nursing homes for the provision of long-term care.

1 (d) Expanded services and increased rates for services under sections 46.27
2 (11), 46.277, and 46.278 of the statutes, as affected by this act.

3 (e) Community support programs under section 51.421 (3) (e) of the statutes.

4 (f) Expansion of the family care benefit, as defined in section 46.2805 (4) of the
5 statutes, in Kenosha County.

6 (11k) MEDICAL ASSISTANCE NURSING HOME BED ASSESSMENT WAIVER REQUEST. By
7 the date that is 60 days after the effective date of this subsection, the department of
8 health and family services shall submit to the joint committee on finance, for review
9 and approval, a request to the secretary of the federal department of health and
10 human services, under 42 USC 1396n (c), for any waivers of federal Medical
11 Assistance program laws necessary to permit exemption of certain facilities with a
12 high proportion of private-pay residents or residents who are recipients of Medical
13 Assistance from the assessment under section 50.14 (2) of the statutes, as affected
14 by this act.

15 (11p) REPORT ON EXEMPTING PRIVATE-PAY NURSING HOME RESIDENTS FROM BED
16 ASSESSMENTS. By the date that is 60 days after the effective date of this subsection,
17 the department of health and family services shall submit to the joint committee on
18 finance a report on the feasibility of exempting private-pay residents of facilities
19 from the assessment under section 50.14 (2) of the statutes, as affected by this act.

20 (11pd) ASSESSMENT OF FACILITY LICENSED BEDS. If any facility assessments
21 required under section 50.14 (2) (intro.) of the statutes, as affected by this act, that
22 are due on July 1, 2003, and thereafter are paid under the rates specified in section
23 50.14 (2) (intro.), 2001 statutes, the department of health and family services shall
24 calculate the amounts owing under section 50.14 (2) (intro.) of the statutes, as

1 affected by this act, and require payment by facilities, for deposit in the general fund,
2 or the Medical Assistance trust fund, as applicable, of the increased amounts.

3 **SECTION 9125. Nonstatutory provisions; higher educational aids**
4 **board.**

5 **SECTION 9126. Nonstatutory provisions; historical society.**

6 **SECTION 9127. Nonstatutory provisions; Housing and Economic**
7 **Development Authority.**

8 (1f) TRANSFER OF SURPLUS. Notwithstanding section 234.165 (2) (c) of the
9 statutes, the Wisconsin Housing and Economic Development Authority shall pay to
10 the state in fiscal year 2003–04 \$2,375,000 of its actual surplus under section
11 234.165 of the statutes and in fiscal year 2004–05 \$2,125,000 of its actual surplus
12 under section 234.165 of the statutes.

13 **SECTION 9128. Nonstatutory provisions; insurance.**

14 **SECTION 9129. Nonstatutory provisions; investment board.**

15 **SECTION 9130. Nonstatutory provisions; joint committee on finance.**

16 (1c) PRIVATE EMPLOYER HEALTH CARE COVERAGE PROGRAM. Of the moneys
17 appropriated to the joint committee on finance under section 20.865 (4) (a) of the
18 statutes for the 2003–05 fiscal biennium, \$105,500 for the 2003–04 fiscal year and
19 \$210,900 for the 2004–05 fiscal year is allocated to the department of employee trust
20 funds for funding operating costs relating to the private employer health care
21 coverage program under subchapter X of chapter 40 of the statutes.
22 Notwithstanding section 13.101 (3) (a) 1. of the statutes, no finding of an emergency
23 is required for the joint committee on finance to use the moneys allocated under this
24 subsection. The joint committee on finance may not use the moneys unless the
25 department of employee trust funds requests the use and statutory changes

1 substantially similar to any changes recommended by the task force created under
2 SECTION 9133 (4c) of this act have been enacted into law.

3 (1q) STATE LEASE, RENTAL AND SPACE MANAGEMENT COST SUPPLEMENTATION. Of the
4 moneys appropriated to the joint committee on finance under section 20.865 (4) (a)
5 of the statutes for the 2003–05 fiscal biennium, \$5,303,800 is allocated to supplement
6 the appropriations under section 20.865 (2) (a), and (am) of the statutes, as affected
7 by this act, and section 20.865 (2) (ag) of the statutes. The committee may
8 supplement those appropriations upon request of the department of administration
9 only after the report required under SECTION 9101 (11q) of this act is received by the
10 cochairpersons of the committee.

11 (2f) JUVENILE CORRECTIONAL SERVICES REVENUE SUFFICIENCY. The joint committee
12 on finance shall add \$284,700 to the cost basis used to determine the per person daily
13 cost assessment under section 301.26 (4) (d) 2. of the statutes, as affected by this act,
14 for care in a Type I secured correctional facility, as defined in section 938.02 (19) of
15 the statutes, for fiscal year 2003–04 and \$284,600 to the cost basis used to determine
16 the per person daily cost assessment under section 301.26 (4) (d) 3. of the statutes,
17 as affected by this act, for care in a Type I secured correctional facility, as defined in
18 section 938.02 (19) of the statutes, for fiscal year 2004–05. The secretary of
19 administration shall place in unallotted reserve and use to recoup any actual deficit
20 in the appropriation account under section 20.410 (3) (hm), 2001 stats., as of June
21 30, 2003, all moneys generated by the increases in those per person daily cost
22 assessments that result from adding those amounts to those cost bases.

23 **SECTION 9131. Nonstatutory provisions; judicial commission.**

24 **SECTION 9132. Nonstatutory provisions; justice.**

25 (3f) REALLOCATION PROPOSAL.

1 (a) No later than 90 days after the effective date of this paragraph, the
2 department of justice may submit a proposal to the secretary of administration to
3 increase the funding or position authority of any appropriation listed in the following
4 table by an amount not more than that identified for the appropriation in that table
5 for the specified fiscal year, and to decrease the funding or position authority of one
6 or more department sum certain, general purpose revenue state operations
7 appropriations by a total equal to the amount of any proposed increase:

8 9 10 11 12 13	<i>Appropriation</i>	<i>2003–04 Fiscal Year</i>		<i>2004–05 Fiscal Year</i>	
		<i>Amount</i>	<i>FTE Positions</i>	<i>Amount</i>	<i>FTE Positions</i>
10	20.455 (1) (a)	\$1,662,600	19	\$1,662,600	19
11	20.455 (1) (d)	418,400	0	418,400	0
12	20.455 (2) (a)	2,415,300	19	2,415,300	19
13	20.455 (3) (a)	503,700	2	503,700	2

14 (b) If the secretary of administration approves the reallocation proposal, the
15 secretary shall submit the proposal to the joint committee on finance. If the
16 cochairpersons of the committee do not notify the secretary that the committee has
17 scheduled a meeting for the purpose of reviewing the proposal within 14 working
18 days after the date of the secretary's submittal, the proposal shall be implemented.
19 If, within 14 working days after the date of the secretary's submittal of the proposal,
20 the cochairpersons of the committee notify the secretary that the committee has
21 scheduled a meeting for the purpose of reviewing the proposal, the proposal may be
22 implemented under this subsection only upon approval of the committee.

23 **SECTION 9133. Nonstatutory provisions; legislature.**

1 (1) FUNDING OF AUTHORIZED POSITIONS FOR THE LEGISLATURE AND LEGISLATIVE
2 SERVICE AGENCIES DURING THE 2003–05 FISCAL BIENNIUM. Notwithstanding section
3 16.505 (4) of the statutes, all authorized positions for the legislature and for each
4 legislative service agency, as defined in section 16.70 (6) of the statutes, that are
5 funded from an appropriation under section 20.765 (1), (2), (3) (a) to (fa), or (4) of the
6 statutes, as affected by this act, shall be funded from the appropriation under section
7 20.765 (5) of the statutes, as created by this act, before the effective date of the
8 biennial budget act for the 2005–07 fiscal biennium until such time as the joint
9 committee on legislative organization acts under subsection (2).

10 (1z) APPROPRIATION LAPSES AND REESTIMATES. The cochairpersons of the joint
11 committee on legislative organization shall take actions during the 2003–05 fiscal
12 biennium to ensure that from general purpose revenue appropriations for state
13 operations to the legislature under section 20.765 of the statutes an amount equal
14 to \$11,840,000 is lapsed from sum certain appropriation accounts or is subtracted
15 from the expenditure estimates for any other types of appropriations, or both.

16 (2) ALLOCATION AND TRANSFER OF APPROPRIATED FUNDS BY THE JOINT COMMITTEE ON
17 LEGISLATIVE ORGANIZATION. Before the effective date of the biennial budget act for the
18 2005–07 fiscal biennium, the joint committee on legislative organization shall
19 allocate moneys that have not been expended or encumbered from the appropriation
20 under section 20.765 (5) (a) of the statutes, as created by this act, to be used for the
21 purposes provided in the appropriations under section 20.765 (1), (2), (3) (a) to (fa),
22 and (4) of the statutes, as affected by this act. The amounts so allocated shall be
23 reflected by increasing the appropriations under section 20.765 (1), (2), (3) (a) to (fa),
24 and (4) of the statutes, as affected by this act, in the case of sum certain
25 appropriations, or modifying the expenditure estimates for the appropriations under

1 section 20.765 (1), (2), (3) (a) to (fa), and (4) of the statutes, as affected by this act, in
2 the case of any other types of appropriations, and by reducing the expenditure
3 estimate for the appropriation under section 20.765 (5) (a) of the statutes, as created
4 by this act, to the amount already expended or encumbered.

5 (3) CONTINUATION OF EXISTING EXPENDITURE AUTHORITY. Notwithstanding
6 subsection (2), if on the effective date of this subsection the joint committee on
7 legislative organization has not acted to fully allocate for expenditure the moneys
8 shown in the schedule under section 20.005 (3) of the statutes for the appropriation
9 under section 20.765 (5) (a) of the statutes, as created by this act, the officers who
10 were permitted to authorize expenditures to be made from the appropriations under
11 section 20.765 (1), (2), (3) (a) to (fa), and (4) of the statutes, as affected by this act, on
12 the day before the effective date of this subsection may, during the period before the
13 effective date of the 2005–07 biennial budget act, continue to authorize expenditures
14 to be made for the same purposes and in the same amounts for which they were
15 previously authorized at the end of the 2001–03 fiscal biennium from the
16 appropriation under section 20.765 (5) (a) of the statutes, as created by this act, until
17 such time as the joint committee on legislative organization acts under subsection
18 (2).

19 (3f) EVALUATION OF CREDENTIALING FEES. The joint legislative audit committee
20 is requested to, and may, direct the legislative audit bureau to evaluate the
21 methodologies used by the department of regulation and licensing for recalculating
22 administrative and enforcement costs under section 440.03 (9) (a) of the statutes and
23 recommending changes to fees for issuing and renewing credentials under section
24 440.03 (9) (b) of the statutes. An evaluation under this subsection shall determine
25 whether the methodologies are adequately documented and administered in a

1 straightforward manner, whether they represent the actual costs associated with the
2 department's regulation of credential holders, and whether they provide sufficient
3 revenues to support the department's operations. If the committee directs the
4 legislative audit bureau to perform an evaluation under this subsection, the bureau
5 shall, no later than June 30, 2004, file its report as described in section 13.94 (1) (b)
6 of the statutes.

7 (3m) COMMITTEE TO STUDY DISTRIBUTION OF STATE AID TO MUNICIPALITIES. The joint
8 committee on legislative organization may create a joint committee to study the
9 distribution of state aid to municipalities and to make a recommendation for the
10 distribution of \$703,102,200 to municipalities, beginning in 2006. The committee
11 shall report its findings, conclusions, and recommendations to the legislature in the
12 manner provided under section 13.172 (2) of the statutes no later than December 31,
13 2004. The legislative fiscal bureau shall assist the committee.

14 (4c) CREATION OF TASK FORCE TO STUDY THE PRIVATE EMPLOYER HEALTH CARE
15 COVERAGE PROGRAM. The majority leader of the senate and the speaker of the
16 assembly shall jointly create, and appoint members to, a task force to study and
17 recommend statutory language changes to the private employer health care
18 coverage program established under subchapter X of chapter 40 of the statutes. The
19 task force shall submit any recommended statutory language changes to the chief
20 clerk of each house of the legislature no later than January 1, 2004, for distribution
21 to the legislature in the manner specified under section 13.172 (3) of the statutes.

22 **SECTION 9134. Nonstatutory provisions; lieutenant governor.**

23 **SECTION 9135. Nonstatutory provisions; lower Wisconsin state**
24 **riverway board.**

25 **SECTION 9136. Nonstatutory provisions; Medical College of Wisconsin.**

1 **SECTION 9137. Nonstatutory provisions; military affairs.**

2 **SECTION 9138. Nonstatutory provisions; natural resources.**

3 (1z) **BROWNFIELDS GREEN SPACE GRANTS.** During the 2003–05 fiscal biennium, the
4 department of natural resources may review applications submitted to the
5 department by January 17, 2003, for grants under section 292.79 of the statutes and
6 may use the criteria under that section and rules promulgated by the department
7 under that section to make grants of up to a total of \$1,000,000 from the
8 appropriation under section 20.370 (6) (eu) of the statutes to applicants that would
9 have been eligible for grants under section 292.79 of the statutes in fiscal year
10 2002–03.

11 (2z) **ENVIRONMENTAL MANAGEMENT APPROPRIATION REDUCTION.** The department
12 of natural resources may submit a plan to the secretary of administration to increase
13 the appropriation to the department of natural resources under section 20.370 (2)
14 (mq) of the statutes by not more than \$1,120,000 in fiscal year 2003–04 and
15 \$1,120,000 in fiscal year 2004–05 and to decrease one or more other sum certain
16 appropriations made to the department from the environmental fund for
17 environmental management by a total equal to the amount of the proposed increase.
18 The department may not include in the plan a decrease in the appropriation under
19 section 20.370 (2) (mr) of the statutes, as created by this act. The department shall
20 include in the plan a description of the number and types of positions that would be
21 eliminated under the plan. If the secretary does not approve the plan, the
22 department may not implement the plan. If the secretary approves the plan, he or
23 she shall submit the plan to the joint committee on finance. If the cochairpersons of
24 the committee do not notify the secretary within 14 working days after the date of
25 the secretary's submittal that the committee has scheduled a meeting for the purpose

1 of reviewing the plan, the department shall implement the plan. If the
2 cochairpersons of the committee notify the secretary within 14 working days after
3 the date of the secretary's submittal that the committee has scheduled a meeting for
4 the purpose of reviewing the plan, the department may not implement the plan until
5 it is approved by the committee, as submitted or as modified.

6 (3) FUNDING TO MAINTAIN AND DEVELOP HISTORIC SITES. Notwithstanding section
7 20.370 (7) (fa) of the statutes, the requirements that the department of natural
8 resources expend at least \$150,000 in each fiscal year from the appropriation under
9 section 20.370 (7) (fa) of the statutes for maintaining and developing historic sites
10 and that the department of natural resources expend at least \$10,000 of these
11 amounts in each fiscal year for maintaining and developing Heritage Hill State Park
12 do not apply in fiscal year 2003–04.

13 (3d) CHRONIC WASTING DISEASE. Of the amounts appropriated to the department
14 of natural resources under section 20.370 (8) (mz) of the statutes, the department of
15 natural resources shall expend \$360,000 in fiscal year 2003–04 for efforts to manage
16 wildlife diseases, with a primary focus on managing and testing for chronic wasting
17 disease.

18 (3f) GRANT FOR MITIGATION OF BLUFF EROSION. During the 2003–05 fiscal
19 biennium, the department of natural resources shall make a grant of \$250,000 from
20 the appropriation under section 20.866 (2) (te) of the statutes, as affected by this act,
21 to Sheboygan County for a project to mitigate bluff erosion along County Highway
22 LS if Sheboygan County provides an amount equal to at least 30% of the total project
23 costs from nonstate revenue sources.

24 (3x) SALE OF PROPERTY. Notwithstanding section 23.15 (1) of the statutes, as
25 affected by this act, during fiscal year 2003–04 and fiscal year 2004–05, the

1 department of natural resources shall make a good faith effort to sell enough real
2 property that is owned by the state under the jurisdiction of the department and that
3 is currently used for one of the purposes specified in section 23.09 (2) (d) of the
4 statutes to receive \$20,000,000 annually from those sales after any payment to the
5 bond security and redemption fund and to the federal government. The department
6 shall attempt to first sell real property that is isolated from other publicly owned real
7 property, then to sell real property that is suitable for agricultural use, and finally
8 to sell other real property under its jurisdiction. If there is any outstanding public
9 debt used to finance the acquisition, construction, or improvement of any real
10 property that is sold under this subsection, the department shall deposit a sufficient
11 amount of the net proceeds from the sale of the real property in the bond security and
12 redemption fund under section 18.09 of the statutes to repay the principal and pay
13 the interest on the debt, and any premium due upon refunding any of the debt. If
14 the real property was purchased with federal financial assistance, the department
15 shall pay to the federal government any of the net proceeds required by federal law.
16 Before entering into an agreement to sell real property under this subsection, the
17 secretary of natural resources shall submit the proposal to sell the real property to
18 the joint committee on finance. If the cochairpersons of the committee do not notify
19 the secretary that the committee has scheduled a meeting for the purpose of
20 reviewing the proposed sale within 14 working days after the date of the secretary's
21 submittal, the sale may be completed. If, within 14 working days after the date of
22 the secretary's submittal of the proposed sale, the cochairpersons of the committee
23 notify the secretary that the committee has scheduled a meeting for the purpose of
24 reviewing the proposed sale, the sale may be implemented under this subsection only
25 upon approval of the committee. Any moneys received from the sale of real property

1 under this subsection shall be deposited in the budget stabilization fund. If the
2 department is unable to sell annually sufficient real property to net \$20,000,000
3 from those sales in either fiscal year, the department shall submit a report to the
4 members of the joint committee on finance detailing the department's plan for selling
5 real property under this subsection and explaining why the department was unable
6 to sell enough real property during the fiscal year to net \$20,000,000.

7 (4f) RECREATIONAL BOATING AIDS; MEMORY LAKE. From the appropriation under
8 section 20.370 (5) (cq) of the statutes, as affected by this act, the department of
9 natural resources shall provide \$400,000 in fiscal year 2003–04 to the village of
10 Grantsburg in Burnett County for a project to dredge weeds in Memory Lake. The
11 village of Grantsburg shall contribute funding for the project equal to 25% of the
12 project's cost. The village of Grantsburg's contribution may be in matching funds or
13 may be in-kind contributions or both. Notwithstanding section 30.92 (4) (b) 7. and
14 8. of the statutes, the project specified under this subsection qualifies as a
15 recreational boating project for the purpose of providing moneys under this
16 subsection. This project need not be placed on the priority list under section 30.92
17 (3) (a) of the statutes.

18 (4g) LITTLE MUSKEGO LAKE.

19 (a) From the appropriation under section 20.370 (5) (cq) of the statutes, as
20 affected by this act, the department of natural resources shall provide financial
21 assistance in fiscal year 2003–04 to the Little Muskego Lake protection and
22 rehabilitation district for a dredging project in Little Muskego Lake. The
23 department of natural resources shall provide as financial assistance under this
24 paragraph \$25,000 or an amount equal to the amount contributed by the lake
25 district, whichever is less. The contribution by the lake district may be in the form

1 of money or in-kind contributions or both. Notwithstanding section 30.92 (4) (b) 7.
2 and 8. of the statutes, the project specified under this subsection qualifies as a
3 recreational boating project for the purpose of providing moneys under this
4 subsection. This project need not be placed on the priority list under section 30.92
5 (3) (a) of the statutes.

6 (b) The financial assistance provided under paragraph (a) shall be used in
7 Island Drive Bay to clean out muck from shore to shore to the hard bottom of the bay
8 or to a depth of 8 feet, whichever is less. Sections 23.24, 30.20, and 283.31 of the
9 statutes do not apply to the dredging project specified under paragraph (a).

10 (4k) SOUTHEASTERN WISCONSIN FOX RIVER COMMISSION. The department of
11 natural resources shall provide in fiscal year 2003–04, from the appropriation under
12 section 20.370 (5) (cq) of the statutes, as affected by this act, \$200,000 to the
13 Southeastern Wisconsin Fox River commission. The commission may use this
14 funding for activities that are required or authorized under subchapter VI of chapter
15 33 of the statutes and that are consistent with the commission's implementation
16 plan. The activities for which this funding is utilized may include the activities
17 required under section 33.56 (1), (2), and (3) of the statutes.

18 (5g) REDUCTIONS OF ADMINISTRATIVE APPROPRIATIONS. By January 1, 2004, the
19 department of natural resources shall submit to the secretary of administration a
20 plan to implement the reductions from fiscal year 2003–04 to fiscal year 2004–05 in
21 the department of natural resource's appropriation accounts under sections 20.370
22 (8) (ma) and (9) (ma), including proposed position reductions. The secretary of
23 administration may approve or may modify and then approve the plan submitted by
24 the department of natural resources. By March 1, 2004, the secretary shall submit
25 the approved plan to the joint committee on finance. If the cochairpersons of the

1 committee do not notify the secretary that the committee has scheduled a meeting
2 for the purpose of reviewing the proposed plan within 14 working days after the date
3 of the secretary's submittal, the plan may be implemented. If, within 14 working
4 days after the date of the secretary's submittal of the plan, the cochairpersons of the
5 committee notify the secretary that the committee has scheduled a meeting for the
6 purpose of reviewing the proposed plan, the plan may be implemented under this
7 subsection only upon approval of the committee.

8 **SECTION 9139. Nonstatutory provisions; personnel commission.**

9 (1) ABOLITION OF PERSONNEL COMMISSION.

10 (a) *Assets and liabilities.*

11 1. On the effective date of this subdivision, all assets and liabilities of the
12 personnel commission relating to the performance of its duties under section 230.45
13 (1) (a), (c), (d), and (e), 2001 stats., as determined by the secretary of administration,
14 shall become the assets and liabilities of the employment relations commission.

15 2. On the effective date of this subdivision, all assets and liabilities of the
16 personnel commission relating to the performance of its duties under section 230.45
17 (1) (b), (g), (gm), (j), (k), (L), and (m), 2001 stats., as determined by the secretary of
18 administration, shall become the assets and liabilities of the department of
19 workforce development.

20 (b) *Tangible personal property.*

21 1. On the effective date of this subdivision, all tangible personal property,
22 including records, of the personnel commission relating to the performance of its
23 duties under section 230.45 (1) (a), (c), (d), and (e), 2001 stats., as determined by the
24 secretary of administration, are transferred to the employment relations
25 commission.

1 2. On the effective date of this subdivision, all tangible personal property,
2 including records, of the personnel commission relating to the performance of its
3 duties under section 230.45 (1) (b), (g), (gm), (j), (k), (L), and (m), 2001 stats., as
4 determined by the secretary of administration, are transferred to the department of
5 workforce development.

6 (c) *Contracts.*

7 1. On the effective date of this subdivision, all contracts entered into by the
8 personnel commission relating to the performance of its duties under section 230.45
9 (1) (a), (c), (d), and (e), 2001 stats., as determined by the secretary of administration,
10 which are in effect on the effective date of this subdivision remain in effect and are
11 transferred to the employment relations commission. The employment relations
12 commission shall carry out any such contractual obligations until modified or
13 rescinded by the employment relations commission to the extent allowed under the
14 contract.

15 2. On the effective date of this subdivision, all contracts entered into by the
16 personnel commission relating to the performance of its duties under section 230.45
17 (1) (b), (g), (gm), (j), (k), (L), and (m), 2001 stats., as determined by the secretary of
18 administration, which are in effect on the effective date of this subdivision remain
19 in effect and are transferred to the department of workforce development. The
20 department of workforce development shall carry out any such contractual
21 obligations until modified or rescinded by the department of workforce development
22 to the extent allowed under the contract.

23 (d) *Pending matters.*

24 1. On the effective date of this subdivision, any matter pending with the
25 personnel commission relating to the performance of its duties under section 230.45

1 (1) (a), (c), (d), and (e), 2001 stats., is transferred to the employment relations
2 commission, and all materials submitted to or actions taken by the personnel
3 commission with respect to the pending matter are considered as having been
4 submitted to or taken by the employment relations commission.

5 2. On the effective date of this subdivision, any matter pending with the
6 personnel commission relating to the performance of its duties under section 230.45
7 (1) (b), (g), (gm), (j), (k), (L), and (m), 2001 stats., is transferred to the department of
8 workforce development, and all materials submitted to or actions taken by the
9 personnel commission with respect to the pending matter are considered as having
10 been submitted to or taken by the department of workforce development.

11 (e) *Rules and orders.*

12 1. All rules promulgated, and all orders issued, by the personnel commission
13 that are in effect on the effective date of this subdivision and that relate to the
14 performance of its duties under section 230.45 (1) (a), (c), (d), and (e), 2001 stats.,
15 remain in effect until their specified expiration date or until amended or repealed or
16 modified or rescinded, whichever is appropriate, by the employment relations
17 commission.

18 2. All rules promulgated, and all orders issued, by the personnel commission
19 that are in effect on the effective date of this subdivision and that relate to the
20 performance of its duties under section 230.45 (1) (b), (g), (gm), (j), (k), (L), and (m),
21 2001 stats., remain in effect until their specified expiration date or until amended
22 or repealed or modified or rescinded, whichever is appropriate, by the department
23 of workforce development.

24 **SECTION 9140. Nonstatutory provisions; public defender board.**

1 (1z) MONTHLY REPORT ON PRIVATE BAR APPROPRIATION. In each month of the
2 2003–05 fiscal biennium, the office of the state public defender shall submit to the
3 joint committee on finance a report on the expenditures from, encumbrances against,
4 and unencumbered balance in the appropriation account of the public defender
5 board under section 20.550 (1) (d) of the statutes, as affected by the acts of 2003.

6 **SECTION 9141. Nonstatutory provisions; public instruction.**

7 (2c) SCHOOL FINANCE COMMISSION.

8 (a) There is created a committee called the school finance commission. The
9 commission shall consist of 3 members appointed by the governor, one member
10 appointed by the state superintendent of public instruction, 3 members appointed
11 by the senate majority leader, 3 members appointed by the speaker of the assembly,
12 one member appointed by the senate minority leader, and one member appointed by
13 the assembly minority leader. The governor shall appoint the chairperson of the
14 commission from among its members.

15 (b) The commission shall study the system for funding elementary and
16 secondary education in this state, including the equalization aid formula, school
17 finance equity, revenue limits, the qualified economic offer, health insurance costs,
18 and any other issues the governor, the senate majority leader, the speaker of the
19 assembly, the senate minority leader, or the assembly minority leader requests the
20 commission to consider.

21 (c) The commission shall submit its report, including its recommendations for
22 modifying the school funding system, to the governor and the state superintendent
23 of public instruction, and to the legislature in the manner provided under section
24 13.172 (1) of the statutes, by January 1, 2004. The commission terminates upon
25 submission of its report.

1 (2q) REVENUE LIMITS.

2 (a) In this subsection:

3 1. “Base” means the sum of the amount of state aid received in the 2002–03
4 school year and property taxes levied for the 2002–03 school year, excluding property
5 taxes levied for the purpose of section 120.13 (19) of the statutes, funds described
6 under section 121.91 (4) (c) of the statutes, and revenues that are excluded under
7 section 121.91 (4) (f) 2. of the statutes, as affected by this act, and section 121.91 (7)
8 of the statutes.

9 2. “Number of pupils enrolled” has the meaning given in section 121.90 (1) of
10 the statutes, as affected by this act.

11 (b) For the purpose of determining a school district’s revenue limit in the
12 2003–04 school year, the department of public instruction shall reduce the base in
13 proportion to the change in the average of the number of pupils enrolled in 2000,
14 2001, and 2002 resulting from counting 4–year–old kindergarten pupils under
15 section 121.004 (7) (c) and (cm) of the statutes, as affected by this act, instead of under
16 section 121.004 (7) (c) and (cm), 2001 stats.

17 **SECTION 9142. Nonstatutory provisions; public lands, board of**
18 **commissioners of.**

19 **SECTION 9143. Nonstatutory provisions; public service commission.**

20 **SECTION 9144. Nonstatutory provisions; regulation and licensing.**

21 **SECTION 9145. Nonstatutory provisions; revenue.**

22 (1f) TAX APPEALS COMMISSION. Notwithstanding section 15.105 (1) of the
23 statutes, the governor may not appoint a tax appeals commissioner to fill a vacancy
24 for the term ending on March 1, 2009, until after June 30, 2005.

1 (1x) ADOPTION OF FEDERAL INCOME TAX LAW CHANGES. Changes to the Internal
2 Revenue Code made by P.L. 107–134, P.L. 107–147, excluding sections 101 and 406
3 of P.L. 107–147, and P.L. 107–181 apply to the definitions of “Internal Revenue Code”
4 in chapter 71 of the statutes at the time that those changes apply for federal income
5 tax purposes.

6 **SECTION 9146. Nonstatutory provisions; secretary of state.**

7 (1x) ELIMINATION OF DEPUTY SECRETARY OF STATE. The authorized FTE positions
8 for the office of the secretary of state, funded from the appropriation under section
9 20.575 (1) (g) of the statutes, are decreased by 1.0 PR position on the effective date
10 of this subsection for the purpose of eliminating the position of deputy secretary of
11 state.

12 **SECTION 9147. Nonstatutory provisions; state fair park board.**

13 **SECTION 9148. Nonstatutory provisions; supreme court.**

14 **SECTION 9149. Nonstatutory provisions; technical college system.**

15 (1x) TECHNICAL PREPARATION, SCHOOL-TO-WORK, AND WORK-BASED LEARNING
16 PROGRAMS.

17 (a) The authorized FTE positions for the technical college system board, funded
18 from the appropriation under section 20.292 (1) (kx) of the statutes, as affected by
19 this act, are increased by 2.2 PR positions on the effective date of this paragraph for
20 the purpose of administering the technical preparation, school-to-work, and
21 work-based learning programs under section 38.40 of the statutes, as affected by
22 this act.

23 (b) The authorized FTE positions for the technical college system board, funded
24 from the appropriation under section 20.292 (1) (m) of the statutes are increased by
25 7.85 FED positions on the effective date of this paragraph for the purpose of

1 administering the technical preparation, school-to-work, and work-based learning
2 programs under section 38.40 of the statutes, as affected by this act.

3 **SECTION 9150. Nonstatutory provisions; technology for educational**
4 **achievement in Wisconsin board.**

5 (1d) TRANSFER OF DUTIES FROM THE TECHNOLOGY FOR EDUCATIONAL ACHIEVEMENT
6 IN WISCONSIN BOARD.

7 (a) *Outstanding loans.* On the effective date of this paragraph, all loans made
8 under section 44.72 (4) (b), 2001 stats., shall be assigned to the department of
9 administration. The department of administration shall take all actions that are
10 necessary for the effective assignment of those loans, including providing
11 notification of that assignment to all persons liable for repayment of those loans.

12 (b) *Positions and employees.*

13 1. The authorized FTE positions for the technology for educational
14 achievement in Wisconsin board, funded from the appropriation under section
15 20.275 (1) (a), 2001 stats., are decreased by 1.0 GPR position on the effective date of
16 this subdivision for the purpose of eliminating that board.

17 2. The authorized FTE positions for the technology for educational
18 achievement in Wisconsin board, funded from the appropriation under section
19 20.275 (1) (g), 2001 stats., are decreased by 0.5 PR position on the effective date of
20 this subdivision for the purpose of eliminating that board.

21 3. The authorized FTE positions for the technology for educational
22 achievement in Wisconsin board, funded from the appropriation under section
23 20.275 (1) (m), 2001 stats., are decreased by 0.5 FED position on the effective date
24 of this subdivision for the purpose of eliminating that board.

1 4. On the effective date of this subdivision, all incumbent employees holding
2 the positions specified in subdivisions 1., 2., and 3. are transferred to the department
3 of administration.

4 (c) *Employee status.* Employees transferred under paragraph (b) 4. have all the
5 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
6 statutes in the department of administration that they enjoyed in the technology for
7 educational achievement in Wisconsin board immediately before the transfer.
8 Notwithstanding section 230.28 (4) of the statutes, no transferred employee who has
9 attained permanent status in class is required to serve a probationary period.

10 (d) *Contracts.* All contracts entered into by the technology for educational
11 achievement in Wisconsin board in effect on the effective date of this paragraph
12 remain in effect and are transferred to the department of administration. The
13 department of administration shall carry out any obligations under a transferred
14 contract until the department of administration modifies or rescinds the contract.

15 (e) *Rules and orders.* All rules promulgated by the technology for educational
16 achievement in Wisconsin board that are in effect on the effective date of this
17 paragraph remain in effect until their specified expiration date or until the
18 department of administration amends or repeals them. All orders issued by the
19 technology for educational achievement in Wisconsin board that are in effect on the
20 effective date of this paragraph remain in effect until their specified expiration date
21 or until the department of administration modifies or rescinds them.

22 (f) *Pending matters.* Any matter pending with the technology for educational
23 achievement in Wisconsin board on the effective date of this paragraph is transferred
24 to the department of administration, and all materials submitted to or actions taken
25 by the technology for educational achievement in Wisconsin board concerning the

1 pending matter are considered to have been submitted to or taken by the department
2 of administration.

3 **SECTION 9151. Nonstatutory provisions; tobacco control board.**

4 (1) ELIMINATION OF THE TOBACCO CONTROL BOARD.

5 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
6 liabilities of the tobacco control board shall become the assets and liabilities of the
7 department of health and family services.

8 (b) *Contracts.*

9 1. All contracts entered into by the tobacco control board in effect on the
10 effective date of this subdivision remain in effect and are transferred to the
11 department of health and family services. The department of health and family
12 services shall carry out any obligations under such a contract until the contract is
13 modified or rescinded by the department of health and family services to the extent
14 allowed under the contract.

15 2. All contracts entered into by the department of health and family services
16 in effect on the effective date of this subdivision that are primarily related to the
17 functions of the tobacco control board, as determined by the secretary of
18 administration, remain in effect. The department of health and family services shall
19 carry out any obligations under such a contract until the contract is modified or
20 rescinded by the department of health and family services to the extent allowed
21 under the contract.

22 (c) *Rules and orders.* All rules promulgated by the tobacco control board that
23 are in effect on the effective date of this paragraph remain in effect until their
24 specified expiration date or until amended or repealed by the department of health
25 and family services. All orders issued by the tobacco control board that are in effect

1 on the effective date of this paragraph remain in effect until their specified expiration
2 date or until modified or rescinded by the department of health and family services.

3 **SECTION 9152. Nonstatutory provisions; tourism.**

4 **SECTION 9153. Nonstatutory provisions; transportation.**

5 (1j) TRAFFIC CONTROL SIGNALS IN THE TOWN OF БЕЛОIT. Not later than June 30,
6 2004, the department of transportation shall install traffic control signals at the
7 intersection of Inman Parkway and USH 51 in the town of Beloit in Rock County.

8 (1r) REQUEST FOR STATE HIGHWAY PROGRAMS. Notwithstanding section 16.42 (1)
9 of the statutes, the department of transportation shall add to its 2005–07 biennial
10 budget request to the department of administration the following amounts to
11 establish its 2004–05 fiscal year appropriation base for state highway programs:

12 (a) In the appropriation under section 20.395 (3) (bq) of the statutes,
13 \$64,210,200.

14 (b) In the appropriation under section 20.395 (3) (br) of the statutes,
15 \$28,871,900.

16 (c) In the appropriation under section 20.395 (3) (cq) of the statutes,
17 \$128,135,700.

18 (d) In the appropriation under section 20.395 (3) (cr) of the statutes,
19 \$52,654,100.

20 (1y) POSITIONS REDUCTION; SUBMISSION OF PLAN FOR EACH FISCAL YEAR.

21 (a) By the date specified by the cochairpersons of the joint committee on finance
22 for submission of requests for consideration at the 3rd quarterly meeting of the
23 committee under section 13.10 of the statutes in the 2003–04 fiscal year, the
24 department of transportation may submit a plan to the committee that contains the
25 department's proposal for reallocating position reductions in the department, and

1 associated funding adjustments, for fiscal year 2003–04. For each proposed position
2 reduction, the plan shall identify, by division, the position type and the appropriation
3 account from which the position is currently funded. The plan may include the
4 transfer of funds between appropriation accounts, or the reallocation of funds
5 between expenditure categories within an appropriation account, or both, if the
6 funds to be transferred or reallocated are to be used for salary expenses and are
7 available as a result of cost savings realized from implementation by the department
8 of increased operational efficiencies.

9 (b) By the date specified by the cochairpersons of the joint committee on finance
10 for submission of requests for consideration at the 3rd quarterly meeting of the
11 committee under section 13.10 of the statutes in the 2004–05 fiscal year, the
12 department of transportation may submit a plan to the committee that contains the
13 department's proposal for reallocating position reductions in the department, and
14 associated funding adjustments, for fiscal year 2004–05. For each proposed position
15 reduction, the plan shall identify, by division, the position type and the appropriation
16 account from which the position is currently funded. The plan may include the
17 transfer of funds between appropriation accounts, or the reallocation of funds
18 between expenditure categories within an appropriation account, or both, if the
19 funds to be transferred or reallocated are to be used for salary expenses and are
20 available as a result of cost savings realized from implementation by the department
21 of increased operational efficiencies. The plan shall include a total reduction, for the
22 2004–05 fiscal year, of 300.5 authorized FTE positions in the department by June 30,
23 2005.

24 (c) If the department of transportation submits any plan under this subsection
25 and the cochairpersons of the joint committee on finance do not notify the

1 department within 14 working days after the date of the submittal that the
2 committee has scheduled a meeting for the purpose of reviewing the plan, the
3 department may implement the plan. If, within 14 working days after the date of
4 the submittal, the cochairpersons of the committee notify the department that the
5 committee has scheduled a meeting for the purpose of reviewing the plan, the
6 department may not implement the plan until it is approved by the committee, as
7 submitted or as modified.

8 (1z) SURPLUS LAND SALE. The department of transportation shall sell sufficient
9 surplus land, as defined in section 84.09 (8) (a) of the statutes, to deposit not less than
10 \$4,000,000 in each fiscal year of the 2003–05 biennium in the transportation fund
11 from such sales.

12 (2p) AGENCY REQUEST RELATING TO DEBT SERVICE FOR HIGHWAY PROJECTS BONDING.
13 Notwithstanding section 16.42 (1) of the statutes, in submitting information under
14 section 16.42 of the statutes for purposes of the biennial budget act for the 2005–07
15 fiscal biennium, the department of transportation shall include a recommendation
16 for statutory changes to section 20.395 (6) (aq) of the statutes to pay debt service on
17 general obligation bonds authorized under sections 20.866 (2) (uur) and (uut) and
18 84.557 of the statutes, as created by this act.

19 (2x) STATE HIGHWAY REHABILITATION AND MAJOR HIGHWAY DEVELOPMENT
20 SUPPLEMENT.

21 (a) No later than January 1, 2004, the department of transportation shall
22 submit a report to the joint committee on finance that includes the following
23 information:

24 1. The department's response to any recommendations included in the
25 legislative audit bureau's performance audit of the state highway program.

1 2. The department's recommendations of steps that may be taken or legislation
2 that could be considered that could reduce costs in the state highway program.

3 3. Information on current environmental requirements, highway
4 improvements standards, and the degree of competitiveness in the construction
5 industry, and how these factors contribute to the cost of highway projects.

6 4. The department's recommendation on whether additional positions should
7 be provided in the division of transportation districts to replace the work done by
8 engineering consultants to reduce project design costs.

9 5. The department's recommendation on how to allocate any cost savings
10 produced by either process modifications or the addition of department of
11 transportation staff back to the department's appropriations.

12 (b) If the cochairs of the joint committee on finance do not notify, within 14
13 working days after the date on which a report is submitted under paragraph (a), the
14 department of transportation that the committee has scheduled a meeting to review
15 the report, the appropriation account under section 20.395 (3) (bq) of the statutes is
16 supplemented by the amount recommended by the department in its report, not to
17 exceed \$4,833,000 for fiscal year 2004–05 from the appropriation account under
18 section 20.865 (4) (u) of the statutes, the appropriation account under section 20.395
19 (3) (cq) of the statutes is supplemented by the amount recommended by the
20 department in its report, not to exceed \$11,120,500 for fiscal year 2004–05 from the
21 appropriation account under section 20.865 (4) (u) of the statutes, and, subject to
22 paragraph (d), other appropriation accounts under section 20.395 of the statutes are
23 supplemented as recommended by the department in its report under paragraph (a)

24 5.

1 (c) If the cochairs of the joint committee on finance notify the department of
2 transportation not more than 14 working days after the date on which a report is
3 submitted under paragraph (a) that the committee has scheduled a meeting to
4 review the report, the committee may supplement the appropriation account under
5 section 20.395 (3) (bq) of the statutes by an amount not to exceed \$4,833,000 for fiscal
6 year 2004–05 from the appropriation account under section 20.865 (4) (u) of the
7 statutes, the committee may supplement the appropriation account under section
8 20.395 (3) (cq) of the statutes by an amount not to exceed \$11,120,500 for fiscal year
9 2004–05 from the appropriation account under section 20.865 (4) (u) of the statutes,
10 and, subject to paragraph (d), the committee may allocate saved moneys identified
11 in paragraph (a) 5. as it considers necessary. The committee may take action on the
12 report as it considers necessary, including releasing a portion of the appropriation
13 account under section 20.865 (4) (u) of the statutes and asking the department of
14 transportation to submit additional information before the committee releases
15 additional funds.

16 (d) The sum of the supplements for fiscal year 2004–05 under this subsection
17 may not exceed \$15,953,500.

18 (2z) COMMERCIAL DRIVER LICENSE HAZARDOUS MATERIALS ENDORSEMENTS.

19 (a) Notwithstanding section 343.20 (2) (b) of the statutes, as created by this act,
20 the department of transportation shall provide the holder of an “H” endorsement
21 specified in section 343.17 (3) (d) 1m. of the statutes, as affected by this act, that
22 expires before May 1, 2004, with as much advance written notice as practicable of the
23 renewal requirements for the endorsement.

24 (b) Notwithstanding section 343.125 (2) and (3) of the statutes, as created by
25 this act, the department of transportation may extend a commercial driver license

1 with an “H” endorsement until such time as the department of transportation
2 receives from the federal transportation security administration of the federal
3 department of homeland security a final notice of threat assessment or a notice of no
4 security threat concerning the applicant, or until April 29, 2004, whichever is earlier.

5 (3r) AGENCY REQUEST RELATING TO THE MARQUETTE INTERCHANGE RECONSTRUCTION
6 PROJECT. Notwithstanding section 16.42 (1) of the statutes, in submitting
7 information under section 16.42 of the statutes for purposes of the 2005–07 biennial
8 budget act, the department of transportation shall include a funding plan for the
9 remainder of the Marquette interchange reconstruction project, including
10 specification of all expenditure amounts anticipated to be necessary from the
11 appropriations under section 20.395 (3) (cr) and (cy) of the statutes, and the amount
12 of bonding authorization anticipated to be necessary. The plan shall maximize the
13 use of segregated revenue and federal funds, and minimize the use of bonds proceeds,
14 to the extent possible, in meeting expenditure obligations for the project, and shall
15 not include issuance of bonds, requiring debt service payments after June 30, 2009.

16 (4q) TRAFFIC MARKING ENHANCEMENT GRANT PROGRAM.

17 (a) The department of transportation shall administer a grant program under
18 section 85.027 of the statutes, as created by this act, in fiscal year 2003–04 only if the
19 state receives federal incentive grant funding in federal fiscal year 2003 under 23
20 USC 163. The department shall credit the lesser of an amount equal to the amount
21 of the federal incentive grant funding or \$2,200,000 to the appropriation account
22 under section 20.395 (3) (cx) of the statutes. The department shall also transfer from
23 the appropriation account under section 20.395 (3) (cq) of the statutes, as affected by
24 this act, to the appropriation account under section 20.395 (2) (fg) of the statutes, as

1 created by this act, an amount equal to the amount credited under this paragraph
2 to the appropriation account under section 20.395 (3) (cx) of the statutes.

3 (b) The department of transportation shall administer a grant program under
4 section 85.027 of the statutes, as created by this act, in fiscal year 2004–05 only if the
5 state receives more federal formula highway aid than is included in the schedule
6 under section 20.005 (3) of the statutes for appropriations under section 20.395 of the
7 statutes for fiscal year 2004–05. The department shall credit the lesser of all moneys
8 in excess of the sum of the amounts of federal formula highway aid included in the
9 schedule under section 20.005 (3) of the statutes for appropriations under section
10 20.395 of the statutes for fiscal year 2004–05 or \$3,800,000 to the appropriation
11 account under section 20.395 (3) (cx) of the statutes. The department shall also
12 transfer from the appropriation account under section 20.395 (3) (cq) of the statutes,
13 as affected by this act, to the appropriation account under section 20.395 (2) (fg) of
14 the statutes, as created by this act, an amount equal to the amount credited under
15 this paragraph to the appropriation account under section 20.395 (3) (cx) of the
16 statutes.

17 **SECTION 9154. Nonstatutory provisions; treasurer.**

18 (1) TRANSFER OF THE CASH MANAGEMENT FUNCTIONS OF THE OFFICE OF THE STATE
19 TREASURER.

20 (a) *Assets and liabilities.* On July 1, 2004, all assets and liabilities of the office
21 of the state treasurer relating to the performance of its cash management functions,
22 other than its performance of such functions under section 25.50 and chapter 177 of
23 the statutes, as determined by the secretary of administration, shall become the
24 assets and liabilities of the department of administration.

1 (b) *Tangible personal property.* On July 1, 2004, all tangible personal property,
2 including records, of the office of the state treasurer relating to the performance of
3 its cash management functions, other than its performance of such functions under
4 section 25.50 and chapter 177 of the statutes, as determined by the secretary of
5 administration, are transferred to the department of administration.

6 (c) *Contracts.* All contracts entered into by the office of the state treasurer
7 relating to the performance of its cash management functions, other than its
8 performance of such functions under section 25.50 and chapter 177 of the statutes,
9 as determined by the secretary of administration, which are in effect on July 1, 2004,
10 remain in effect and are transferred to the department of administration on July 1,
11 2004. The department of administration shall carry out any such contractual
12 obligations until modified or rescinded by the department of administration to the
13 extent allowed under the contract.

14 (d) *Employee transfers and status.* Before July 1, 2004, all incumbent
15 employees holding positions in the office of the state treasurer who perform cash
16 management functions, other than functions under section 25.50 and chapter 177 of
17 the statutes, as determined by the secretary of administration, are transferred to the
18 department of administration. The secretary shall determine the date on which each
19 such employee is transferred. Employees transferred under this paragraph have all
20 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
21 statutes that they enjoyed in the office of the state treasurer. Notwithstanding
22 section 230.28 (4) of the statutes, no employee so transferred who has attained
23 permanent status in class may be required to serve a probationary period.

24 (e) *Pending matters.* Any matter pending with the office of the state treasurer
25 relating to the performance of its cash management functions, other than its

1 performance of such functions under section 25.50 and chapter 177 of the statutes,
2 as determined by the secretary of administration, on July 1, 2004, is transferred to
3 the department of administration on July 1, 2004, and all materials submitted to or
4 actions taken by the office of the state treasurer with respect to the pending matter
5 are considered as having been submitted to or taken by the department of
6 administration.

7 (2q) REPORTING OF CERTAIN UNCLAIMED PROPERTY. Notwithstanding section
8 177.17 (4) (a) 1. of the statutes, a holder of property presumed abandoned under
9 section 177.075 (1) of the statutes, as created by this act, shall file the report required
10 under section 177.17 of the statutes concerning that property covering the 2003
11 calendar year by May 1, 2004.

12 **SECTION 9155. Nonstatutory provisions; University of Wisconsin**
13 **Hospitals and Clinics Authority.**

14 **SECTION 9156. Nonstatutory provisions; University of Wisconsin**
15 **Hospitals and Clinics Board.**

16 **SECTION 9157. Nonstatutory provisions; University of Wisconsin**
17 **System.**

18 (1) UNIVERSITY OF WISCONSIN SYSTEM RESIDENT UNDERGRADUATE TUITION.
19 Notwithstanding section 36.27 (1) (am) of the statutes, as affected by this act, the
20 Board of Regents of the University of Wisconsin System may not increase academic
21 fees for a resident undergraduate student enrolled at any of the following:

22 (a) The University of Wisconsin–Madison or University of
23 Wisconsin–Milwaukee by more than \$350 a semester in the 2003–04 academic year
24 over academic fees charged for the 2002–03 academic year and by more than \$350

1 a semester in the 2004–05 academic year over academic fees charged for the 2003–04
2 academic year.

3 (b) Any other University of Wisconsin System institution by more than \$250
4 a semester in the 2003–04 academic year over academic fees charged for the 2002–03
5 academic year and by more than \$250 a semester in the 2004–05 academic year over
6 academic fees charged for the 2003–04 academic year.

7 (1q) DIFFERENTIAL TUITION. The tuition limits in subsection (1) do not apply to
8 differential tuition initiatives that the Board of Regents and students enrolled in the
9 University of Wisconsin System either have approved before the effective date of this
10 subsection or approve on or after the effective date of this subsection.

11 (1x) AUXILIARY RESERVES TRANSFER. By September 15 of each year of the 2003–05
12 biennium, the Board of Regents of the University of Wisconsin System shall submit
13 the proposed allocation, by campus and auxiliary reserve account, of the moneys
14 transferred under sections 20.235 (1) (ke) and 20.285 (4) (g) and (gm) of the statutes,
15 as created by this act, to the department of administration for the department's
16 approval. The board may not include segregated fee accounts in the proposed
17 allocation. Once the department approves the proposed allocation, the department
18 shall submit it to the joint committee on finance. If the cochairpersons of the
19 committee do not notify the department within 14 days after the date of the
20 department's submission that the committee has scheduled a meeting to review the
21 proposed allocation, the proposed allocation may be implemented. If, within 14
22 working days after the date of the department's submission, the cochairpersons of
23 the committee notify the department that the committee has scheduled a meeting to
24 review the proposed allocation, the proposed allocation may be implemented only as
25 approved or modified by the committee.