



State of Wisconsin
2003 - 2004 LEGISLATURE

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SENATE SUBSTITUTE AMENDMENT 1,
TO 2003 SENATE BILL 44

June 16, 2003 – Offered by JOINT COMMITTEE ON FINANCE.

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

Analysis by the Legislative Reference Bureau

GUIDE TO NONSTATUTORY MATERIAL

As is the case for all other bills, the sections of the budget bill that affect statutes are organized in ascending numerical order of the statutes affected.

Treatments of prior session laws (styled “laws of [year], chapter ...” from 1848 to 1981, and “[year] Wisconsin Act ...” beginning with 1983) are displayed next by year of original enactment and by act number.

The remaining sections of the budget bill are organized by type of provision and, within each type, alphabetically by state agency. The first two digits of the four-digit section number indicate the type of provision:

- 91XX Nonstatutory provisions.**
- 92XX Appropriation changes.**
- 93XX Initial applicability.**
- 94XX Effective dates.**

The remaining two digits indicate the state agency to which the provision relates:

- XX01 Administration.
- XX02 Adolescent pregnancy prevention and pregnancy services board.
- XX03 Aging and long-term care board.
- XX04 Agriculture, trade and consumer protection.
- XX05 Arts board.
- XX06 Building commission.
- XX07 Child abuse and neglect prevention board.
- XX08 Circuit courts.
- XX09 Commerce.
- XX10 Corrections.
- XX11 Court of appeals.
- XX12 District attorneys.
- XX13 Educational communications board.
- XX14 Elections board.
- XX15 Electronic government.
- XX16 Employee trust funds.
- XX17 Employment relations commission.
- XX18 Employment relations department.
- XX19 Ethics board.
- XX20 Financial institutions.
- XX21 Fox River Navigational System Authority.
- XX22 Governor.
- XX23 Health and Educational Facilities Authority.
- XX24 Health and family services.
- XX25 Higher educational aids board.
- XX26 Historical society.
- XX27 Housing and Economic Development Authority.
- XX28 Insurance.
- XX29 Investment board.
- XX30 Joint committee on finance.
- XX31 Judicial commission.
- XX32 Justice.
- XX33 Legislature.
- XX34 Lieutenant governor.
- XX35 Lower Wisconsin state riverway board.
- XX36 Medical College of Wisconsin.
- XX37 Military affairs.
- XX38 Natural resources.
- XX39 Personnel commission.
- XX40 Public defender board.
- XX41 Public instruction.
- XX42 Public lands, board of commissioners of.
- XX43 Public service commission.
- XX44 Regulation and licensing.

- XX45 Revenue.**
- XX46 Secretary of state.**
- XX47 State fair park board.**
- XX48 Supreme Court.**
- XX49 Technical college system.**
- XX50 Technology for educational achievement in Wisconsin board.**
- XX51 Tobacco control board.**
- XX52 Tourism.**
- XX53 Transportation.**
- XX54 Treasurer.**
- XX55 University of Wisconsin Hospitals and Clinics Authority.**
- XX56 University of Wisconsin Hospitals and Clinics Board.**
- XX57 University of Wisconsin System.**
- XX58 Veterans affairs.**
- XX59 Workforce development.**
- XX60 Other.**

For example, for general nonstatutory provisions relating to the historical society, see SECTION 9126. For any agency that is not assigned a two-digit identification number and that is attached to another agency, see the number of the latter agency. For any other agency not assigned a two-digit identification number or any provision that does not relate to the functions of a particular agency, see number “60” (**other**) within each type of provision.

In order to facilitate amendment drafting and the enrolling process, separate section numbers and headings appear for each type of provision and for each state agency, even if there are no provisions included in that section number and heading. Section numbers and headings for which there are no provisions will be deleted in enrolling and will not appear in the published act.

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

- 1 *~~1289~~/7.1* SECTION 4. 7.33 (4) and (5) of the statutes are amended to read:
- 2 7.33 (4) Except as otherwise provided in this subsection, each local
- 3 governmental unit, as defined in s. ~~22.01~~ 16.97 (7), may, and each state agency shall,
- 4 upon proper application under sub. (3), permit each of its employees to serve as an
- 5 election official without loss of fringe benefits or seniority privileges earned for
- 6 scheduled working hours during the period specified in sub. (3), without loss of pay
- 7 for scheduled working hours during the period specified in sub. (3) except as provided

1 in sub. (5), and without any other penalty. For employees who are included in a
2 collective bargaining unit for which a representative is recognized or certified under
3 subch. V of ch. 111, this subsection shall apply unless otherwise provided in a
4 collective bargaining agreement.

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

13 ***-1634/7.1* SECTION 5.** 13.099 (1) (a) and (b) of the statutes are amended to
14 read:

15 13.099 (1) (a) "Department" means the department of ~~administration~~
16 commerce.

17 (b) "State housing strategy plan" means the plan developed under s. ~~16.31~~
18 560.9802.

19 ***-1634/7.2* SECTION 6.** 13.099 (2) (a) of the statutes is amended to read:

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

1 ***-1634/7.3*** SECTION 7. 13.099 (3) (a) 5. of the statutes is amended to read:

2 13.099 (3) (a) 5. Housing costs, as defined in s. ~~16.30~~ 560.9801 (3) (a) and (b).

3 ***-1599/1.1*** SECTION 8. 13.101 (6) (a) of the statutes is amended to read:

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

23 ***b0257/4.1*** SECTION 8m. 13.101 (6) (a) of the statutes, as affected by 2003

24 Wisconsin Act (this act), is amended to read:

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

20 *~~1289/7.2~~* SECTION 9. 13.101 (14) of the statutes is amended to read:

21 13.101 (14) With the concurrence of the joint committee on information policy
22 and technology, direct the department of ~~electronic government~~ administration to
23 report to the committee concerning any specific information technology system
24 project in accordance with s. 13.58 (5) (b) 4.

25 *b0145/1.1* SECTION 10c. 13.101 (16) of the statutes is repealed.

1 ***b0215/3.1* SECTION 10r.** 13.101 (17) of the statutes is created to read:

2 13.101 (17) From the appropriation under s. 20.435 (2) (gk), the committee may
3 approve expenditure of moneys received by the state under s. 51.06 (6) only to
4 support any state activity conducted or performed on the property occupied or
5 managed on the effective date of this subsection [revisor inserts date], by the
6 department of health and family services or the department of corrections at the
7 Northern Center for the Developmentally Disabled.

8 ***-1630/2.1* SECTION 11.** 13.121 (1) of the statutes is amended to read:

9 13.121 (1) CURRENT MEMBER. From the appropriation under s. 20.765 (1) (a) or
10 (b) or (5), each member of the legislature shall be paid, in equal installments, the
11 salary provided under s. 20.923.

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

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

22 ***-0576/8.2* SECTION 13.** 13.123 (1) (a) 1. of the statutes is amended to read:

23 13.123 (1) (a) 1. Any member of the legislature who has signified, by affidavit
24 filed with the department of administration, the necessity of establishing a
25 temporary residence at the state capital for the period of any regular or special

1 legislative session shall be entitled to an allowance for expenses incurred for food and
2 lodging for each day that he or she is in Madison on legislative business, but not
3 including any Saturday or Sunday unless the legislator is in actual attendance on
4 such day at a session of the legislature or a meeting of a standing committee of which
5 the legislator is a member. The amount of the allowance for each biennial session
6 shall be 90% of the per diem rate for travel for federal government business within
7 the city of Madison, as established by the federal general services administration.
8 For the purpose of determining the amount of the allowance, the ~~secretary of~~
9 ~~employment relations~~ director of the office of state human resources management
10 shall certify to the chief clerk of each house the federal per diem rate in effect on
11 December 1, or the first business day thereafter if December 1 is not a business day,
12 in each even-numbered year. Each legislator shall file an affidavit with the chief
13 clerk of his or her house certifying the specific dollar amount within the authorized
14 allowance the member wishes to receive. Such affidavit, when filed, shall remain in
15 effect for the biennial session.

16 *~~1630/2.2~~* SECTION 14. 13.123 (1) (c) of the statutes is amended to read:

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

1 *~~1630/2.3~~* SECTION 15. 13.123 (2) (intro.) of the statutes is amended to read:

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

15 *~~1630/2.4~~* SECTION 16. 13.123 (3) (a) of the statutes is amended to read:

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

1 ***-1630/2.5*** SECTION 17. 13.125 of the statutes is amended to read:

2 **13.125 Chaplains.** The officiating chaplain of the senate and assembly shall
3 be paid such amount as may be established by each house for each day of service from
4 the appropriation under s. 20.765 (1) (a) or (b) or (5). Payment shall be made on
5 certification by the chief clerk of the senate or of the assembly, respectively, showing
6 the amount to which each chaplain is entitled.

7 ***-1630/2.6*** SECTION 18. 13.14 (2) of the statutes is amended to read:

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

14 ***-1630/2.7*** SECTION 19. 13.14 (3) of the statutes is amended to read:

15 **13.14 (3) TRAVEL; LEGISLATIVE PERSONNEL.** The actual and necessary expenses
16 of legislative policy research personnel, assistants to legislators, and research staff
17 assigned to legislative committees incident to attending meetings outside the state
18 capital shall be reimbursed from the appropriation under s. 20.765 (1) (a) or (b) or
19 (5).

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

21 **13.20 (2) PAY RANGES; DURATION OF EMPLOYMENT.** All legislative employees shall
22 be paid in accordance with the compensation and classification plan for employees
23 in the classified civil service within ranges approved by the joint committee on
24 legislative organization. The ~~secretary of employment relations~~ director of the office
25 of state human resources management shall make recommendations concerning a

1 compensation and classification schedule for legislative employees if requested to do
2 so by the joint committee on legislative organization or by the committee on
3 organization of either house. If the joint committee does not approve pay ranges for
4 legislative employees, the committee on organization of either house may approve
5 pay ranges for its employees. Appointments shall be made for the legislative session,
6 unless earlier terminated by the appointing officer.

7 *b0374/3.1* SECTION 20d. 13.40 (1) (a) of the statutes is renumbered 13.40 (1)
8 (am).

9 *b0374/3.1* SECTION 20h. 13.40 (1) (ad) of the statutes is created to read:

10 13.40 (1) (ad) “Compensation reserves” means the total estimated amount
11 designated as compensation reserves for a given fiscal year as shown in the schedule
12 under s. 20.005 (1) published in the biennial budget act or the modified total amount
13 of compensation reserves for that fiscal year specified in any other act.

14 *b0374/3.1* SECTION 20p. 13.40 (1) (c) of the statutes is created to read:

15 13.40 (1) (c) “State operations” means all purposes except aids to individuals
16 and organizations and local assistance.

17 *b0374/3.1* SECTION 20t. 13.40 (2) (intro.) of the statutes is amended to read:

18 13.40 (2) (intro.) Except as provided in ~~sub.~~ subs. (3) and (3m), the amount
19 appropriated from general purpose revenue for each fiscal biennium, excluding any
20 amount under an appropriation specified in sub. (3) (a) to (i), as determined under
21 sub. (4), may not exceed the sum of:

22 *-1016/6.1* SECTION 21. 13.40 (3) (b) of the statutes is amended to read:

23 13.40 (3) (b) An appropriation to honor a moral obligation undertaken
24 pursuant to ss. 16.526 (8), 16.527 (10), 18.61 (5), 85.25 (5), 101.143 (9m) (i), 229.50

1 (7), 229.74 (7), 229.830 (7), 234.15 (4), 234.42 (4), 234.54 (4) (b), 234.626 (7), 234.93
2 (6), 234.932 (6), 234.933 (6), and 281.59 (13m).

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

4 13.40 (3) (fm) An appropriation for the 2003–05 fiscal biennium to make
5 payments to counties, towns, villages, and cities under s. 79.035.

6 ***b0374/3.2* SECTION 23m.** 13.40 (3m) of the statutes is created to read:

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

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

1 Wisconsin Statutes, and the amount of any biennial appropriation for any other
2 fiscal year is considered to be the amount shown in the schedule under s. 20.005 (3)
3 in the latest act specifying the amount appropriated for that appropriation for that
4 fiscal year.

5 ***-1630/2.8* SECTION 24.** 13.45 (3) (a) of the statutes is amended to read:

6 13.45 (3) (a) For any day for which the legislator does not file a claim under s.
7 13.123 (1), any legislator appointed to serve on a legislative committee or a
8 committee to which the legislator was appointed by either house or the officers
9 thereof shall be reimbursed from the appropriations under s. 20.765 (1) (a) or (b) or
10 (5) for actual and necessary expenses incurred as a member of the committee.

11 ***-0576/8.4* SECTION 25.** 13.48 (2) (j) of the statutes is amended to read:

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

22 ***-1746/4.1* SECTION 26.** 13.48 (14) (c) of the statutes is amended to read:

23 13.48 (14) (c) If there is any outstanding public debt used to finance the
24 acquisition of a building, structure or land or the construction of a building or
25 structure that is sold or leased under par. (b), the building commission shall deposit

1 a sufficient amount of the net proceeds from the sale or lease of the building,
2 structure or land in the bond security and redemption fund under s. 18.09 to repay
3 the principal and pay the interest on the debt, and any premium due upon refunding
4 any of that debt. ~~If Except as provided in s. 51.06 (6), if there is no such debt~~
5 ~~outstanding, or, if the net proceeds exceed the amount required to repay that~~
6 ~~principal and pay that interest and premium, the building commission shall ~~credit~~~~
7 ~~deposit the net proceeds or remaining net proceeds to in the ~~appropriation account~~~~
8 ~~under s. 20.865 (4) (a) budget stabilization fund.~~

9 *~~1630/2.9~~* SECTION 27. 13.50 (6) (am) of the statutes is amended to read:

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

21 *~~0576/8.5~~* SECTION 28. 13.51 (2) (b) of the statutes is amended to read:

22 13.51 (2) (b) ~~The secretary of employment relations~~ director of the office of state
23 human resources management or the secretary's director's designee.

24 *~~1630/2.10~~* SECTION 29. 13.56 (2) of the statutes is amended to read:

1 13.56 (2) PARTICIPATION IN CERTAIN PROCEEDINGS. The cochairpersons of the joint
2 committee for review of administrative rules or their designated agents shall accept
3 service made under ss. 227.40 (5) and 806.04 (11). If the committee determines that
4 the legislature should be represented in the proceeding, it shall request the joint
5 committee on legislative organization to designate the legislature's representative
6 for the proceeding. The costs of participation in the proceeding shall be paid equally
7 from the appropriations under s. 20.765 (1) (a) and (b) or shall be paid from the
8 appropriation under s. 20.765 (5), if applicable, except that such costs incurred by the
9 department of justice shall be paid from the appropriation under s. 20.455 (1) (d).

10 *~~1630/2.11~~* SECTION 30. 13.57 (3) of the statutes is amended to read:

11 13.57 (3) All expenses under sub. (1) shall be reimbursed from the
12 appropriation under s. 20.765 (1) (a) or (b) or (5).

13 *~~1289/7.3~~* SECTION 31. 13.58 (5) (a) 5. of the statutes is amended to read:

14 13.58 (5) (a) 5. Upon receipt of strategic plans from the department of ~~electronic~~
15 ~~government~~ administration, the joint committee on legislative organization and the
16 director of state courts, review and transmit comments concerning the plans to the
17 entities submitting the plans.

18 *~~1289/7.4~~* SECTION 32. 13.58 (5) (b) 1. of the statutes is amended to read:

19 13.58 (5) (b) 1. Direct the department of ~~electronic government~~ administration
20 to conduct studies or prepare reports on items related to the committee's duties under
21 par. (a).

22 *~~1289/7.5~~* SECTION 33. 13.58 (5) (b) 4. (intro.) of the statutes is amended to
23 read:

24 13.58 (5) (b) 4. (intro.) With the concurrence of the joint committee on finance,
25 direct the department of ~~electronic government~~ administration to report

1 semiannually to the committee and the joint committee on finance concerning any
2 specific information technology system project which is being designed, developed,
3 tested or implemented and which the committees anticipate will have a total cost to
4 the state exceeding \$1,000,000 in the current or any succeeding fiscal biennium. The
5 report shall include all of the following:

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

7 13.81 (6) REIMBURSEMENT FOR SPECIAL STUDIES. At the end of each fiscal year,
8 the general fund shall be reimbursed, from any other state fund, the amounts
9 actually expended by the joint legislative council under s. 20.765 (3) (e) or (5) for the
10 cost of making and publishing surveys and analyses of activities and policies related
11 to such funds. The council shall bill such state funds at the end of each fiscal year
12 for the costs so incurred, in accordance with cost records maintained by the council.

13 ***-1630/2.13* SECTION 35.** 13.81 (8) of the statutes is amended to read:

14 13.81 (8) CONFERENCE ON LEGISLATIVE PROCEDURES. Following each general
15 election, the joint legislative council shall sponsor a conference to acquaint new
16 legislators or legislators-elect with legislative procedures. Expenses for the
17 conference shall be paid from the appropriation under s. 20.765 (3) (e) or (5).

18 ***-1630/2.14* SECTION 36.** 13.83 (3) (c) 1. of the statutes is amended to read:

19 13.83 (3) (c) 1. The joint legislative council shall pay the expenses incurred by
20 the members appointed under par. (b) 1., in performing their functions on the special
21 committee, from the appropriation under s. 20.765 (3) (e) or (5).

22 ***-1630/2.15* SECTION 37.** 13.90 (2) of the statutes is amended to read:

23 13.90 (2) The cochairpersons of the joint committee on legislative organization
24 or their designated agent shall accept service made under s. 806.04 (11). If the
25 committee, the senate organization committee or the assembly organization

1 committee, determines that the legislature should be represented in the proceeding,
2 that committee shall designate the legislature's representative for the proceeding.
3 The costs of participation in the proceeding shall be paid equally from the
4 appropriations under s. 20.765 (1) (a) and (b) or shall be paid from the appropriation
5 under s. 20.765 (5), if applicable, except that such costs incurred by the department
6 of justice shall be paid from the appropriation under s. 20.455 (1) (d).

7 ***-1630/2.16* SECTION 38.** 13.90 (4) of the statutes is amended to read:

8 13.90 (4) The cochairpersons of the joint committee on legislative organization
9 shall authorize payment of fees entitling the legislature to membership in national
10 organizations from the appropriation under s. 20.765 (3) (fa) or (5).

11 ***-1289/7.6* SECTION 39.** 13.90 (6) of the statutes is amended to read:

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

24 ***-1327/1.1* SECTION 40.** 13.92 (1) (b) 1. b. of the statutes is amended to read:

1 13.92 (1) (b) 1. b. Any agency, as defined in s. 16.70 ~~(1)~~ (1e), created under ch.
2 13, 14, 15, or 758.

3 ***b0357/2.1* SECTION 40m.** 13.92 (1) (f) of the statutes is created to read:

4 13.92 (1) (f) *Assistance in locating potential sources of federal funds.* The chief
5 of the legislative reference bureau shall assign an employee of the bureau to
6 full-time responsibility for working with state departments and agencies created
7 under ch. 15 and the federal government to try to increase the amount of funds that
8 the departments and agencies receive from the federal government. At the request
9 of a state department or agency, the bureau employee shall assist the department or
10 agency in locating potential sources of federal funding that it may be eligible for and
11 in completing federal grant-writing activities or other application procedures.

12 ***-1289/7.7* SECTION 42.** 13.93 (2) (h) of the statutes is amended to read:

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

16 ***-1630/2.17* SECTION 43.** 13.93 (2) (k) of the statutes is amended to read:

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

20 ***-0529/4.1* SECTION 44.** 13.94 (1) (a) of the statutes is amended to read:

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

1 particularly the amount and kind of funds and of all such bonds and securities. The
2 bureau shall transmit a certified copy of such report to the ~~outgoing treasurer and~~
3 ~~successor~~ secretary of administration.

4 ***-0529/4.2* SECTION 45.** 13.94 (1) (d) 1. of the statutes is amended to read:

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

9 ***-0529/4.3* SECTION 46.** 13.94 (1) (d) 2. of the statutes is amended to read:

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

21 ***-0529/4.4* SECTION 47.** 13.94 (1) (f) of the statutes is amended to read:

22 13.94 (1) (f) ~~Certify~~ Whenever a new secretary of administration takes office,
23 certify to the incoming ~~treasurer~~ secretary the balance in the treasury when he or
24 she came into office and all bonds and securities belonging to all public funds on

1 deposit in the treasury or properly accounted for and transmit a certified copy thereof
2 to the outgoing ~~treasurer~~ secretary.

3 ***-1630/2.18* SECTION 49.** 13.94 (1m) of the statutes is amended to read:

4 13.94 (1m) INDEPENDENT EXPERTS. The legislative audit bureau may contract
5 for the services of such independent professional or technical experts as deemed
6 necessary to carry out the statutory duties and functions of the bureau within the
7 limits of the amount provided under s. 20.765 (3) (c) or (5); and, in the case of
8 postaudits involving the performance and program accomplishments of a
9 department, shall contract for the services of such subject matter and program
10 specialists from any state or federal agency or public institution of higher learning
11 as deemed necessary by the joint committee on legislative organization.

12 ***-1289/7.8* SECTION 51.** 14.20 (1) (a) of the statutes is amended to read:

13 14.20 (1) (a) “Local governmental unit” has the meaning given in s. ~~22.01~~ 16.97
14 (7).

15 ***-1752/3.1* SECTION 52.** 14.20 (2) of the statutes is amended to read:

16 14.20 (2) From the ~~appropriations~~ appropriation under s. 20.525 (1) (f) ~~and (k)~~,
17 the governor may provide a grant to any local governmental unit or nonprofit
18 organization for support of a literacy improvement program.

19 ***-1630/2.19* SECTION 53.** 14.38 (10) (c) of the statutes is amended to read:

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

1 ***b0389/1.1* SECTION 53m.** 14.46 of the statutes is repealed.

2 ***-0529/4.5* SECTION 54.** 14.58 (1) (intro.) of the statutes is repealed and
3 recreated to read:

4 14.58 (1) SIGN CHECKS, SHARE DRAFTS, AND OTHER DRAFTS. (intro.) Sign checks,
5 share drafts, and other drafts on depositories in which moneys may be deposited in
6 one of the following methods:

7 ***-0529/4.6* SECTION 55.** 14.58 (2) of the statutes is renumbered 16.401 (2) and
8 amended to read:

9 16.401 (2) ISSUE RECEIPTS. Issue receipts for all money paid to the ~~treasurer~~
10 department.

11 ***-0529/4.7* SECTION 56.** 14.58 (3) of the statutes is renumbered 16.401 (3).

12 ***-0529/4.8* SECTION 57.** 14.58 (4) of the statutes is renumbered 16.401 (4) and
13 amended to read:

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

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

8 ***-0529/4.9* SECTION 58.** 14.58 (5) of the statutes is renumbered 16.401 (5) and
9 amended to read:

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

15 ***-0529/4.10* SECTION 59.** 14.58 (6) of the statutes is renumbered 16.401 (6)
16 and amended to read:

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

1 secretary's records to represent total cash balance and cash balances of individual
2 state funds by comparing said amounts with corresponding balances appearing on
3 records maintained by the department of ~~administration~~.

4 *~~0529/4.11~~* SECTION 60. 14.58 (8) (intro.) and (a) to (c) of the statutes are
5 renumbered 16.401 (7) (intro.) and (a) to (c).

6 *~~0529/4.12~~* SECTION 61. 14.58 (8) (d) of the statutes is repealed.

7 *~~0529/4.13~~* SECTION 62. 14.58 (9) of the statutes is renumbered 16.401 (8)
8 and amended to read:

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

1 *~~0529/4.14~~* SECTION 63. 14.58 (10) of the statutes is renumbered 16.401 (9)
2 and amended to read:

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

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

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

21 *~~0529/4.16~~* SECTION 65. 14.58 (13) of the statutes is renumbered 16.401 (11)
22 and amended to read:

23 16.401 (11) ~~SERVICES~~ PROVIDE SERVICES IN CONNECTION WITH SECURITIES HELD IN
24 TRUST. Upon request therefor from any company, corporation, society, order, or
25 association which that has securities on deposit with the ~~treasurer~~ secretary, in

1 trust, mail to its address not to exceed 60 days before the same become due, any or
2 all interest coupons; return to it any or all bonds, notes, or other deposits as they
3 become due and are replaced by other securities; cut all interest coupons, make any
4 endorsement of interest or otherwise on any such securities; and collect therefor from
5 the company, corporation, society, order, or association making the request, a 25-cent
6 fee for a single coupon cut, or for each entry of interest endorsed on a note or return
7 of a bond, note, or other security, and a 10-cent fee for each additional coupon cut,
8 or entry of interest endorsed on a note, bond, or other security, and may withhold any
9 and all coupons cut or refuse endorsement of interest on securities until such fee is
10 paid. Such fees shall be paid into the state treasury as a part of the general fund,
11 and an extra charge may be required for postage or registered mail.

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

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

20 *~~0529/4.18~~* SECTION 67. 14.58 (18) of the statutes is renumbered 16.401 (13)
21 and amended to read:

22 16.401 (13) SALE OF INVESTMENTS. Whenever the department of administration
23 draws a check, share draft, or other draft dated the next following business day upon
24 a fund whose investment and collection is under the exclusive control of the
25 investment board pursuant to s. 25.17 (1), and the receipts of the state treasurer are

1 insufficient to permit a disbursement from said fund in the amount of such check,
2 share draft, or other draft, the investment board shall sell investments owned by
3 such fund for delivery in time to provide sufficient money to cover such check, share
4 draft, or other draft on the date ~~which~~ that it bears.

5 ***-0529/4.19* SECTION 68.** 14.58 (19) of the statutes is renumbered 16.401 (14).

6 ***-0529/4.20* SECTION 69.** 14.58 (21) of the statutes is repealed.

7 ***-0356/3.1* SECTION 72.** 14.65 (1) of the statutes is amended to read:

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

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

16 ***-1431/2.1* SECTION 79.** 15.07 (1) (b) 5. of the statutes is amended to read:

17 15.07 (1) (b) 5. Savings and loan institutions review board.

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

19 ***-1689/3.1* SECTION 81.** 15.07 (2) (k) of the statutes is repealed.

20 ***-1289/7.9* SECTION 82.** 15.07 (2) (L) of the statutes is amended to read:

21 15.07 (2) (L) The governor shall serve as chairperson of the information
22 technology management board and the ~~chief information officer~~ the secretary of
23 administration or his or her designee shall serve as secretary of that board.

24 ***-1431/2.3* SECTION 84.** 15.07 (5) (g) of the statutes is amended to read:

1 15.07 (5) (g) Members of the savings and loan institutions review board, \$10
2 per day.

3 *~~1431/2.4~~* SECTION 85. 15.07 (5) (gm) of the statutes is repealed.

4 *~~1634/7.5~~* SECTION 86. 15.103 (2) of the statutes is repealed.

5 ***b0155/3.8*** SECTION 87s. 15.105 (title) of the statutes is amended to read:

6 **15.105 (title) Same; attached boards, commissions, and office offices.**

7 *~~1712/5.1~~* SECTION 90. 15.105 (4) of the statutes is amended to read:

8 15.105 (4) PUBLIC RECORDS BOARD. There is created a public records board which
9 is attached to the department of administration under s. 15.03. The public records
10 board shall consist of the governor, the director of the historical society, the attorney
11 general, the state auditor, and the director of the legislative council staff, or their
12 designated representatives, and a representative of the small business community,
13 a representative of ~~a local unit of government~~ a school board or the governing body
14 of a municipality, as defined in s. ~~106.215 (1) (e)~~ 281.59 (1) (c), and one other member.

15 *~~1607/P3.1~~* SECTION 92. 15.105 (11) of the statutes is repealed.

16 ***b0207/1.1*** SECTION 92x. 15.105 (12) of the statutes is renumbered 15.345 (4),
17 and 15.345 (4) (a) (intro.), as renumbered, is amended to read:

18 15.345 (4) (a) *Creation; membership.* (intro.) There is created a waste facility
19 siting board, attached to the department of ~~administration~~ natural resources under
20 s. 15.03, consisting of the following members:

21 *~~0666/9.1~~* SECTION 95. 15.105 (25) of the statutes is repealed.

22 ***b0155/3.9*** SECTION 97d. 15.105 (29) of the statutes is created to read:

23 15.105 (29) OFFICE OF STATE HUMAN RESOURCES MANAGEMENT. (a) *Creation.*
24 There is created an office of state human resources management which is attached
25 to the department of administration under s. 15.03 under the direction and

1 supervision of a director. The director shall be nominated by the governor and with
2 the advice and consent of the senate appointed to serve at the pleasure of the
3 governor.

4 (b) *Same; specified divisions.* 1. 'Division of merit recruitment and selection.'
5 There is created in the office of state human resources management a division of
6 merit recruitment and selection. The administrator of the division of merit
7 recruitment and selection shall be nominated by the governor, and with the advice
8 and consent of the senate appointed for a 5-year term, under the unclassified service
9 from a register of at least 5 names certified to the governor by the director of the office
10 of state human resources management. The director of the office of state human
11 resources management shall prepare and conduct an examination for the position
12 of administrator according to the requirements for classified positions under subch.
13 II of ch. 230. The administrator of the division may be renominated by the governor,
14 and with the advice and consent of the senate reappointed.

15 2. 'Division of compensation and labor relations.' There is created in the office
16 of state human resources management a division of compensation and labor
17 relations. The administrator of the division shall be appointed by the director of the
18 office of state human resources management outside the classified service.

19 3. 'Division of affirmative action.' There is created in the office of state human
20 resources management a division of affirmative action. The administrator of the
21 division shall be appointed by the director of the office of state human resources
22 management outside the classified service.

23 (c) *Same; attached board.* 1. 'State employees suggestion board.' There is
24 created in the office of state human resources management a state employees

1 suggestion board consisting of 3 persons, at least one of whom shall be a state officer
2 or employee, appointed for 4-year terms.

3 (d) *Same; council.* 1. ‘Council on affirmative action.’ a. There is created in the
4 office of state human resources management a council on affirmative action
5 consisting of 15 members appointed for 3-year terms. A majority of members shall
6 be public members and a majority of members shall be minority persons, women, or
7 persons with disabilities, appointed with consideration to the appropriate
8 representation of each group.

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

12 ***-1289/7.10* SECTION 98.** 15.107 (7) (f) of the statutes is amended to read:

13 15.107 (7) (f) A representative of the department of ~~electronic government~~
14 administration.

15 ***b0235/4.1* SECTION 98e.** 15.107 (16) (e) of the statutes is amended to read:

16 15.107 (16) (e) *Sunset.* This subsection does not apply after August 31, 2003
17 2005.

18 ***b0105/3.1* SECTION 100p.** 15.155 (2) of the statutes is repealed.

19 ***-0576/8.7* SECTION 101.** 15.16 (1) (intro.) of the statutes is amended to read:

20 15.16 (1) EMPLOYEE TRUST FUNDS BOARD. (intro.) The employee trust funds
21 board shall consist of the governor or the governor’s designee on the group insurance
22 board, the ~~secretary of employment relations~~ director of the office of state human
23 resources management or the secretary’s director’s designee and 11 persons
24 appointed or elected for 4-year terms as follows:

25 ***-0576/8.8* SECTION 102.** 15.165 (2) of the statutes is amended to read:

1 15.165 (2) GROUP INSURANCE BOARD. There is created in the department of
2 employee trust funds a group insurance board. The board shall consist of the
3 governor, the attorney general, the secretary of administration, ~~the secretary of~~
4 ~~employment relations~~ the director of the office of state human resources
5 management, and the commissioner of insurance or their designees, and 5 persons
6 appointed for 2-year terms, of whom one shall be an insured participant in the
7 Wisconsin retirement system who is not a teacher, one shall be an insured
8 participant in the Wisconsin retirement system who is a teacher, one shall be an
9 insured participant in the Wisconsin retirement system who is a retired employee,
10 and one shall be an insured employee of a local unit of government.

11 *~~0576/8.9~~* SECTION 103. 15.17 of the statutes is repealed.

12 *~~0576/8.10~~* SECTION 104. 15.173 of the statutes is repealed.

13 *~~0576/8.11~~* SECTION 105. 15.175 of the statutes is repealed.

14 *~~0576/8.13~~* SECTION 107. 15.177 of the statutes is repealed.

15 *~~1431/2.5~~* SECTION 109. 15.183 (2) of the statutes is repealed.

16 *~~1431/2.6~~* SECTION 110. 15.185 (3) of the statutes is amended to read:

17 15.185 (3) SAVINGS AND ~~LOAN~~ INSTITUTIONS REVIEW BOARD. There is created in the
18 department of financial institutions a savings and ~~loan~~ institutions review board
19 consisting of ~~7~~ 5 members, at least ~~5~~ 3 of whom shall have not less than ~~10~~ 5 years'
20 experience in the savings and loan or savings bank business in this state, appointed
21 for ~~staggered 4-year~~ 5-year terms.

22 *~~1431/2.7~~* SECTION 111. 15.185 (4) of the statutes is repealed.

23 *~~1504/1.2~~* SECTION 112. 15.195 (1) of the statutes is repealed.

24 *~~1289/7.11~~* SECTION 113. 15.21 of the statutes is repealed.

25 *~~1289/7.12~~* SECTION 114. 15.215 (title) of the statutes is repealed.

1 *~~1289/7.13~~* SECTION 115. 15.215 (1) of the statutes is renumbered 15.105 (28)
2 and amended to read:

3 15.105 (28) INFORMATION TECHNOLOGY MANAGEMENT BOARD. There is created an
4 information technology management board that is attached to the department of
5 ~~electronic government administration~~ administration under s. 15.03. The board shall consist of the
6 governor, the cochairpersons of the joint committee on information policy and
7 technology or a member of the legislature from the same house as a cochairperson
8 designated by that cochairperson, one member of the minority party in each house
9 of the legislature, appointed in the same manner as members of standing committees
10 are appointed, the secretary of administration, 2 heads of departments or
11 independent agencies appointed to serve at the pleasure of the governor, 2 other
12 members appointed to serve for 4-year terms, and the ~~chief information officer~~
13 secretary of administration or his or her designee.

14 *~~1712/5.2~~* SECTION 116. 15.225 (2) of the statutes is repealed.

15 *~~b0174/6.2~~* SECTION 117d. 15.225 (3) of the statutes is repealed.

16 *~~1794/1.1~~* SECTION 132. 15.253 (4) of the statutes is repealed.

17 *~~1295/2.2~~* SECTION 138. 15.80 of the statutes is repealed.

18 *~~0576/8.15~~* SECTION 140. 16.004 (7) (a) of the statutes is amended to read:

19 16.004 (7) (a) The secretary shall establish and maintain a personnel
20 management information system which shall be used to furnish the governor, the
21 legislature and the ~~department of employment relations~~ office of state human
22 resources management with current information pertaining to authorized positions,
23 payroll and related items for all civil service employees, except employees of the office
24 of the governor, the courts and judicial branch agencies, and the legislature and
25 legislative service agencies. It is the intent of the legislature that the University of

1 Wisconsin System provide position and other information to the department and the
2 legislature, which includes appropriate data on each position, facilitates
3 accountability for each authorized position and traces each position over time.
4 Nothing in this paragraph may be interpreted as limiting the authority of the board
5 of regents of the University of Wisconsin System to allocate and reallocate positions
6 by funding source within the legally authorized levels.

7 ***b0155/3.17* SECTION 141d.** 16.004 (16) of the statutes is created to read:

8 16.004 (16) OFFICE OF STATE HUMAN RESOURCES MANAGEMENT DIVISION
9 ADMINISTRATOR POSITIONS. The secretary shall assign 3 of the unclassified division
10 administrator positions authorized for the department to the office of state human
11 resources management.

12 ***b0336/2.1* SECTION 141f.** 16.004 (17) of the statutes is created to read:

13 16.004 (17) BUSINESS INTELLIGENCE AND DATA WAREHOUSING SYSTEM. The
14 department may implement an enterprise-wide reporting, data warehousing, and
15 data analysis system applicable to every agency, as defined in s. 16.70 (1e), other than
16 the legislative and judicial branches of state government.

17 ***-1295/2.3* SECTION 144.** 16.009 (5) (c) of the statutes is repealed.

18 ***-1295/2.4* SECTION 145.** 16.009 (5) (d) of the statutes is amended to read:

19 16.009 (5) (d) Any employee ~~of an employer not described in par. (e) and~~ who
20 is discharged or otherwise retaliated or discriminated against in violation of par. (a)
21 may file a complaint with the department of workforce development under s. 106.54
22 (5).

23 ***-1295/2.5* SECTION 146.** 16.009 (5) (e) of the statutes is amended to read:

1 16.009 (5) (e) Any person not described in par. (e) or (d) who is retaliated or
2 discriminated against in violation of par. (a) may commence an action in circuit court
3 for damages incurred as a result of the violation.

4 *~~1308/2.1~~* **SECTION 147.** 16.023 (2) of the statutes is amended to read:

5 16.023 (2) In conjunction with the working group established under sub. (1) (L)
6 1., the council shall, not later than one year after October 14, 1997, develop
7 evaluation criteria for its functions under sub. (1). The council shall complete a
8 report that contains an evaluation of its functions and activities not later than
9 September 1, ~~2002~~ 2004, and shall submit the report to the chief clerk of each house
10 of the legislature, for distribution to the legislature under s. 13.172 (2), and to the
11 governor. The report shall also include a recommendation as to whether the council
12 should continue in existence past its sunset date specified in s. 15.107 (16) (e) and,
13 if so, a recommendation as to whether any structural modifications should be made
14 to the council's functions or to the state's land use programs.

15 *~~1308/2.2~~* **SECTION 148.** 16.023 (3) of the statutes is amended to read:

16 16.023 (3) Subsections (1) and (2) do not apply after August 31, ~~2003~~ 2005.

17 *~~1634/7.8~~* **SECTION 150.** Subchapter II (title) of chapter 16 [precedes 16.30]
18 of the statutes is renumbered subchapter X (title) of chapter 560 [precedes 560.9801].

19 *~~1634/7.9~~* **SECTION 151.** 16.30 of the statutes is renumbered 560.9801.

20 *~~1634/7.10~~* **SECTION 152.** 16.31 of the statutes is renumbered 560.9802.

21 *~~1634/7.11~~* **SECTION 153.** 16.33 of the statutes, as affected by 2001 Wisconsin
22 Act 109, is renumbered 560.9803, and 560.9803 (1) (a) and (3) (a), as renumbered, are
23 amended to read:

24 560.9803 (1) (a) Subject to sub. (2), make grants or loans, directly or through
25 agents designated under s. ~~16.334~~ 560.9804, from the appropriation under s. ~~20.505~~

1 (7) 20.143 (2) (b) to persons or families of low or moderate income to defray housing
2 costs of the person or family.

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

5 ***-1634/7.12* SECTION 154.** 16.334 of the statutes is renumbered 560.9804, and
6 560.9804 (1) (a) and (c), as renumbered, are amended to read:

7 560.9804 (1) (a) Award grants and loans under s. ~~16.33~~ 560.9803 (1) and (2)
8 subject to the approval of the department.

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

11 ***-1634/7.13* SECTION 155.** 16.336 of the statutes is renumbered 560.9805.

12 ***-1634/7.14* SECTION 156.** 16.339 of the statutes is renumbered 560.9806, and
13 560.9806 (2) (a), as renumbered, is amended to read:

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

20 ***-1634/7.15* SECTION 157.** 16.35 of the statutes is renumbered 560.9815.

21 ***-1634/7.16* SECTION 158.** 16.351 of the statutes is renumbered 560.9807, and
22 560.9807 (1), as renumbered, is amended to read:

23 560.9807 (1) GRANTS. From moneys available under s. ~~20.505 (7)~~ 20.143 (2) (h),
24 the department shall make grants to organizations, including organizations

1 operated for profit, that provide shelter or services to homeless individuals or
2 families.

3 ***-1634/7.17* SECTION 159.** 16.352 of the statutes is renumbered 560.9808, and
4 560.9808 (2) (a) and (b) (intro.), as renumbered, are amended to read:

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

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

15 ***-1634/7.18* SECTION 160.** 16.358 of the statutes is renumbered 560.9809, and
16 560.9809 (1), as renumbered, is amended to read:

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

21 ***-1634/7.19* SECTION 161.** 16.375 of the statutes is renumbered 560.9810.

22 ***-1634/7.20* SECTION 162.** 16.385 of the statutes is renumbered 16.27, and
23 16.27 (3) (b), (c), (d) and (e) (intro.), 1. and 7., as renumbered, are amended to read:

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

4 (c) From the appropriation under s. ~~20.505 (7) (m)~~ 20.505 (1) (mb), allocate
5 \$1,100,000 in each federal fiscal year for the department's expenses in administering
6 the funds to provide low-income energy assistance.

7 (d) From the appropriation under s. ~~20.505 (7) (e)~~ 20.505 (1) (n), allocate
8 \$2,900,000 in each federal fiscal year for the expenses of a county department,
9 another local governmental agency or a private nonprofit organization in
10 administering under sub. (4) the funds to provide low-income energy assistance.

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

12 1. Allocate and transfer to the appropriation under s. ~~20.505 (7) (km)~~ (1) (kn),
13 15% of the moneys received under 42 USC 8621 to 8629 in each federal fiscal year
14 under the priority of maintaining funding for the geographical areas on July 20,
15 1985, and, if funding is reduced, prorating contracted levels of payment, for the
16 weatherization assistance program administered by the department under s. ~~16.39~~
17 16.26.

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

22 *~~1634/7.21~~* SECTION 163. 16.39 of the statutes is renumbered 16.26.

23 *~~0576/8.16~~* SECTION 164. 16.40 (18) of the statutes is amended to read:

24 16.40 (18) REQUIRE AGENCIES TO PROVIDE COPIES. Require each state agency, at
25 the time that the agency submits a request to the department for an increased

1 appropriation to be provided in an executive budget bill which is necessitated by the
2 compensation plan under s. 230.12 or a collective bargaining agreement approved
3 under s. 111.92, to provide a copy of the request to the ~~secretary of employment~~
4 relations director of the office of state human resources management and the joint
5 committee on employment relations.

6 ***-0529/4.21* SECTION 165.** 16.401 (intro.) of the statutes is created to read:

7 **16.401 Treasury management.** (intro.) The department shall:

8 ***-0529/4.22* SECTION 166.** 16.401 (1) of the statutes is created to read:

9 16.401 (1) HAVE CUSTODY OF MONEYS. Receive and have charge of all moneys
10 paid into the treasury and any other moneys received by officers and employees of
11 state agencies, and pay out the moneys as directed by law, except as provided in ss.
12 16.52 (7), 20.907 (5) (b), 20.920, and 20.929.

13 ***-0529/4.23* SECTION 168.** 16.412 of the statutes is amended to read:

14 **16.412 Agency payments.** At the request of any agency, the secretary, ~~with~~
15 ~~the approval of the state treasurer,~~ may authorize the processing of specified regular
16 periodic payments through the use of money transfer techniques including, without
17 limitation because of enumeration, direct deposit, electronic funds transfer, and
18 automated clearinghouse procedures.

19 ***-0576/8.17* SECTION 169.** 16.415 (1) of the statutes is amended to read:

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

1 payroll or account has been appointed, employed, or subject to any other personnel
2 transaction in accordance with, and that the pay for the person has been established
3 in accordance with, the law, compensation plan, or applicable collective bargaining
4 agreement, and applicable rules of the ~~secretary of employment relations~~ director of
5 the office of state human resources management and the administrator of the
6 division of merit recruitment and selection in the ~~department of employment~~
7 relations office of state human resources management then in effect.

8 *~~0529/4.24~~* SECTION 170. 16.415 (1) of the statutes, as affected by 2003
9 Wisconsin Act (this act), is amended to read:

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

22 *~~0576/8.18~~* SECTION 171. 16.415 (3) of the statutes is amended to read:

23 16.415 (3) Any sums paid contrary to this section may be recovered from any
24 appointing authority making such appointments in contravention of law or of the
25 rules promulgated pursuant thereto, or from any appointing authority signing or

1 countersigning or authorizing the signing or countersigning of any warrant for the
2 payment of the same, or from the sureties on the official bond of any such appointing
3 authority, in an action in the circuit court for any county within the state, maintained
4 by the ~~secretary of employment relations~~ director of the office of state human
5 resources management, or by a citizen resident therein, who is assessed for, and
6 liable to pay, or within one year before the commencement of the action has paid, a
7 state, city or county tax within this state. All moneys recovered in any action brought
8 under this section when collected, shall be paid into the state treasury except that
9 if a citizen taxpayer is plaintiff in any such action he or she shall be entitled to receive
10 for personal use the taxable cost of such action and 5% of the amount recovered as
11 attorney fees.

12 ***b0210/2.1* SECTION 171m.** 16.42 (1) (g) of the statutes is created to read:

13 16.42 (1) (g) The information required under s. 16.529 (2).

14 ***-1289/7.14* SECTION 172.** 16.43 of the statutes is amended to read:

15 **16.43 Budget compiled.** The secretary shall compile and submit to the
16 governor or the governor-elect and to each person elected to serve in the legislature
17 during the next biennium, not later than November 20 of each even-numbered year,
18 a compilation giving all of the data required by s. 16.46 to be included in the state
19 budget report, except the recommendations of the governor and the explanation
20 thereof. The secretary shall not include in the compilation any provision for the
21 development or implementation of an information technology development project
22 for an executive branch agency that is not consistent with the strategic plan of the
23 agency, as approved under s. ~~22.13~~ 16.976.

24 ***b0210/2.2* SECTION 172m.** 16.47 (1) of the statutes is amended to read:

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

9 ***-1599/1.2*** SECTION 173. 16.50 (1) (b) of the statutes is amended to read:

10 16.50 (1) (b) This subsection does not apply to appropriations under ss. 20.255
11 (2) (ac) and (r), 20.835, and 20.865 (4).

12 ***b0257/4.2*** SECTION 173m. 16.50 (1) (b) of the statutes, as affected by 2003
13 Wisconsin Act (this act), is amended to read:

14 16.50 (1) (b) This subsection does not apply to appropriations under ss. 20.255
15 (2) (ac) and (r), 20.835, and 20.865 (4).

16 ***-0576/8.19*** SECTION 174. 16.50 (3) of the statutes is amended to read:

17 16.50 (3) LIMITATION ON INCREASE OF FORCE AND SALARIES. No department, except
18 the legislature or the courts, may increase the pay of any employee, expend money
19 or incur any obligation except in accordance with the estimate that is submitted to
20 the secretary as provided in sub. (1) and approved by the secretary or the governor.
21 No change in the number of full-time equivalent positions authorized through the
22 biennial budget process or other legislative act may be made without the approval
23 of the joint committee on finance, except for position changes made by the governor
24 under s. 16.505 (1) (c) or (2), by the University of Wisconsin Hospitals and Clinics
25 Board under s. 16.505 (2n) or by the board of regents of the University of Wisconsin

1 System under s. 16.505 (2m) or (2p). The secretary may withhold, in total or in part,
2 the funding for any position, as defined in s. 230.03 (11), as well as the funding for
3 part-time or limited term employees until such time as the secretary determines
4 that the filling of the position or the expending of funds is consistent with s. 16.505
5 and with the intent of the legislature as established by law or in budget
6 determinations, or the intent of the joint committee on finance in creating or
7 abolishing positions under s. 13.10, the intent of the governor in creating or
8 abolishing positions under s. 16.505 (1) (c) or (2) or the intent of the board of regents
9 of the University of Wisconsin System in creating or abolishing positions under s.
10 16.505 (2m) or (2p). Until the release of funding occurs, recruitment or certification
11 for the position may not be undertaken. The secretary shall submit a quarterly
12 report to the joint committee on finance of any position changes made by the governor
13 under s. 16.505 (1) (c). No pay increase may be approved unless it is at the rate or
14 within the pay ranges prescribed in the compensation plan or as provided in a
15 collective bargaining agreement under subch. V of ch. 111. At the request of the
16 ~~secretary of employment relations~~ director of the office of state human resources
17 management, the secretary of administration may authorize the temporary creation
18 of pool or surplus positions under any source of funds if the ~~secretary of employment~~
19 ~~relations~~ director determines that temporary positions are necessary to maintain
20 adequate staffing levels for high turnover classifications, in anticipation of attrition,
21 to fill positions for which recruitment is difficult. Surplus or pool positions
22 authorized by the secretary shall be reported quarterly to the joint committee on
23 finance in conjunction with the report required under s. 16.54 (8).

24 *b0145/1.2* SECTION 177g. 16.519 (3) of the statutes is repealed.

25 *-1327/1.2* SECTION 178. 16.52 (6) (a) of the statutes is amended to read:

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

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

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

15 ***b0257/4.3*** SECTION 179m. 16.52 (10) of the statutes, as affected by 2003
16 Wisconsin Act (this act), is amended to read:

17 16.52 (10) DEPARTMENT OF PUBLIC INSTRUCTION. The provisions of sub. (2) with
18 respect to refunds and sub. (5) (a) with respect to reimbursements for the prior fiscal
19 year shall not apply to the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) and
20 (r).

21 ***-0854/5.1*** SECTION 181. 16.526 of the statutes is created to read:

22 **16.526 Payment of the state's unfunded liabilities under the Wisconsin**
23 **Retirement System; revenue obligations.** (1) For purposes of subch. II of ch.
24 18, the purposes of obtaining proceeds to pay the state's anticipated unfunded prior
25 service liability under s. 40.05 (2) (b) and of paying the state's unfunded prior service

1 liability under s. 40.05 (2) (b) and the state's unfunded liability under s. 40.05 (4) (b),
2 (bc), and (bw) and subch. IX of ch. 40 is a special fund program, and the excise tax
3 fund is a special fund. The legislature finds and determines that the excise tax fund
4 is a segregated fund consisting of fees, penalties, or excise taxes and that the special
5 program to pay the state's unfunded prior service liability under s. 40.05 (2) (b) and
6 the state's unfunded liability under s. 40.05 (4) (b), (bc), and (bw) and subch. IX of ch.
7 40 from the net proceeds of revenue obligations issued under this section is
8 appropriate and will serve a public purpose.

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

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

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

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

5 (b) Except as otherwise provided in this paragraph, the requirements for funds
6 obtained to pay the state's anticipated unfunded prior service liability under s. 40.05
7 (2) (b) and funds used for the payment of the state's unfunded prior service liability
8 under s. 40.05 (2) (b) and the state's unfunded liability under s. 40.05 (4) (b), (bc), and
9 (bw) and subch. IX of ch. 40, that are to be paid from revenue obligations issued under
10 this section, shall be determined by the secretary. The sum of revenue obligations
11 issued under this section and appropriation obligations issued under s. 16.527, if any,
12 excluding any appropriation obligations that have been defeased under a cash
13 optimization program administered by the building commission and any
14 appropriation obligations issued pursuant to s. 16.527 (3) (b) 3., shall not exceed
15 \$1,350,000,000.

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

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

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

7 *~~1016/6.2~~* SECTION 182. 16.527 of the statutes is created to read:

8 **16.527 Retirement of state’s unfunded liabilities under the Wisconsin**
9 **Retirement System; appropriation obligations.** (1) LEGISLATIVE FINDING AND
10 DETERMINATION. Recognizing that the state, by prepaying part or all of the state’s
11 unfunded prior service liability under s. 40.05 (2) (b) and the state’s unfunded
12 liability under s. 40.05 (4) (b), (bc), and (bw) and subch. IX of ch. 40, may reduce its
13 costs and better ensure the timely and full payment of retirement benefits to
14 participants and their beneficiaries under the Wisconsin Retirement System, the
15 legislature finds and determines that it is in the public interest for the state to issue
16 appropriation obligations to obtain proceeds to pay the state’s anticipated unfunded
17 prior service liability under s. 40.05 (2) (b) and to pay part or all of the state’s
18 unfunded prior service liability under s. 40.05 (2) (b) and the state’s unfunded
19 liability under s. 40.05 (4) (b), (bc), and (bw) and subch. IX of ch. 40.

20 (2) DEFINITIONS. In this section:

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

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

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

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

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

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

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

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

14 2. The sum of appropriation obligations issued under this section, excluding
15 any obligations that have been defeased under a cash optimization program
16 administered by the building commission and any obligations issued pursuant to
17 subd. 3., and revenue obligations issued under s. 16.526, if any, may not exceed
18 \$1,350,000,000.

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

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

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

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

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

21 (e) At the time of, or in anticipation of, contracting for the appropriation
22 obligations and at any time thereafter so long as the appropriation obligations are
23 outstanding, the department may enter into agreements and ancillary
24 arrangements relating to the appropriation obligations, including trust indentures,
25 liquidity facilities, remarketing or dealer agreements, letter of credit agreements,

1 insurance policies, guaranty agreements, reimbursement agreements, indexing
2 agreements, or interest exchange agreements. Any payments made or received
3 pursuant to any such agreement or ancillary arrangement shall be made from or
4 deposited into a program revenue appropriation account in the general fund.

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

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

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

24 (b) Appropriation obligations may be sold at either public or private sale and
25 may be sold at any price or percentage of par value. The department may provide

1 in any authorizing certification for refunding obligations under sub. (7) that they be
2 exchanged privately in payment and discharge of any of the outstanding obligations
3 being refinanced. All appropriation obligations sold at public sale shall be noticed
4 as provided in the authorizing certification. Any bid received at public sale may be
5 rejected.

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

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

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

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

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

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

17 (b) If the department determines to exchange refunding obligations, they may
18 be exchanged privately for and in payment and discharge of any of the outstanding
19 obligations being refinanced. Refunding obligations may be exchanged for such
20 principal amount of the obligations being exchanged therefor as may be determined
21 by the department to be necessary or advisable. The owners of the obligations being
22 refunded who elect to exchange need not pay accrued interest on the refunding
23 obligations if and to the extent that interest is accrued and unpaid on the obligations
24 being refunded and to be surrendered. If any of the obligations to be refinanced are
25 to be called for redemption, the department shall determine which redemption dates