




# State of Wisconsin


LEGISLATIVE REFERENCE BUREAU

## **RESEARCH APPENDIX -** **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 12/05/2005 (Per: ARG)





 Appendix A ... Part 01 of 03

 The 2005 drafting file for LRB 05s0342/1

has been copied/added to the 2005 drafting file for

# LRB 05s0343

 The attached 2005 draft was incorporated into the new 2005 draft listed above. For research purposes, this cover sheet and the attached drafting file were copied, and added, as a appendix, to the new 2005 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

 This cover sheet was added to rear of the original 2005 drafting file. The drafting file was then returned, intact, to its folder and filed.

**2005 DRAFTING REQUEST**

**Senate Substitute Amendment (SSA-SB352)**

Received: 11/30/2005

Received By: agary

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Jon Dyck

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: Transportation - airports

Extra Copies: PJH

Submit via email: YES

Requester's email: Jon.Dyck@legis.state.wi.us

Carbon copy (CC:) to: aaron.gary@legis.state.wi.us

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Wisconsin Aerospace Authority; rolling together adopted simple amendments

---

**Instructions:**

See Attached

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 12/01/2005	csicilia 12/05/2005		_____			
/1			jfrantze 12/05/2005	_____	mbarman 12/05/2005	mbarman 12/05/2005	

FE Sent For:

<END>

**2005 DRAFTING REQUEST**

**Senate Substitute Amendment (SSA-SB352)**

Received: 11/30/2005

Received By: agary

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Jon Dyck

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: Transportation - airports

Extra Copies: PJH

Submit via email: YES

Requester's email: Jon.Dyck@legis.state.wi.us

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Wisconsin Aerospace Authority; rolling together adopted simple amendments

---

**Instructions:**

See Attached

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1/?	agary	1 ag 12/5 05	J 12/5	J/Ra 12/5			

FE Sent For:

<END>

The w/ Jan

11/30

SAs 3

✓ 1571

✓ 1623

✓ 1617

✓ 1601

SAs 1

✓ 1514

1588



sub for lot L  
bills

for the center





**Gary, Aaron**

**From:** Northrop, Lori  
**Sent:** Wednesday, November 30, 2005 4:13 PM  
**To:** Gary, Aaron; Gad, Anthony; Haugen, Caroline; Hanaman, Cathlene; Siciliano, Chris; Sundberg, Christopher; Snyder, Eileen; Malaise, Gordon; Kreye, Joseph; Dyer, Joy; Follett, Kathy; Kunkel, Laura; Northrop, Lori; Kunkel, Mark; Gibson-Glass, Mary; Dsida, Michael; Kahler, Pam; Greenslet, Patty; Hurley, Peggy; Dykman, Peter; Champagne, Rick; Nelson, Robert P.; Kite, Robin; Ryan, Robin; Schlueter, Ron; Miller, Steve; Jackson, Wendy  
**Subject:** wheeler report 11/30/2005 4:12pm

**THE WHEELER REPORT**  
**111 W. Wilson St. #UL-11 - Madison, WI 53703 - 608-287-0130**  
**E-Mail: [wheeler@thewheelerreport.com](mailto:wheeler@thewheelerreport.com)**

Wednesday, November 30, 2005 PM

**MALPRACTICE BILLS SENT TO GOVERNOR**

Speaker Gard on Wednesday sent the following bills to Gov. Doyle for action. The governor has until next Wednesday to take action on them.

AB-764. Malpractice awards – collateral sources payments.

AB-765. Coverage under the uninjured patients and families compensation fund of medical school graduates engaged in postgraduate training.

AB-766. Malpractice awards – non-economic damages caps.

**EXECUTIVE ACTION BY JOINT FINANCE**

(Note: Rep. Colon was not present for the meeting)

AB-844. (Companion to SB-451) HIRSP changes; HIRSP authority; eligibility. *Am. 1 to Sub. 1 recommended, 15-0. Am. (LRBa1590/1) recommended, 15-0. Sub. as amended recommended, 13-2. Passage recommended as amended, 13-2.*

SB-451. (Companion to AB-844) HIRSP changes; HIRSP authority; eligibility. *All actions taken on AB-844 applied to SB-451.*

AB-87. Non-resident tuition exemption for dependents of certain active members of the armed forces. *Sub 1 recommended 13-1. Passage as amended recommended, 14-0.*

AB-418. Provides state aid to certain large-area, declining enrollment school districts (Florence County). *Passage recommended, 8-7.*

AB-397. (Companion to SB-175) Adds a UW Platteville project to the 2003-05 authorized state building program. *Substitute (LRBs0324/1) recommended, 11-3. Passage as amended recommended 11-3.*

SB-175. (Companion to AB-397) Adds a UW Platteville project to the 2003-05 authorized state building program. *All actions taken on AB-397 applied to SB-175 by unanimous consent.*

AB-770. (Companion to SB-352) Creates Wisconsin Aerospace Authority to develop and operate spaceports and related facilities and services and other aerospace facilities and services; provides authority with power of condemnation; authorizes municipalities to develop and operate spaceports. *All actions taken on SB-352 applied to AB-770 by unanimous consent.*

SB-352. (Companion to AB-770) Creates Wisconsin Aerospace Authority to develop and operate spaceports and related facilities and services and other aerospace facilities and services; provides authority with power of condemnation; authorizes municipalities to develop and operate spaceports. *Am (LRBa1588-1) recommended, 14-0. Am. (LRBa1514/1) recommended, 14-0. Am. (LRBa1601/1) recommended 13-1. Am. (LRBa1617/1) recommended, 14-0. Am. (LRBa1623/1) recommended, 14-0. Am. (LRBa1596/1) NOT recommended 3-11. Am. (LRBa1571/1) recommended 14-0. Introduction and adoption of a substitute to be drafted recommended 12-2. Passage as amended recommended, 12-2.*

AB-120. Restrictions on operation of motor vehicles by persons holding instructional permits or probationary licenses (prohibits use of cell phones). *Passage recommended 10-5.*

AB-26. (Companion to SB-33) Wildlife violator compact. *Am. 1 to Sub 1 recommended 15-0. Motion 806 recommended 14-1. Am. (LRBa1480/1) recommended, 15-0. Sub 1 recommended as amended, 15-0. Passage as*

2005 - 2006 LEGISLATURE

Needed  
by 12/7

50342/1

LRB-22871

ARG:cjs:rs

in 12/1

R M N R

SENATE SUBSTITUTE AMENDMENT,

TO 2005 SENATE BILL 352

slays

SA ✓  
+ 12/5 ✓

September 28, 2005 - Introduced by Senators LEIBHAM, SCHULTZ, BROWN and HANSEN, cosponsored by Representatives KESTELL, SUDER, DAVIS, JENSEN, ALBERS, LEMAHIEU, OTT, VAN ROY, GRONEMUS, NELSON, VAN AKKEREN and VRUWINK. Referred to Committee on Job Creation, Economic Development and Consumer Affairs.

Repeal cat

1 AN ACT to renumber and amend 114.136 (2) (b); to amend 7.33 (1) (c), 13.172  
2 (1), 13.62 (2), 13.94 (1) (b), 13.94 (1) (g), 13.94 (4) (a) 1., 16.002 (2), 16.004 (4),  
3 16.004 (5), 16.004 (12) (a), 16.01 (1), 16.045 (1) (a), 16.41 (4), 16.417 (1) (b), 16.52  
4 (7), 16.528 (1) (a), 16.53 (2), 16.54 (9) (a) 1., 16.611 (2) (a) and (c), 16.70 (2), 16.75  
5 (1m), 16.765 (1), (2), (4), (5), (6), (7) (intro.) and (d) and (8), 16.838 (1) (b), 16.85  
6 (2), 16.865 (8), 19.42 (5), 20.395 (2) (dq), 20.395 (2) (dv), 20.395 (2) (dx), 23.175  
7 (1) (b), 25.50 (1) (d), 32.01 (1), 32.05 (intro.), 71.26 (1) (be), 77.54 (9a) (a), 84.072  
8 (3), 85.02 (1), 100.45 (1) (dm), 101.177 (1) (d), chapter 114 (title), 114.002 (1),  
9 114.002 (3), 114.04, 114.05, 114.07, 114.105, 114.11 (title), 114.11 (1), (2), (3), (4)  
10 and (5) (intro.), 114.12, 114.13, 114.134 (title), 114.134 (1), (2), (3) and (4) (c),  
11 114.135 (intro.), (1), (2), (3), (4), (6), (7) and (8), 114.136 (title), 114.136 (1) (a),  
12 (b) and (c), (2) (a), (3), (4) and (5), 114.151, 114.31 (1) and (4), 114.33 (12), 114.37  
13 (title), 230.03 (3), 281.75 (4) (b) 3., 285.59 (1) (b), 560.032 (1), 893.80 (1), 893.80  
14 (1g), 893.80 (3), 893.80 (4), 893.80 (5) and 893.80 (7); and to create 24.61 (2) (a)



**SENATE BILL 352**

1           10., 25.17 (3) (b) 13., 32.02 (11m), 40.02 (54) (j), 66.0603 (1m) (a) 3u., 70.11  
 2           (38m), 71.05 (1) (c) 7., 71.26 (1m) (h), 71.45 (1t) (h), subchapter I (title) of chapter  
 3           114 [precedes 114.001], 114.002 (11m), 114.002 (18r), (18s) and (18t), 114.375,  
 4           subchapter II of chapter 114 [precedes 114.60] and 219.09 (1) (g) of the statutes;  
 5           **relating to:** creating the Wisconsin Aerospace Authority to develop and  
 6           operate spaceports and related facilities and services and other aerospace  
 7           facilities and services and providing the authority with the power of  
 8           condemnation, authorizing municipalities to develop and operate spaceports,  
 9           and making an appropriation.

***Analysis by the Legislative Reference Bureau***

This ~~bill~~ creates the Wisconsin Aerospace Authority (WAA) and authorizes WAA to develop spaceports, spacecraft, and other aerospace facilities in this state, to provide spaceport and aerospace services and allow use of spaceport and aerospace facilities by others, to promote the aerospace industry in this state, and to provide public-private coordination for the aerospace industry in this state. An authority is a public body created by state law that is not a state agency. There are currently a limited number of authorities created under state law, which include the University of Wisconsin Hospitals and Clinics Authority and Wisconsin Housing and Economic Development Authority.

Under this ~~bill~~, the board of directors of WAA consists of nine members. Six members of the board are appointed by the governor with the advice and consent of the senate for three-year terms. One member is appointed by the president of the senate and one member is appointed by the speaker of the assembly, each for a three-year term. Each of these eight members must be a resident of this state and must have experience in the aerospace, education, finance, or commercial space industry or other significant experience related to the functions of WAA. The ninth member of the board is the director of the Wisconsin Space Grant Consortium. A board member appointed by the governor may be removed from the board for cause and a board member appointed by the legislature is required to be removed from the board for two consecutive unapproved absences from board meetings. Board members are not compensated for their services, but receive reimbursement for actual and necessary expenses. The board must appoint an executive director, who may not be a member of the board and who may receive compensation for his or her services.

The ~~bill~~ provides WAA with numerous powers, including authorizing WAA to do all of the following:

Substitute  
amendment

SENATE BILL 352

*including establishing a spaceport in the city of Sheboygan*

1. Design, develop, and operate spaceports, aerospace facilities, and spacecraft.
2. Design, develop, and operate programs and projects, and provide services, related to spaceports, aerospace facilities, and spacecraft.
3. Acquire and dispose of real property, personal property, and intangible property rights and enter into contracts.
4. Issue bonds to fund any spaceport, facility, or service of WAA.
5. Exercise the right of eminent domain.
6. Maintain exclusive jurisdiction (except where federal or state law provides otherwise) over WAA spaceports.
7. Cooperate with other governmental units in furnishing any facility or service, including fire and police protection at a spaceport.

The bill also imposes a number of duties on WAA, including requiring WAA to do all of the following:

~~1. Establish a spaceport in the city of Sheboygan.~~

~~1-4.~~ Promote the aerospace industry in this state, including advertising and promotion of WAA facilities and services and development, promotion, and attraction of space-related business in this state.

~~2-3.~~ Provide and promote aerospace services, information, and business opportunities in this state.

~~3-4.~~ Coordinate efforts of various governmental units and private parties interested in the promotion of space-related industry.

~~4-5.~~ Develop a business plan to promote and facilitate spaceport-related educational and commercial development and to stimulate and improve aerospace science, design, technology, and research.

~~5-6.~~ Annually report to the governor and legislature WAA's activities, receipts, expenditures, and financial condition; annually submit to the Department of Administration (DOA), for each fiscal year in which the authority receives operating revenues, an audited financial statement including detailed identification of funding sources; and submit once to DOA, and as DOA requests thereafter, a business plan and estimate of costs and funding for design, development, and operation of initially planned spaceports, aerospace facilities, and spacecraft.

The bill authorizes WAA to issue bonds to carry out its functions if WAA submits a bond resolution to the governor and legislature and the legislature's Joint Committee on Finance does not schedule a meeting within 14 days on the bond resolution or schedules such a meeting and approves the bond resolution. WAA's bonds are not state debt. The bill authorizes WAA to have no more than \$100,000,000 in outstanding bonds at any one time. The bill creates an individual and corporate income tax exemption for interest on bonds issued by WAA.

Under the bill, state funding for WAA is provided from the Department of Transportation's (DOT) appropriation for airports and air navigation, but the bill does not provide any increase in this appropriation. Also under the bill, any project to acquire, construct, or improve a spaceport or spaceport facility, other than a hangar, must be funded from this DOT appropriation and from WAA's own funds. DOT and WAA must share the cost of the project, except that DOT's share of costs is limited to a maximum of \$10,000,000 per project and is limited to 80 percent of the

*substitute amendment*

*insert ANAL-A*

*insert ANAL-B*

*these*

**SENATE BILL 352**

*and to access by the Legislative Fiscal Bureau*

total project cost if federal aid is not available for the project or 50 percent of the total project cost in excess of federal aid if federal aid is available for the project. For each project, DOT determines the percentage of costs borne by DOT based on the relative importance of the project to any state spaceport development program as a whole.

Because WAA is not a state agency, numerous laws that apply to state agencies do not apply to WAA. However, as with many state-created authorities, WAA is treated like a state agency in the following respects, among others: 1) it is generally subject to the open records and open meetings laws; 2) it is treated like a state agency for purposes of the law regulating lobbying; 3) its employees may participate in the system for state retirement benefits and health insurance coverage; 4) it is exempt from sales and use taxes, property taxes, and income taxes; 5) its employees are subject to laws prohibiting political activities by state employees while engaged in official duties. ~~Unlike other state created authorities, WAA is not treated like a~~

3

~~state agency in the following respects:~~ 6) it is ~~not~~ subject to auditing by the Legislative Audit Bureau; and 7) the Code of Ethics for Public Officials and Employees ~~does not~~ cover WAA.

WAA is unlike a state agency in many other ways, including: 1) it approves its own budget without going through the state budgetary process; 2) WAA employees are not state employees, are not included in the state system of personnel management, and are hired outside the state hiring system; 3) it is not subject to statutory rule-making procedures, including requirements for legislative review of proposed rules; 4) it keeps its operating fund in its own account outside of the state treasury; and 5) the state is not liable for any debt, obligation, or act of WAA and WAA expenses are paid from WAA's own funds.

*Substitute amendment*

The ~~bill~~ also expands certain provisions of law currently applicable only to airports and aircraft to apply to spaceports and spacecraft as well. These changes include: 1) treating aircraft and spacecraft similarly with regard to certain aspects of civil and criminal liability; 2) recognizing the authority of a county or municipality to establish, own, and operate a spaceport or spacecraft launch or landing area in the same manner as a county or municipal airport, landing field, or landing and take-off strip, including the right of condemnation and the right to protect aerial approaches; and 3) expanding an existing loan program administered by DOT to facilitate acquisition by local governments or airport owners of land for airport projects to include spaceport projects as well, but with a maximum total outstanding balance of loans for spaceport projects of \$10,000,000 rather than the \$6,500,000 for airport projects. *and with a different funding source*

~~Current law provides limited immunity for volunteer fire companies, political corporations, governmental subdivisions and agencies thereof, and for officers, officials, agents, or employees of these entities, for acts done in an official capacity or in the course of employment. Claimants must generally follow a specified claims procedure and liability for damages is generally limited to \$50,000 except that no liability may be imposed for performance of a discretionary duty or for punitive damages. This bill provides the WAA and its officers, agents, and employees with the same limited immunity.~~

**SENATE BILL 352**

~~This bill will be referred to the Joint Survey Committee on Retirement Systems for a detailed analysis, which will be printed as an appendix to this bill.~~

~~For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.~~

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

1           **SECTION 1.** 7.33 (1) (c) of the statutes is amended to read:

2           7.33 (1) (c) "State agency" has the meaning given under s. 20.001 (1) and  
3 includes an authority created under subch. II of ch. 114 or ch. 231, 232, 233, 234, or  
4 237.

5           **SECTION 2.** 13.172 (1) of the statutes is amended to read:

6           13.172 (1) In this section, "agency" means an office, department, agency,  
7 institution of higher education, association, society or other body in state  
8 government created or authorized to be created by the constitution or any law, which  
9 is entitled to expend moneys appropriated by law, including the legislature and the  
10 courts, and any authority created in subch. II of ch. 114 or ch. 231, 233, or 234.

11           **SECTION 3.** 13.62 (2) of the statutes is amended to read:

12           13.62 (2) "Agency" means any board, commission, department, office, society,  
13 institution of higher education, council or committee in the state government, or any  
14 authority created in subch. II of ch. 114 or ch. 231, 232, 233, 234, or 237, except that  
15 the term does not include a council or committee of the legislature.

16           **SECTION 4.** 13.94 (1) (b) of the statutes is amended to read:

17           13.94 (1) (b) Audit the records of every state department, board, commission,  
18 independent agency, or authority other than the Wisconsin Aerospace Authority at  
19 least once each 5 years and audit the records of other departments as defined in sub.  
20 (4) when the state auditor deems it advisable or when he or she is so directed and,

## SENATE BILL 352

## SECTION 4

1 in conjunction therewith, reconcile the records of the department audited with those  
2 of the department of administration. Audits of the records of a county, city, village,  
3 town or school district may be performed only as provided in par. (m). Within 30 days  
4 after completion of any such audit, the bureau shall file with the chief clerk of each  
5 house of the legislature, the governor, the department of administration, the  
6 legislative reference bureau, the joint committee on finance, the legislative fiscal  
7 bureau and the department audited, a detailed report thereof, including its  
8 recommendations for improvement and efficiency and including specific instances,  
9 if any, of illegal or improper expenditures. The chief clerks shall distribute the report  
10 to the joint legislative audit committee, the appropriate standing committees of the  
11 legislature and the joint committee on legislative organization.

12 **SECTION 5.** 13.94 (1) (g) of the statutes is amended to read:

13 13.94 (1) (g) Require each state department, board, commission, independent  
14 agency, or authority other than the Wisconsin Aerospace Authority to file with the  
15 bureau on or before September 1 of each year a report on all receivables due the state  
16 as of the preceding June 30 which were occasioned by activities of the reporting unit.  
17 The report may also be required of other departments, except counties, cities,  
18 villages, towns and school districts. The report shall show the aggregate amount of  
19 such receivables according to fiscal year of origin and collections thereon during the  
20 fiscal year preceding the report. The state auditor may require any department to  
21 file with the bureau a detailed list of the receivables comprising the aggregate  
22 amounts shown on the reports prescribed by this paragraph.

23 **SECTION 6.** 13.94 (4) (a) 1. of the statutes is amended to read:

24 13.94 (4) (a) 1. Every state department, board, examining board, affiliated  
25 credentialing board, commission, independent agency, council or office in the

## SENATE BILL 352

*and the Wisconsin Aerospace Authority*

1 executive branch of state government; all bodies created by the legislature in the  
 2 legislative or judicial branch of state government; any public body corporate and  
 3 politic created by the legislature, ~~except the Wisconsin Aerospace Authority, and~~  
 4 including specifically the Fox River Navigational System Authority, a professional  
 5 baseball park district, a local professional football stadium district, a local cultural  
 6 arts district and a family care district under s. 46.2895; every Wisconsin works  
 7 agency under subch. III of ch. 49; every provider of medical assistance under subch.  
 8 IV of ch. 49; technical college district boards; development zones designated under  
 9 s. 560.71; every county department under s. 51.42 or 51.437; every nonprofit  
 10 corporation or cooperative to which moneys are specifically appropriated by state  
 11 law; and every corporation, institution, association or other organization which  
 12 receives more than 50% of its annual budget from appropriations made by state law,  
 13 including subgrantee or subcontractor recipients of such funds.

*insert 7-13* → SECTION 7. 16.002 (2) of the statutes is amended to read:

15 16.002 (2) "Departments" means constitutional offices, departments and  
 16 independent agencies and includes all societies, associations and other agencies of  
 17 state government for which appropriations are made by law, but not including  
 18 authorities created in subch. II of ch. 114 or chs. 231, 232, 233, 234, 235, and 237.

19 SECTION 8. 16.004 (4) of the statutes is amended to read:

20 16.004 (4) FREEDOM OF ACCESS. The secretary and such employees of the  
 21 department as the secretary designates may enter into the offices of state agencies  
 22 and authorities created under subch. II of ch. 114 or chs. 231, 233, 234, and 237, and  
 23 may examine their books and accounts and any other matter which in the secretary's  
 24 judgment should be examined and may interrogate the agency's employees publicly  
 25 or privately relative thereto.

## SENATE BILL 352

## SECTION 9

1           **SECTION 9.** 16.004 (5) of the statutes is amended to read:

2           16.004 (5) AGENCIES AND EMPLOYEES TO COOPERATE. All state agencies and  
3 authorities created under subch. II of ch. 114 or chs. 231, 233, 234, and 237, and their  
4 officers and employees, shall cooperate with the secretary and shall comply with  
5 every request of the secretary relating to his or her functions.

6           **SECTION 10.** 16.004 (12) (a) of the statutes is amended to read:

7           16.004 (12) (a) In this subsection, "state agency" means an association,  
8 authority, board, department, commission, independent agency, institution, office,  
9 society or other body in state government created or authorized to be created by the  
10 constitution or any law, including the legislature, the office of the governor and the  
11 courts, but excluding the University of Wisconsin Hospitals and Clinics Authority,  
12 the Wisconsin Aerospace Authority, and the Fox River Navigational System  
13 Authority.

14           **SECTION 11.** 16.01 (1) of the statutes is amended to read:

15           16.01 (1) In this section, "agency" means any office, department, agency,  
16 institution of higher education, association, society or other body in state  
17 government created or authorized to be created by the constitution or any law which  
18 is entitled to expend moneys appropriated by law, including the legislature and the  
19 courts, and any authority created under subch. II of ch. 114 or ch. 231, 233 or 234.

20           **SECTION 12.** 16.045 (1) (a) of the statutes is amended to read:

21           16.045 (1) (a) "Agency" means an office, department, independent agency,  
22 institution of higher education, association, society or other body in state  
23 government created or authorized to be created by the constitution or any law, which  
24 is entitled to expend moneys appropriated by law, including the legislature and the

**SENATE BILL 352**

1 courts, but not including an authority created in subch. II of ch. 114 or ch. 231, 232,  
2 233, 234, 235, or 237.

3 **SECTION 13.** 16.41 (4) of the statutes is amended to read:

4 16.41 (4) In this section, “authority” means a body created under subch. II of  
5 ch. 114 or ch. 231, 233, 234, or 237.

6 **SECTION 14.** 16.417 (1) (b) of the statutes is amended to read:

7 16.417 (1) (b) “Authority” means a body created under subch. II of ch. 114 or  
8 ch. 231, 232, 233, 234, 235, or 237.

9 **SECTION 15.** 16.52 (7) of the statutes is amended to read:

10 16.52 (7) PETTY CASH ACCOUNT. With the approval of the secretary, each agency  
11 which is authorized to maintain a contingent fund under s. 20.920 may establish a  
12 petty cash account from its contingent fund. The procedure for operation and  
13 maintenance of petty cash accounts and the character of expenditures therefrom  
14 shall be prescribed by the secretary. In this subsection, “agency” means an office,  
15 department, independent agency, institution of higher education, association,  
16 society or other body in state government created or authorized to be created by the  
17 constitution or any law, which is entitled to expend moneys appropriated by law,  
18 including the legislature and the courts, but not including an authority created in  
19 subch. II of ch. 114 or ch. 231, 233, 234, or 237.

20 **SECTION 16.** 16.528 (1) (a) of the statutes is amended to read:

21 16.528 (1) (a) “Agency” means an office, department, independent agency,  
22 institution of higher education, association, society or other body in state  
23 government created or authorized to be created by the constitution or any law, which  
24 is entitled to expend moneys appropriated by law, including the legislature and the



**SENATE BILL 352****SECTION 16**

1 courts, but not including an authority created in subch. II of ch. 114 or ch. 231, 233,  
2 234, or 237.

3 **SECTION 17.** 16.53 (2) of the statutes is amended to read:

4 16.53 (2) IMPROPER INVOICES. If an agency receives an improperly completed  
5 invoice, the agency shall notify the sender of the invoice within 10 working days after  
6 it receives the invoice of the reason it is improperly completed. In this subsection,  
7 “agency” means an office, department, independent agency, institution of higher  
8 education, association, society or other body in state government created or  
9 authorized to be created by the constitution or any law, which is entitled to expend  
10 moneys appropriated by law, including the legislature and the courts, but not  
11 including an authority created in subch. II of ch. 114 or ch. 231, 233, 234, or 237.

12 **SECTION 18.** 16.54 (9) (a) 1. of the statutes is amended to read:

13 16.54 (9) (a) 1. “Agency” means an office, department, independent agency,  
14 institution of higher education, association, society or other body in state  
15 government created or authorized to be created by the constitution or any law, which  
16 is entitled to expend moneys appropriated by law, including the legislature and the  
17 courts, but not including an authority created in subch. II of ch. 114 or ch. 231, 233,  
18 234, or 237.

19 **SECTION 19.** 16.611 (2) (a) and (c) of the statutes are amended to read:

20 16.611 (2) (a) The department shall prescribe, by rule, procedures for the  
21 transfer of public records and records of the University of Wisconsin Hospitals and  
22 Clinics Authority and of the Wisconsin Aerospace Authority to optical disk or  
23 electronic format and for the maintenance of such records stored in optical disk or  
24 electronic format, including procedures to ensure the authenticity, accuracy,  
25 reliability and accessibility of any public records or records of the University of

**SENATE BILL 352**

1     Wisconsin Hospitals and Clinics Authority or of the Wisconsin Aerospace Authority  
2     so transferred and procedures to ensure that such records are protected from  
3     unauthorized destruction.

4           (c) The department shall prescribe, by rule, qualitative standards for optical  
5     disks and for copies of documents generated from optical disks used to store public  
6     records and records of the University of Wisconsin Hospitals and Clinics Authority  
7     and of the Wisconsin Aerospace Authority.

8           **SECTION 20.** 16.70 (2) of the statutes is amended to read:

9           16.70 (2) "Authority" means a body created under subch. II of ch. 114 or ch. 231,  
10     232, 233, 234, 235, or 237.

11          **SECTION 21.** 16.75 (1m) of the statutes is amended to read:

12          16.75 (1m) The department shall award each order or contract for materials,  
13     supplies or equipment on the basis of life cycle cost estimates, whenever such action  
14     is appropriate. Each authority other than the University of Wisconsin Hospitals and  
15     Clinics Authority and the Wisconsin Aerospace Authority shall award each order or  
16     contract for materials, supplies or equipment on the basis of life cycle cost estimates,  
17     whenever such action is appropriate. The terms, conditions and evaluation criteria  
18     to be applied shall be incorporated in the solicitation of bids or proposals. The life  
19     cycle cost formula may include, but is not limited to, the applicable costs of energy  
20     efficiency, acquisition and conversion, money, transportation, warehousing and  
21     distribution, training, operation and maintenance and disposition or resale. The  
22     department shall prepare documents containing technical guidance for the  
23     development and use of life cycle cost estimates, and shall make the documents  
24     available to local governmental units.