

ENGROSSED ASSEMBLY BILL 100

SECTION 9105

1	9. <i>Projects financed by federal funds:</i>	
2	Facilities maintenance and repair	367,300
3	(Total program all funding sources \$158,817,000)	
4	Utilities repair and renovation	565,000
5	(Total program all funding sources \$65,431,600)	
6	10. <i>All agency totals:</i>	
7	General fund supported borrowing	200,000,000
8	Existing general fund supported borrowing	
9	authority — stewardship property development	
10	and local assistance funds	4,600,800
11	Program revenue supported borrowing	59,129,200
12	Segregated fund supported borrowing	3,924,300
13	Segregated fund supported revenue borrowing	5,316,400
14	Program revenue	4,947,500
15	Segregated funds	1,431,100
16	Gifts, grants, and other receipts	290,000
17	Federal funds	<u>932,300</u>
18	Total — All sources of funds	\$ 280,571,600

(m) SUMMARY

20	Total general fund supported borrowing	\$ 509,065,300
21	Total existing general fund supported borrowing	
22	authority	62,000,000

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1	Total existing general fund supported borrowing	
2	authority — stewardship property development	
3	and local assistance funds	10,943,800
4	Total program revenue supported borrowing	270,265,500
5	Total existing program revenue supported	
6	borrowing authority	9,768,675
7	Total segregated fund supported borrowing	10,500,800
8	Total segregated fund supported revenue	
9	borrowing	7,435,100
10	Total program revenue	4,947,500
11	Total segregated funds	8,631,100
12	Total gifts, grants, and other receipts	220,963,000
13	Total federal funds	<u>52,096,225</u>
14	Total — All sources of funds	\$ 1,166,617,000

15 (2) PROGRAMS PREVIOUSLY AUTHORIZED. In addition to the projects and financing
16 authority enumerated under subsection (1), the building and financing authority
17 enumerated under the previous state building program is continued in the 2005-07
18 fiscal biennium.

19 (3) LOANS. During the 2005-07 fiscal biennium, the building commission may
20 make loans from general fund supported borrowing or the building trust fund to state
21 agencies, as defined in section 20.001 (1) of the statutes, for projects which are to be
22 utilized for programs not funded by general purpose revenue and which are
23 authorized under subsection (1).

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1 (4) PROJECT CONTINGENCY FUNDING RESERVE.

2 (a) During the 2005-07 fiscal biennium, the building commission may allocate
3 moneys from the appropriation under section 20.866 (2) (yg) of the statutes for
4 contingency expenses in connection with any project in the Authorized State
5 Building Program.

6 (b) During the 2005-2007 fiscal biennium, the building commission may
7 allocate moneys from the appropriation under section 20.866 (2) (ym) of the statutes,
8 as affected by this act, for capital equipment acquisition in connection with any
9 project in the Authorized State Building Program.

10 (5) 2001-03 AUTHORIZED STATE BUILDING PROGRAM CHANGES. In 2001 Wisconsin
11 Act 16, section 9107 (1) (k) 1., under projects financed by segregated fund supported
12 revenue borrowing, the amount authorized by law for the project identified as
13 Division of motor vehicles service center — Waukesha is increased from \$1,465,600
14 to \$1,977,500.

15 (6) 2003-05 STATE BUILDING PROGRAM ADDITIONS. In 2003 Wisconsin Act 33,
16 section 9106 (1), the following projects are added to the 2003-05 state building
17 program and the appropriate totals are increased by the amounts shown:

18 (a) In paragraph (g) 1., under projects financed by
19 general fund supported borrowing:

20 Parkside — Student Union expansion and

21 admissions office

\$1,461,000

22 (b) In paragraph (g) 2., under projects financed by

23 program revenue supported borrowing:

24 Green Bay — Phoenix Sports Center addition

\$10,000,000

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1 (c) In paragraph (g) 3., under projects financed by
2 program revenue:

3 Green Bay — Phoenix Sports Center addition \$5,000,000

4 (d) In paragraph (g) 3., under projects financed by
5 program revenue:

6 Whitewater — Connor University Center addition
7 and remodeling \$45,000

8 (e) In paragraph (g) 4., under projects financed by gifts,
9 grants and other receipts:

10 Superior — Student Center renovation or
11 replacement \$4,000,000

12 Whitewater — Connor University Center addition
13 and remodeling \$140,000

14 (7) ADJUSTMENT OF TOTALS.

15 (a) In the 2001-03 Authorized State Building Program, the appropriate totals
16 are adjusted to reflect the changes made by subsection (5).

17 (b) In the 2003-05 Authorized State Building Program, the appropriate totals
18 are adjusted to reflect the changes made by SECTIONS 2496g and 2496r of this act.

19 (8) UNIVERSITY SQUARE PROJECT. Notwithstanding section 18.04 (1) and (2) of
20 the statutes, of the public debt authorized for the purchase of space at the University
21 Square project, as enumerated in subsection (1) (h) 1., \$39,850,000 in public debt
22 may not be contracted until after June 30, 2007.

23 (9) COLUMBIA ST. MARY'S — COLUMBIA CAMPUS. Notwithstanding section 18.04
24 (1) and (2) of the statutes, no public debt authorized for the acquisition and

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1 remodeling of the Columbia campus medical facilities, as enumerated in subsection
2 (1) (h) 1. and 3., may be contracted until after June 30, 2007. Beginning on July 1,
3 2007, and ending on June 30, 2009, not more than 50 percent of the general fund
4 supported borrowing and 50 percent of the program revenue supported borrowing
5 authorized for the acquisition and remodeling of the Columbia campus medical
6 facilities may be incurred. Beginning on July 1, 2009, the remainder of the general
7 fund supported borrowing and program revenue supported borrowing authorized for
8 the acquisition and remodeling of the Columbia campus medical facilities may be
9 incurred.

10 (10) TRI-STATE INITIATIVE. Notwithstanding section 18.04 (1) and (2) of the
11 statutes, of the public debt authorized for the Tri-state initiative facilities, as
12 enumerated in subsection (1) (h) 1., \$10,000,000 in public debt may not be contracted
13 until after June 30, 2007.

14 (11) STERLING HALL. Notwithstanding section 18.04 (1) and (2) of the statutes,
15 of the public debt authorized for the renovation of Sterling Hall, as enumerated in
16 subsection (1) (h) 1., \$20,000,000 in public debt may not be contracted until after
17 June 30, 2007.

18 (12) SHARED STORAGE BUILDING FOR THE STATE HISTORICAL SOCIETY AND WISCONSIN
19 VETERANS MUSEUMS. Notwithstanding section 18.04 (1) and (2) of the statutes, none
20 of the public debt authorized for a shared storage building for the state historical
21 society and Wisconsin veterans museums, as enumerated in subsection (1) (f) 1., may
22 be contracted until after June 30, 2007.

23 (14) CHILDREN'S RESEARCH INSTITUTE. Notwithstanding section 13.48 (37) (b) of
24 the statutes, as created by this act, the building commission shall not make a grant
25 to the Children's Hospital and Health System for construction of the children's

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1 research institute project, as enumerated in subsection (1) (k), under section 13.48
2 (37) of the statutes, as created by this act, unless the department of administration
3 has reviewed and approved plans for the project. Notwithstanding sections 16.85 (1)
4 and 16.855 (1) of the statutes, the department of administration shall not supervise
5 any services or work or let any contract for the project. Section 16.87 of the statutes
6 does not apply to the project.

7 (14q) SALE OF CERTAIN LAND TO FOX RIVER NAVIGATIONAL SYSTEM AUTHORITY. If
8 the building commission determines that any state-owned land that is leased to the
9 Fox River Navigational System Authority under section 237.06 of the statutes is not
10 needed for navigational purposes, the commission may declare the land to be surplus
11 and may authorize the sale of the land at fair market value. For purposes of the
12 application of section 13.48 (14) (d) of the statutes, as affected by this act, the land
13 leased by the department of administration under section 237.06 of the statutes shall
14 be treated as allocated for use by the department. Notwithstanding section 13.48 (14)
15 (c) of the statutes, the building commission shall credit the net proceeds of any sale
16 under this subsection to the appropriation account under section 20.373 (1) (g) of the
17 statutes, as created by this act.

18 (14x) STRATEGIC PLAN FOR STATE CORRECTIONAL FACILITIES.

19 (a) The building commission, in coordination with the department of
20 corrections, shall prepare or contract for the preparation of a strategic plan for state
21 correctional facilities for the period ending in 2016. The plan shall contain the
22 following elements:
23 1. An evaluation of the physical conditions, security, environmental, health and
24 safety concerns, and housing, program, and food service capacity of each correctional
25 institution.

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1 2. A determination of the operating capacity of the state's correctional system

2 based upon the following considerations:

3 a. The mission of the department of corrections.

4 b. Appropriate guidelines for space occupancy developed by the commission
5 and the department.

6 c. Model operating capacities developed by the commission and the department
7 that account for inmate security classification, gender, age, health condition,
8 programmatic needs, and length of incarceration.

9 d. A comparison of the guidelines and models with current conditions at the
10 correctional institutions.

11 e. The optimal design and operational system for each correctional institution.

12 3. A determination of any operating capacity shortfall within the state
13 correctional system for the period covered by the report based upon the projection for
14 inmate populations.

15 4. Recommendations for building projects and budgets, and potential use of
16 out-of-state and county jail bed contracts, to address any identified deficiencies at
17 existing correctional institutions and operating capacity shortfalls within the
18 correctional system.

19 (b) The building commission shall pay for the cost of the study under this
20 subsection from the appropriation under section 20.867 (2) (r) of the statutes.

21 (c) The building commission shall submit the results of the study, together with
22 the joint recommendations of the commission and the department of corrections, to
23 the governor, and to the legislature in the manner provided under section 13.172 (2)
24 of the statutes, no later than September 1, 2007.

ENGROSSED ASSEMBLY BILL 100**SECTION 9106**

1 **SECTION 9106. Nonstatutory provisions; child abuse and neglect**
2 **prevention board.**

3 **SECTION 9107. Nonstatutory provisions; circuit courts.**

4 **SECTION 9108. Nonstatutory provisions; commerce.**

5 (1) REAL ESTATE TRUST ACCOUNTS. All rules promulgated under section 452.13
6 of the statutes by the department of administration that are in effect on the effective
7 date of this subsection remain in effect until their specified expiration date or until
8 amended or repealed by the department of commerce.

9 (1v) PHASE OUT OF PETROLEUM STORAGE REMEDIAL ACTION PROGRAM. The
10 department of commerce shall include, as part of its 2007-09 biennial budget request
11 that it submits to the department of administration under section 16.42 of the
12 statutes, a proposal to phase out the Petroleum Storage Remedial Action Program
13 under section 101.143 of the statutes.

14 (1w) EMERGENCY RULES FOR DIESEL TRUCK IDLING REDUCTION GRANT PROGRAM.
15 Using the procedure under section 227.24 of the statutes, the department of
16 commerce shall promulgate as emergency rules the rules it determines are necessary
17 to administer the program under section 560.125 of the statutes, as created by this
18 act, for the period before the effective date of the permanent rules for the program,
19 but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the
20 statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the
21 department of commerce is not required to provide evidence that promulgating a rule
22 under this paragraph as an emergency rule is necessary for the preservation of the
23 public peace, health, safety, or welfare and is not required to provide a finding of
24 emergency for a rule promulgated under this subsection.

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1 (2k) GRANT TO WISCONSIN PROCUREMENT INSTITUTE: In both the 2005-06 and the
2 2006-07 fiscal years, the department of commerce shall make a grant of \$100,000
3 from the appropriation under section 20.143 (1) (c) of the statutes, as affected by this
4 act, to the Wisconsin Procurement Institute. The department of commerce shall
5 enter into an agreement with the Wisconsin Procurement Institute that specifies the
6 uses for the grant proceeds and reporting and auditing requirements.

7 (3f) BROWNFIELDS GRANT TO CITY OF MADISON.

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

9 1. "Department" means the department of commerce.

10 2. "Secretary" means the secretary of commerce.

11 (b) *General.* Subject to paragraph (c), from the appropriation under section
12 20.143 (1) (qm) of the statutes, as affected by this act, the department shall provide
13 a grant of \$500,000 in fiscal year 2005-06 and \$500,000 in fiscal year 2006-07 to the
14 city of Madison to establish a brownfields loan and grant program. The city may use
15 the funds provided under this subsection for any of the following purposes:

16 1. Making loans or grants to other entities for environmental site assessments,
17 environmental site investigations, plans for actions to remedy environmental
18 contamination, and actions to remedy environmental contamination.

19 2. Costs to the city related to implementing and administering the program,
20 involving interested persons in the process, obtaining approval of the department of
21 natural resources for remedial action conducted under the program, and marketing
22 environmentally contaminated properties to developers.

23 (c) *Requirements.* The department may make the grant under paragraph (b)
24 only if all of the following apply:

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1 The city submits a plan to the department detailing the proposed use of the
2 proceeds of the grant and the secretary approves the plan.

3 2. The city enters into a written agreement with the department that specifies
4 the conditions for the use of the proceeds of the grant, including reporting and
5 auditing requirements.

6 3. The city agrees in writing to submit to the department the report required
7 under paragraph (d) by the time required under paragraph (d).

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

11 (3k) GRANT FOR BIOMEDICAL TECHNOLOGY ALLIANCE. Notwithstanding section
12 560.275 of the statutes, as affected by this act, the department of commerce shall,
13 from the appropriations under section 20.143 (1) (c) and (ie) of the statutes, as
14 affected by this act, make a grant of \$2,500,000 in the 2005-06 fiscal year to the
15 Board of Regents of the University of Wisconsin System to be used by the University
16 of Wisconsin-Milwaukee to establish a biomedical technology alliance in
17 southeastern Wisconsin. The department of commerce shall enter into an agreement
18 with the Board of Regents that specifies the uses for the grant proceeds and reporting
19 and auditing requirements.

20 (3m) GRANT TO CITY OF GREEN BAY. Notwithstanding section 560.61 of the
21 statutes, as affected by this act, the department of commerce shall make an annual
22 grant of \$1,400,000 in fiscal years 2005-06 to 2007-08 from the Wisconsin
23 development fund under section 560.61 of the statutes, as affected by this act, to the
24 city of Green Bay for a downtown waterfront redevelopment project. The department

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1 of commerce shall enter into an agreement with the city of Green Bay that specifies
2 the uses for the grant proceeds and reporting and auditing requirements.

3 (3r) HOUSING GRANTS AND LOANS FUNDING DECREASE. Notwithstanding section
4 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the
5 statutes for the purposes of the 2007-09 biennial budget bill, the department of
6 commerce shall submit a dollar amount for the appropriation under section 20.143
7 (2) (b) of the statutes as though the amount appropriated to the department of
8 commerce in fiscal year 2006-07 under section 20.143 (2) (b) of the statutes is
9 \$3,300,300.

10 (4k) BUSINESS EMPLOYEES' SKILLS TRAINING PROGRAM. On the effective date of this
11 subsection, the department of commerce shall transfer any pending applications for
12 grants under section 560.155 of the statutes, as affected by this act, to the technical
13 college system board for consideration under section 38.41 of the statutes, as created
14 by this act.

15 (5k) COMMUNITY DEVELOPMENT BLOCK GRANT FOR WATER WELL.

16 (a) Not later than June 30, 2006, the department of commerce shall make a
17 grant of \$80,000 from the appropriation account under section 20.143 (1) (n) of the
18 statutes to the town of Ithaca for a water well.

19 (b) Within 6 months after spending the full amount of the grant under this
20 subsection, the town of Ithaca shall submit to the department of commerce a report
21 detailing how the town spent the grant proceeds.

22 (6k) COMMUNITY DEVELOPMENT BLOCK GRANT FOR WATER RESERVOIR.

23 (a) Not later than June 30, 2006, the department of commerce shall make a
24 grant of \$274,000 from the appropriation account under section 20.143 (1) (n) of the
25 statutes to the village of Wonewoc for a water reservoir.

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1 (b) Within 6 months after spending the full amount of the grant under this
2 subsection, the village of Wonewoc shall submit to the department of commerce a
3 report detailing how the village spent the grant proceeds.

4 (8k) GRANT TO BISHOP'S CREEK REDEVELOPMENT PROJECT. From the
5 appropriations under section 20.143 (1) (fm) and (im) of the statutes, as affected by
6 this act, the department of commerce shall award a grant of \$375,000 in fiscal year
7 2005-06 and shall award a grant of \$375,000 in fiscal year 2006-07 to the Bishop's
8 Creek redevelopment project in Milwaukee. If the department of commerce awards
9 a grant under this subsection, the department shall enter into an agreement with the
10 Bishop's Creek redevelopment project that specifies the uses for the grant proceeds
11 and reporting and auditing requirements.

12 **SECTION 9109. Nonstatutory provisions; corrections.**

13 (1e) JUVENILE CORRECTIONAL FACILITY COST REDUCTION. By March 1, 2006, the
14 department of corrections shall submit to the joint committee on finance a plan to
15 close the Ethan Allen School, the Lincoln Hills School, or the Southern Oaks Girls
16 School or to otherwise achieve savings on the cost of operating the Type 1 secured
17 correctional facilities, as defined in section 938.02 (19) of the statutes, operated by
18 the department of corrections or the department of health and family services in an
19 amount that is sufficient to reduce the per person daily cost assessment under
20 section 301.26 (4) (d) 3. of the statutes, as affected by this act, for care in a Type 1
21 secured correctional facility to \$187. The plan shall include any proposed legislation
22 that is necessary to implement the plan. If the cochairpersons of the joint committee
23 on finance do not notify the secretary of corrections within 14 working days after
24 receiving the plan that the cochairpersons have scheduled a meeting for the purpose
25 of reviewing the plan, the plan shall be implemented. If within 14 working days after

1 receiving the plan the cochairpersons notify the secretary of corrections that the
2 cochairpersons have scheduled a meeting for the purpose of reviewing the plan, the
3 plan shall be implemented only as approved by the committee.

4 (1p) YOUTH DIVERSION GRANT REDUCTIONS.

5 (a) Notwithstanding the amount specified under section 301.265 (1) of the
6 statutes, as affected by this act, the department of corrections shall reduce the
7 amount of money allocated under section 301.265 (1) of the statutes, as affected by
8 this act, by \$10,000 in each year of the 2005-07 fiscal biennium.

9 (b) Notwithstanding the amounts specified under section 301.265 (3) of the
10 statutes, as affected by this act, the department of corrections shall reduce the
11 amount of money allocated for each of the 4 contracts that are funded with moneys
12 from the appropriation accounts under section 20.410 (3) (d) and (kj) of the statutes,
13 as affected by this act, by \$3,000 in each year of the 2005-07 fiscal biennium and shall
14 reduce the amount of money allocated for the contract that is funded only with
15 moneys from the appropriation account under section 20.410 (3) (kj) of the statutes,
16 as affected by this act, by \$3,100 in each year of the 2005-07 fiscal biennium.

17 (2q) PILOT PROGRAM TO PRIVATIZE SUPPLYING AND DISTRIBUTING PHARMACEUTICALS.

18 The department of corrections shall establish a pilot program under which a private
19 contractor supplies and distributes pharmaceuticals at one of the department's adult
20 institutions. This subsection applies only if the contract will reduce the department's
21 costs of supplying and distributing pharmaceuticals.

22 (2r) CORRECTIONAL HEALTH CARE SERVICES. By January 2, 2006, the department

23 of corrections shall submit to the cochairpersons of the joint committee on finance a
24 plan regarding the manner in which that department will manage the delivery of
25 adult correctional health care services and the cost of delivering those services in

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1 fiscal year 2006-07. The plan shall include a review of the practice of correctional
2 officers delivering controlled medications to prisoners and recommended
3 alternatives to that practice. If the plan calls for contracting for the delivery of adult
4 correctional health care services, the plan shall specify the provisions of the proposed
5 contract and the costs under the proposed contract. If the plan calls for the
6 department of corrections to deliver adult correctional health care services, the plan
7 shall specify how that department will address the needs of the adult correctional
8 health care services delivery system.

9 (3q) **STUDY AND REPORT REGARDING FUNDING FOR LONG-TERM CARE FOR CERTAIN**
10 **INMATES.** The department of corrections shall conduct a study regarding the
11 possibility of reducing its costs for the care of inmates who are not a threat to the
12 community and who require extended nursing care. The study shall examine the
13 possibility of using other revenues to pay for the care of such inmates in a setting
14 other than a conventional correctional facility infirmary. By June 30, 2006, the
15 department shall submit a report containing the results of that study to the chief
16 clerk of each house of the legislature, for distribution to the appropriate standing
17 committees under section 13.172 (3) of the statutes.

18 (5f) **FUNDING FOR CERTAIN COMMUNITY REINTEGRATION SERVICES.** From the
19 appropriation under section 20.410 (1) (d), the department of corrections shall
20 provide \$50,000 during the 2006-07 fiscal year to Word of Hope Ministries, Inc., for
21 community reintegration services.

22 **SECTION 9110. Nonstatutory provisions; court of appeals.**

23 **SECTION 9111. Nonstatutory provisions; district attorneys.**

24 (1c) **PROSECUTION OF DRUG CRIMES; MILWAUKEE COUNTY.** From the appropriation
25 account under section 20.505 (6) (p) of the statutes the department of administration

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1 shall expend \$115,500 and from the appropriation account under section 20.455 (2)
2 (kp) of the statutes, as created by this act, the department of justice shall expend
3 \$38,500 in each year of the 2005-07 fiscal biennium to provide the
4 multijurisdictional enforcement group serving Milwaukee County funding for 2.0
5 district attorney PR positions to prosecute criminal violations of chapter 961 of the
6 statutes.

7 (1d) PROSECUTION OF DRUG CRIMES; DANE COUNTY. From the appropriation
8 account under section 20.505 (6) (p) of the statutes the department of administration
9 shall expend \$37,600 and from the appropriation account under section 20.455 (2)
10 (kp) of the statutes, as created by this act, the department of justice shall expend
11 \$12,500 in each year of the 2005-07 fiscal biennium to provide the
12 multijurisdictional enforcement group serving Dane County funding for 0.75 district
13 attorney PR position to prosecute criminal violations of chapter 961 of the statutes.

14 (1e) PROSECUTION OF DRUG CRIMES; ST. CROIX COUNTY. From the appropriation
15 account under section 20.455 (2) (kp) of the statutes, as created by this act, the
16 department of justice shall expend \$34,900 in fiscal year 2005-06 and \$72,500 in
17 fiscal year 2006-07 to provide the multijurisdictional enforcement group serving St.
18 Croix County funding for 1.0 district attorney PR position to prosecute criminal
19 violations of chapter 961 of the statutes.

20 **SECTION 9112. Nonstatutory provisions; educational communications**
21 **board.**

22 **SECTION 9113. Nonstatutory provisions; elections board.**

23 **SECTION 9114. Nonstatutory provisions; employee trust funds.**

24 **SECTION 9115. Nonstatutory provisions; employment relations**
25 **commission.**

ENGROSSED ASSEMBLY BILL 100**SECTION 9116**

1 **SECTION 9116. Nonstatutory provisions; ethics board.**

2 **SECTION 9117. Nonstatutory provisions; financial institutions.**

3 (1f) DELAYED LAPSE. Notwithstanding section 20.144 (1) (g) of the statutes, as
4 affected by the acts of 2005, from the amounts required to be lapsed to the general
5 fund under section 20.144 (1) (g) of the statutes, as affected by the acts of 2005, at
6 the close of the 2005-06 fiscal year, the department of financial institutions shall
7 retain in that appropriation account the lesser of the unencumbered balance in the
8 account or \$25,000,000 and shall lapse from that appropriation account the lesser of
9 the unencumbered balance in the account or \$25,000,000 to the general fund on July
10 31, 2006.

11 **SECTION 9118. Nonstatutory provisions; Fox River Navigational**
12 **System Authority.**

13 (1q) FOX RIVER NAVIGATIONAL SYSTEM AUTHORITY BUDGET BILL INFORMATION. If the
14 secretary of administration requests that the Fox River Navigational System
15 Authority submit information to the department of administration for the purposes
16 of the 2007-09 biennial budget bill, the authority shall submit the information in the
17 same manner as agencies are required to submit information under section 16.42 of
18 the statutes and shall submit the information as though the amount appropriated
19 to the Fox River Navigational System Authority in fiscal year 2006-07 under section
20 20.373 (1) (r) of the statutes is \$126,700.

21 **SECTION 9119. Nonstatutory provisions; governor.**

22 **SECTION 9120. Nonstatutory provisions; Health and Educational**
23 **Facilities Authority.**

24 **SECTION 9121. Nonstatutory provisions; health and family services.**

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SECTION 9121

1 (1) **RELATIVE GUARDIANSHIPS.** Notwithstanding section 48.977 (2) (a), 2003
2 stats., a petition under section 48.977 (4) of the statutes, as affected by this act, may
3 be filed for the appointment of a relative as the guardian of the person of a child who
4 has been placed, or continued in a placement, outside of his or her home for less than
5 one year on the effective date of this subsection.

6 (2) **TRANSFER OF SANITARIAN REGISTRATION.**

7 (a) *Registered sanitarians.* All persons who were registered as sanitarians
8 under section 250.05 of the statutes, as affected by this act, immediately before the
9 effective date of this paragraph are registered under section 440.70 of the statutes,
10 as affected by this act.

11 (b) *Rules and orders.* All rules of the department of health and family services
12 regulating registration of sanitarians that are in effect before the effective date of
13 this paragraph remain in effect until their specified expiration date or until amended
14 or repealed by the department of regulation and licensing. All orders of the
15 department of health and family services regulating registered sanitarians that are
16 in effect before the effective date of this paragraph remain in effect until their
17 specified expiration date or until modified or rescinded by the department of
18 regulation and licensing.

19 (c) *Assets and liabilities.* On the effective date of this paragraph, the assets and
20 liabilities of the department of health and family services relating to the registration
21 of sanitarians, as determined by the secretary of administration, shall become the
22 assets and liabilities of the department of regulation and licensing.

23 (d) *Tangible personal property.* On the effective date of this paragraph, all
24 tangible personal property, including records, of the department of health and family

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1 services relating to the registration of sanitarians, as determined by the secretary
2 of administration, is transferred to the department of regulation and licensing.

3 (e) *Contracts.* All contracts entered into by the department of health and family
4 services relating to the registration of sanitarians in effect on the effective date of this
5 paragraph remain in effect and are transferred to the department of regulation and
6 licensing. The department of regulation and licensing shall carry out any obligations
7 under such a contract until the contract is modified or rescinded by the department
8 of regulation and licensing to the extent allowed under the contract.

9 (f) *Pending matters.* Any matter pending with the department of health and
10 family services relating to the regulation of sanitarians on the effective date of this
11 paragraph is transferred to the department of regulation and licensing and all
12 materials submitted to or actions taken by the department of health and family
13 services with respect to the pending matter are considered as having been submitted
14 to or taken by the department of regulation and licensing.

15 (4) MEDICAL ASSISTANCE AND COMMUNITY AIDS PROGRAM FUNDING AND PAYMENTS.

16 The repeal of 2003 Wisconsin Act 318, sections 15, 18, 20, 22, and 27, by this act
17 applies notwithstanding section 990.03 of the statutes.

18 (5) TRANSFER OF MENTAL HEALTH SERVICES FOR HOMELESS INDIVIDUALS.

19 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
20 liabilities of the department of health and family services primarily related to mental
21 health services for homeless individuals under section 46.972 (3) of the statutes, as
22 affected by this act, as determined by the secretary of administration, shall become
23 the assets and liabilities of the department of commerce.

24 (b) *Position transfer.*

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1 1. On the effective date of this subdivision, the authorized FTE positions for the
2 department of health and family services, funded from the appropriation under
3 section 20.435 (6) (m) of the statutes, are decreased by 1.0 PR-F position having
4 responsibility for a program to provide mental health services to homeless
5 individuals with chronic mental illness.

6 2. On the effective date of this subdivision, the authorized FTE positions for the
7 department of commerce, funded from the appropriation under section 20.143 (2) (m)
8 of the statutes, are increased by 1.0 PR-F position having responsibility for a
9 program to provide mental health services to homeless individuals with chronic
10 mental illness.

11 3. On the effective date of this subdivision, the incumbent employee holding the
12 position specified in subdivision 1. is transferred to the department of commerce.

13 (c) *Employee status.* The employee transferred under paragraph (NO TAG) 3.
14 shall have all the same rights and the same status under subchapter V of chapter 111
15 and chapter 230 of the statutes in the department of commerce that he or she enjoyed
16 in the department of health and family services immediately before the transfer.
17 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
18 has attained permanent status in class is required to serve a probationary period.

19 (d) *Tangible personal property.* On the effective date of this paragraph, all
20 tangible personal property, including records, of the department of health and family
21 services that is primarily related to mental health services for homeless individuals
22 under section 46.972 (3) of the statutes, as affected by this act, as determined by the
23 secretary of administration, is transferred to the department of commerce.

24 (e) *Contracts.* All contracts entered into by the department of health and family
25 services in effect on the effective date of this paragraph that are primarily related

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1 to mental health services for homeless individuals under section 46.972 (3) of the
 2 statutes, as affected by this act, as determined by the secretary of administration,
 3 remain in effect and are transferred to the department of commerce. The department
 4 of commerce shall carry out any obligations under such a contract until the contract
 5 is modified or rescinded by the department of commerce to the extent allowed under
 6 the contract.

7 (f) *Rules and orders.* All rules promulgated by the department of health and
 8 family services that are in effect on the effective date of this paragraph that are
 9 primarily related to mental health services for homeless individuals under section
 10 46.972 (3) of the statutes, as affected by this act, remain in effect until their specified
 11 expiration date or until amended or repealed by the department of commerce. All
 12 orders issued by the department of health and family services that are in effect on
 13 the effective date of this paragraph that are primarily related to mental health
 14 services for homeless individuals under section 46.972 (3) of the statutes, as affected
 15 by this act, remain in effect until their specified expiration date or until modified or
 16 rescinded by the department of commerce.

17 (10) **WAIVER FOR COST-SAVING MEASURES UNDER THE BADGER CARE HEALTH CARE**
 18 **PROGRAM.**

19 (a) The department of health and family services shall request one or more
 20 waivers from the secretary of the federal department of health and human services
 21 to permit the department of health and family services to implement cost-saving
 22 measures under the Badger Care health care program, including any of the
 23 following:

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1 1. Establishing a 3-tiered prescription drug copayment requirement that does
2 not exceed the maximum copayment amount established by the group insurance
3 board for state employees.

4 2. Establishing a benchmark plan, as described in 42 CFR 457.420.

5 3. Establishing mandatory copayments for benefits in addition to the
6 copayments for prescription drug coverage.

7 (b) If a federal waiver under paragraph (a) is approved, the department of
8 health and family services shall seek enactment of statutory language to implement
9 cost-saving measures authorized under the waiver.

10 (12) TRANSFER OF HELP DESK AND DESKTOP SUPPORT POSITIONS. All incumbent
11 employees holding positions in the department of health and family services
12 performing duties primarily related to information technology assistance services,
13 as determined by the secretary of health and family services, are transferred on the
14 effective date of this subsection to the department of administration. Employees
15 transferred under this subsection have all rights and the same status under
16 subchapter V of chapter 111 and chapter 230 of the statutes that they enjoyed in the
17 department of health and family services. Notwithstanding section 230.28 (4) of the
18 statutes, no employee so transferred who has attained permanent status in class
19 may be required to serve a probationary period.

20 (12c) BENEFIT SPECIALIST FUNDING. The department of health and family
21 services shall inform aging units, as defined in section 46.81 (1) (a) of the statutes,
22 that the funding increase for benefit specialist services as specified under section
23 46.81 (2) of the statutes, as affected by this act, is for state fiscal year 2006–07 only.

24 (12d) CHILD WELFARE CASEWORKER RETENTION ACTIVITIES. By January 1, 2006, the
25 department of health and family services shall submit to the joint committee on

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1 finance a report regarding the activities conducted by the bureau of Milwaukee child
2 welfare in that department to retain caseworkers providing services to children and
3 families in Milwaukee County. If the department of health and family services
4 contracts with an outside consultant to review the causes of turnover of those
5 caseworkers and to identify and prioritize strategies to improve the retention of
6 those caseworkers, that department shall include the results of that review in the
7 report under this subsection.

8 (12k) CONTRACTS FOR NEW FAMILY CARE RESOURCE CENTERS. Notwithstanding
9 sections 46.281 (1) (e) 2. and 46.283 (2) (b) of the statutes, as affected by this act, the
10 department of health and family services may during the 2005-07 fiscal biennium
11 enter into contracts with 9 entities to provide services under section 46.283 (3) and
12 (4) of the statutes in a total of 13 counties and may subsequently renew the contracts
13 without submitting the contracts to the joint committee on finance or obtaining
14 approval from the joint committee on finance of the contracts.

15 (12L) BUDGET REQUEST FOR OPERATION OF FAMILY CARE RESOURCE CENTERS. The
16 department of health and family services shall include a plan in its 2007-09 biennial
17 budget request to reallocate funds in the department's base appropriations to
18 support projected annual costs of operating resource centers under section 46.283 of
19 the statutes, as affected by this act, which exceed the amount appropriated for the
20 operation of resource centers in the 2006-07 fiscal year.

21 (12q) JOINT SERVICES PROGRAMS PLAN AND REPORT. By December 31, 2005, the
22 department of health and family services, the department of veterans affairs, and
23 the department of corrections shall together develop a plan and submit to the joint
24 committee on finance a report on proposed programs for the joint provision of
25 personnel, payroll, purchasing, custodianship, grounds and maintenance,

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1 distribution, warehouse, and security services at the Northern Center for the
2 Developmentally Disabled and the Southern Center for the Developmentally
3 Disabled, for all programs that each agency conducts at these places. The report
4 shall also contain the projected impact of the proposed programs on expenditures
5 and numbers of authorized positions for each agency.

6 (12r) COMMUNITY INTEGRATION PROGRAM RELOCATIONS FROM NURSING HOMES;
7 REPORT. By January 1, 2007, the department of health and family services shall
8 submit a report to the joint committee on finance that includes information collected
9 for the 2005-07 fiscal biennium through at least July 1, 2006, and that identifies all
10 of the following:

11 (a) The administration, housing, and services expenditures under the
12 Community Integration Program that are associated with any relocations made
13 under section 46.277 (5) (g) of the statutes, as affected by this act, including the
14 average expenditures by individual and collective expenditures.

15 (b) The nature and duration of the community placements made under section
16 46.277 (5) (g) of the statutes, as affected by this act.

17 (c) The impact of the relocations made under section 46.277 (5) (g) of the
18 statutes, as affected by this act, on the health and safety of individuals relocated,
19 utilization of services allowable under the Medical Assistance Program, and the
20 costs of providing Medical Assistance Program services per individual.

21 (d) The savings, if any, generated as the result of the relocations authorized
22 under section 46.277 (5) (g) of the statutes, as affected by this act, including the
23 average savings generated per relocation and total savings.

24 (12s) TRANSFER OF ALCOHOL AND OTHER DRUG ABUSE COUNSELOR CERTIFICATION. DRUG (S) ✓

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1 (a) *Certified alcohol and drug counselors.* All persons who are certified as
2 alcohol and drug counselors under section HFS 75.02 (84) (a) of the Wisconsin
3 Administrative Code immediately before the effective date of this paragraph are
4 certified as alcohol and other drug abuse counselors under section 440.75 of the
5 statutes, as created by this act.

6 ^{INS K} (b) *Rules and orders.* All rules of the department of health and family services
7 regulating certification of alcohol and drug counselors, as determined by the
8 secretary of administration, that are in effect immediately before the effective date
9 of this paragraph are void on the effective date of this paragraph. All orders of the
10 department of health and family services regulating certified alcohol and drug
11 counselors, as determined by the secretary of administration, that are in effect on the
12 effective date of this paragraph remain in effect until their specified expiration date
13 or until modified or rescinded by the department of regulation and licensing.

14 (c) *Assets and liabilities.* On the effective date of this paragraph, the assets and
15 liabilities of the department of health and family services relating to the certification
16 of alcohol and drug counselors, as determined by the secretary of administration,
17 shall become the assets and liabilities of the department of regulation and licensing.

18 (d) *Tangible personal property.* On the effective date of this paragraph, all
19 tangible personal property, including records, of the department of health and family
20 services relating to the certification of alcohol and drug counselors, as determined
21 by the secretary of administration, is transferred to the department of regulation and
22 licensing.

23 (e) *Contracts.* All contracts entered into by the department of health and family
24 services relating to the certification of alcohol and drug counselors in effect on the
25 effective date of this paragraph remain in effect and are transferred to the

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1 department of regulation and licensing. The department of regulation and licensing
2 shall carry out any obligations under such a contract until the contract is modified
3 or rescinded by the department of regulation and licensing to the extent allowed
4 under the contract.

5 (f) *Pending matters.* Any matter pending with the department of health and
6 family services relating to the regulation of alcohol and drug counselors on the
7 effective date of this paragraph is transferred to the department of regulation and
8 licensing and all materials submitted to or actions taken by the department of health
9 and family services with respect to the pending matter are considered as having been
10 submitted to or taken by the department of regulation and licensing.

11 (13f) REPORT ON ALTERNATIVE FUNDING FOR REFUGEE FAMILY STRENGTHENING
12 PROJECT. No later than January 1, 2006, the department of health and family
13 services, in cooperation with the recipients under the Refugee Family Strengthening
14 Project of grants under section 46.95 of the statutes, as affected by this act, in fiscal
15 year 2004-05, shall report to the joint committee on finance on alternative funding
16 sources for the Refugee Family Strengthening Project.

17 (13g) REPORT REGARDING EVIDENCE-BASED PRACTICES FOR TREATMENT IN DRUG
18 OFFENDER DIVERSION PROGRAMS. By December 31, 2006, the department of health and
19 family services shall submit a report to the chief clerk of each house of the legislature,
20 for distribution to the appropriate standing committees under section 13.172 (3) of
21 the statutes, regarding how it determined, under section 16.964 (12) (c) 4. of the
22 statutes, as created by this act, what are the evidence-based practices in substance
23 abuse and mental health treatment.

24 (13n) REPORT ON CAPPING NUMBER OF PRESCRIPTION DRUGS PER RECIPIENT UNDER
25 PUBLIC ASSISTANCE PROGRAMS. By July 1, 2006, the department of health and family

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1 services shall submit a report to the joint committee on finance and, in the manner
2 provided under section 13.172 (3) of the statutes, the appropriate standing
3 committees of the legislature that includes an estimate of any savings that would
4 accrue under the Medical Assistance program, the Badger Care health care program,
5 and the program under section 49.688 of the statutes and any costs that would be
6 incurred by the department or providers as a result of requiring prior authorization
7 under these programs for a brand name prescription drug if the recipient has already
8 received 5 or more covered brand name prescription drugs in the preceding 30 days.

9 (13p) **HEALTH INSURANCE RISK-SHARING PLAN; ADMINISTRATOR CONTRACT**

10 (a) Because the legislature has determined that it is in the best interest of the
11 Health Insurance Risk-Sharing Plan to have the organization formed under section
12 149.11 (1) of the statutes, as affected by this act, administer the Health Insurance
13 Risk-Sharing Plan, the department of health and family services shall immediately
14 give written notice to the plan administrator under section 149.16, 2003 stats.,
15 terminating the contract between the department of health and family services and
16 the plan administrator 180 days after the notice is given.

17 (b) Notwithstanding the treatment of sections 149.12 (1) and (1m) and 149.16
18 of the statutes, as affected by this act, the organization formed under section 149.11
19 (1) of the statutes, as affected by this act, shall enter into a contract with the plan
20 administrator under section 149.16, 2003 stats., that has the same terms and
21 conditions as the contract under paragraph (a) and under which the plan
22 administrator has the same rights, duties, and obligations as it had under the
23 contract under paragraph (a) and the organization has the same rights, duties, and
24 obligations as the department of health and family services had under the contract
25 under paragraph (a). The contract under this paragraph shall have a term beginning

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1 on the date on which the contract under paragraph (a) is terminated under
2 paragraph (a). The department of health and family services, the plan
3 administrator, and the organization shall cooperate with one another to ensure that
4 the administration of the Health Insurance Risk-Sharing Plan continues without
5 interruption after the termination of the contract under paragraph (a) and the
6 commencement of the contract under this paragraph.

7 (13w) MANAGED CARE EXPANSION; REPORT. By January 1, 2007, the department
8 of health and family services shall submit to the joint committee on finance a report
9 that specifies all of the following:

10 (a) The status of the initiatives to enroll for services in managed care plans
11 those recipients of Medical Assistance who are eligible for the Supplemental Security
12 Income program and to expand managed care services for low-income families. The
13 report shall include information that compares the assumptions regarding managed
14 care plan enrollments and cost savings under the Medical Assistance program that
15 are contained in the documents of the department of administration that accompany
16 2005 Assembly Bill 100 with the managed care plan enrollments and cost savings
17 realized before July 1, 2006, and with the managed care plan enrollments and cost
18 savings projected to occur before July 1, 2007.

19 (b) Any initiatives other than those specified in paragraph (a) that were
20 assumed under the initiatives specified in paragraph (a) and that have been
21 implemented by the department of health and family services to realize cost savings
22 under the Medical Assistance program.

23 (14k) PROHIBITION AGAINST LIMITATIONS ON MEDICAL ASSISTANCE REIMBURSEMENT
24 FOR PSYCHOTROPIC MEDICATIONS. During the 2005-07 fiscal biennium, the department
25 of health and family services may not impose new limitations on reimbursement

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1 under the Medical Assistance Program, Badger Care, or the program under section
2 49.688 of the statutes for psychotropic medications, other than stimulants and
3 related agents or selective serotonin reuptake inhibitors, that are prescribed to treat
4 a mental illness.

5 (14p) REPORT ON PHYSICIAN PRESCRIBING PRACTICES UNDER MEDICAL ASSISTANCE.

6 By January 1, 2006, the department of health and family services shall submit to the
7 joint committee on finance and, in the manner provided under section 13.172 (3) of
8 the statutes, the appropriate standing committees of the legislature a report that
9 includes the following information for each physician who is a certified provider of
10 Medical Assistance, concerning prescriptions written by the physician in fiscal year
11 2004-05 for recipients of the Medical Assistance Program or Badger Care:

12 (a) The percentage of the prescriptions written for generic drugs and the
13 percentage written for nongeneric drugs.

14 (b) The number and percentage of the prescriptions that required prior
15 authorization.

16 (c) Of the prescriptions written for drugs for which a generic drug was
17 available, the number and percentage that specified a nongeneric drug.

18 (14x) INMATE MENTAL HEALTH SERVICES PILOT PROGRAM.

19 (a) The department of health and family services shall in state fiscal year
20 2006-07 provide reimbursement for the provision of Medical
21 Assistance-reimbursable services to up to 12 eligible inmates with severe and
22 persistent mental illness following release from the Wisconsin Resource Center.
23 Services provided to participants under the program under this subsection shall
24 include all of the following:

25 1. Intensive case management, treatment, and support services.

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- 1 2. Access to safe, secure residences.
- 2 3. Medication and medication monitoring.
- 3 4. Mental health counseling and other mental health treatment interventions,
- 4 as appropriate.
- 5 5. Alcohol and other drug abuse treatment.
- 6 6. Vocational rehabilitation services.
- 7 7. Social skills training.
- 8 8. Educational and skill-based training, as appropriate.

9 (b) A program participant under this subsection shall be assigned a case
10 manager 6 months before release, who will do all the following:

- 11 1. Apply for Medical Assistance on behalf of the participant 6 months before
12 release.
- 13 2. Together with the participant's probation and parole agent, develop a
14 comprehensive treatment and supervision plan for reentry into the community,
15 under which all services will be available upon the participant's release and which
16 shall be updated at least every 6 months and more frequently if necessary.
- 17 3. Complete progress notes every 3 months.

18 (c) Under the program under this subsection, the department of health and
19 family services and the department of corrections shall seek to do all of the following:

- 20 1. Create programmatic continuity among institutional, community,
21 correctional, and community-based providers to enhance communication,
22 coordination, and planning for offenders with severe and persistent mental illness
23 who are scheduled for release from the Wisconsin Resource Center.
- 24 2. Ensure that mental health services that are necessary for successful
25 reintegration are not interrupted.

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1 3. Enhance the availability and coordination of community-based services.

2 4. Increase opportunities for employment and residential stability of released
3 inmates.

4 5. Reduce reconvictions and rates of prison return.

5 (d) The department of corrections and the department of health and family
6 services shall coordinate supervision services for participants in the program under
7 this subsection.

8 (e) The department shall conduct a comprehensive evaluation of the program
9 under this subsection, including data collection, analysis, and an annual report.

10 **SECTION 9122. Nonstatutory provisions; higher educational aids**
11 **board.**

12 **SECTION 9123. Nonstatutory provisions; historical society.**

13 **SECTION 9124. Nonstatutory provisions; Housing and Economic**
14 **Development Authority.**

15 **SECTION 9125. Nonstatutory provisions; insurance.**

16 **SECTION 9126. Nonstatutory provisions; investment board.**

17 **SECTION 9127. Nonstatutory provisions; joint committee on finance.**

18 **SECTION 9128. Nonstatutory provisions; judicial commission.**

19 **SECTION 9129. Nonstatutory provisions; justice.**

20 **SECTION 9130. Nonstatutory provisions; legislature.**

21 (1) APPROPRIATION LAPSES AND REESTIMATES.

22 (a) In this subsection, "state operations" means all purposes except aids to
23 individuals and organizations and local assistance.

24 (b) The cochairpersons of the joint committee on legislative organization shall
25 take actions during the 2005-07 fiscal biennium to ensure that from general purpose

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1 revenue appropriations for state operations to the legislature under section 20.765
2 of the statutes, as affected by this act, an amount equal to a total of \$4,675,000 in
3 fiscal year 2005-06 and a total of \$4,675,000 in fiscal year 2006-07 are lapsed from
4 sum certain appropriation accounts or are subtracted from the expenditure
5 estimates for any other types of appropriations, or both.

6 (c) The cochairpersons of the joint committee on legislative organization shall
7 take actions during the 2005-07 fiscal biennium to ensure that the authorized FTE
8 positions for the legislature are decreased by a total of 38.0 FTE positions from the
9 FTE position level that is authorized for the legislature on the effective date of this
10 subsection.

11 (2q) **AUDIT OF ELECTIONS BOARD INFORMATION TECHNOLOGY DEVELOPMENT PROJECTS.**

12 The joint legislative audit committee is requested to direct the legislative audit
13 bureau to conduct a performance evaluation audit of the most recent information
14 technology development projects undertaken by the elections board, including the
15 project to create a statewide voter registration system and the project to create a
16 State of Wisconsin Elections Board Information System. If the audit is performed,
17 the bureau is requested to file a report of its findings as provided in section 13.94 (1)

18 (b) of the statutes.

19 **SECTION 9131. Nonstatutory provisions; lieutenant governor.**

20 **SECTION 9132. Nonstatutory provisions; lower Wisconsin state**
21 **riverway board.**

22 **SECTION 9133. Nonstatutory provisions; Medical College of Wisconsin.**

23 **SECTION 9134. Nonstatutory provisions; military affairs.**

24 **SECTION 9135. Nonstatutory provisions; natural resources.**

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1 (2e) STUDY OF CLADAPHORA IN LAKE MICHIGAN. The department of natural
2 resources shall make a grant of \$25,000 during the 2005-07 fiscal biennium from the
3 appropriation account under section 20.370 (4) (mq) of the statutes, as affected by
4 this act, to Manitowoc County for a study of Cladophora algae in Lake Michigan at
5 Hika Bay. The study may include monitoring of Fischer Creek and Point Creek in
6 Manitowoc County.

7 (3) TURKEY HUNTING APPROVALS; RULES. Using the procedure under section
8 227.24 of the statutes, the department of natural resources may promulgate rules
9 implementing section 29.164 of the statutes, as affected by this act, for the period
10 before the date on which permanent rules take effect, but not to exceed the period
11 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding
12 section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department of natural
13 resources is not required to provide evidence that promulgating a rule under this
14 subsection as an emergency rule is necessary for the preservation of the public peace,
15 health, safety, or welfare and is not required to provide a finding of emergency for a
16 rule promulgated under this subsection.

17 (4k) AIR PERMIT REPORT. No later than December 15, 2006, the department of
18 natural resources shall submit a report to the joint committee on finance that does
19 all of the following:

20 (a) Describes the department's progress on implementing changes in the air
21 pollution permitting program made by 2003 Wisconsin Act 118 and on the
22 development of an information technology system for the air pollution permitting
23 program.

24 (b) States the number of sources for which operation permits are required
25 under section 285.60 of the statutes but not federal law that are covered by

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1 registration permits, general permits, and operation permits that are not
2 registration permits or general permits.

3 (c) States, for sources for which operation permits are required under section
4 285.60 of the statutes but not federal law, the average number of days from receipt
5 of a complete application until the department issues a determination of coverage
6 under a registration permit, the average number of days from receipt of a complete
7 application until the department issues a determination of coverage under a general
8 permit, and the average number of days from receipt of a complete application until
9 issuance of an operation permit that is not a registration permit or general permit.

10 (d) Includes an analysis of the costs of the air pollution permitting program and
11 the revenues necessary to run the program after the changes described in paragraph
12 (a) are fully implemented.

13 (4p) EMERGENCY RULES FOR FEES FOR MANAGED FOREST LAND PLANS. Using the
14 procedure under section 227.24 of the statutes, the department of natural resources
15 shall promulgate the rule required under section 77.82 (2m) (am) of the statutes, as
16 created by this act, for the period before the effective date of the permanent rule
17 promulgated under section 77.82 (2m) (am) of the statutes, as created by this act, but
18 not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes.

19 Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department
20 of natural resources is not required to provide evidence that promulgating a rule
21 under this subsection as an emergency rule is necessary for the preservation of the
22 public peace, health, safety, or welfare and is not required to provide a finding of
23 emergency for a rule promulgated under this subsection.

24 (4q) HUNTER EDUCATION; RULES. Using the procedure under section 227.24 of the
25 statutes, the department of natural resources may promulgate the rule required

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1 under section 29.591 (3) of the statutes, as affected by this act, for the period before
2 the date on which the permanent rule takes effect, but not to exceed the period
3 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding
4 section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department of natural
5 resources is not required to provide evidence that promulgating a rule under this
6 subsection as an emergency rule is necessary for the preservation of the public peace,
7 health, safety, or welfare and is not required to provide a finding of emergency for a
8 rule promulgated under this subsection.

9 (4w) SOUTHEASTERN WISCONSIN FOX RIVER COMMISSION. The department of
10 natural resources shall provide in fiscal year 2005-06, from the appropriation under
11 section 20.370 (5) (cq) of the statutes, as affected by this act, \$250,000 to the
12 Southeastern Wisconsin Fox River commission. The commission may use this
13 funding for activities that are required or authorized under subchapter VI of chapter
14 33 of the statutes and that are consistent with the commission's implementation
15 plan. The activities for which this funding is utilized may include the activities
16 required under section 33.56 (1), (2), and (3) of the statutes.

17 (5c) MARSH RESTORATION. The department of natural resources shall identify
18 10 state-owned wildlife wetland areas in the state that are critical to waterfowl
19 breeding, production, staging, and hunting. By August 30, 2006, the department of
20 natural resources shall prepare and submit a qualitative and quantitative baseline
21 assessment of the identified marshes, describing the vegetation, wildlife use, water
22 quality, water chemistry, hunting success, and public use to the appropriate standing
23 committees of the legislature in the manner provided under section 13.172 (3) of the
24 statutes and to the members of the joint committee on finance. The department of
25 natural resources shall develop marsh restoration goals based on the findings

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1 included in the assessment and include a proposal to contract with nongovernmental
2 agencies to meet those goals in its 2007-09 budget submittal to the governor.

3 (5p) PAPER INDUSTRY HALL OF FAME. From the appropriation under section 20.370

4 (5) (ax) of the statutes, as created by this act, the department of natural resources

5 shall provide \$100,000 in fiscal year 2006-07 to the Paper Industry International

6 Hall of Fame, Inc., in the city of Appleton for the development and operation of an

7 exhibit in the hall known as the Paper Discovery Center.

8 (5q) SUBMISSION OF PLAN CONCERNING CERTAIN PUBLIC LANDS. No later than

9 February 1, 2006, the department of natural resources shall submit to the governor

10 and to the members of the joint committee on finance a plan that addresses all of the

11 following:

12 (a) The sales status, as of December 31, 2005, of all public lands subject to

13 purchase by the state under section 24.59 (1) of the statutes, as created by this act.

14 (b) The department of natural resource's long term acquisition, retention, and

15 disposal plan for land purchased by the state under section 24.59 (1) of the statutes,

16 as created by this act.

17 (c) Identification of those lands purchased by the state under section 24.59 (1)

18 of the statutes, as created by this act, that the department of natural resources

19 determines can be incorporated into its land and forestry programs and activities

20 and identification of those lands that it determines cannot be incorporated into its

21 land and forestry programs and activities. If the department of natural resources

22 identifies lands that it cannot incorporate into its land and forestry programs and

23 activities, it shall identify which of these lands might be appropriate for sale to local

24 units of government.

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1 (6p) MECHANIZED EQUIPMENT TRAINING PROGRAM. From the appropriation under
2 section 20.370 (5) (ax) of the statutes, as created by this act, the department of
3 natural resources shall provide \$150,000 in fiscal year 2005-06 and \$50,000 in fiscal
4 year 2006-07 to the North Central Technical College to initiate a program, designed
5 in collaboration with the Fox Valley Technical College, to train students to use
6 mechanized equipment for the harvesting of timber.

SECTION 9136. Nonstatutory provisions; public defender board.**SECTION 9137. Nonstatutory provisions; public instruction.**

7
8
9 (2n) EDUCARE CENTER OF MILWAUKEE. From the appropriation under section
10 20.255 (2) (bc) of the statutes, as affected by this act, the department of public
11 instruction shall allocate \$250,000 in the 2005-06 school year and \$750,000 in the
12 2006-07 school year to the Educare Center of Milwaukee and shall reduce the
13 amount of state aid to Milwaukee Public Schools by identical amounts.

(2q) SPECIAL EDUCATION STUDIES.

14
15 (a) The department of public instruction shall complete a study concerning the
16 distribution of special education aid on a census basis rather than a cost
17 reimbursement basis, and, by December 1, 2006, submit the study and the
18 department's recommendations to the joint committee on finance.

19 (b) The joint legislative council is requested to study the effectiveness of this
20 state's special education policy and funding, including a review of statewide data and
21 historical trends, an examination of funding sources, and a survey of national reform
22 efforts. If the joint legislative council conducts the study, the joint legislative council
23 shall report its findings, conclusions, and recommendations to the legislature in the
24 manner provided under section 13.172 (2) of the statutes by January 1, 2007.

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1 (3m) OPEN ENROLLMENT PROGRAM. By March 1, 2006, the department of public
2 instruction shall submit to the governor and the joint committee on finance a report
3 on the feasibility and cost of developing and implementing a statewide
4 Internet-based application and reporting system for the open enrollment program
5 under section 118.51 of the statutes.

6 (3q) SECOND CHANCE PARTNERSHIP. From the appropriation under section
7 20.255 (2) (cf) of the statutes, as affected by this act, the department of public
8 instruction shall pay \$190,000 in each of the 2005-06 and 2006-07 fiscal years to the
9 Second Chance Partnership, a nonprofit corporation, to create a pilot work-based
10 learning program in which children at risk participate in apprenticeships while
11 earning high school diplomas. No more than 32 pupils may participate in the
12 program.

13 (4p) REVENUE LIMIT COMPUTATION. Notwithstanding section 121.91 (2m) of the
14 statutes, as affected by this act, for the purpose of calculating the revenue limit for
15 the 2005-06 school year of any school district in which a charter school established
16 under section 118.40 (2r) of the statutes, as affected by this act, is located, the school
17 district's base revenue from the 2004-05 school year is increased by an amount equal
18 to the amount determined by multiplying the number of pupils who in the 2004-05
19 school year attended a charter school under section 118.40 (2r) of the statutes that
20 was located in the school district by the amount paid by the state for each such pupil
21 under section 118.40 (2r) of the statutes.

22 **SECTION 9138. Nonstatutory provisions; public lands, board of**
23 **commissioners of.**

24 **SECTION 9139. Nonstatutory provisions; public service commission.**

25 **SECTION 9140. Nonstatutory provisions; regulation and licensing.**

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SECTION 9140

1 (1) CREDENTIAL RENEWAL FEES; RENEWAL DATE CHANGES. When preparing its
2 recommendations under section 440.03 (9) (b) of the statutes, as affected by this act,
3 for changes to fees under section 440.08 (2) (a) of the statutes, as affected by this act,
4 for credential renewals in the 2007-09 biennium, the department of regulation and
5 licensing shall consider whether to reduce or increase the fees based on the changes
6 to the renewal deadlines made by this act.

7 (1m) INITIAL APPOINTMENTS; CEMETERY BOARD. Notwithstanding section 15.405
8 (3m) of the statutes, as created by this act, the initial term of 2 of the initial members
9 of the cemetery board shall be one year, the initial term of 2 of the initial members
10 shall be 2 years, and the initial term of 2 of the initial members shall be 3 years.

11 (1p) RULES AND ORDERS; CEMETERY BOARD. All rules promulgated, and all orders
12 issued, by the department of regulation and licensing relating to cemeteries that are
13 in effect on the effective date of this subsection shall become rules of the cemetery
14 board and shall remain in effect until their specified expiration dates or until
15 amended, repealed, or rescinded by the cemetery board.

16 (1q) ~~RULES FOR ALCOHOL AND OTHER DRUG ABUSE COUNSELORS; STANDARDS AND~~ INS L ✓
17 QUALIFICATIONS. Using the procedure under section 227.24 of the statutes, the
18 department of regulation and licensing shall promulgate the rules required under
19 section 440.75 (2) of the statutes, as created by this act, for the period before the
20 effective date of the permanent rules promulgated under section 440.75 (2) of the
21 statutes, as created by this act, but not to exceed the period authorized under section
22 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b),
23 and (3) of the statutes, the department is not required to provide evidence that
24 promulgating a rule under this subsection as an emergency rule is necessary for the

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SECTION 9140

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

3 (1r) ^{INS M} ALCOHOL AND OTHER DRUG ABUSE COUNSELOR CERTIFICATION; REVIEW OF COSTS. ✓

4 The department of regulation and licensing shall review actual administration and
 5 enforcement costs for renewals of certification for alcohol and other drug abuse ✓

6 ^{INS N} counselors and, in light of those costs, as part of the department's biennial budget ✓
 7 request for 2007-09, shall recommend any appropriate revised renewal fee for the
 8 certification.

9 (2e) CREDENTIAL RENEWAL FEES FOR 2007-09 BIENNIUM; TIMEKEEPING DATA. In
 10 preparing its recommendations under section 440.03 (9) (b) of the statutes, as
 11 affected by this act, for changes to fees under section 440.08 (2) of the statutes, as
 12 affected by this act, for credential renewals in the 2007-09 biennium, the
 13 department of regulation and licensing shall utilize timekeeping data tracking the
 14 allocation of staff hours to administrative and enforcement activities relating to each
 15 regulated profession from the 2 most recent years in which the department collected
 16 the timekeeping data for the entire year.

17 (3b) CREDENTIAL RENEWAL FEES FOR 2009-11 BIENNIUM; TIMEKEEPING DATA. In
 18 preparing its recommendations under section 440.03 (9) (b) of the statutes, as
 19 affected by this act, for changes to fees under section 440.08 (2) of the statutes, as
 20 affected by this act, for credential renewals in the 2007-09 biennium, the
 21 department of regulation and licensing shall utilize timekeeping data tracking the
 22 allocation of staff hours to administrative and enforcement activities relating to each
 23 regulated profession from the 4 most recent years in which the department collected
 24 timekeeping data for the entire year.

25 SECTION 9141. Nonstatutory provisions; revenue.

ENGROSSED ASSEMBLY BILL 100**SECTION 9141**

1 (1) INTERNAL REVENUE CODE. Changes to the Internal Revenue Code made by
2 P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections
3 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections
4 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, apply to the definitions of
5 "Internal Revenue Code" in chapter 71 of the statutes at the time that those changes
6 apply for federal income tax purposes.

7 (1n) DEPARTMENT OF REVENUE STUDY; UTILITY LICENSE FEES. No later than
8 December 31, 2005, the department of revenue shall convene a study group to assess
9 the feasibility and desirability of imposing local general property taxes or their
10 equivalent on all distribution property of electric cooperatives, municipal utilities,
11 and light, heat, and power companies. The study group shall include residents of
12 communities that host public utility property; representatives of electric
13 cooperatives, municipal utilities, and light, heat, and power companies; members of
14 the public who have expertise in the taxation of power plant and transmission line
15 siting; and any other individuals who the department of revenue believes to have
16 expertise related to the study. No later than May 1, 2006, the study group shall
17 report its findings and recommendations to the legislature under section 13.172 (2)
18 of the statutes.

19 **SECTION 9142. Nonstatutory provisions; secretary of state.**

20 **SECTION 9143. Nonstatutory provisions; state employment relations,**
21 **office of.**

22 **SECTION 9144. Nonstatutory provisions; state fair park board.**

23 (1f) STATE FAIR PARK BOARD EXPENDITURE PLAN.

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SECTION 9144

1 (a) The state fair park board may not expend more than \$12,950,600 from the
2 appropriation under section 20.190 (1) (h) of the statutes in fiscal year 2006-07
3 except as authorized under this subsection.

4 (b) The state fair park board may submit a plan for expending more than
5 \$12,950,600 from the appropriation under section 20.190 (1) (h) of the statutes in
6 fiscal year 2006-07 to the secretary of administration. The secretary may submit the
7 plan, as submitted by the board or as modified, to the joint committee on finance by
8 the date specified by the cochairpersons of the committee for submission of requests
9 for consideration at the 2nd quarterly meeting of the committee under section 13.10
10 of the statutes in 2006.

11 (c) If the secretary of administration submits a plan under paragraph (b) and
12 the cochairpersons of the joint committee on finance do not notify the secretary
13 within 14 working days after the date of the submittal that the committee has
14 scheduled a meeting to review the plan, the state fair park board may implement the
15 plan. If the secretary of administration submits a plan under paragraph (b) and the
16 cochairpersons of the joint committee on finance notify the secretary within 14
17 working days after the date of the submittal that the committee has scheduled a
18 meeting to review the plan, the state fair park board may not implement the plan
19 until the committee approves the plan, as submitted or modified.

20 **SECTION 9145. Nonstatutory provisions; supreme court.**

21 (1) APPROPRIATION LAPSES AND REESTIMATES. The chief justice of the supreme
22 court, acting as the administrative head of the judicial system, shall take actions
23 during the 2005-07 fiscal biennium to ensure that from general purpose revenue
24 appropriations for state operations to the circuit courts under section 20.625 of the
25 statutes, to the court of appeals under section 20.660 of the statutes, and to the

ENGROSSED ASSEMBLY BILL 100**SECTION 9145**

1 supreme court under section 20.680 of the statutes, as affected by this act, an amount
2 equal to \$1,300,000 is lapsed from sum certain appropriation accounts or is
3 subtracted from the expenditure estimates for any other types of appropriations, or
4 both.

SECTION 9146. Nonstatutory provisions; technical college system.

5
6 (1f) CRIME PREVENTION CENTER. The technical college system board shall
7 allocate \$55,000 in the 2005-06 fiscal year and \$35,000 in the 2006-07 fiscal year
8 from the appropriation under section 20.292 (1) (dc) of the statutes for incentive
9 grants to Fox Valley Technical College for a crime prevention center.

(1q) TECHNICAL PREPARATION PROGRAM.

10
11 (a) The authorized FTE positions for the technical college system board are
12 increased by 4.6 FED positions, to be funded from the appropriation under section
13 20.292 (1) (m) of the statutes, for the purpose of administering the technical
14 preparation program under section 38.40 (1m) (a) of the statutes, as created by this
15 act.

16 (b) The authorized FTE positions for the technical college system board are
17 increased by 3.2 PR positions, to be funded from the appropriation under section
18 20.292 (1) (kx) of the statutes, as affected by this act, for the purpose of administering
19 the technical preparation program under section 38.40 (1m) (a) of the statutes, as
20 created by this act.

SECTION 9147. Nonstatutory provisions; tourism.**SECTION 9148. Nonstatutory provisions; transportation.**

21
22
23 (1) ELECTRONIC PROCESSING OF TITLE AND REGISTRATION APPLICATIONS. The
24 department of transportation may, prior to June 30, 2007, require certain motor
25 vehicle dealers to electronically process all applications for motor vehicle title and

1 registration submitted under section 342.16 (1) (a) of the statutes, as affected by this
2 act.

3 (1n) DIRECTIONAL SIGNS. Notwithstanding regulations prescribed under section
4 86.19 (2) of the statutes, the department of transportation shall, in the 2005-07
5 biennium, erect the following:

6 (a) Directional signs along I 90 in La Crosse County for the Shrine of Our Lady
7 of Guadalupe.

8 (b) Directional signs along USH 151 in the vicinity of STH 33 for Wayland
9 Academy located in Beaver Dam in Dodge County.

10 (c) Directional signs along I 94 in Waukesha County for the Waukesha County
11 Historical Society and Museum.

12 (2) HARBOR ASSISTANCE PROGRAM.

13 (a) Notwithstanding any limitation specified in section 85.095 (2) (a) or (b) of
14 the statutes, from the appropriation under section 20.866 (2) (uv) of the statutes, as
15 affected by this act, the department of transportation shall award a grant under
16 section 85.095 (2) (a) of the statutes of \$6,000,000 in the 2005-07 fiscal biennium to
17 a city in northeastern Wisconsin that has a harbor facility for the purpose of
18 constructing new boatlift facilities or improving existing boatlift facilities that serve
19 or will serve at least 2 commercial enterprises that enhance economic development
20 and will provide at least 600 new jobs in this state.

21 (b) Notwithstanding any limitation specified in section 85.095 (2) (a) or (b) of
22 the statutes, from the appropriation under section 20.866 (2) (uv) of the statutes, as
23 affected by this act, the department of transportation shall award a grant under
24 section 85.095 (2) (a) of the statutes of \$2,100,000 in the 2005-07 fiscal biennium for

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1 a boat slip repair and reconstruction project in northeastern Wisconsin if the project
2 is necessary to retain at least 2,500 jobs in this state.

3 (c) Notwithstanding any limitation specified in section 85.095 (2) (b) of the
4 statutes, from the appropriation under section 20.866 (2) (uv) of the statutes, as
5 affected by this act, the department of transportation shall award a grant under
6 section 85.095 (2) (a) of the statutes of \$1,600,000 in the 2005-07 fiscal biennium for
7 the construction of a dockwall in the city of Marinette at the Waupaca Foundry.

8 (2q) FREIGHT RAIL PRESERVATION PROGRAM. In the 2005-07 fiscal biennium, from
9 the public debt contracted under section 20.866 (2) (uw) of the statutes, the
10 department of transportation shall allocate \$5,000,000 annually for rail
11 rehabilitation projects and \$1,000,000 annually for rail bridge projects.

12 (3f) CASSVILLE FERRY GRANT. The department of transportation shall award a
13 grant of \$30,000 annually in the 2005-07 biennium from the appropriation account
14 under section 20.395 (3) (eq) of the statutes to the operator of the Cassville
15 Mississippi River Ferry for the operations costs of the ferry.

16 (3s) SUGAR RIVER STATE TRAIL UNDERPASS.

17 (a) Except as provided in paragraph (b), in the 2005-07 biennium, the
18 Department of Transportation shall construct an underpass for the Sugar River
19 State Trail at the intersection of the trail with STH 69 in the village of New Glarus
20 in Green County when the Department of Transportation rehabilitates that section
21 of STH 69.

22 (b) If the village of new Glarus agrees with the department of transportation
23 that a lower cost improvement project would provide substantially similar safety
24 enhancements as the project described in par. (a), the department of transportation

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1 may construct the lower cost improvement project instead of constructing the project
2 described in par. (a).

3 (3t) SAFETY IMPROVEMENT STUDY. In the 2005-07 biennium, the department of
4 transportation shall conduct an engineering study of the segment of STH 58 in Sauk
5 County between the Sauk County/Richland County line and CTH G to determine
6 ways to improve public safety on that segment of STH 58. The department of
7 transportation shall make any changes recommended in the study to improve public
8 safety in the segment of STH 58 in Sauk County between the Sauk County/Richland
9 County line and CTH G.

10 (4f) AGENCY REQUEST RELATING TO MARQUETTE INTERCHANGE RECONSTRUCTION
11 PROJECT BONDING. Notwithstanding section 16.42 (1) of the statutes, in submitting
12 information under section 16.42 of the statutes for purposes of the 2007-09 biennial
13 budget act, the department of transportation shall include recommended reductions
14 to the appropriation under section 20.395 (3) (cr) of the statutes for each fiscal year
15 of the 2007-09 fiscal biennium reflecting the transfer from this appropriation
16 account to the appropriation account under section 20.395 (6) (au) of the statutes, as
17 created by this act, of amounts for anticipated debt service payments, in each fiscal
18 year of the 2007-09 fiscal biennium, on general obligation bonds issued under
19 section 20.866 (2) (uup) of the statutes, as created by this act.

20 (4w) PASSENGER RAIL SERVICE.

21 (a) The department of transportation may submit, in each fiscal year of the
22 2005-07 biennium, a request to the joint committee on finance to supplement the
23 appropriation under section 20.395 (2) (cr) of the statutes by up to \$572,700 in fiscal
24 year 2005-06 and up to \$629,900 in fiscal year 2006-07 from the appropriation
25 account under section 20.865 (4) (u) of the statutes for passenger rail service. Any

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1 request submitted under this paragraph shall be submitted by the due date for
2 agency requests for the joint committee on finance's second quarterly meeting under
3 section 13.10 of the statutes of the year in which the request is made. The committee
4 may supplement the appropriation under section 20.395 (2) (cr) of the statutes by up
5 to \$572,700 in fiscal year 2005-06 and up to \$629,900 in fiscal year 2006-07 from the
6 appropriation account under section 20.865 (4) (u) of the statutes for passenger rail
7 service and, notwithstanding section 13.101 (3) of the statutes, the committee is not
8 required to find that an emergency exists prior to making the supplementation.

9 (b) If the joint committee on finance determines that the moneys provided
10 under section 20.395 (2) (cr) and (cx) of the statutes are sufficient for passenger rail
11 service in any fiscal year of the 2005-07 biennium, the committee may:

12 1. Supplement, by up to to \$572,700 in fiscal year 2005-06 and up to \$629,900
13 in fiscal year 2006-07 from the appropriation account under section 20.865 (4) (u) of
14 the statutes, other department of transportation appropriations. Notwithstanding
15 section 13.101 (3) of the statutes, the committee is not required to find that an
16 emergency exists prior to making the supplementation.

17 2. Transfer moneys from the appropriation account under section 20.395 (2)
18 (cx) of the statutes that are not needed for passenger rail services to other
19 department of transportation appropriations. Notwithstanding section 13.101 (4) of
20 the statutes, the committee is not required to find, prior to making the transfer, that
21 unnecessary duplication of functions can be eliminated, more efficient and effective
22 methods for performing programs will result, or legislative intent will be more
23 effectively carried out because of such transfer.

24 (c) If the committee approves a supplement under paragraph (a), the committee
25 may supplement, by the amount by which the supplement it approves under

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1 paragraph (a) is less than \$572,700 in fiscal year 2005-06 or \$629,900 in fiscal year
2 2006-07, other department of transportation appropriations. Notwithstanding
3 section 13.101 (3) of the statutes, the committee is not required to find that an
4 emergency exists prior to making the supplementation.

5 (d) If, in considering a request made under paragraph (a), the joint committee
6 on finance determines that \$572,700 in fiscal year 2005-06 or \$629,900 in fiscal year
7 2006-07 is not sufficient to fund passenger rail service, the committee may
8 supplement the appropriation account under section 20.395 (2) (cr) of the statutes,
9 from the appropriation under section 20.865 (4) (u) of the statutes, by an amount that
10 would not cause the transportation fund to have a negative balance.
11 Notwithstanding section 13.101 (3) of the statutes, the committee is not required to
12 find that an emergency exists prior to making the supplementation.

13 (5f) VILLAGE OF OREGON STREETSCAPING PROJECT. In the 2005-07 fiscal biennium,
14 from the appropriation under section 20.395 (2) (nx) of the statutes, the department
15 of transportation shall award a grant under section 85.026 (2) of the statutes of
16 \$484,000 to the village of Oregon in Dane County for a streetscaping project on Main
17 Street and Janesville Street in the village of Oregon if the village of Oregon
18 contributes funds for the project that at least equal 20 percent of the costs of the
19 project.

20 (5g) CHIPPEWA COUNTY CROSSING AND RAMP. In the 2005-07 fiscal biennium, from
21 the appropriation under section 20.395 (2) (nx) of the statutes, the department of
22 transportation shall award a grant under section 85.026 (2) of the statutes of \$80,000
23 to Chippewa County for the construction of a pedestrian-railroad crossing and
24 handicap-accessible ramp related to the Ray's Beach revitalization project on Lake

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1 Wissota in Chippewa County if Chippewa County contributes funds for the project
2 that at least equal 20 percent of the costs of the project.

3 (5h) VILLAGE OF WESTON BICYCLE-PEDESTRIAN BRIDGE. In the 2005-07 fiscal
4 biennium, from the appropriation under section 20.395 (2) (nx) of the statutes, the
5 department of transportation shall award a grant under section 85.026 (2) of the
6 statutes of \$576,000 to the village of Weston in Marathon County for the construction
7 of a bicycle-pedestrian bridge over STH 29 adjacent to Birch Street and the Weston
8 Regional Medical Center in the village of Weston if the village of Weston contributes
9 funds for the project that at least equal 20 percent of the costs of the project.

10 (6n) EISNER AVENUE PROJECT IN SHEBOYGAN COUNTY. Notwithstanding
11 limitations on the amount and use of aids provided under section 86.31 of the
12 statutes, as affected by this act, or on eligibility requirements for receiving aids
13 under section 86.31 of the statutes, as affected by this act, the department of
14 transportation shall award a grant of \$500,000 in the 2005-07 fiscal biennium to the
15 city of Sheboygan in Sheboygan County for the rehabilitation of Eisner Avenue in
16 Sheboygan County if the city of Sheboygan and the town of Sheboygan in Sheboygan
17 County reach an agreement on the amount of funds to be contributed by each toward
18 the total local share of the project costs. Payment of the grant under this subsection
19 shall be made from the appropriation under section 20.395 (2) (ft) of the statutes, as
20 created by this act, equally from funds allocated under section 86.31 (3m) of the
21 statutes, as affected by this act, and from funds allocated under section 86.31 (3r) of
22 the statutes, as affected by this act, and is in addition to the city of Sheboygan's
23 entitlement, as defined in section 86.31 (1) (ar) of the statutes, to aids under section
24 86.31 of the statutes, as affected by this act.

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(7f) REQUEST FOR ENGINEERING POSITIONS TRANSFER FOR 2006-07. The department of transportation may submit a request to the joint committee on finance under section 13.10 of the statutes to reallocate not more than 6.0 engineering positions in fiscal year 2006-07 to other position types that support the department of transportation's highway delivery functions.

SECTION 9149. Nonstatutory provisions; treasurer.**SECTION 9150. Nonstatutory provisions; University of Wisconsin Hospitals and Clinics Authority.****SECTION 9151. Nonstatutory provisions; University of Wisconsin Hospitals and Clinics Board.****SECTION 9152. Nonstatutory provisions; University of Wisconsin System.****(1) OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION TESTING.****(a) Positions and employees.**

1. The authorized FTE positions for the department of health and family services, funded from the appropriations under section 20.435 (1) (a), (gm), and (m) of the statutes, as affected by this act, are decreased by 9.5 FTE positions, for the purpose of providing occupational safety and health administration testing.

3. The authorized FTE positions for the state laboratory of hygiene, funded from the appropriation under section 20.285 (1) (fd) of the statutes, are increased by 0.95 FTE position, for the purpose of providing occupational safety and health administration testing.

4. The authorized FTE positions for the state laboratory of hygiene, funded from the appropriation under section 20.285 (1) (i) of the statutes, as affected by this

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1 act, are increased by 0.5 FTE position, for the purpose of providing occupational
2 safety and health administration testing.

3 5. The authorized FTE positions for the state laboratory of hygiene, funded
4 from the appropriation under section 20.285 (1) (m) of the statutes, are increased by
5 11.55 FTE positions, for the purpose of providing occupational safety and health
6 administration testing.

7 6. All incumbent employees in the department of health and family services
8 who perform occupational safety and health administration testing are transferred
9 on the effective date of this subdivision to the state laboratory of hygiene. Employees
10 transferred under this subdivision have all the rights and the same status under
11 subchapter V of chapter 111 and chapter 230 of the statutes in the employment
12 commission that they enjoyed before the transfer. Notwithstanding section 230.28
13 (4) of the statutes, no employee so transferred who has attained permanent status
14 in class must serve a probationary period.

15 (b) *Tangible personal property.* On the effective date of this paragraph, all
16 tangible personal property, including records, that relates to occupational safety and
17 health administration testing of the department of health and family services is
18 transferred to the state laboratory of hygiene.

19 (c) *Contracts.* All contracts entered into by the department of health and family
20 services that relate to occupational safety and health administration testing and
21 that are in effect on the effective date of this paragraph remain in effect and are
22 transferred to the state laboratory of hygiene. The state laboratory of hygiene shall
23 carry out any obligations under such a contract until the state laboratory of hygiene
24 modifies or rescinds the contract to the extent allowed.