



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-1877/P4  
ALL:all:all

P5

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

*state finances and appropriations,  
constituting the executive  
budget act of the 2005  
legislature.*

1 AN ACT ...; relating to:

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*Analysis by the Legislative Reference Bureau*

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

2           \***-0609/3.1**\* SECTION 1. 13.101 (6) (a) of the statutes, as affected by 2003  
3 Wisconsin Act 64, is amended to read:

4           13.101 (6) (a) As an emergency measure necessitated by decreased state  
5 revenues and to prevent the necessity for a state tax on general property, the  
6 committee may reduce any appropriation made to any board, commission,  
7 department, or the University of Wisconsin System, or to any other state agency or  
8 activity, by such amount as it deems feasible, not exceeding 25% of the  
9 appropriations, except appropriations made by ss. 20.255 (2) (ac), (af), (bc), (bh), (cg),  
10 ~~(er)~~, and (r), and (qr), 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to  
11 (ax), and (6) (af), (aq), and (ar), and (au), 20.435 (6) (a) and (7) (da), and 20.445 (3)

1 (a) and (dz) or for forestry purposes under s. 20.370 (1), or any other moneys  
2 distributed to any county, city, village, town, or school district. Appropriations of  
3 receipts and of a sum sufficient shall for the purposes of this section be regarded as  
4 equivalent to the amounts expended under such appropriations in the prior fiscal  
5 year which ended June 30. All functions of said state agencies shall be continued in  
6 an efficient manner, but because of the uncertainties of the existing situation no  
7 public funds should be expended or obligations incurred unless there shall be  
8 adequate revenues to meet the expenditures therefor. For such reason the committee  
9 may make reductions of such appropriations as in its judgment will secure sound  
10 financial operations of the administration for said state agencies and at the same  
11 time interfere least with their services and activities.

12 \*~~1513/4.1~~\* SECTION 2. 13.101 (13) of the statutes is repealed.

13 \*~~1734/1.1~~\* SECTION 3. 13.121 (1) of the statutes is amended to read:

14 13.121 (1) CURRENT MEMBER. From the appropriation under s. 20.765 (1) (a) or  
15 (b) ~~or (5)~~, each member of the legislature shall be paid, in equal installments, the  
16 salary provided under s. 20.923.

17 \*~~1734/1.2~~\* SECTION 4. 13.123 (1) (c) of the statutes is amended to read:

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

1 affidavit stating the number of days in Madison on legislative business for all  
2 members of the chief clerk's house.

3 \*~~1734/1.3~~\* SECTION 5. 13.123 (2) (intro.) of the statutes is amended to read:

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

17 \*~~1734/1.4~~\* SECTION 6. 13.123 (3) (a) of the statutes is amended to read:

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

1 may be reimbursed under this subsection for expenses on any day for which the  
2 legislator submits a claim under sub. (1).

3 \*~~1734/1.5~~\* SECTION 7. 13.125 of the statutes is amended to read:

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

9 \*~~1734/1.6~~\* SECTION 8. 13.14 (2) of the statutes is amended to read:

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

16 \*~~1734/1.7~~\* SECTION 9. 13.14 (3) of the statutes is amended to read:

17 13.14 (3) TRAVEL; LEGISLATIVE PERSONNEL. The actual and necessary expenses  
18 of legislative policy research personnel, assistants to legislators, and research staff  
19 assigned to legislative committees incident to attending meetings outside the state  
20 capital shall be reimbursed from the appropriation under s. 20.765 (1) (a) or (b) ~~or~~  
21 (5).

22 \*~~1711/5.1~~\* SECTION 10. 13.40 (3) (fm) of the statutes is amended to read:

23 13.40 (3) (fm) An appropriation for the ~~2003-05~~ 2005-07 fiscal biennium to  
24 make payments to counties, towns, villages, and cities under s. 79.035.

25 \*~~1711/5.2~~\* SECTION 11. 13.40 (3) (jm) of the statutes is created to read:

1 13.40 (3) (jm) An appropriation under s. 20.505 (1) (br).

2 **\*-1711/5.3\* SECTION 12.** 13.40 (3m) (a) of the statutes is repealed.

3 **\*-1711/5.4\* SECTION 13.** 13.40 (3m) (ae) of the statutes is created to read:

4 13.40 (3m) (ae) In this subsection, an “excluded appropriation” consists of all  
5 of the following:

6 1. State operations appropriations for the Board of Regents of the University  
7 of Wisconsin System.

8 2. Appropriations for fuel and utility costs.

9 3. An appropriation under s. 20.505 (1) (br).

10 4. An appropriation under s. 20.855 (4) (c) and (cm).

11 **\*-1711/5.5\* SECTION 14.** 13.40 (3m) (am) of the statutes is amended to read:

12 13.40 (3m) (am) In addition to the ~~limitations~~ limitation under sub. (2) ~~and par.~~  
13 (a), the amount appropriated from general purpose revenue for state operations in  
14 fiscal year 2005–06 ~~and in fiscal year 2006–07,~~ less any excluded appropriation and  
15 excluding the estimated amount to be expended from general purpose revenue for  
16 debt service for that fiscal year, may not exceed the amount appropriated from  
17 general purpose revenue for state operations in fiscal year 2004–05, less any  
18 excluded appropriation and excluding the estimated amount to be expended from  
19 general purpose revenue for debt service for that fiscal year, as shown in the schedule  
20 under s. 20.005 (3) published in the 2003–04 Wisconsin Statutes, less \$100,000,000.

21 **\*-1711/5.6\* SECTION 15.** 13.40 (3m) (b) of the statutes is repealed.

22 **\*-1734/1.8\* SECTION 16.** 13.45 (3) (a) of the statutes is amended to read:

23 13.45 (3) (a) For any day for which the legislator does not file a claim under s.  
24 13.123 (1), any legislator appointed to serve on a legislative committee or a  
25 committee to which the legislator was appointed by either house or the officers

1 thereof shall be reimbursed from the appropriations under s. 20.765 (1) (a) or (b) or  
2 (5) for actual and necessary expenses incurred as a member of the committee.

3 **\*-1513/4.2\* SECTION 17.** 13.48 (14) (d) 4. of the statutes is amended to read:

4 13.48 (14) (d) 4. If the commission proposes to sell or transfer a parcel of surplus  
5 land having a fair market value of at least \$20,000, the commission shall notify the  
6 joint committee on finance in writing of its proposed action. If the cochairpersons of  
7 the committee do not notify the commission that the committee has scheduled a  
8 meeting for the purpose of reviewing the proposed sale or transfer within 14 working  
9 days after the date of the commission's notification, the parcel may be sold or  
10 transferred by the commission. If, within 14 working days after the date of the  
11 commission's notification, the cochairpersons of the committee notify the  
12 commission that the committee has scheduled a meeting for the purpose of reviewing  
13 the proposed sale or transfer, the parcel may be sold or transferred under this  
14 subdivision only upon approval of the committee. This subdivision does not apply  
15 to surplus land that is authorized to be sold under s. 16.848.

16 **\*-1513/4.3\* SECTION 18.** 13.48 (22) of the statutes is amended to read:

17 13.48 (22) SALE OR LEASE OF CAPITOL AREA LANDS. The building commission may  
18 lease or resell lands acquired in the capitol planning area for public or private  
19 redevelopment and may set such conditions of sale or lease as it deems necessary to  
20 ensure development compatible with the needs of the community and the state. This  
21 subsection does not apply to lands that are authorized to be sold under s. 16.848.

22 **\*-1734/1.9\* SECTION 19.** 13.50 (6) (am) of the statutes is amended to read:

23 13.50 (6) (am) The cochairpersons of the joint survey committee on retirement  
24 systems or the cochairpersons of the joint committee on finance, with respect to any  
25 bill or amendment specified in par. (a), or the presiding officer of either house of the

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No later than October 1, 2006, the secretary of administration must submit a report to the secretary of the Building Commission containing an inventory of the secretary's recommendations to offer specified state properties for sale and giving the reasons therefor. Under the bill, if the Building Commission votes to approve the sale of any property included in the inventory on or before June 30, 2007, DOA may offer the property for sale and may sell the property if DOA believes that the sale is in the best interests of the state, subject to certain exceptions. Under the bill, the sale price need not reflect fair market value.

Any sale of state property by DOA may be either on the basis of public bids or negotiated prices. The bill does not authorize DOA to close or sell any facility or institution the operation of which is provided for by law. The authority granted by the bill does not apply to property that is leased by the state during the term of the lease without consent of the lessee. With certain exceptions, all net proceeds of property sales, after retirement of any outstanding debt on the affected properties and after any required reimbursement of the federal government for any federal financial assistance used to acquire, construct, or improve the properties, are deposited in the general fund, and are then transferred from the general fund to the budget stabilization fund.

Currently, the proceeds of sales of real property by the Board of Regents of the University of Wisconsin System are appropriated for various purposes. This bill provides that, for proceeds received from these sales before July 1, 2007, unless otherwise required for properties that are encumbered, acquired, constructed, or improved with federal financial assistance, or restricted by the terms of a gift or grant, the board shall use the net proceeds for the operation of the UW System.

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

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

1 SECTION 1. 13.101 (13) of the statutes is repealed.

2 *Creates  
burning  
dot  
number  
here* SECTION 2. 13.48 (14) (a) of the statutes is amended to read:

3 13.48 (14) (a) In this subsection, "agency" has the meaning given for "state  
4 agency" in s. 20.001 (1), except that prior to July 1, 2007, the term does not include  
5 the Board of Regents of the University of Wisconsin System.

6 SECTION 3. 13.48 (14) (d) 4. of the statutes is amended to read:

7 13.48 (14) (d) 4. If the commission proposes to sell or transfer a parcel of surplus  
8 land having a fair market value of at least \$20,000, the commission shall notify the

1 legislature, with respect to any bill or amendment specified in par. (a) that is pending  
2 in his or her house, may make a determination, based on any available information,  
3 that the bill or amendment may have a significant fiscal impact on the costs,  
4 actuarial balance or goals of the Wisconsin Retirement System and order the  
5 attachment of an independent actuarial opinion on such impact. The cochairpersons  
6 or presiding officer ordering such an opinion shall direct the staff under sub. (4) to  
7 obtain the opinion. The staff shall make payment for the opinion from the  
8 appropriation under s. 20.765 (2) (ab) ~~or (5)~~.

9 **\*-1734/1.10\* SECTION 20.** 13.56 (2) of the statutes is amended to read:

10 13.56 (2) PARTICIPATION IN CERTAIN PROCEEDINGS. The cochairpersons of the joint  
11 committee for review of administrative rules or their designated agents shall accept  
12 service made under ss. 227.40 (5) and 806.04 (11). If the committee determines that  
13 the legislature should be represented in the proceeding, it shall request the joint  
14 committee on legislative organization to designate the legislature's representative  
15 for the proceeding. The costs of participation in the proceeding shall be paid equally  
16 from the appropriations under s. 20.765 (1) (a) and (b) ~~or shall be paid from the~~  
17 ~~appropriation under s. 20.765 (5), if applicable~~, except that such costs incurred by the  
18 department of justice shall be paid from the appropriation under s. 20.455 (1) (d).

19 **\*-1734/1.11\* SECTION 21.** 13.57 (3) of the statutes is amended to read:

20 13.57 (3) All expenses under sub. (1) shall be reimbursed from the  
21 appropriation under s. 20.765 (1) (a) or (b) ~~or (5)~~.

22 **\*-1734/1.12\* SECTION 22.** 13.81 (6) of the statutes is amended to read:

23 13.81 (6) REIMBURSEMENT FOR SPECIAL STUDIES. At the end of each fiscal year,  
24 the general fund shall be reimbursed, from any other state fund, the amounts  
25 actually expended by the joint legislative council under s. 20.765 (3) (e) ~~or (5)~~ for the

1 cost of making and publishing surveys and analyses of activities and policies related  
2 to such funds. The council shall bill such state funds at the end of each fiscal year  
3 for the costs so incurred, in accordance with cost records maintained by the council.

4 \*~~1734/1.13~~\* SECTION 23. 13.81 (8) of the statutes is amended to read:

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

9 \*~~1734/1.14~~\* SECTION 24. 13.83 (3) (c) 1. of the statutes is amended to read:

10 13.83 (3) (c) 1. The joint legislative council shall pay the expenses incurred by  
11 the members appointed under par. (b) 1., in performing their functions on the special  
12 committee, from the appropriation under s. 20.765 (3) (e) ~~or~~ (5).

13 \*~~1022/1.1~~\* SECTION 25. 13.90 (1) (j) of the statutes is repealed.

14 \*~~1734/1.15~~\* SECTION 26. 13.90 (2) of the statutes is amended to read:

15 13.90 (2) The cochairpersons of the joint committee on legislative organization  
16 or their designated agent shall accept service made under s. 806.04 (11). If the  
17 committee, the senate organization committee or the assembly organization  
18 committee, determines that the legislature should be represented in the proceeding,  
19 that committee shall designate the legislature's representative for the proceeding.  
20 The costs of participation in the proceeding shall be paid equally from the  
21 appropriations under s. 20.765 (1) (a) and (b) ~~or shall be paid from the appropriation~~  
22 ~~under s. 20.765 (5), if applicable~~, except that such costs incurred by the department  
23 of justice shall be paid from the appropriation under s. 20.455 (1) (d).

24 \*~~1734/1.16~~\* SECTION 27. 13.90 (4) of the statutes is amended to read:

1           13.90 (4) The cochairpersons of the joint committee on legislative organization  
2 shall authorize payment of fees entitling the legislature to membership in national  
3 organizations from the appropriation under s. 20.765 (3) (fa) ~~or (5)~~.

4           \*~~0752/2.1~~\* SECTION 28. 13.93 (2) (g) of the statutes is amended to read:

5           13.93 (2) (g) Attend the midwest and national legislative service conferences  
6 of the council of state governments. This paragraph does not apply if this state  
7 discontinues membership in the council as a result of an expenditure reduction  
8 under s. 20.505 (4) (ba).

9           \*~~1734/1.17~~\* SECTION 29. 13.93 (2) (k) of the statutes is amended to read:

10          13.93 (2) (k) Pay, from the appropriation under s. 20.765 (3) (a) ~~or (5)~~, the  
11 expenses of attendance at meetings of members of the Commission on Uniform State  
12 Laws who are appointed by the governor.

13          \*~~1734/1.18~~\* SECTION 30. 13.94 (1m) of the statutes is amended to read:

14          13.94 (1m) INDEPENDENT EXPERTS. The legislative audit bureau may contract  
15 for the services of such independent professional or technical experts as deemed  
16 necessary to carry out the statutory duties and functions of the bureau within the  
17 limits of the amount provided under s. 20.765 (3) (c) ~~or (5)~~; and, in the case of  
18 postaudits involving the performance and program accomplishments of a  
19 department, shall contract for the services of such subject matter and program  
20 specialists from any state or federal agency or public institution of higher learning  
21 as deemed necessary by the joint committee on legislative organization.

22          \*~~1372/2.1~~\* SECTION 31. 13.95 (1m) of the statutes is repealed and recreated  
23 to read:

24          13.95 (1m) DUTIES OF THE BUREAU; BIENNIAL BUDGET BILL. (a) In this subsection,  
25 “version of the biennial budget bill or bills” means the executive biennial budget bill

1 or bills, as modified by an amendment offered by the joint committee on finance, as  
2 engrossed by the first house, as concurred in and amended by the 2nd house or as  
3 nonconcurrent in by the 2nd house, or as reported by any committee on conference.

4 (b) The legislative fiscal bureau shall prepare a statement of estimated general  
5 purpose revenue receipts and expenditures in the biennium following the succeeding  
6 biennium based on recommendations in each version of the biennial budget bill or  
7 bills.

8 **\*-1734/1.19\* SECTION 32.** 14.38 (10) (c) of the statutes is amended to read:

9 14.38 (10) (c) Publish in the official state newspaper within 10 days after the  
10 date of publication of an act a notice certifying the number of each act, the number  
11 of the bill from which it originated, the date of publication and the relating clause.  
12 Each certificate shall also contain a notice of where the full text of each act can be  
13 obtained. Costs under this paragraph shall be charged to the appropriation under  
14 s. 20.765 (1) (d) ~~or~~ (5).

15 **\*-0752/2.2\* SECTION 33.** 14.78 (1) of the statutes is amended to read:

16 14.78 (1) MEMBERS; TERMS. There is created a Great Lakes compact commission  
17 consisting of 3 commissioners appointed by the governor. The commissioners shall  
18 be persons having knowledge of and interest in problems of the Great Lakes basin.  
19 One commissioner, appointed for an indefinite term, shall be a state officer or  
20 employee and shall serve as secretary of the Great Lakes compact commission. The  
21 other commissioners shall be appointed for terms of 4 years. The commissioners  
22 shall receive no salaries but shall be reimbursed for actual and necessary expenses,  
23 unless the secretary of administration reduces or eliminates reimbursement under  
24 s. 20.505 (4) (ba).

25 **\*-0752/2.3\* SECTION 34.** 14.78 (2) (intro.) of the statutes is amended to read:

1           14.78 (2) DUTIES. (intro.) ~~It~~ Except as provided in sub. (2m), it is the duty of  
2 the Wisconsin Great Lakes compact commission:

3           \*~~-0752/2.4~~\* SECTION 35. 14.78 (2m) of the statutes is created to read:

4           14.78 (2m) Subsection (2) does not apply if the funding required for compliance  
5 is eliminated under s. 20.505 (4) (ba).

6           \*~~-0752/2.5~~\* SECTION 36. 14.90 (2) of the statutes is amended to read:

7           14.90 (2) The members of the commission shall serve without compensation  
8 but shall be reimbursed from the appropriation under s. 20.505 (4) (ba) for actual and  
9 necessary expenses incurred in the performance of their duties, except as provided  
10 in sub. (4). The commission has the powers granted and the duties imposed under  
11 s. 39.80.

12           \*~~-0752/2.6~~\* SECTION 37. 14.90 (3) of the statutes is amended to read:

13           14.90 (3) ~~From the appropriation under s. 20.505 (4) (ba), the~~ Except as provided  
14 in sub. (4), the department of administration shall pay the costs of membership in  
15 and costs associated with the midwestern higher education compact from the  
16 appropriation under s. 20.505 (4) (ba).

17           \*~~-0752/2.7~~\* SECTION 38. 14.90 (4) of the statutes is created to read:

18           14.90 (4) Payments under subs. (2) and (3) may be reduced or eliminated if the  
19 funding for the payments is reduced or eliminated under s. 20.505 (4) (ba).

20           \*~~-1363/1.1~~\* SECTION 39. 15.01 (2) of the statutes is amended to read:

21           15.01 (2) "Commission" means a 3-member governing body in charge of a  
22 department or independent agency or of a division or other subunit within a  
23 department, except for the Wisconsin waterways commission which shall consist of  
24 5 members, and the parole commission which shall consist of 8 members, and the Fox  
25 River management commission which shall consist of 7 members. A Wisconsin group

1 created for participation in a continuing interstate body, or the interstate body itself,  
2 shall be known as a “commission”, but is not a commission for purposes of s. 15.06.  
3 The parole commission created under s. 15.145 (1) shall be known as a “commission”,  
4 but is not a commission for purposes of s. 15.06. The sentencing commission created  
5 under s. 15.105 (27) shall be known as a “commission” but is not a commission for  
6 purposes of s. 15.06 (1) to (4m), (7), and (9).

7 \*~~0955/10.1~~\* SECTION 40. 15.04 (4) of the statutes is created to read:

8 15.04 (4) LEGAL SERVICES. If a department or independent agency is authorized  
9 or required to employ or retain an attorney, the department or independent agency  
10 may do so only in the following ways:

11 (a) Employ an attorney in a position authorized under s. 16.505.

12 (b) Contract with the department of administration for legal services under s.  
13 16.004 (15).

14 (c) Allow the department of justice to furnish legal services if the department  
15 of justice is required by law to furnish the services.

16 (d) 1. Allow the division of hearings and appeals created under s. 15.103 (1) to  
17 furnish legal services if the division of hearings and appeals is required or authorized  
18 by law to furnish the services.

19 2. Contract under s. 227.43 (1m) for contested case hearing services with the  
20 division of hearings and appeals if the department or independent agency is not  
21 prohibited by law to do so.

22 (e) Employ or retain any attorney who is not a state employee subject to s.  
23 20.930.

24 \*~~1649/6.1~~\* SECTION 41. 15.07 (2) (b) of the statutes is repealed.

25 \*~~0519/3.1~~\* SECTION 42. 15.07 (2) (m) of the statutes is created to read:

1           15.07 (2) (m) The member appointed under s. 15.345 (6) (a) shall serve as  
2 chairperson of the managed forest land board.

3           \*~~1649/6.2~~\* SECTION 43. 15.07 (2) (n) of the statutes is created to read:

4           15.07 (2) (n) The chairperson of the health care quality and patient safety board  
5 shall be designated biennially by the governor.

6           \*~~1649/6.3~~\* SECTION 44. 15.07 (3) (bm) 1. of the statutes is repealed.

7           \*~~0955/10.2~~\* SECTION 45. 15.103 (1g) of the statutes is created to read:

8           15.103 (1g) DIVISION OF LEGAL SERVICES. There is created in the department of  
9 administration a division of legal services. The administrator of the division shall  
10 be appointed by the secretary of administration in the unclassified service.

11           \*~~0745/2.1~~\* SECTION 46. 15.105 (12) (e) of the statutes is amended to read:

12           15.105 (12) (e) *Executive director.* The board shall appoint an executive director  
13 under or outside of the classified service ~~to serve at its pleasure.~~

14           \*~~0745/2.2~~\* SECTION 47. 15.105 (12) (f) of the statutes is amended to read:

15           15.105 (12) (f) *Assistance.* The ~~executive director~~ board may request contract  
16 with any state agency to provide assistance necessary for the board to fulfill its  
17 duties.

18           \*~~1649/6.4~~\* SECTION 48. 15.105 (13) of the statutes is created to read:

19           15.105 (13) HEALTH CARE QUALITY AND PATIENT SAFETY BOARD. (a) *Creation;*  
20 *membership.* There is created a health care quality and patient safety board,  
21 attached to the department of administration under s. 15.03, consisting of the  
22 following members:

23           1. The secretary of health and family services, the secretary of employee trust  
24 funds, and the secretary of administration or their designees.

25           2. One physician, as defined in s. 448.01 (5).

1 3. One representative of hospitals.

2 4. One employer purchaser of health care.

3 5. One representative of the insurance industry.

4 6. One representative of health maintenance organizations, as defined in s.  
5 609.01 (2).

6 7. One member who shall represent the public interest.

7 (b) *Terms.* The board members specified in par. (a) 2. to 7. shall be appointed  
8 for 4-year terms.

9 \*-1243/P3.1\* SECTION 49. 15.13 of the statutes is amended to read:

10 **15.13 Department of agriculture, trade, and consumer protection**  
11 **rural resources; creation.** There is created a department of agriculture, trade,  
12 and ~~consumer protection~~ rural resources under the direction and supervision of the  
13 board of agriculture, trade, and ~~consumer protection~~ rural resources. The board  
14 shall consist of 7 9 members with an agricultural background and ~~2~~ members who  
15 are ~~consumer~~ representatives, appointed for staggered 6-year terms. Appointments  
16 to the board shall be made without regard to party affiliation, residence or interest  
17 in any special organized group.

18 \*-1243/P3.2\* SECTION 50. 15.137 (1) (a) (intro.) of the statutes is amended to  
19 read:

20 15.137 (1) (a) (intro.) There is created in the department of agriculture, trade,  
21 and ~~consumer protection~~ rural resources an agricultural producer security council  
22 consisting of the following members appointed by the secretary of agriculture, trade,  
23 and rural resources for 3-year terms:

24 \*-0280/1.1\* SECTION 51. 15.16 (2) of the statutes is repealed.

25 \*-1649/6.5\* SECTION 52. 15.195 (6) of the statutes is repealed.

1           \***-1363/1.2\*** SECTION 53. 15.345 (5) of the statutes is repealed.

2           \***-0519/3.2\*** SECTION 54. 15.345 (6) of the statutes is created to read:

3           15.345 (6) MANAGED FOREST LAND BOARD. There is created in the department of  
4 natural resources a managed forest land board consisting of the chief state forester  
5 or his or her designee and the following members appointed for 3-year terms:

6           (a) One member appointed from a list of 5 nominees submitted by the Wisconsin  
7 Counties Association.

8           (b) One member appointed from a list of 5 nominees submitted by the Wisconsin  
9 Towns Association.

10           (c) One member appointed from a list of 5 nominees submitted by an association  
11 that represents the interests of counties that have county forests within their  
12 boundaries.

13           (d) One member appointed from a list of 5 nominees submitted by the council  
14 on forestry.

15           \***-1510/2.1\*** SECTION 55. 15.495 of the statutes is renumbered 15.945 and  
16 amended to read:

17           **15.945 Same; attached board.** (1) EDUCATIONAL APPROVAL BOARD. There is  
18 created an educational approval board which is attached to the ~~department of~~  
19 ~~veterans affairs~~ technical college system board under s. 15.03. The board shall  
20 consist of not more than 7 members, who shall be representatives of state agencies  
21 and other persons with a demonstrated interest in educational programs, appointed  
22 to serve at the pleasure of the governor.

23           \***-1737/2.1\*** SECTION 56. 16.004 (13) of the statutes is repealed.

24           \***-0955/10.3\*** SECTION 57. 16.004 (15) of the statutes is created to read:

1           16.004 (15) LEGAL SERVICES. (a) In this subsection, "state agency" means an  
2 office, commission, department, independent agency, or board in the executive  
3 branch of state government, and includes the building commission.

4           (b) The department may provide legal services to state agencies. Annually, the  
5 department shall assess each state agency for the cost of the legal services provided  
6 to the state agency. The department shall credit all moneys received from state  
7 agencies under this paragraph to the appropriation account under s. 20.505 (1) (kr).

8           (c) An attorney employed by the department may prosecute or defend any  
9 action brought by or against the state in any matter relating to tax litigation.

10           \*~~1649/6.6~~\* SECTION 58. 16.03 (3) of the statutes is amended to read:

11           16.03 (3) REPORT. The interagency coordinating council shall report at least  
12 twice annually to the health care quality and patient safety board on health care  
13 information in the department of health and family services administration,  
14 concerning the council's activities under this section.

15           \*~~0738/2.1~~\* SECTION 59. 16.27 (3) (e) 2. of the statutes is repealed.

16           \*~~0738/2.2~~\* SECTION 60. 16.27 (3) (e) 3. of the statutes is amended to read:

17           16.27 (3) (e) 3. Except as provided under subd. 6., allocate the balance of funds  
18 received under 42 USC 8621 to 8629 in a federal fiscal year, after making the  
19 allocations under pars. (c) and (d) and ~~subds. 1. and 2.~~ subd. 1., for the payment of  
20 heating assistance or for the payment of crisis assistance under sub. (6).

21           \*~~0752/2.8~~\* SECTION 61. 16.40 (14) of the statutes is amended to read:

22           16.40 (14) COMMITTEES. Perform administrative services required to properly  
23 account for the finances of committees created by law or executive order. The  
24 governor may authorize each committee to make expenditures from the  
25 appropriation under s. 20.505 (4) (ba) not exceeding \$2,000 per fiscal year. The

1 governor shall report such authorized expenditures to the joint committee on finance  
2 at the next quarterly meeting of the committee. If the governor desires to authorize  
3 expenditures of more than \$2,000 per fiscal year by a committee, the governor shall  
4 submit to the joint committee on finance for its approval a complete budget for all  
5 expenditures made or to be made by the committee. The budget may cover a period  
6 encompassing more than one fiscal year or biennium during the governor's term of  
7 office. If the joint committee on finance approves a budget authorizing expenditures  
8 of more than \$2,000 per fiscal year by such a committee, the governor may authorize  
9 the expenditures to be made within the limits of the appropriation under s. 20.505  
10 (4) (ba) in accordance with the approved budget during the period covered by the  
11 budget. If after the joint committee on finance approves a budget for such a  
12 committee the governor desires to authorize expenditures in excess of the authorized  
13 expenditures under the approved budget, the governor shall submit a modified  
14 budget for the committee to the joint committee on finance. If the joint committee  
15 on finance approves a modified budget, the governor may authorize additional  
16 expenditures to be made within the limits of the appropriation under s. 20.505 (4)  
17 (ba) in accordance with the modified budget during the period covered by the  
18 modified budget. The secretary may reduce or eliminate proposed expenditures  
19 under this subsection in any fiscal year if the amount appropriated under s. 20.505  
20 (4) (ba) for that fiscal year is insufficient to fully fund the proposed expenditures.

21 \*~~0751/1.1~~\* SECTION 62. 16.43 of the statutes is amended to read:

22 **16.43 Budget compiled.** The secretary shall compile and submit to the  
23 governor or the governor-elect and to each person elected to serve in the legislature  
24 during the next biennium, not later than November 20 of each even-numbered year,  
25 a compilation giving all of the data required by s. 16.46 to be included in the state

1 budget report, except the recommendations of the governor and the explanation  
2 thereof. The secretary shall not include in the compilation any provision for the  
3 development or implementation of an information technology development project  
4 for an executive branch agency that is not consistent with the strategic plan of the  
5 agency, as approved under s. 16.976. The secretary may distribute the budget  
6 compilation in printed or optical disk format.

7 \*~~0751/1.2~~\* SECTION 63. 16.45 of the statutes is amended to read:

8 **16.45 Budget message to legislature.** In each regular session of the  
9 legislature, the governor shall deliver the budget message to the 2 houses in joint  
10 session assembled. Unless a later date is requested by the governor and approved  
11 by the legislature in the form of a joint resolution, the budget message shall be  
12 delivered on or before the last Tuesday in January of the odd-numbered year. With  
13 the message the governor shall transmit to the legislature, as provided in ss. 16.46  
14 and 16.47, the biennial state budget report and the executive budget bill or bills  
15 together with suggestions for the best methods for raising the needed revenues. The  
16 governor may distribute the biennial state budget report in printed or optical disk  
17 format.

18 \*~~1372/2.2~~\* SECTION 64. 16.46 (5m) of the statutes is repealed and recreated  
19 to read:

20 16.46 (5m) A statement of estimated general purpose revenue receipts and  
21 expenditures in the biennium following the succeeding biennium based on  
22 recommendations in the budget bill or bills.

23 \*~~1742/3.1~~\* SECTION 65. 16.50 (1) (b) of the statutes is amended to read:

24 16.50 (1) (b) This subsection does not apply to appropriations under ss. 20.255  
25 (2) (ac) and, (af), and (r), 20.835, and 20.865 (4).

1           \*~~0736/1.1~~\* SECTION 66. 16.505 (3m) of the statutes is repealed.

2           \*~~1886/2.1~~\* SECTION 67. 16.518 (title) of the statutes is amended to read:

3           16.518 (title) ~~Transfers to the budget stabilization fund and the cash~~  
4 ~~building projects~~ health care quality improvement fund.

5           \*~~1886/2.2~~\* SECTION 68. 16.518 (3) (b) 3. of the statutes is created to read:

6           16.518 (3) (b) 3. In the 2006–07 fiscal year, the secretary shall reduce any  
7 amount transferred to the budget stabilization fund under par. (a) by an amount  
8 necessary to ensure that the distribution on June 15, 2007, under s. 79.10 (7m) (a)  
9 1. b. is made.

10          \*~~1886/4.2~~\* SECTION 69. 16.518 (3) (b) 4. of the statutes is created to read:

11          16.518 (3) (b) 4. In the 2006–07 fiscal year, the secretary shall reduce any  
12 amount transferred to the budget stabilization fund under par. (a) by an amount  
13 necessary to fund the appropriation under s. 20.255 (2) (af).

14          \*~~1886/5.2~~\* SECTION 70. 16.518 (4) of the statutes is created to read:

15          16.518 (4) Notwithstanding sub. (3), if the amount of moneys projected to be  
16 deposited in the general fund during the 2005–07 fiscal biennium that are  
17 designated as “Taxes” in the summary is less than the amount of such moneys  
18 estimated to be deposited in the general fund during that fiscal biennium, as  
19 determined by the department under s. 79.10 (7m) (a) 1. b., the secretary may  
20 transfer any of the excess to the health care quality improvement fund.

21          \*~~1742/3.2~~\* SECTION 71. 16.52 (10) of the statutes is amended to read:

22          16.52 (10) DEPARTMENT OF PUBLIC INSTRUCTION. The provisions of sub. (2) with  
23 respect to refunds and sub. (5) (a) with respect to reimbursements for the prior fiscal  
24 year shall not apply to the appropriations under s. 20.255 (2) (ac) ~~and~~, (af), and (r).

1           \*~~1649/6.7~~\* SECTION 72. 16.526 (title) of the statutes is repealed and recreated  
2 to read:

3           **16.526 (title) Revenue obligation program to fund costs of the Medical**  
4 **Assistance program.**

5           \*~~1649/6.8~~\* SECTION 73. 16.526 (1) of the statutes is amended to read:

6           16.526 (1) For purposes of subch. II of ch. 18, the purposes of obtaining proceeds  
7 to pay the state's anticipated unfunded prior service liability under s. 40.05 (2) (b)  
8 and of paying the state's unfunded prior service liability under s. 40.05 (2) (b) and the  
9 state's unfunded liability under s. 40.05 (4) (b), (be), and (bw) and subch. IX of ch. 40  
10 fund costs of the Medical Assistance program is a special fund program, and the  
11 excise tax fund is a special fund. The legislature finds and determines that the excise  
12 tax fund is a segregated fund consisting of fees, penalties, or excise taxes and that  
13 financing the special Medical Assistance program to pay the state's unfunded prior  
14 service liability under s. 40.05 (2) (b) and the state's unfunded liability under s. 40.05  
15 (4) (b), (be), and (bw) and subch. IX of ch. 40 fund costs from the net proceeds of  
16 revenue obligations issued under this section is appropriate and will serve a public  
17 purpose by improving the quality of, and access of citizens of this state to, health care  
18 services.

19           \*~~1649/6.9~~\* SECTION 74. 16.526 (2) of the statutes is amended to read:

20           16.526 (2) The net proceeds of revenue obligations issued under subch. II of ch.  
21 18, as authorized under this section, shall be deposited in a fund in the state treasury,  
22 or an account maintained by a trustee, created under s. 18.57 (1). The moneys shall  
23 be applied for ancillary payments and for the provision of reserves, as determined  
24 by the building commission, and for the payment of part or all of the state's unfunded  
25 prior service liability under s. 40.05 (2) (b) and the state's unfunded liability under

1 ~~s. 40.05 (4) (b), (bc), and (bw) and subch. IX of ch. 40, as determined by the~~  
2 ~~department, costs of the Medical Assistance program, and any remainder shall be~~  
3 ~~paid into a retirement liability~~ an excise tax revenue ~~obligation redemption fund~~  
4 ~~created under 18.562 (3).~~

5 **\*-1649/6.10\* SECTION 75.** 16.526 (5) (b) of the statutes is amended to read:

6 16.526 (5) (b) Except as otherwise provided in this paragraph, the secretary  
7 shall determine the requirements for funds to be obtained from revenue obligations  
8 issued under this section to pay the state's ~~anticipated unfunded prior service~~  
9 ~~liability under s. 40.05 (2) (b) and funds used for the payment of the state's unfunded~~  
10 ~~prior service liability under s. 40.05 (2) (b) and the state's unfunded liability under~~  
11 ~~s. 40.05 (4) (b), (bc), and (bw) and subch. IX of ch. 40, that are to be paid from revenue~~  
12 ~~obligations issued under this section, shall be determined by the secretary~~ costs of  
13 the Medical Assistance program. The sum amount of expenditures to be paid from  
14 revenue obligations issued under this section and appropriation obligations issued  
15 under s. 16.527, if any, excluding any appropriation revenue obligations that have  
16 been defeased under a cash optimization program administered by the building  
17 commission and any appropriation obligations issued pursuant to s. 16.527 (3) (b) 3.,  
18 shall not exceed \$1,500,000,000 \$130,000,000.

19 **\*-1649/6.11\* SECTION 76.** 16.526 (5) (c) of the statutes is created to read:

20 16.526 (5) (c) For the purpose of s. 18.58 (4), the department is carrying out  
21 program responsibilities for which the revenue obligations are authorized under this  
22 section.

23 **\*-1649/6.12\* SECTION 77.** 16.527 (3) (b) 2. of the statutes is amended to read:

24 16.527 (3) (b) 2. The sum of appropriation obligations issued under this section,  
25 excluding any obligations that have been defeased under a cash optimization

1 program administered by the building commission and any obligations issued  
2 pursuant to subd. 3., and ~~revenue obligations issued under s. 16.526, if any,~~ may not  
3 exceed \$1,500,000,000.

4 \*~~1837/2.1~~\* SECTION 78. 16.529 of the statutes is repealed and recreated to  
5 read:

6 **16.529 Lapses and fund transfers relating to unfunded retirement**  
7 **liability debt service.** (1) The definitions in s. 20.001 are applicable in this section,  
8 except that "state agency" does not include the department of employee trust funds  
9 or the investment board.

10 (2) Beginning in the 2007-09 fiscal biennium, during each fiscal biennium the  
11 secretary shall lapse to the general fund or transfer to the general fund from each  
12 state agency appropriation specified in sub. (3) an amount equal to that portion of  
13 the total amount of principal and interest to be paid on obligations issued under s.  
14 16.527 during the fiscal biennium that is allocable to the appropriation, as  
15 determined under sub. (3).

16 (3) The secretary shall determine the amounts of the allocations required  
17 under sub. (2) as follows:

18 (a) The secretary shall first determine the total amount of Wisconsin  
19 retirement system contributions that are to be paid by the state under s. 40.05 during  
20 the fiscal biennium.

21 (b) The secretary shall then determine the percentage of the total amount  
22 determined under par. (a) that is allocable to each state agency appropriation from  
23 which Wisconsin retirement system contributions under s. 40.05 are paid. The  
24 secretary shall exclude from this determination any appropriation from which a  
25 lapse or transfer to pay any principal or interest amount on obligations issued under

1 s. 16.527 would violate a condition imposed by the federal government on the  
2 expenditure of the moneys or if the lapse or transfer would violate the federal or state  
3 constitution.

4 (c) For each appropriation identified under par. (b), the secretary shall then  
5 apply the percentage calculated under par. (b) to the total amount of principal and  
6 interest to be paid during the fiscal biennium on obligations issued under s. 16.527.  
7 This amount is the portion of the total amount of principal and interest paid on the  
8 obligations during that fiscal biennium that is allocable to each appropriation.

9 **\*-0738/2.3\* SECTION 79.** 16.54 (2) (b) of the statutes is amended to read:

10 16.54 (2) (b) Upon presentation by the department to the joint committee on  
11 finance of alternatives to the provisions under s. 16.27, the joint committee on  
12 finance may revise the eligibility criteria under s. 16.27 (5), or benefit payments  
13 under s. 16.27 (6) ~~or the amount allocated for crises under s. 16.27 (3) (e) 2.~~, and the  
14 department shall implement those revisions. Benefits or eligibility criteria so  
15 revised shall take into account and be consistent with the requirements of federal  
16 regulations promulgated under 42 USC 8621 to 8629. If funds received under 42  
17 USC 8621 to 8629 in a federal fiscal year total less than 90% of the amount received  
18 in the previous federal fiscal year, the department shall submit to the joint committee  
19 on finance a plan for expenditure of the funds. The department may not use the funds  
20 unless the committee approves the plan.

21 **\*-1851/1.1\* SECTION 80.** 16.56 of the statutes is created to read:

22 **16.56 Grain inspection funding.** On June 30 of each fiscal year, the  
23 department shall determine whether the accumulated expenses for the inspection  
24 and certification of grain under s. 93.06 (1m) have exceeded the accumulated  
25 revenues from conducting that inspection and certification as of that date. If so,

1 immediately before the end of the fiscal year, the department shall transfer the  
2 unencumbered balances in the appropriation accounts under s. 20.115 (1) (a), (2) (a),  
3 (3) (a), (7) (a), and (8) (a), up to the amount of the excess, to the appropriation account  
4 under s. 20.115 (1) (h).

5 \*~~0328/4.1~~\* SECTION 81. 16.75 (4) (d) of the statutes is amended to read:

6 16.75 (4) (d) In this subsection and s. 16.755, “veteran-owned business” means  
7 a small business, as defined in par. (c), that is certified by the department of veterans  
8 affairs as being at least 51% owned by one or more veterans, as defined in s. ~~45.35~~  
9 ~~(5)~~ 45.001 (4).

10 \*~~1219/2.1~~\* SECTION 82. 16.771 of the statutes is created to read:

11 **16.771 False claims.** Whoever knowingly presents or causes to be presented  
12 a false claim for payment under any contract or order for materials, supplies,  
13 equipment, or contractual services to be provided to an agency shall forfeit not less  
14 than \$5,000 nor more than \$10,000, plus 3 times the amount of the damages that  
15 were sustained by the state or would have been sustained by the state, whichever is  
16 greater, as a result of the false claim. The attorney general may bring an action on  
17 behalf of the state to recover any forfeiture incurred under this section.

18 \*~~0404/4.1~~\* SECTION 83. 16.841 (1) (b) of the statutes is amended to read:

19 16.841 (1) (b) “Child care provider” means a provider licensed under s. ~~48.65~~  
20 49.98, certified under s. ~~48.651~~ 49.156, or established or contracted for under s.  
21 120.13 (14).

22 \*~~1513/4.4~~\* SECTION 84. 16.848 of the statutes is created to read:

23 **16.848 Sale of certain state property.** (1) Except as provided in sub. (2) and  
24 subject to sub. (3), the department may sell any state-owned real property, if the  
25 department determines that the sale is in the best interest of the state. The sale may

1 be either on the basis of public bids, with the department reserving the right to reject  
2 any bid in the interest of the state, or negotiated prices.

3 (2) (a) Subsection (1) does not authorize the closure or sale of any facility or  
4 institution the operation of which is provided for by law.

5 (b) Subsection (1) does not apply to property under the jurisdiction of the board  
6 of regents of the University of Wisconsin System.

7 (c) Subsection (1) does not apply to property sold by the department under s.  
8 16.98 (3).

9 (d) Subsection (1) does not apply to lands under the jurisdiction of the board  
10 of commissioners of public lands.

11 (e) Subsection (1) does not apply to property under the jurisdiction of the  
12 department of natural resources, except central or district office facilities.

13 (f) Subsection (1) does not apply to lands acquired with revenues collected  
14 under s. 70.58.

15 (g) Subsection (1) does not apply to property that is subject to sale by the  
16 department of veterans affairs under s. 45.72 (7).

17 (h) The department shall not sell any property under this section that is leased  
18 by the state until the lease expires or the lease is modified, renewed, or extended,  
19 whichever first occurs, without consent of the lessee.

20 (3) The department shall not sell any state property under sub. (1) unless the  
21 sale is approved by the building commission under 2005 Wisconsin Act .... (this act),  
22 section 9101 (4) (b).

23 ~~(4) Except as provided in s. 13.48 (14) (e), if there is any outstanding public debt~~  
24 ~~used to finance the acquisition, construction, or improvement of any property that~~  
25 ~~is sold under sub. (1), the department shall deposit a sufficient amount of the net~~

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proceeds from the sale of the property in the bond security and redemption fund under s. 18.09 to repay the principal and pay the interest on the debt, and any premium due upon refunding any of the debt. If the property was purchased with federal financial assistance, the department shall pay to the federal government any of the net proceeds required by federal law. If the property was acquired by gift or grant or acquired with gift or grant funds, the department shall adhere to any restriction governing use of the proceeds. Except as required under ss. 13.48 (14) (e), 20.395 (9) (qd), and 51.06 (6), if there is no such debt outstanding, there are no moneys payable to the federal government, and there is no restriction governing use of the proceeds, and if the net proceeds exceed the amount required to be deposited, paid, or used for another purpose under this subsection, the department shall deposit the net proceeds or remaining net proceeds in the general fund.

(5) The department shall transfer all proceeds deposited in the general fund under sub. (4) to the budget stabilization fund.

\*-1219/2.2\* SECTION 85. 16.871 of the statutes is created to read:

**16.871 False claims.** (1) In this section:

- (a) "Agency" has the meaning given in s. 16.70 (1e).
- (b) "Construction work" has the meaning given in s. 16.87 (1) (a).
- (c) "Limited trades work" has the meaning given in s. 16.70 (7).

(2) Whoever knowingly presents or causes to be presented a false claim under any contract for construction work or limited trades work, or for engineering or architectural services, to be provided to any agency shall forfeit not less than \$5,000 nor more than \$10,000, plus 3 times the amount of the damages that were sustained by the state or would have been sustained by the state, whichever is greater, as a

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1 (b) Subsection (1) does not apply to property under the jurisdiction of the board  
2 of regents of the University of Wisconsin System.

3 (c) Subsection (1) does not apply to property sold by the department under s.  
4 16.98 (3).

5 (d) Subsection (1) does not apply to lands under the jurisdiction of the board  
6 of commissioners of public lands.

7 (e) Subsection (1) does not apply to property under the jurisdiction of the  
8 department of natural resources, except central or district office facilities.

9 (f) Subsection (1) does not apply to lands acquired with revenues collected  
10 under s. 70.58.

11 (g) Subsection (1) does not apply to property that is subject to sale by the  
12 department of veterans affairs under s. 45.72 (7).

13 (h) The department shall not sell any property under this section that is leased  
14 by the state until the lease expires or the lease is modified, renewed, or extended,  
15 whichever first occurs, without consent of the lessee.

16 **(3)** The department shall not sell any state property under sub. (1) unless the  
17 sale is approved by the building commission under 2005 Wisconsin Act .... (this act),  
18 section 9101 (1) (b).

19 **(4)** Except as provided in s. 13.48 (14) (e), if there is any outstanding public debt  
20 used to finance the acquisition, construction, or improvement of any property that  
21 is sold under sub. (1), the department shall deposit a sufficient amount of the net  
22 proceeds from the sale of the property in the bond security and redemption fund  
23 under s. 18.09 to repay the principal and pay the interest on the debt, and any  
24 premium due upon refunding any of the debt. If the property was acquired,  
25 constructed, or improved with federal financial assistance, the department shall pay

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1 to the federal government any of the net proceeds required by federal law. If the  
2 property was acquired by gift or grant or acquired with gift or grant funds, the  
3 department shall adhere to any restriction governing use of the proceeds. Except as  
4 required under ss. 13.48 (14) (e), 20.395 (9) (qd), and 51.06 (6), if there is no such debt  
5 outstanding, there are no moneys payable to the federal government, and there is no  
6 restriction governing use of the proceeds, and if the net proceeds exceed the amount  
7 required to be deposited, paid, or used for another purpose under this subsection, the  
8 department shall deposit the net proceeds or remaining net proceeds in the general  
9 fund.

10 (5) The department shall transfer all proceeds deposited in the general fund  
11 under sub. (4) to the budget stabilization fund.

12 **SECTION 6.** 20.285 (1) (ga) of the statutes is amended to read:

13 20.285 (1) (ga) *Surplus auxiliary funds.* Any moneys in any program revenue  
14 appropriation under this section which the board of regents determines to be  
15 surplus, except moneys derived from the sale of real property received before July  
16 1, 2007, to be used for the construction or acquisition of university housing facilities,  
17 commons, dining facilities, field house or other buildings, or for other permanent  
18 improvements, purchase of land, equipment for such buildings or investment in  
19 bonds or securities, or for the payment of debt service costs, as provided in s. 36.06  
20 (6) and (7), 1969 stats., and s. 37.02 (3), 1969 stats., as the board of regents  
21 determines. Separate accounts shall be maintained for each activity of each unit  
22 with funds in this appropriation.

23 **SECTION 7.** 20.285 (1) (h) of the statutes is amended to read:

24 20.285 (1) (h) *Auxiliary enterprises.* Except as provided under subs. (4) (g) and  
25 (gm), (5) (i), and (6) (g), all moneys received by the University of Wisconsin System

1 result of the false claim. The attorney general may bring an action on behalf of the  
2 state to recover any forfeiture incurred under this subsection.

3 \*–1512/4.1\* SECTION 86. 16.891 of the statutes is created to read:

4 **16.891 Reports on cost of occupancy of state facilities. (1)** In this section:

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

6 (b) “Total cost of occupancy” means the cost to operate and maintain the  
7 physical plant of a building, structure, or facility, including administrative costs of  
8 an agency attributable to operation and maintenance of a building, structure, or  
9 facility, together with any debt service costs associated with the building, structure,  
10 or facility, computed in the manner prescribed by the department.

11 (2) Except as provided in sub. (4), each agency shall report to the department  
12 no later than October 1 of each year concerning the total cost of occupancy of each  
13 state-owned building, structure, and facility, excluding public highways and  
14 bridges, under the jurisdiction of the agency for the preceding fiscal year. The report  
15 shall be made in a format prescribed by the department. Beginning in 2009, if a  
16 building, structure, or facility is a part of an institution, the agency having  
17 jurisdiction of the institution shall also include in its report the total cost of  
18 occupancy of all of the buildings, structures, and facilities within the institution.

19 (3) No later than December 1 of each year, the department shall compile the  
20 information received under sub. (2) and transmit a consolidated report to the  
21 building commission on the total cost of occupancy of all buildings, structures, and  
22 facilities included in the reports filed under sub. (2), itemized for each building,  
23 structure, and facility. The report shall include, for each building, structure, or  
24 facility, the recommendations of the department concerning the desired total cost of  
25 occupancy for that building, structure, or facility.

1 (4) The department may exempt an agency from compliance with the reporting  
2 requirement under sub. (2) with respect to any building, structure, or facility that  
3 the department determines to have a minimal total cost of occupancy.

4 *Insert*  
4 *28-4* \*-1377/3.1\* SECTION 87. 16.964 (7) of the statutes is repealed.

5 \*-1670/3.1\* SECTION 88. 16.964 (10) of the statutes is created to read:

6 16.964 (10) Annually, the office shall pay the amount appropriated under s.  
7 20.505 (6) (e) to the Wisconsin Trust Account Foundation, Inc., to provide civil legal  
8 services to indigent persons. The Wisconsin Trust Account Foundation, Inc., shall  
9 distribute the amount received as grants to programs that provide civil legal services  
10 to indigent persons. The grants may be used only for the following civil legal services:

11 (a) Serving as guardian ad litem for cases with the bureau of Milwaukee child  
12 welfare of the department of health and family services.

13 (b) Coordinating insurance benefits for medical assistance recipients.

14 (c) Assisting Wisconsin Works participants in applying for supplemental  
15 security income program benefits.

16 (d) Obtaining and enforcing child support, including legal services related to  
17 domestic abuse.

18 (e) Developing discharge plans for mentally ill inmates and assisting those  
19 inmates in their community integration planning.

20 (f) Providing ancillary services to juvenile offenders.

21 \*-0984/4.1\* SECTION 89. 16.966 of the statutes is repealed and recreated to  
22 read:

23 **16.966 Geographic information systems.** The department may develop  
24 and maintain geographic information systems relating to land in this state for the  
25 use of governmental and nongovernmental units.

Insert 28 - 4

DOA:....Statz, BB - Grants for children's community programs  
FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*  
**HEALTH AND HUMAN SERVICES**

**CHILDREN**

Under current law, the Office of Justice Assistance in DOA is required to provide \$185,000 annually to DHFS for grants for children's community programs, including grants to the Career Youth Development Center in Milwaukee, the Milwaukee Police Athletic League, court-appointed special advocate programs, and the Children's Safe House Child Care Program in Kenosha County. This bill eliminates those grants.

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

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

2 add  
3 burning  
dot  
number

SECTION 1. 16.964 (9) of the statutes is repealed.

(END)

(ed of insert)

1           \*~~0984/4.2~~\* SECTION 90. 16.967 of the statutes is repealed and recreated to  
2 read:

3           **16.967 Land information program. (1) DEFINITIONS.** In this section:

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

5           (b) “Land information” means any physical, legal, economic, or environmental  
6 information or characteristics concerning land, water, groundwater, subsurface  
7 resources, or air in this state. “Land information” includes information relating to  
8 topography, soil, soil erosion, geology, minerals, vegetation, land cover, wildlife,  
9 associated natural resources, land ownership, land use, land use controls and  
10 restrictions, jurisdictional boundaries, tax assessment, land value, land survey  
11 records and references, geodetic control networks, aerial photographs, maps,  
12 planimetric data, remote sensing data, historic and prehistoric sites, and economic  
13 projections.

14           (c) “Land information system” means an orderly method of organizing and  
15 managing land information and land records.

16           (d) “Land records” means maps, documents, computer files, and any other  
17 information storage medium in which land information is recorded.

18           (e) “Systems integration” means land information that is housed in one  
19 jurisdiction or jurisdictional subunit and is available to other jurisdictions,  
20 jurisdictional subunits, public utilities, and other private sector interests.

21           **(3) DUTIES OF DEPARTMENT.** The department shall direct and supervise the land  
22 information program and serve as the state clearinghouse for access to land  
23 information. In addition, the department shall:

24           (a) Provide technical assistance and advice to state agencies and local  
25 governmental units with land information responsibilities.

1 (b) Maintain and distribute an inventory of land information available for this  
2 state, land records available for this state, and land information systems.

3 (c) Prepare guidelines to coordinate the modernization of land records and land  
4 information systems.

5 (d) Review project applications received under sub. (7) and determine which  
6 projects are approved.

7 (e) Review for approval a countywide plan for land records modernization  
8 prepared under s. 59.72 (3) (b).

9 (4) FUNDING REPORT. The department shall identify and study possible program  
10 revenue sources or other revenue sources for the purpose of funding the operations  
11 of the land information program, including grants to counties under sub. (7).

12 (5) FEE REVENUE. The department shall credit all fee revenue received under  
13 s. 59.72 (5) (a) to the appropriation account under s. 20.505 (1) (ij), except that the  
14 department shall credit the amounts appropriated under s. 20.505 (1) (ie) and (if) to  
15 those appropriation accounts.

16 (6) REPORTS. By March 31 of each year, the department of administration, the  
17 department of agriculture, trade and consumer protection, the department of  
18 commerce, the department of health and family services, the department of natural  
19 resources, the department of tourism, the department of revenue, the department of  
20 transportation, the board of regents of the University of Wisconsin System, the  
21 public service commission, and the board of curators of the historical society shall  
22 each submit to the department a plan to integrate land information to enable such  
23 information to be readily translatable, retrievable, and geographically referenced for  
24 use by any state, local governmental unit, or public utility. The plans shall include  
25 the information that will be needed by local governmental units to prepare

1 comprehensive plans containing the planning elements required under s. 66.1001  
2 (2). Upon receipt of this information, the department shall integrate the information  
3 to enable the information to be used to meet land information data needs. The  
4 integrated information shall be readily translatable, retrievable, and geographically  
5 referenced to enable members of the public to use the information.

6 (7) AID TO COUNTIES. (a) A county board that has established a county land  
7 information office under s. 59.72 (3) may apply to the department on behalf of any  
8 local governmental unit, as defined in s. 59.72 (1) (c), located wholly or partially  
9 within the county for a grant for any of the following projects:

10 1. The design, development, and implementation of a land information system  
11 that contains and integrates, at a minimum, property and ownership records with  
12 boundary information, including a parcel identifier referenced to the U.S. public land  
13 survey; tax and assessment information; soil surveys, if available; wetlands  
14 identified by the department of natural resources; a modern geodetic reference  
15 system; current zoning restrictions; and restrictive covenants.

16 2. The preparation of parcel property maps that refer boundaries to the public  
17 land survey system and are suitable for use by local governmental units for accurate  
18 land title boundary line or land survey line information.

19 3. The preparation of maps that include a statement documenting accuracy if  
20 the maps do not refer boundaries to the public land survey system and that are  
21 suitable for use by local governmental units for planning purposes.

22 4. Systems integration projects.

23 5. To support technological developments and improvements for the purpose  
24 of providing Internet-accessible housing assessment and sales data.

1 (b) Grants shall be paid from the appropriation under s. 20.505 (1) (ij). A grant  
2 under this subsection may not exceed \$100,000. The department may award more  
3 than one grant to a county board.

4 (8) ADVICE; COOPERATION. In carrying out its duties under this section, the  
5 department may seek advice and assistance from the board of regents of the  
6 University of Wisconsin System and other agencies, local governmental units, and  
7 other experts involved in collecting and managing land information. Agencies shall  
8 cooperate with the department in the coordination of land information collection.

9 (9) TECHNICAL ASSISTANCE; EDUCATION. The department may provide technical  
10 assistance to counties and conduct educational seminars, courses, or conferences  
11 relating to land information. The department shall charge and collect fees sufficient  
12 to recover the costs of activities authorized under this subsection.

13 \*-0984/4.3\* SECTION 91. 16.9675 of the statutes is created to read:

14 **16.9675 Land activities.** The department shall do all of the following:

15 (1) Identify state land use goals and recommend these goals to the governor.

16 (2) Identify state land use priorities to further the state's land use goals and  
17 recommend to the governor legislation to implement these priorities.

18 (3) Study areas of cooperation and coordination in the state's land use statutes  
19 and recommend to the governor legislation to harmonize these statutes to further the  
20 state's land use goals.

21 (4) Study areas of the state's land use statutes that conflict with each other and  
22 recommend to the governor legislation to resolve these conflicts to further the state's  
23 land use goals.

24 (5) Identify areas of the state's land use statutes that conflict with county or  
25 municipal land use ordinances, and areas of county or municipal land use ordinances

1 that conflict with each other, and recommend to the governor legislation to resolve  
2 these conflicts.

3 (6) Establish a state agency resource working group that is composed of  
4 representatives of the departments of administration; agriculture, trade and  
5 consumer protection; commerce; natural resources; revenue; transportation; and  
6 other appropriate agencies to discuss, analyze, and address land use issues and  
7 related policy issues, including the following:

8 (a) Gathering information about the land use plans of state agencies.

9 (b) Establishing procedures for the distribution of the information gathered  
10 under par. (a) to other state agencies, local units of government, and private persons.

11 (c) Creating a system to facilitate, and to provide training and technical  
12 assistance for the development of, local intergovernmental land use planning.

13 (7) Study the activities of local units of government in the land use area to  
14 determine how these activities impact on state land use goals, and recommend to the  
15 governor legislation that fosters coordination between local land use activities and  
16 state land use goals.

17 (8) Identify procedures for facilitating local land use planning efforts,  
18 including training and technical assistance for local units of government, and  
19 recommend to the governor legislation to implement such procedures.

20 (9) Gather and analyze information about the land use activities in this state  
21 of the federal government and American Indian governments and inform the  
22 governor of the impact of these activities on state land use goals.

23 (10) Study any other issues that are reasonably related to the state's land use  
24 goals, including methods for alternative dispute resolution for disputes involving

1 land use issues, and recommend to the governor legislation in the areas studied by  
2 the department that would further the state's land use goals.

3 (11) Gather information about land use issues in any reasonable way, including  
4 the following:

5 (a) Establishing a state-local government-private sector working group to  
6 study and advise the department on land use issues.

7 (b) Holding public hearings or information meetings on land use issues.

8 (c) Conducting surveys on land use issues.

9 (d) Consulting with any person who is interested in land use issues.

10 \*-1486/1.1\* SECTION 92. 16.971 (17) of the statutes is created to read:

11 16.971 (17) Provide educational agencies that are eligible for a rate discount  
12 on telecommunications services under 47 USC 254 with additional  
13 telecommunications access under s. 16.998 and contract with telecommunications  
14 providers to provide that access.

15 \*-1486/1.2\* SECTION 93. 16.993 (9) of the statutes is repealed.

16 \*-1486/1.3\* SECTION 94. 16.995 (3m) of the statutes is amended to read:

17 16.995 (3m) PUBLIC DEBT REPAYMENT. To the extent that sufficient moneys for  
18 the provision of educational telecommunications access under s. 16.997 are available  
19 in the appropriation account under s. 20.505 (4) (mp) after payment of the  
20 administrative expenses specified in s. 20.505 (4) (mp), the department shall use  
21 those available moneys to reimburse s. 20.505 (4) (es) and (et) for the payment of  
22 principal and interest costs incurred in financing educational technology  
23 infrastructure financial assistance under this section and to make full payment of  
24 the amounts determined by the building commission under s. 13.488 (1) (m).

1           \*–1486/1.4\* SECTION 95. 16.997 (2) (a) of the statutes is renumbered 16.997 (2)  
2 (a) (intro.) and amended to read:

3           16.997 (2) (a) (intro.) Allow an educational agency to make a request to the  
4 department for access to either one data line or one video link, except ~~that any as~~  
5 follows:

6           1. Any educational agency may request access to additional data lines if the  
7 agency shows to the satisfaction of the department that the additional data lines are  
8 more cost-effective than a single data line and ~~except that a~~.

9           2. A school district that operates more than one high school or a public library  
10 board that operates more than one library facility may request access to both a data  
11 line and a video link and access to more than one data line or video link.

12           \*–1486/1.5\* SECTION 96. 16.997 (2) (a) 3. of the statutes is created to read:

13           16.997 (2) (a) 3. An educational agency that is eligible for a rate discount on  
14 telecommunications services under 47 USC 254 may request access to additional  
15 data lines and video links and to increased bandwidth access as provided in s. 16.998.

16           \*–1486/1.6\* SECTION 97. 16.997 (2) (b) of the statutes is amended to read:

17           16.997 (2) (b) Establish eligibility requirements for an educational agency to  
18 participate in the program established under sub. (1) and to receive additional  
19 telecommunications access under s. 16.998, including a requirement that a charter  
20 school sponsor use data lines and video links to benefit pupils attending the charter  
21 school and a requirement that Internet access to material that is harmful to children,  
22 as defined in s. 948.11 (1) (b), is blocked on the computers of secured correctional  
23 facilities that are served by data links and video links subsidized under this section.

24           \*–1486/1.7\* SECTION 98. 16.997 (2) (c) of the statutes is amended to read:

1           16.997 (2) (c) Establish specifications for data lines and video links for which  
2 access is provided to an educational agency under the program established under  
3 sub. (1) or for which additional access is provided to an educational agency under s.  
4 16.998.

5           \*~~1486/1.8~~\* SECTION 99. 16.997 (2) (f) of the statutes is amended to read:

6           16.997 (2) (f) Ensure that secured correctional facilities that receive access  
7 under this section to data lines and video links ~~use them~~ or that receive additional  
8 access under s. 16.998 to data lines, video links, and bandwidth use those data lines  
9 and video links and that bandwidth only for educational purposes.

10           \*~~1486/1.9~~\* SECTION 100. 16.997 (2g) (intro.) of the statutes is amended to  
11 read:

12           16.997 (2g) (intro.) An educational agency that is provided access to a data line  
13 under the program established under sub. (1) or to an additional data line under s.  
14 16.998 may not do any of the following:

15           \*~~1486/1.10~~\* SECTION 101. 16.997 (2r) (a) of the statutes is amended to read:

16           16.997 (2r) (a) A public library board that is provided access to a data line under  
17 the program established under sub. (1) or to an additional data line under s. 16.998  
18 may enter into a shared service agreement with a political subdivision that provides  
19 the political subdivision with access to any excess bandwidth on the data line that  
20 is not used by the public library board, except that a public library board may not sell,  
21 resell, or transfer in consideration for money or anything of value to a political  
22 subdivision access to any excess bandwidth. A shared service agreement under this  
23 paragraph is not valid unless the agreement allows the public library board to cancel  
24 the agreement at any time after providing notice to the political subdivision.

25           \*~~1486/1.11~~\* SECTION 102. 16.998 of the statutes is created to read:

1           **16.998 Educational telecommunications; additional access.** An  
2 educational agency that is eligible for a rate discount for telecommunications  
3 services under 47 USC 254 may request data lines, video links, and bandwidth access  
4 that is in addition to what is provided under the program under s. 16.997 (1). The  
5 department shall apply for aid under 47 USC 254 to cover the costs of the data lines,  
6 video links, and bandwidth access that are provided under this section and shall  
7 credit any aid received to the appropriation account under s. 20.505 (4) (mp). To the  
8 extent that the aid does not fully cover those costs, the department shall require an  
9 educational agency to pay the department a monthly fee that is sufficient to cover  
10 those costs and shall credit any monthly fee received to the appropriation account  
11 under s. 20.505 (4) (Lm).

12           \*~~1737/2.2~~\* **SECTION 103.** 17.11 (4) (intro.) of the statutes is amended to read:

13           17.11 (4) (intro.) If it is determined in the action or proceeding or is found upon  
14 the investigation that a district attorney or sheriff suspended under this section is  
15 not guilty of an offense, or has not willfully neglected or refused to perform his or her  
16 duties, as charged, that fact shall be certified by the governor to the department of  
17 ~~administration~~ justice if a district attorney is involved or to the county clerk of the  
18 sheriff's county if a sheriff is involved. Upon the certification, the district attorney  
19 or sheriff shall be:

20           \*~~0561/3.1~~\* **SECTION 104.** 18.01 (4) (intro.) of the statutes is amended to read:

21           18.01 (4) (intro.) "Public debt" or "debt" means every voluntary, unconditional  
22 undertaking by the state, other than an operating note ~~or an interest exchange~~  
23 agreement, to repay a sum certain:

24           \*~~0561/3.2~~\* **SECTION 105.** 18.06 (8) (a) of the statutes is renumbered 18.06 (8)

25 (a) (intro.) and amended to read:

1           18.06 (8) (a) (intro.) The Subject to par. (am), at the time of, or in anticipation  
2 of, contracting public debt and at any time thereafter while the public debt is  
3 outstanding, the commission may enter into agreements and ancillary  
4 arrangements for relating to the public debt, including liquidity facilities,  
5 remarketing or dealer agreements, letter of credit agreements, insurance policies,  
6 guaranty agreements, reimbursement agreements, indexing agreements, or interest  
7 exchange agreements. At the time of contracting for any such agreement or ancillary  
8 arrangement, the commission shall determine all of the following, if applicable:

9           \***-0561/3.3\* SECTION 106.** 18.06 (8) (a) 1. of the statutes is created to read:

10           18.06 (8) (a) 1. For any payment to be received with respect to the agreement  
11 or ancillary arrangement, whether the payment will be deposited into the bond  
12 security and redemption fund or the capital improvement fund.

13           \***-0561/3.4\* SECTION 107.** 18.06 (8) (a) 2. of the statutes is created to read:

14           18.06 (8) (a) 2. For any payment to be made with respect to the agreement or  
15 ancillary arrangement, whether the payment will be made from the bond security  
16 and redemption fund or the capital improvement fund and the timing of any transfer  
17 of funds.

18           \***-0561/3.5\* SECTION 108.** 18.08 (1) (a) of the statutes is renumbered 18.08 (1)  
19 (a) (intro.) and amended to read:

20           18.08 (1) (a) (intro.) All moneys resulting from the contracting of public debt  
21 or any payment to be received with respect to any agreement or ancillary  
22 arrangement entered into under s. 18.06 (8) (a) with respect to any such public debt  
23 shall be credited to a separate and distinct fund, established in the state treasury,  
24 designated as the capital improvement fund, except that such:

1           1. Such moneys which represent ~~premium and~~ accrued interest on bonds or  
2 notes issued, or are for purposes of funding or refunding bonds pursuant to s. 18.06  
3 (5), shall be credited to one or more of the sinking funds of the bond security and  
4 redemption fund or to the state building trust fund; and

5           \*~~0561/3.6~~\* SECTION 109. 18.08 (1) (a) 2. of the statutes is created to read:

6           18.08 (1) (a) 2. Any such moneys that represent premium or any payments  
7 received pursuant to any agreement or ancillary arrangement entered into under s.  
8 18.06 (8) (a) with respect to any such public debt may be credited to one or more of  
9 the sinking funds of the bond security and redemption fund or to the capital  
10 improvement fund, as determined by the commission.

11           \*~~0561/3.7~~\* SECTION 110. 18.08 (2) of the statutes is amended to read:

12           18.08 (2) The capital improvement fund may be expended, pursuant to  
13 appropriations, only for the purposes and in the amounts for which the public debts  
14 have been contracted, for the payment of principal and interest on loans or on notes,  
15 for the payment due, if any, under an agreement or ancillary arrangement entered  
16 into under s. 18.06 (8) (a) with respect to any such public debt, for the purposes  
17 identified under s. 20.867 (2) (v) and (4) (q), and for expenses incurred in contracting  
18 public debt.

19           \*~~0561/3.8~~\* SECTION 111. 18.08 (4) of the statutes is amended to read:

20           18.08 (4) If at any time it appears that there will not be on hand in the capital  
21 improvement fund sufficient moneys for the payment of principal and interest on  
22 loans or on notes or for the payment due, if any, under an agreement or ancillary  
23 arrangement that has been entered into under s. 18.06 (8) (a) with respect to any  
24 public debt and that has been determined to be payable from the capital  
25 improvement fund under s. 18.06 (8) (a) 2., the department of administration shall

1 transfer to such fund, out of the appropriation made pursuant to s. 20.866, a sum  
2 sufficient which, together with any available money on hand in such fund, is  
3 sufficient to make such payment.

4 \***-0561/3.9**\* SECTION 112. 18.09 (2) of the statutes is amended to read:

5 18.09 (2) Each sinking fund shall be expended, and all moneys from time to  
6 time on hand therein are irrevocably appropriated, in sums sufficient, only for the  
7 payment of principal and interest on the bonds giving rise to it and, premium, if any,  
8 due upon refunding redemption of any such bonds, and payment due, if any, under  
9 an agreement or ancillary arrangement that has been entered into under s. 18.06 (8)  
10 (a) with respect to any such bonds and that has been determined to be payable from  
11 the bond security and redemption fund under s. 18.06 (8) (a) 2.

12 \***-1649/6.13**\* SECTION 113. 18.55 (5) of the statutes is amended to read:

13 18.55 (5) EXERCISE OF AUTHORITY. Money may be borrowed and evidences of  
14 revenue obligation issued therefor pursuant to one or more authorizing resolutions,  
15 unless otherwise provided in the resolution or in this subchapter, at any time and  
16 from time to time, for any combination of purposes, in any specific amounts, at any  
17 rates of interest, for any term, payable at any intervals, at any place, in any manner  
18 and having any other terms or conditions deemed necessary or useful. Revenue  
19 obligation bonds may bear interest at variable or fixed rates, bear no interest or bear  
20 interest payable only at maturity or upon redemption prior to maturity. Unless  
21 sooner exercised or unless a shorter different period is provided in the resolution,  
22 every authorizing resolution, except as provided in s. 18.59 (1), shall expire one year  
23 after the date of its adoption.

24 \***-1649/6.14**\* SECTION 114. 18.61 (5) of the statutes is amended to read:

1           18.61 (5) The legislature may provide, with respect to any specific issue of  
2 revenue obligations, prior to their issuance, that if the special fund income or the  
3 enterprise or program income pledged to the payment of the principal and interest  
4 of the issue is insufficient for that purpose, or is insufficient to replenish a reserve  
5 fund, if applicable, it will consider supplying the deficiency by appropriation of funds,  
6 from time to time, out of the treasury. If the legislature so provides, the commission  
7 may make the necessary provisions therefor in the authorizing resolution and other  
8 proceedings of the issue. Thereafter, if the contingency occurs, recognizing its moral  
9 obligation to do so, the legislature hereby expresses its expectation and aspiration  
10 that it shall make such appropriation.

11           \*~~0561/3.10~~\* SECTION 115. 18.70 of the statutes is amended to read:

12           **18.70 Provisions applicable.** The following sections apply to this  
13 subchapter, except that all references to “public debt,” “debt,” or “revenue obligation”  
14 are deemed to refer to “operating notes,” all references to “evidence of indebtedness”  
15 are deemed to refer to “evidence of operating note,” and all references to “evidences  
16 of indebtedness” are deemed to refer to “evidences of operating notes”: ss. 18.03,  
17 ~~18.06 (8)~~, 18.07, 18.10 (1), (2), (4) to (9), and (11), 18.17, 18.52 (1m), 18.61 (1), 18.62,  
18 and 18.63.

19           \*~~0561/3.11~~\* SECTION 116. 18.73 (5) of the statutes is created to read:

20           **18.73 (5) AGREEMENTS AND ARRANGEMENTS; DELEGATION; USE OF OPERATING NOTES.**

21           (a) At the time of, or in anticipation of, contracting operating notes and at any time  
22 thereafter while the operating notes are outstanding, the commission may enter into  
23 agreements and ancillary arrangements relating to the operating notes, including  
24 liquidity facilities, remarketing or dealer agreements, letter of credit agreements,  
25 insurance policies, guaranty agreements, reimbursement agreements, indexing

1 agreements, or interest exchange agreements. Any payment received pursuant to  
2 any such agreements or ancillary arrangements shall be deposited in, and any  
3 payments made pursuant to any such agreements or ancillary arrangements will be  
4 made from, the general fund or the operating note redemption fund, as determined  
5 by the commission.

6 (b) The commission may delegate to other persons the authority and  
7 responsibility to take actions necessary and appropriate to implement agreements  
8 and ancillary arrangements under par. (a).

9 (c) Any operating notes may include operating notes contracted to fund  
10 interest, accrued or to accrue, on the operating notes.

11 \*~~0561/3.12~~\* SECTION 117. 18.74 of the statutes is amended to read:

12 **18.74 Application of operating note proceeds.** All moneys resulting from  
13 the contracting of operating notes or any payment to be received under an agreement  
14 or ancillary arrangement entered into under s. 18.73 (5) with respect to any such  
15 operating notes shall be credited to the general fund, except that moneys which  
16 represent premium and accrued interest on operating notes, or moneys for purposes  
17 of funding or refunding operating notes pursuant to s. 18.72 (1) shall be credited to  
18 the operating note redemption fund.

19 \*~~0561/3.13~~\* SECTION 118. 18.75 (2) of the statutes is amended to read:

20 18.75 (2) The operating note redemption fund shall be expended and all  
21 moneys from time to time on hand therein are irrevocably appropriated, in sums  
22 sufficient, only for the payment of principal and interest on operating notes giving  
23 rise to it and premium, if any, due upon refunding or early redemption of such  
24 operating notes, and for the payment due, if any, under an agreement or ancillary  
25 arrangement entered into under s. 18.73 (5) with respect to such operating notes.

1           \*–0561/3.14\* SECTION 119. 18.75 (4) of the statutes is amended to read:

2           18.75 (4) There shall be transferred, under s. 20.855 (1) (a), a sum sufficient  
3 for the payment of the principal, interest and premium due, if any, ~~on the~~ and for the  
4 payment due, if any, under an agreement or ancillary arrangement entered into  
5 pursuant to s. 18.73 (5) with respect to operating notes giving rise to it as the same  
6 falls due. Such transfers shall be so timed that there is at all times on hand in the  
7 fund an amount not less than the amount to be paid out of it during the ensuing 30  
8 days or such other period if so provided for in the authorizing resolution. The  
9 commission may pledge the deposit of additional amounts at periodic intervals and  
10 the secretary of the department may impound moneys of the general fund, including  
11 moneys temporarily reallocated from other funds under s. 20.002 (11), in accordance  
12 with the pledge of revenues in the authorizing resolution, and all such  
13 impoundments are deemed to be payments for purposes of s. 16.53 (10), but no such  
14 impoundment may be made until the amounts to be paid into the bond security and  
15 redemption fund under s. 18.09 during the ensuing 30 days have been deposited in  
16 the bond security and redemption fund.

17           \*–1737/2.3\* SECTION 120. 19.01 (4) (bn) of the statutes is amended to read:

18           19.01 (4) (bn) Official oaths and bonds of all district attorneys shall be filed with  
19 the secretary department of administration justice.

20           \*–1737/2.4\* SECTION 121. 19.42 (5) of the statutes is amended to read:

21           19.42 (5) “Department” means the legislature, the University of Wisconsin  
22 System, any authority or public corporation created and regulated by an act of the  
23 legislature and any office, department, independent agency or legislative service  
24 agency created under ch. 13, 14 or 15, any technical college district or any  
25 constitutional office other than a judicial office. In the case of a district attorney,

SECTION 121

1 “department” means the department of ~~administration~~ justice unless the context  
2 otherwise requires.

3 \*~~0604/5.1~~\* SECTION 122. 20.001 (2) (e) of the statutes is amended to read:

4 20.001 (2) (e) *Federal revenues*. ~~Moneys~~ “Federal revenues” consist of moneys  
5 received from the federal government, except that under s. 20.445 (3) (md) “federal  
6 revenues” also include moneys treated as refunds of expenditures, and under s.  
7 20.445 (3) (me) “federal revenues” consist only of moneys treated as received from the  
8 federal government. Federal revenues may be deposited as program revenues in the  
9 general fund or as segregated revenues in a segregated fund. In either case they are  
10 indicated in s. 20.005 by the addition of “-F” after the abbreviation assigned under  
11 pars. (b) and (d).

Insert 74-12

12 \*~~0604/5.2~~\* SECTION 123. 20.001 (5) of the statutes is amended to read:

13 20.001 (5) REFUNDS OF EXPENDITURES. Any amount not otherwise appropriated  
14 under this chapter that is received by a state agency as a result of an adjustment  
15 made to a previously recorded expenditure from a sum certain appropriation to that  
16 agency due to activities that are of a temporary nature or activities that could not be  
17 anticipated during budget development and which serves to reduce or eliminate the  
18 previously recorded expenditure in the same fiscal year in which the previously  
19 recorded expenditure was made, except as provided in s. 20.445 (3) (md), may, upon  
20 request of the agency, be designated by the secretary of administration as a refund  
21 of an expenditure. Except as otherwise provided in this subsection, the secretary of  
22 administration may designate an amount received by a state agency as a refund of  
23 an expenditure only if the agency submits to the secretary a written explanation of  
24 the circumstances under which the amount was received that includes a specific  
25 reference in a statutory or nonstatutory law to a function of the agency under which



DOA:.....Hoadley - Refunding public debt

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**STATE GOVERNMENT**

**STATE FINANCE**

Current law authorizes the Building Commission to contract public debt to refund the whole or any part of any unpaid indebtedness used to finance tax-supported or self-amortizing facilities or for veterans' housing loans. Such indebtedness includes any premium and interest that is currently payable on the unpaid indebtedness. Current law also sets caps on the amount of public debt that may be contracted for these purposes. This bill eliminates these statutory caps.

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

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

<sup>#</sup>SECTION 1. 20.001 (3) (e) of the statutes is amended to read:

20.001 (3) (e) *Capital improvement authorizations.* The appropriations in s.

20.866 (2) are authorizations to contract public debt in accordance with ch. 18. The

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1 amount of debt repaid under each authorization shall not be construed to represent  
2 new or additional authority even though the authority is not reduced by the amount  
3 of repayment. The Any limiting dollar amount contained in the language of any  
4 appropriation under s. 20.866 (2) is the cumulative total authorization carried over  
5 from previous biennia plus any new authorization contained in the schedule.

6 **SECTION 2.** 20.866 (2) (xm) of the statutes, as affected by 2005 Wisconsin Act

7 1, is amended to read:

8 20.866 (2) (xm) *Building commission; refunding tax-supported and*  
9 *self-amortizing general obligation debt.* From the capital improvement fund, a sum  
10 sufficient to refund the whole or any part of any unpaid indebtedness used to finance  
11 tax-supported or self-amortizing facilities. ~~In addition to the amount that may be~~  
12 ~~contracted under par. (xe), the~~ The state may contract public debt in an any amount  
13 ~~not to exceed \$1,000,000,000 for this purpose.~~ Such indebtedness shall be construed  
14 to include any premium and interest payable with respect thereto. Debt incurred by  
15 this paragraph shall be repaid under the appropriations providing for the retirement  
16 of public debt incurred for tax-supported and self-amortizing facilities in  
17 proportional amounts to the purposes for which the debt was refinanced. ~~No moneys~~  
18 ~~may be expended under this paragraph unless~~ It is the intent of the legislature that  
19 this refunding authority only be used if the true interest costs to the state can be  
20 reduced by the expenditure.

21 **SECTION 3.** 20.866 (2) (zo) of the statutes is amended to read:

22 20.866 (2) (zo) *Veterans affairs; refunding bonds.* From the funds and accounts  
23 under s. 18.04 (6) (b), a sum sufficient for the department of veterans affairs to fund,  
24 refund, or acquire the whole or any part of public debt as set forth in s. 18.04 (5). The  
25 building commission may contract public debt in an any amount not to exceed

1 the amount was received and the appropriation from which the previously recorded  
2 expenditure was made. A refund of an expenditure shall be deposited by the  
3 receiving state agency in the appropriation account from which the previously  
4 recorded expenditure was made. Except as otherwise provided in this subsection, a  
5 state agency which proposes to make an expenditure from moneys designated as a  
6 refund of an expenditure shall submit to the secretary of administration a written  
7 explanation of the purpose of the expenditure, including a specific reference in a  
8 statutory or nonstatutory law to a function of the agency under which the  
9 expenditure is to be made and the appropriation from which the expenditure is to be  
10 made. After submission and approval of an estimate of the amount proposed to be  
11 expended under s. 16.50 (2), a state agency may expend the moneys received from  
12 the refund of the expenditure. The secretary of administration may waive  
13 submission of any explanation required by this subsection for categories of refunds  
14 of expenditures or proposed refunds of expenditures.

15 \***-1694/2.1\*** SECTION 124. 20.003 (4) (intro.) of the statutes is amended to read:

16 20.003 (4) REQUIRED GENERAL FUND BALANCE. (intro.) No bill directly or  
17 indirectly affecting general purpose revenues as defined in s. 20.001 (2) (a) may be  
18 enacted by the legislature if the bill would cause the estimated general fund balance  
19 on June 30 of any fiscal year specified in this subsection, as projected under s. 20.005  
20 (1), to be an amount equal to less than the following amounts for that fiscal year or  
21 percentage of the total general purpose revenue appropriations for that fiscal year  
22 plus any amount from general purpose revenue designated as “Compensation  
23 Reserves” for that fiscal year in the summary under s. 20.005 (1):

24 \***-1694/2.2\*** SECTION 125. 20.003 (4) (a) of the statutes is repealed.

25 \***-1694/2.3\*** SECTION 126. 20.003 (4) (b) of the statutes is repealed.

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\*-1694/2.4\* SECTION 127. 20.003 (4) (d) of the statutes is repealed.

\*-1694/2.5\* SECTION 128. 20.003 (4) (e) of the statutes is repealed.

\*-1694/2.6\* SECTION 129. 20.003 (4) (f) of the statutes is repealed.

\*-1694/3.5\* SECTION 130. 20.003 (4) (fm) of the statutes is amended to read:

20.003 (4) (fm) For fiscal year 2005-06, \$75,000,000 ~~\$40,000,000~~ \$65,000,000

\*-1694/2.7\* SECTION 131. 20.003 (4) (fr) of the statutes is created to read:

20.003 (4) (fr) For fiscal year 2006-07, ~~\$45,000,000~~ \$65,000,000

\*-1694/3.5\* SECTION 132. 20.003 (4) (ft) of the statutes is created to read:

20.003 (4) (ft) For fiscal year 2007-08, ~~\$50,000,000~~ \$65,000,000

\*-1694/3.5\* SECTION 133. 20.003 (4) (fv) of the statutes is created to read:

20.003 (4) (fv) For fiscal year 2008-09, ~~\$75,000,000~~ \$65,000,000

\*-1694/2.8\* SECTION 134. 20.003 (4) (g) of the statutes is amended to read:

20.003 (4) (g) For fiscal year ~~2006-07~~ 2009-10 and each fiscal year thereafter,

2%.

\*-0517/P1.1\* SECTION 135. 20.005 (1) of the statutes is repealed and recreated

to read:

20.005 (1) SUMMARY OF ALL FUNDS. The budget governing fiscal operations for the state of Wisconsin for all funds beginning on July 1, 2005, and ending on June 30, 2007, is summarized as follows: [See Figure 20.005 (1) following]

\*\*\*NOTE: The following schedules are from the 2003 budget bill from two years ago. They need 2005-07 versions. The 2003-05 years topping each column in all tables will need to be changed to 2005-07 years.

*Replaced*1  
2  
3**Figure: 20.005 (1)****GENERAL FUND SUMMARY**

	2003-04	2004-05
<b>Opening Balance, July 1</b>	\$ -292,172,300	\$ 35,354,100
<b>Revenues and Transfers</b>		
Taxes	\$10,746,900,000	\$11,350,900,000
Departmental Revenues		
New Tribal Gaming Revenues	112,000,000	125,000,000
Other	<u>218,843,900</u>	<u>227,677,100</u>
<b>Total Available</b>	\$10,785,571,600	\$11,738,931,200
<b>Appropriations, Transfers and Reserves</b>		
Gross Appropriations	\$10,783,708,900	\$11,678,898,200
Compensation Reserves	115,812,900	176,359,600
Transfer to Tobacco Control Fund	15,345,100	15,345,100
Less Lapses	<u>-164,649,400</u>	<u>-171,873,700</u>
<b>Total Expenditures</b>	\$10,750,217,500	\$11,698,729,200
<b>Balances</b>		
Gross Balance	\$ 35,354,100	\$ 40,202,000
Less Required Statutory Balance	<u>-35,000,000</u>	<u>-40,000,000</u>
<b>Net Balance, June 30</b>	\$ 354,100	\$ 202,000
<b>Structural Balance</b>	\$ 327,526,400	\$ 4,847,900

**SUMMARY OF APPROPRIATIONS — ALL FUNDS**

	2003-04	2004-05
General Purpose Revenue	\$11,578,951,600	\$11,670,350,400
Federal Revenue		

*replacement*

	2003-04	2004-05
Program Revenue	4,759,271,300	4,833,602,200
Segregated Revenue	<u>716,680,000</u>	<u>745,123,600</u>
	\$ 5,475,951,300	\$ 5,578,725,800
Program Revenue		
Nonservice	2,293,638,000	2,352,071,600
Service	<u>729,931,100</u>	<u>723,413,200</u>
	\$ 3,023,569,100	\$ 3,075,484,800
Segregated Revenue		
State nonservice	2,968,116,600	2,713,296,900
Local	72,740,300	72,081,200
Service	<u>160,654,400</u>	<u>165,381,100</u>
	\$ 3,201,511,300	\$ 2,950,759,200
<b>GRAND TOTAL</b>	<b>\$23,279,983,300</b>	<b>\$23,275,320,200</b>

**SUMMARY OF COMPENSATION RESERVES — ALL FUNDS**

	2003-04	2004-05
General Purpose Revenue	\$ 115,812,900	\$ 176,359,600
Federal Revenue	29,559,200	45,012,600
Program	25,502,400	38,835,000
Segregated	4,056,800	6,177,600
Program Revenue	88,926,600	135,417,200
Nonservice	81,650,600	124,337,300
Service	7,276,000	11,079,900
Segregated Revenue	17,852,200	27,185,300
State nonservice	17,811,600	27,123,400
Local	-0-	-0-

	2003-04	2004-05
Service	40,600	61,900
<b>TOTAL</b>	<b>\$ 252,150,900</b>	<b>\$ 383,974,700</b>

**LOTTERY FUND SUMMARY**

	2003-04	2004-05
<b>Gross Revenue</b>		
Ticket Sales	\$ 417,198,100	\$ 418,049,000
Miscellaneous Revenue	100,600	100,600
	<b>\$ 417,298,700</b>	<b>\$ 418,149,600</b>
<b>Expenses</b>		
Prizes	\$ 238,113,600	\$ 238,701,200
Administrative Expenses	64,958,700	66,237,200
	<b>\$ 303,072,300</b>	<b>\$ 304,938,400</b>
<b>Net Proceeds</b>	<b>\$ 114,266,400</b>	<b>\$ 113,211,200</b>
<b>Total Available for Property Tax Relief</b>		
Opening Balance	\$ 8,256,300	\$ 8,346,000
Net Proceeds	114,226,400	113,211,200
Interest Earnings	1,395,300	1,457,100
Gaming-related Revenue	1,348,900	1,311,700
	<b>\$ 125,226,900</b>	<b>\$ 124,326,000</b>
<b>Property Tax Relief</b>	<b>\$ 116,880,900</b>	<b>\$ 115,963,000</b>

*Repealed*

	2003-04	2004-05
<b>Gross Closing Balance</b>	\$ 8,346,000	\$ 8,363,000
<b>Reserve</b>	\$ 8,346,000	\$ 8,363,000
<b>Net Closing Balance</b>	\$ -0-	\$ -0-

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2       \***-0517/P1.2\* SECTION 136.** 20.005 (2) of the statutes is repealed and recreated  
3 to read:  
4       20.005 (2) STATE BORROWING PROGRAM SUMMARY. The following schedule sets  
5 forth the state borrowing program summary: [See Figures 20.005 (2) (a) and (b)  
6 following]

\*\*\*NOTE: The following schedules are from the 2003 budget bill from two years ago. They need to be updated with the 2005-07 figures.

**SUMMARY OF BONDING AUTHORITY MODIFICATIONS  
2003-05 FISCAL BIENNIUM**

Source and Purpose	Amount
<b>GENERAL OBLIGATIONS</b>	
Agriculture, Trade and Consumer Protection	
Soil and water	\$ 7,000,000
Building Commission	
Refunding general obligation debt	350,000,000
Natural Resources	
Nonpoint source grants	9,546,800
Urban nonpoint source cost sharing	4,700,000
Environmental repair	6,000,000
Transportation	