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Legislative Reference Bureau:..... Superamendment

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2007 SENATE BILL 40

1 At the locations indicated, amend the substitute amendment as follows:

2 *✓* \*b1194/P2.1\* ~~1.~~ Page 4, line 23: after that line insert:

3 \*b1194/P2.1\* "SECTION 5d. 13.101 (18) of the statutes is created to read:

4 13.101 (18) Notwithstanding sub. (4), the committee may not transfer moneys

5 from the appropriation accounts under s. 20.435 (4) (xc) and (xd) to another

6 appropriation account."

7 *✓* \*b0353/1.1\* ~~2.~~ Page 6, line 25: after that line insert:

8 \*b0353/1.1\* "SECTION 9nx. 13.48 (38) of the statutes is created to read:

9 13.48 (38) CIVIL WAR EXHIBIT AT THE KENOSHA PUBLIC MUSEUMS. (a) The

10 legislature finds and determines that the Civil War was an event of unequalled

1 importance in the historical development of the United States; that Wisconsin  
2 citizens fought bravely and valiantly in assisting the Union to achieve victory in the  
3 Civil War; and that the study of the Civil War will deepen our understanding and  
4 appreciation of the history of the United States and of Wisconsin. It is therefore in  
5 the public interest, and it is the public policy of this state, to assist the Kenosha  
6 Public Museums in the construction of facilities that will be used for a Civil War  
7 exhibit.

8 (b) The building commission may authorize up to \$500,000 in general fund  
9 supported borrowing to aid in the construction of a Civil War exhibit as part of the  
10 Kenosha Public Museums in the city of Kenosha. The state funding commitment  
11 shall be in the form of a grant to the Kenosha Public Museums. Before approving any  
12 such state funding commitment and before awarding the construction grant, the  
13 building commission shall determine that the Kenosha Public Museums has secured  
14 additional funding at least equal to \$2,000,000 from nonstate donations for the  
15 purpose of constructing a Civil War exhibit.

16 (c) If the building commission authorizes a grant to the Kenosha Public  
17 Museums under par. (b) and if, for any reason, the facility that is constructed with  
18 funds from the grant is not used as a Civil War exhibit, the state shall retain an  
19 ownership interest in the facility equal to the amount of the state's grant.”.

20 \*b0566/1.1\* ~~3.~~ Page 6, line 25: after that line insert:

21 \*b0566/1.1\* “SECTION 9nf. 13.48 (36p) of the statutes is created to read:

22 13.48 (36p) BOND HEALTH CENTER. (a) The legislature finds and determines  
23 that improving the health of the citizens of this state and increasing access to health  
24 care in this state is a statewide responsibility of statewide dimension. In addition,

1 the legislature finds and determines that the Bond Health Center in the city of  
2 Oconto plays a vital role in improving the health of the citizens of this state and is  
3 a quality health care facility. The legislature, therefore, finds and determines that  
4 assisting the Bond Health Center in the city of Oconto in expanding a health care  
5 facility will have a direct and immediate effect on this state responsibility of  
6 statewide dimension.

7 (b) The building commission may authorize up to \$1,000,000 in general fund  
8 supported borrowing to make a grant to the Bond Health Center in the city of Oconto  
9 for construction costs related to hospital expansion. Before approving any state  
10 funding commitment for construction costs relating to the hospital expansion and  
11 before awarding the grant, the building commission shall determine that the Bond  
12 Health Center has secured all necessary additional funding commitments from  
13 nonstate revenue sources for the expansion.

14 (c) If, for any reason, the facility that is expanded with funds from the grant  
15 under par. (b) is not used as a hospital, the state shall retain an ownership interest  
16 in the facility equal to the amount of the state's grant."

17 ~~\*b0613/1.1\* 4.~~ Page 6, line 25: after that line insert:

18 ~~\*b0613/1.1\*~~ "SECTION 9nh. 13.48 (32r) of the statutes is repealed."

19 ~~\*b1168/1.1\* 5.~~ Page 6, line 25: after that line insert:

20 ~~\*b1168/1.1\*~~ "SECTION 9nd. 13.48 (36) of the statutes is created to read:

21 13.48 (36) HMONG CULTURAL CENTERS. (a) The legislature finds and determines  
22 that a significant number of Hmong people are citizens of this state, that the Hmong  
23 people have a proud heritage that needs to be recognized and preserved, and that the  
24 Hmong people have experienced difficulties assimilating in this state. The

1 legislature finds that supporting the Hmong people in their efforts to recognize their  
2 heritage and to realize the full advantages of citizenship in this state is a statewide  
3 responsibility of statewide dimension. Because it will better ensure that the heritage  
4 of the Hmong people is preserved and will better enable the Hmong people to realize  
5 the full advantages of citizenship in this state, the legislature finds that it will have  
6 a direct and immediate effect on a matter of statewide concern for the state to  
7 facilitate the purchase or construction and operation of Hmong cultural centers.

8 (b) 1. The building commission may authorize up to \$2,000,000 in general fund  
9 supported borrowing to make a grant to an organization designated by the secretary  
10 of administration that represents the cultural interests of Hmong people for  
11 purchase or construction of a Hmong cultural center in Dane County. Before  
12 approving any state funding commitment for the purchase or construction of the  
13 center and before awarding the grant, the building commission shall determine that  
14 the organization has secured additional funding commitments of at least \$2,500,000  
15 from nonstate revenue sources for purchase or construction of the center. Before  
16 awarding the grant, the organization shall submit to the building commission and  
17 the commission shall review and approve an initial budget and business plan for the  
18 operation of the center that is acceptable to the commission. As a condition of  
19 receiving the grant, the organization must enter into an agreement with the  
20 secretary guaranteeing that the center will be operated to serve the nonsectarian  
21 cultural interests of the Hmong people.

22 2. If, for any reason, the facility that is purchased or constructed with funds  
23 from the grant under subd. 1. is not used as a Hmong cultural center in Dane County,  
24 or the center is not operated to serve the nonsectarian cultural interests of the

1 Hmong people, the state shall retain an ownership interest in the facility equal to the  
2 amount of the state's grant.

3 (c) 1. The building commission may authorize up to \$250,000 in general fund  
4 supported borrowing to make a grant to an organization designated by the secretary  
5 of administration that represents the cultural interests of Hmong people for  
6 purchase or construction of a Hmong cultural center in La Crosse County. Before  
7 awarding the grant, the organization shall submit to the building commission and  
8 the commission shall review and approve an initial budget and business plan for the  
9 operation of the center that is acceptable to the commission. As a condition of  
10 receiving the grant, the organization must enter into an agreement with the  
11 secretary guaranteeing that the center will be operated to serve the nonsectarian  
12 cultural interests of the Hmong people.

13 2. If, for any reason, the facility that is purchased or constructed with funds  
14 from the grant under subd. 1. is not used as a Hmong cultural center in La Crosse  
15 County, or the center is not operated to serve the nonsectarian cultural interests of  
16 the Hmong people, the state shall retain an ownership interest in the facility equal  
17 to the amount of the state's grant."

18 **\*b1083/2.1\* 7.** Page 7, line 7: after "ss." insert "13.58 (5) (b) 5. and 6.". ✓

19 **\*b0602/1.2\* 8.** Page 7, line 8: delete the material beginning with "(Lg)" and  
20 ending with "(14)" and substitute "(Lg), and 16.973 (10) to (16)". ✓

21 **\*b0602/1.3\* 9.** Page 7, line 15: after that line insert:

22 **\*b0602/1.3\* "SECTION 9rg.** 13.58 (5) (b) 5. of the statutes is created to read:

23 13.58 (5) (b) 5. Review any executive branch information technology project  
24 identified in a report submitted to the committee by the department of

1 administration under s. 16.973 (15) to determine whether the project should be  
2 continued or implemented. The committee may forward any recommendations  
3 regarding the project to the governor and to the legislature under s. 13.172 (2).”

4 ~~\*b1083/2.2\*~~ **10.** Page 7, line 15: after that line insert:

5 ~~\*b1083/2.2\*~~ “**SECTION 9rg.** 13.58 (5) (b) 6. of the statutes is created to read:

6 13.58 (5) (b) 6. Review any University of Wisconsin System, institution, or  
7 college campus information technology project identified in a report submitted to the  
8 committee by the Board of Regents under s. 36.59 (7) to determine whether the  
9 project should be continued or implemented. The committee may forward any  
10 recommendations regarding the project to the governor and to the legislature under  
11 s. 13.172 (2).”

12 15.01 (2) “Commission” means a 3-member governing body in charge of a  
13 department or independent agency or of a division or other subunit within a  
14 department, except for the Wisconsin waterways commission which shall consist of  
15 5 members and the ~~parole~~ earned release review commission which shall consist of  
16 8 members. A Wisconsin group created for participation in a continuing interstate  
17 body, or the interstate body itself, shall be known as a “commission”, but is not a  
18 commission for purposes of s. 15.06. The ~~parole~~ earned release review commission  
19 created under s. 15.145 (1) shall be known as a “commission”, but is not a commission  
20 for purposes of s. 15.06. ~~The sentencing commission created under s. 15.105 (27)~~  
21 ~~shall be known as a “commission” but is not a commission for purposes of s. 15.06 (1)~~  
22 ~~to (4m), (7), and (9).”~~

23 ~~\*b0814/P3.1\*~~ **12.** Page 17, line 13: after that line insert:

24 ~~\*b0814/P3.1\*~~ “**SECTION 24.** 15.01 (2) of the statutes is amended to read:

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1           15.01 (2) "Commission" means a 3-member governing body in charge of a  
 2 department or independent agency or of a division or other subunit within a  
 3 department, except for the Wisconsin waterways commission which shall consist of  
 4 5 members and the parole commission which shall consist of 8 members. A Wisconsin  
 5 group created for participation in a continuing interstate body, or the interstate body  
 6 itself, shall be known as a "commission", but is not a commission for purposes of s.  
 7 15.06. The parole commission created under s. 15.145 (1) shall be known as a  
 8 "commission", but is not a commission for purposes of s. 15.06. ~~The sentencing~~  
 9 ~~commission created under s. 15.105 (27) shall be known as a "commission" but is not~~  
 10 ~~a commission for purposes of s. 15.06 (1) to (4m), (7), and (9)."~~

11           **\*b0341/2.2\* 13.** Page 18, line 12: after that line insert:

12           **\*b0341/2.2\* SECTION 28.** 15.06 (6) of the statutes is amended to read:

13           15.06 (6) QUORUM. A majority of the membership of a commission constitutes  
 14 a quorum to do business, except that vacancies shall not prevent a commission from  
 15 doing business. This subsection does not apply to the parole earned release review  
 16 commission."

17           **\*b0814/P3.2\* 14.** Page 19, line 13: delete lines 13 to 16.

18           **\*b0341/2.3\* 15.** Page 20, line 2: after that line insert:

19           **\*b0341/2.3\* SECTION 37.** 15.145 (1) of the statutes is amended to read:

20           15.145 (1) ~~PAROLE~~ PAROLE EARNED RELEASE REVIEW COMMISSION. There is created in the  
 21 department of corrections ~~a parole~~ an earned release review commission consisting  
 22 of 8 members. Members shall have knowledge of or experience in corrections or  
 23 criminal justice. The members shall include a chairperson who is nominated by the  
 24 governor, and with the advice and consent of the senate appointed, for a 2-year term

1 expiring March 1 of the odd-numbered years, subject to removal under s. 17.07 (3m),  
2 and the remaining members in the classified service appointed by the chairperson.”.

3 \*b0382/3.1\* **16.** Page 21, line 21: delete lines 21 to 25 and substitute:

4 \*b0382/3.1\* “SECTION 52b. 15.197 (11n) of the statutes is renumbered 15.105  
5 (8), and 15.105 (8) (title), (ag), (am) (intro.), (bm), and (cm) 1., as renumbered, are  
6 amended to read:

7 15.105 (8) (title) ~~COUNCIL ON~~ BOARD FOR PEOPLE WITH DEVELOPMENTAL  
8 DISABILITIES. (ag) There is created a ~~council on~~ board for people with developmental  
9 disabilities, attached to the department of ~~health and family services~~ administration  
10 under s. 15.03.

11 (am) (intro.) Subject to par. (cm), the ~~council~~ board shall consist of the following  
12 state residents, appointed for staggered 4-year terms, who shall be representative  
13 of all geographic areas of the state and reflect the state’s diversity with respect to race  
14 and ethnicity:

15 (bm) A member specified in par. (am) 1. or 3. shall recuse himself or herself from  
16 any discussion by the ~~council~~ board of grants or contracts for which the member’s  
17 department, agency, program, or group is a grantee, contractor, or applicant and may  
18 not vote on a matter that would provide direct financial benefit to the member or  
19 otherwise give the appearance of a conflict of interest.

20 (cm) 1. At least 60% of the membership of the ~~council~~ board shall be individuals  
21 specified under par. (am) 2. who are not managing employees, as defined under 42  
22 USC 1320a-5 (b), of an entity, or employees of a state agency, that receives federal  
23 funds for the developmentally disabled or uses the funds to provide services to  
24 persons with developmental disabilities. Of those individuals, one-third shall be



1 individuals specified under par. (am) 2. a., one-third shall be individuals specified  
2 under par. (am) 2. b. or c., and one-third shall be individuals specified under par. (am)  
3 2. a., b., or c.”.

4 ~~\*b1167/1.1\*~~ **17.** Page 29, line 22: delete lines 22 to 24. ✓

5 ~~\*b0845/1.1\*~~ **18.** Page 35, line 19: delete lines 19 to 25. \*

6 ~~\*b0845/1.2\*~~ **19.** Page 36, line 1: delete lines 1 to 8. ✓

7 ~~\*b0845/1.3\*~~ **20.** Page 36, line 25: delete that line.

8 ~~\*b0845/1.4\*~~ **21.** Page 37, line 1: delete lines 1 to 8. ✓

9 ~~\*b0597/1.1\*~~ **22.** Page 46, line 1: after “PROJECTS.” insert “(a)”.

10 ~~\*b0597/1.2\*~~ **23.** Page 46, line 6: after that line insert:

11 “(b) The department shall measure and verify each energy conservation  
12 construction project funded under this subsection in accordance with the  
13 performance measurement and verification guidelines adopted by the federal  
14 Energy Management Program.

15 (c) The department shall, to the extent feasible, use the procedures under s.  
16 16.858 to carry out energy conservation construction projects funded under this  
17 subsection. In any contract entered into by the department under s. 16.858 that is  
18 funded under this subsection, the contract shall set forth the minimum savings in  
19 energy usage that will be realized by the state from construction of the project and  
20 the contractor shall guarantee that the savings will be realized.”.

21 ✓ ~~\*b0814/P3.3\*~~ **24.** Page 50, line 8: delete lines 8 to 11.

22 ✓ ~~\*b0853/P6.1\*~~ **25.** Page 50, line 12: delete that line.

3  
\*\*\*\*NOTE: Section 16.964 (10) should have been restored in the joint finance substitute amendment. If b0581 is included in the Assembly compile, this treatment should be deleted.

1       ~~\*b0814/P3.4\*~~ **26.** Page 51, line 8: delete lines 8 to 20.

2       ~~\*b0361/3.1\*~~ **27.** Page 51, line 20: after that line insert:

3       ~~\*b0361/3.1\*~~ **"SECTION 128c.** 16.971 (2) (cf) of the statutes is created to read:

4 ✓       16.971 (2) (cf) Implement, operate, maintain, and upgrade an integrated  
5 business information system capable of providing information technology services to  
6 all agencies in the areas of accounting, auditing, payroll and other financial services;  
7 procurement; human resources; and other administrative processes. The  
8 department may provide information technology services under this subsection to  
9 any executive branch agency under s. 16.70 (4). The department may also provide  
10 information technology services to any local governmental unit under this  
11 subsection."

12       ~~\*b0455/2.1\*~~ **28.** Page 51, line 20: after that line insert:

13       ~~\*b0455/2.1\*~~ **"SECTION 125g.** 16.964 (14) of the statutes is created to read:

14       16.964 (14) Beginning in fiscal year 2008-09, from the appropriation under s.  
15 20.505 (6) (f), the office shall in each fiscal year provide \$20,000 to each of the  
16 following child advocacy centers for education, training, medical advice, and quality  
17 assurance activities:

18           (a) Care House in Rock County.

19           (b) Child Protection Center in Milwaukee County.

20           (c) Safe Harbor in Dane County.

21           (d) Kenosha Child Advocacy Center in Kenosha County.

22           (e) Fox Valley Child Advocacy Center in Winnebago County.

- 1 (f) Stepping Stones in La Crosse County.
- 2 (g) CARE Center in Waukesha County.
- 3 (h) Child Advocacy Center of Northeastern Wisconsin in Marathon County.
- 4 (i) Chippewa County Child Advocacy Center in Chippewa County.
- 5 (j) A child advocacy center in Brown County.
- 6 (k) A child advocacy center in Racine County.
- 7 (L) A child advocacy center in Walworth County.”

8 ~~\*b0362/1.1\*~~ **29.** Page 56, line 22: after that line insert:

9 ~~\*b0362/1.1\*~~ **SECTION 128b.** 16.973 (15) of the statutes is created to read:

10 16.973 (15) Post on its Internet site and periodically revise as necessary all of  
11 the following pertaining to information technology services and projects provided,  
12 managed, or supervised by the department:

13 (a) The total anticipated cost of each information technology service or project.

14 (b) The total amount that will be assessed by the department for the  
15 information technology service or project.

16 (c) Whether a flat rate or fee-for-service billing method will be utilized by the  
17 department for the information technology service or project and the amount that  
18 will be assessed to any agency, any authority, any unit of the federal government, any  
19 local governmental unit, or any entity in the private sector that receives information  
20 technology services or enters into an information technology project with the  
21 department using that billing method.

22 ~~\*b0362/1.1\*~~ **SECTION 128v.** 16.974 (2) of the statutes is amended to read:

23 16.974 (2) Subject to s. 16.972 (2) (b), enter into and enforce an agreement with  
24 any agency, any authority, any unit of the federal government, any local

1 governmental unit, or any entity in the private sector to provide services authorized  
2 to be provided by the department to that agency, authority, unit, or entity at a cost  
3 specified in the agreement. Assessments and charges for information technology  
4 projects may not exceed 110 percent of the amount appropriated for the project or the  
5 estimated costs of the project, whichever is less.”

6 \*b0602/1.4\* **30.** Page 56, line 22: after that line insert:

7 \*b0602/1.4\* “SECTION 128v. 16.973 (16) of the statutes is created to read:

8 16.973 (16) No later than March 1 and September 1 of each year, submit to the  
9 joint committee on information policy and technology a report that documents for  
10 each executive branch agency information technology project with an actual or  
11 projected cost greater than \$1,000,000 or that the department of administration has  
12 identified as a large, high-risk information technology project under sub. (10) (a) all  
13 of the following:

14 (a) Original and updated project cost projections.

15 (b) Original and updated completion dates for the project and any stage of the  
16 project.

17 (c) An explanation for any variation between the original and updated costs and  
18 completion dates under pars. (a) and (b).

19 (d) A copy of any contract entered into by the department for the project and  
20 not provided in a previous report.

21 (e) All sources of funding for the project.

22 (f) The amount of any funding provided for the project through a master lease  
23 under s. 16.76 (4).

1 (g) Information about the status of the project, including any portion of the  
2 project that has been completed.

3 (h) Any other information about the project, or related information technology  
4 projects, requested by the joint committee on information policy and technology.”

5 \*b0341/2.4\* **31.** Page 56, line 23: after that line insert:

6 \*b0341/2.4\* “SECTION 130. 17.07 (3m) of the statutes is amended to read:

7 17.07 (3m) Notwithstanding sub. (3), the parole earned release review  
8 commission chairperson may be removed by the governor, at pleasure.”

9 \*b0814/P3.5\* **32.** Page 72, line 10: delete lines 10 to 12 and substitute:

10 \*b0814/P3.5\* “SECTION 157. 19.42 (10) (p) of the statutes is repealed.”

11 \*b0814/P3.6\* **33.** Page 72, line 16: delete lines 16 to 18 and substitute:

12 \*b0814/P3.6\* “SECTION 159. 19.42 (13) (o) of the statutes is repealed.”

13 \*b1062/1.1\* **34.** Page 76, line 17: delete lines 17 to 20.

14 \*b1062/1.2\* **35.** Page 76, line 22: delete “\$130,000,000” and substitute  
15 “\$65,000,000”.

16 \*b1062/1.3\* **36.** Page 76, line 24: delete “\$130,000,000” and substitute  
17 “\$65,000,000”.

18 \*b1181/P1.1\* **37.** Page 90, line 2: after “of the statutes” insert “, except as it  
19 affects 20.395 of the statutes,”.

20 \*b1179/1.1\* **120.** Page 286, line 2: after that line insert:

21 \*b1179/1.1\* “SECTION 179j. 20.115 (1) (u) of the statutes is amended to read: