



## 2009 ASSEMBLY BILL 196

April 7, 2009 - Introduced by Representatives KRAMER, VUKMIR, ZIPPERER, DAVIS, VOS, LEMAHIEU, KLEEFISCH and LOTHIAN, cosponsored by Senators HOPPER, DARLING and LEIBHAM. Referred to Committee on State Affairs and Homeland Security.

1     **AN ACT** *to create* 16.413 and 115.32 of the statutes; **relating to:** providing the  
2           public with information on state agency and school district operations  
3           expenditures and state agency and school district contracts and grants.

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### *Analysis by the Legislative Reference Bureau*

The bill provides that, beginning on July 1, 2011, the Department of Administration (DOA) must ensure that all state agency expenditures for state operations exceeding \$25, including current and past salaries, pay adjustments, bonuses, lump sum payments, and fringe benefits paid to state agency employees, are available for inspection on a searchable Internet Web site maintained by DOA. Under the bill, DOA must categorize the expenditure information on the Web site by state agency, expenditure category, expenditure amount, and the person to whom the expenditure is made. Any person must be able to search on the Web site aggregate expenditures for state operations by state agency, expenditure category, expenditure amount, and the person to whom the expenditure is made.

The bill further provides that, beginning on July 1, 2011, DOA must ensure that all of the following information relating to state agency grants and contracts is available for inspection on a searchable Internet Web site: a copy of the contract and grant award or statement; the state agency making the grant or entering into the contract; the name and address of the person receiving the grant or entering into the contract; the purpose of the grant or contract; and the amount of the grant or the amount the state agency must expend under the contract and the name of the state fund from which the grant is paid or moneys are expended under the contract. Under

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the bill, DOA must make this information available on the searchable Internet Web site no later than 30 days after the state agency makes a grant or enters into a contract.

The bill also requires the Department of Public Instruction (DPI) to report to DOA all school district expenditures for operations exceeding \$25 and information relating to school district payments and contracts. DPI must report the information to DOA for inclusion in the Internet Web site maintained by DOA. These provisions also take effect on July 1, 2011.

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

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

1           **SECTION 1.** 16.413 of the statutes is created to read:

2           **16.413 Disclosure of state and school district expenditures. (1)**

3           DEFINITIONS. In this section:

4           (a) “Grant” means a payment made to a person, but does not include any of the  
5           following:

6           1. Aids to individuals and organizations and local assistance.

7           2. Salaries and fringe benefits paid to state employees.

8           3. Payments for goods or services pursuant to a contract.

9           (b) “Searchable Internet Web site” means a Web site that allows any person to  
10          search for both of the following:

11          1. State aggregate expenditures for state operations by state agency,  
12          expenditure category, expenditure amount, and the person to whom the expenditure  
13          is made.

14          2. Grants made by state agencies and contracts entered into by state agencies.

15          (c) “State agency” has the meaning given in s. 20.001 (1).

16          (d) “State operations” means all purposes except aids to individuals and  
17          organizations and local assistance.

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1           **(2) STATE AGENCY EXPENDITURES FOR STATE OPERATIONS.** (a) Beginning on July  
2           1, 2011, the department shall ensure that all state agency expenditures for state  
3           operations exceeding \$25, including salaries and fringe benefits paid to state agency  
4           employees, are available for inspection on a searchable Internet Web site maintained  
5           by the department. The department shall also make available for inspection on the  
6           searchable Internet Web site the annual salary paid by a state agency to each state  
7           employee during the prior 4 years or the during the time that the state employee has  
8           been employed by a state agency, whichever is less.

9           (b) The department shall categorize the expenditure information under par. (a)  
10          by state agency, expenditure category, expenditure amount, and the person to whom  
11          the expenditure is made. If any of the expenditure information may be found on other  
12          Web sites, the department shall ensure that the information is accessible through the  
13          searchable Internet Web site under par. (a). The department shall also ensure that  
14          a person may request and receive electronic updates of expenditure information  
15          under par. (a).

16          (c) Beginning with expenditures made on July 1, 2011, state agencies shall  
17          provide the department with all expenditure information required under par. (a) no  
18          later than 60 days after the expenditure is made. Each state agency shall also  
19          include in the expenditure information required under par. (a) the amount of the  
20          most recent pay adjustment, performance bonus, or lump sum payment paid to each  
21          of its employees. The department may specify the format in which state agencies  
22          provide the expenditure information.

23          **(3) STATE AGENCY CONTRACTS AND GRANTS.** (a) Beginning on July 1, 2011, the  
24          department shall ensure that all of the following information relating to each grant

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1 made by a state agency or contract entered into by a state agency is available for  
2 inspection on a searchable Internet Web site maintained by the department:

3 1. A copy of the contract and grant award or statement.

4 2. The state agency making the grant or entering into the contract.

5 3. The name and address of the person receiving the grant or entering into the  
6 contract.

7 4. The purpose of the grant or contract.

8 5. The amount of the grant or the amount the state agency must expend under  
9 the contract and the name of the state fund from which the grant is paid or moneys  
10 are expended under the contract.

11 (b) Beginning with grants made and contracts entered into by state agencies  
12 on July 1, 2011, state agencies shall provide the department with all of the  
13 information required under par. (a) no later than 10 days after the state agency  
14 makes a grant or enters into a contract. The department may specify the format in  
15 which state agencies provide the information. The department shall make the  
16 information available on the searchable Internet Web site no later than 30 days after  
17 the state agency makes a grant or enters into a contract. The department shall also  
18 ensure that a person may request and receive electronic updates of all of the  
19 information under par. (a).

20 (4) SCHOOL DISTRICT EXPENDITURES. The department shall include in the  
21 Internet Web site maintained under this section the information about school district  
22 expenditures and contracts reported to it by the department of public instruction  
23 under s. 115.32 (4).

24 **SECTION 2.** 115.32 of the statutes is created to read:

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1           **115.32 Reporting of expenditures relating to school district operations**  
2           **and school board contracts and payments. (1) DEFINITIONS.** In this section:

3           (a) "Financial instrument" includes any check, draft, warrant, money order,  
4           note, certificate of deposit, letter of credit, bill of exchange, credit or credit card,  
5           transaction authorization mechanism, marketable security, and any computer  
6           representation of them.

7           (b) "Payment" means a payment made to a person, other than the payment of  
8           salaries and fringe benefits for school district employees and payments for goods and  
9           services pursuant to a contract.

10          **(2) SCHOOL DISTRICT EXPENDITURES FOR OPERATIONS.** (a) Beginning on July 1,  
11          2011, the department shall ensure that each school board reports to the department  
12          all school district expenditures for operations exceeding \$25, including salaries and  
13          fringe benefits paid to school district employees.

14          (b) The department shall categorize the expenditure information under par. (a)  
15          by school district, expenditure category, expenditure amount, and the person to  
16          whom the expenditure is made.

17          (c) Beginning with expenditures made on July 1, 2011, each school board shall  
18          provide the department with all expenditure information required under par. (a) no  
19          later than 60 days after the expenditure is made. Each school board shall also  
20          include in the expenditure information required under par. (a) the amount of the  
21          most recent pay adjustment, performance bonus, or lump sum paid to each of its  
22          employees. The department may specify the format in which school boards provide  
23          the expenditure information.

