

2. 'Across-the-board reduction.' The plan may not be based on across-the-board reductions to child support incentive payments made in calendar year 2011.

3. 'Performance standards.' The distribution method under the plan may reward counties that demonstrate proficiency in providing child support enforcement services. Under the plan, a county's proficiency level may be based on performance standards determined by the department, including the county's rate, per full-time employee, of establishing child support court orders, establishing paternity, and collecting current child support.

(b) *Implementation of distribution plan.* If the cochairpersons of the joint committee on finance do not notify the department of children and families that the committee has scheduled a meeting for the purpose of reviewing the plan submitted under paragraph (a) within 14 working days after the date the plan is submitted, the department may implement the plan. If, within 14 working days after the date the plan is submitted, the cochairpersons of the committee notify the department that the committee has scheduled a meeting for the purpose of reviewing the plan, the department may not distribute child support incentive payments after December 31, 2011, unless the distribution is approved by the committee.

SECTION 9110. Nonstatutory provisions; Commerce.

(1) HOUSING ASSISTANCE TRANSFER.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of commerce primarily related to the functions of the department under subchapter X of chapter 560, 2009 stats., as determined by the secretary of administration, shall become the assets and liabilities of the department of administration.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of commerce that is primarily related to the functions of the department under subchapter X of chapter 560, 2009 stats., as determined by the secretary of administration, is transferred to the department of administration.

(c) *Contracts.* All contracts entered into by the department of commerce in effect on the effective date of this paragraph that are primarily related to the functions of the department under subchapter X of chapter 560, 2009 stats., as determined by the secretary of administration, remain in effect and are transferred to the department of administration. The department of administration shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of administration to the extent allowed under the contract.

(cg) *Employee transfers.* All positions and all incumbent employees holding those positions in the department performing duties primarily related to housing programs, as determined by the secretary of administration, are

transferred on the effective date of this paragraph to the department of administration.

(cr) *Employee status.* Employees transferred under paragraph (cg) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of administration that they enjoyed in the department of commerce immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(2u) TRANSFER OF BUSINESS CERTIFICATION PROGRAMS.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of commerce primarily related to disabled veteran-owned business certifications, woman-owned business certifications, or minority business certifications, as determined by the secretary of administration, shall become the assets and liabilities of the department of administration.

(b) *Employee transfers.* All positions and all incumbent employees holding those positions in the department of commerce performing duties primarily related to disabled veteran-owned business certifications, woman-owned business certifications, or minority business certifications, as determined by the secretary of administration, are transferred on the effective date of this paragraph to the department of administration.

(c) *Employee status.* Employees transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of administration that they enjoyed in the department of commerce immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of commerce that is primarily related to disabled veteran-owned business certifications, woman-owned business certifications, or minority business certifications, as determined by the secretary of administration, is transferred to the department of administration.

(e) *Contracts.* All contracts entered into by the department of commerce in effect on the effective date of this paragraph that are primarily related to disabled veteran-owned business certifications, woman-owned business certifications, or minority business certifications, as determined by the secretary of administration, remain in effect and are transferred to the department of administration. The department of administration shall carry out any obligations under such a contract until the contract is

modified or rescinded by the department of administration to the extent allowed under the contract.

(f) *Rules and orders.* All rules promulgated by the department of commerce that relate to disabled veteran-owned business certifications, woman-owned business certifications, or minority business certifications, that are in effect on the effective date of this subsection, remain in effect until their specified expiration dates or until amended or repealed by the department of administration. All orders issued by the department of commerce relating to such business certifications that are in effect on the effective date of this subsection remain in effect until their specified expiration dates or until modified or rescinded by the department of administration.

(g) *Pending matters.* Any matter pending with the department of commerce on the effective date of this paragraph that is primarily related to disabled veteran-owned business certifications, woman-owned business certifications, or minority business certifications, as determined by the secretary of administration, is transferred to the department of administration and all materials submitted to or actions taken by the department of commerce with respect to the pending matters are considered as having been submitted to or taken by the department of administration.

(2v) TRANSFER OF CERTAIN GRANT PROGRAMS.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of commerce primarily related to diesel truck idling reduction grants, as determined by the secretary of administration, shall become the assets and liabilities of the department of safety and professional services.

(b) *Employee transfers.* All positions and all incumbent employees holding those positions in the department of commerce performing duties primarily related to diesel truck idling reduction grants, as determined by the secretary of administration, are transferred on the effective date of this paragraph to the department of safety and professional services.

(c) *Employee status.* Employees transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of safety and professional services that they enjoyed in the department of commerce immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of commerce that is primarily related to diesel truck idling reduction grants, as determined by the secretary of administration, is transferred to the department of safety and professional services.

(e) *Contracts.* All contracts entered into by the department of commerce in effect on the effective date of this paragraph that are primarily related to diesel truck idling reduction grants, as determined by the secretary of administration, remain in effect and are transferred to the department of safety and professional services. The department of safety and professional services shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of safety and professional services to the extent allowed under the contract.

(f) *Rules and orders.* All rules promulgated by the department of commerce that relate to diesel truck idling reduction grants, that are in effect on the effective date of this subsection, remain in effect until their specified expiration dates or until amended or repealed by the department of safety and professional services. All orders issued by the department of commerce relating to such grants that are in effect on the effective date of this subsection remain in effect until their specified expiration dates or until modified or rescinded by the department of safety and professional services.

(g) *Pending matters.* Any matter pending with the department of commerce on the effective date of this paragraph that is primarily related to diesel truck idling reduction grants, as determined by the secretary of administration, is transferred to the department of safety and professional services and all materials submitted to or actions taken by the department of commerce with respect to the pending matters are considered as having been submitted to or taken by the department of safety and professional services.

(3) TRANSFER OF THE DIVISIONS OF SAFETY AND BUILDINGS AND ENVIRONMENTAL AND REGULATORY SERVICES.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of commerce primarily related to the functions of the division of safety and buildings and the division of environmental and regulatory services, as determined by the secretary of administration, shall become the assets and liabilities of the department of safety and professional services.

(b) *Employee transfers.* All positions and all incumbent employees holding those positions in the department of commerce performing duties primarily related to the functions of the division of safety and buildings and the division of environmental and regulatory services, as determined by the secretary of administration, are transferred on the effective date of this paragraph to the department of safety and professional services.

(c) *Employee status.* Employees transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of safety and professional services that they enjoyed in the department of commerce imme-

diately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of commerce that is primarily related to the functions of the division of safety and buildings and the division of environmental and regulatory services, as determined by the secretary of administration, is transferred to the department of safety and professional services.

(e) *Contracts.* All contracts entered into by the department of commerce in effect on the effective date of this paragraph that are primarily related to the functions of the division of safety and buildings and the division of environmental and regulatory services, as determined by the secretary of administration, remain in effect and are transferred to the department of safety and professional services. The department of safety and professional services shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of safety and professional services to the extent allowed under the contract.

(f) *Rules and orders.* All rules promulgated by the department of commerce that are in effect on the effective date of this paragraph and that are primarily related to the functions of the division of safety and buildings and the division of environmental and regulatory services, as determined by the secretary of administration, remain in effect until their specified expiration dates or until amended or repealed by the department of safety and professional services. All orders issued by the department of commerce that are in effect on the effective date of this paragraph and that are primarily related to the functions of the division of safety and buildings and the division of environmental and regulatory services, as determined by the secretary of administration, remain in effect until their specified expiration dates or until modified or rescinded by the department of safety and professional services.

(g) *Pending matters.* Any matter pending with the department of commerce on the effective date of this paragraph that is primarily related to the functions of the division of safety and buildings and the division of environmental and regulatory services, as determined by the secretary of administration, is transferred to the department of safety and professional services and all materials submitted to or actions taken by the department of commerce with respect to the pending matters are considered as having been submitted to or taken by the department of safety and professional services.

(4) TRANSFER OF CERTAIN ADMINISTRATIVE POSITIONS FROM THE DEPARTMENT OF COMMERCE.

(a) The positions, and the incumbent employees holding those positions, in the division of administrative

services in the department of commerce that the secretary of administration determines shall be transferred to the department of safety and professional services, are transferred on the effective date of this paragraph.

(b) Employees transferred under paragraph (a) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of safety and professional services that they enjoyed in the department of commerce immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(6) ECONOMIC DEVELOPMENT TRANSFER.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of commerce primarily related to the functions of the department under subchapters I, II, III, IV, V, VI, VIII, and IX of chapter 560, 2009 stats., as determined by the secretary of administration, shall become the assets and liabilities of the Wisconsin Economic Development Corporation.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of commerce that is primarily related to the functions of the department under subchapters I, II, III, IV, V, VI, VIII, and IX of chapter 560, 2009 stats., except the tangible personal property, including records, transferred to the department of agriculture, trade and consumer protection under subsection (7) (a) and except the tangible personal property, including records, transferred to the department of administration under subsection (8) (b), as determined by the secretary of administration, is transferred to the Wisconsin Economic Development Corporation.

(c) *Contracts.* All contracts entered into by the department of commerce in effect on the effective date of this paragraph that are primarily related to the functions of the department under subchapters I, II, III, IV, V, VI, VIII, and IX of chapter 560, 2009 stats., as determined by the secretary of administration, remain in effect and are transferred to the Wisconsin Economic Development Corporation. The Wisconsin Economic Development Corporation shall carry out any obligations under such a contract until the contract is modified or rescinded by the Wisconsin Economic Development Corporation to the extent allowed under the contract.

(7) INVESTMENT TAX CREDITS: TRANSFER.

(a) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of commerce that is primarily related to the functions of the department of commerce with respect to sections 560.2056, 560.207, 560.208, and 560.209, 2009 stats., as determined by the secretary of administration, is transferred to the department of agriculture, trade and consumer protection.

(b) *Rules.* All rules promulgated by the department of commerce under sections 560.2056 (4), 560.207 (4), 560.208 (4), and 560.209 (4), 2009 stats., that are in effect on the effective date of this paragraph remain in effect until their specified expiration date or until amended or repealed by the department of agriculture, trade and consumer protection.

(8) RURAL HOSPITAL LOAN GUARANTEE: TRANSFER.

(a) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of commerce that is primarily related to the functions of the department of commerce with respect to section 231.35, 2009 stats., as determined by the secretary of administration, is transferred to the department of administration.

(b) *Rules.* All rules promulgated by the department of commerce under section 231.35 (7), 2009 stats., that are in effect on the effective date of this paragraph remain in effect until their specified expiration date or until amended or repealed by the department of administration.

(8q) ELECTRONIC MEDICAL RECORDS CREDIT: TRANSFER.

(a) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of commerce that is primarily related to the functions of the department of commerce with respect to section 560.204, 2009 stats., as determined by the secretary of administration, is transferred to the department of revenue.

(b) *Rules.* All rules promulgated by the department of commerce under section 560.204 (4), 2009 stats., that are in effect on the effective date of this paragraph remain in effect until their specified expiration date or until amended or repealed by the department of revenue.

(9u) RELOCATION ASSISTANCE TRANSFER.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of commerce primarily related to the functions of the department under sections 32.19 to 32.27, 2009 stats., as determined by the secretary of administration, shall become the assets and liabilities of the department of administration.

(b) *Employee transfers.* All positions and all incumbent employees holding those positions in the department of commerce performing duties primarily related to the functions of the department under sections 32.19 to 32.27, 2009 stats., as determined by the secretary of administration, are transferred on the effective date of this paragraph to the department of administration.

(c) *Employee status.* Employees transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of administration that they enjoyed in the department of commerce immediately before the transfer. Notwithstanding section 230.28 (4) of the stat-

utes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of commerce that is primarily related to the functions of the department under sections 32.19 to 32.27, 2009 stats., as determined by the secretary of administration, is transferred to the department of administration.

(e) *Contracts.* All contracts entered into by the department of commerce in effect on the effective date of this paragraph that are primarily related to the functions of the department under sections 32.19 to 32.27, 2009 stats., as determined by the secretary of administration, remain in effect and are transferred to the department of administration. The department of administration shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of administration to the extent allowed under the contract.

(f) *Rules and orders.* All rules promulgated by the department of commerce under sections 32.19 to 32.27, 2009 stats., that are in effect on the effective date of this paragraph, remain in effect until their specified expiration dates or until amended or repealed by the department of administration. All orders issued by the department of commerce relating to the functions of the department under sections 32.19 to 32.27, 2009 stats., as determined by the secretary of administration, that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until modified or rescinded by the department of administration.

(g) *Pending matters.* Any matter pending with the department of commerce on the effective date of this paragraph that is primarily related to the functions of the department under sections 32.19 to 32.27, 2009 stats., as determined by the secretary of administration, is transferred to the department of administration and all materials submitted to or actions taken by the department of commerce with respect to the pending matters are considered as having been submitted to or taken by the department of administration.

SECTION 9111. Nonstatutory provisions; Corrections.

(1u) REPORT: NURSING SERVICES. The secretary of corrections shall, before October 1, 2011, submit a report to the joint committee on finance that identifies the number of nursing staff and associated costs for each correctional facility in fiscal years 2009-10 and 2010-11 and that summarizes each contract for nursing services entered into by the department of corrections in or for fiscal years 2009-10 and 2010-11.

(2q) DEPARTMENT REPORT ON JUVENILE CORRECTIONS.

(a) In this subsection, "juvenile correctional services" includes those services for which section 301.26 (4) (d) 2. and 3. of the statutes, as affected by this act, pro-

vides daily cost assessments to counties and any other juvenile–delinquency–related care or services provided by counties or the state.

(b) No later than June 30, 2012, the department of corrections shall submit to the chief clerk of each house of the legislature, for distribution to the legislature in the manner provided under section 13.172 (2) of the statutes, a report on juvenile correctional services provided to juveniles that includes all of the following:

1. A list of all providers of juvenile correctional services.
2. The number of juveniles receiving juvenile correctional services and whether each juvenile was supervised by a county or the state.
3. An accounting of the costs of the juvenile correctional services provided.

SECTION 9113. Nonstatutory provisions; District Attorneys.

(3c) ASSISTANT DISTRICT ATTORNEY PAY PROGRESSION PLAN. The Association of State Prosecutors and the director of the office of state employment relations shall develop a pay progression plan for attorneys who are included in the collective bargaining unit under section 111.825 (2) (d) of the statutes, to be funded from any salary savings resulting from hiring new attorneys to fill the positions of attorneys who retired from state employment during the period that begins on January 1, 2011, and ends on June 30, 2013. The plan shall include a detailed description of how a pay progression system would be structured and administered and the fiscal cost of the pay progression system in the 2011–13 fiscal biennium, by fund source, and the projected costs of the pay progression system in the succeeding 4 fiscal biennia. Before October 1, 2011, the Association of State Prosecutors and the director of the office of state employment relations shall submit the proposed plan to the joint committee on finance. If the cochairpersons of the joint committee on finance do not notify the Association of State Prosecutors and the director of the office of state employment relations within 14 working days after the date of the submittal of the plan that the committee has scheduled a meeting to review the plan, the plan may be implemented as proposed by the Association of State Prosecutors and the director of the office of state employment relations. If, within 14 days after the date of the submittal of the plan, the cochairpersons of the committee notify the Association of State Prosecutors and the director of the office of state employment relations that the committee has scheduled a meeting to review the plan, the plan may only be implemented as approved by the committee.

SECTION 9115. Nonstatutory provisions; Employee Trust Funds.

(1dr) STATE EMPLOYEE HEALTH CARE COVERAGE. Notwithstanding section 40.05 (4) (ag) and (c) of the statutes, as affected by this act, beginning with health insurance premiums paid in any month that begins after the effective

date of this subsection, as determined by the secretary of administration, and ending with coverage for December 2011, all of the following shall apply:

(a) Employees covered under section 40.05 (4) (ag) 2. of the statutes shall pay \$84 a month for individual coverage and \$208 a month for family coverage for health care coverage under any plan offered in the tier with the lowest employee premium cost under section 40.51 (6) of the statutes; \$122 a month for individual coverage and \$307 a month for family coverage for health care coverage under any plan offered in the tier with the next lowest employee premium cost under section 40.51 (6) of the statutes; and \$226 a month for individual coverage and \$567 a month for family coverage for health care coverage under any plan offered in the tier with the highest employee premium cost under section 40.51 (6) of the statutes.

(b) Eligible employees covered under section 40.02 (25) (b) 2. of the statutes, as affected by this act, shall pay 50 percent of the amounts required for employees under paragraph (a).

(c) Employees covered under section 40.05 (4) (ag) 1. of the statutes, as affected by this act, and craft employees, as defined in section 111.81 (4) of the statutes, and related nonrepresented employees shall pay the same amounts that they are required to pay on the day before the effective date of this paragraph.

(1hr) EMPLOYER AND EMPLOYEE REQUIRED CONTRIBUTIONS FOR 2011. Notwithstanding the employer and employee required contributions rates established for 2011 under section 40.05 (1) and (2), 2009 stats., beginning on the first day of any pay period after the effective date of this subsection, as determined by the secretary of administration, the employee required contributions under section 40.05 (1) (a) of the statutes, as affected by this act, shall be in effect for the remainder of 2011, and the employer required contributions under section 40.05 (2) of the statutes shall be adjusted to reflect the increases in employee required contributions for the remainder of 2011.

(1q) SUPPLEMENTAL APPROPRIATIONS FOR DEPARTMENT OF EMPLOYEE TRUST FUNDS. During the 2011–13 fiscal biennium, the secretary of employee trust funds may submit one or more requests to the joint committee on finance to supplement the appropriation under section 20.515 (1) (w) of the statutes from the appropriation account under section 20.865 (4) (u) of the statutes for additional agency funding and authorized positions. Any request shall include a detailed expenditure plan and a description of how the plan addresses increasing workload and service improvements and a request for additional positions shall be consistent with the methodology developed under 2009 Wisconsin Act 28, section 9115 (1x). If the secretary intends to request additional authorized positions beyond the number derived from the methodology, the employee trust funds board must first

approve the request before the secretary submits the request to the joint committee on finance. Any request submitted under this subsection shall be submitted by the applicable due date for agency requests for any of the joint committee on finance's quarterly meetings under section 13.10 of the statutes and shall also include the methodology used by the secretary. Notwithstanding section 13.101 (3) of the statutes, the joint committee on finance is not required to find that an emergency exists prior to making the supplementation under this subsection.

(2q) SUPPLEMENTAL APPROPRIATIONS FOR AUDIT OF DEPENDENT ELIGIBILITY UNDER BENEFIT PROGRAMS ADMINISTERED BY THE DEPARTMENT OF EMPLOYEE TRUST FUNDS. The joint committee on finance may supplement, from the appropriation under section 20.865 (4) (u) of the statutes, the appropriation under section 20.515 (1) (w) of the statutes for the purpose of conducting an audit of dependent eligibility under benefit programs administered by the department of employee trust funds if all of the following occur:

(a) The department of employee trust funds submits a report to the joint committee on finance on the results of any pilot survey relating to dependent eligibility and provides a detailed budget for a full audit of dependent eligibility under benefit programs administered by the department.

(b) The department of employee trust funds submits a request to the joint committee on finance to supplement the appropriation under section 20.515 (1) (w) of the statutes for the purpose of conducting an audit of dependent eligibility under benefit programs administered by the department.

(c) The cochairpersons of the joint committee on finance do not notify the department of employee trust funds that the committee has scheduled a meeting for the purpose of reviewing the request within 14 working days after the date of the receipt of the request. If, within 14 working days after the date of the receipt of the request, however, the cochairpersons of the committee notify the department of employee trust funds that the committee has scheduled a meeting for the purpose of reviewing the proposed supplement, the supplement may occur only upon approval of the committee.

(3q) MODIFICATIONS TO WISCONSIN RETIREMENT SYSTEM.

(a) The secretary of administration, the director of the office of state employment relations, and the secretary of employee trust funds shall study the structure of the Wisconsin Retirement System and benefits provided under the Wisconsin Retirement System. The study shall specifically address the following issues:

1. Establishing a defined contribution plan as an option for participating employees, as defined in section 40.02 (46) of the statutes.

2. Permitting employees to not make employee required contributions under section 40.05 (1) (a) of the statutes and limiting retirement benefits for employees who do not make employee required contributions to a money purchase annuity calculated under section 40.23 (3) of the statutes.

(b) No later than June 30, 2012, the secretary of administration, the director of the office of state employment relations, and the secretary of employee trust funds shall report their findings and recommendations to the governor and the joint committee on finance.

(4q) PROMULGATION OF EMERGENCY RULES FOR DETERMINATION OF ELIGIBILITY TO PARTICIPATE IN THE WISCONSIN RETIREMENT SYSTEM. The department of employee trust funds may use the procedure under section 227.24 of the statutes to promulgate rules under section 40.22 (2) (am) of the statutes, as created by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, emergency rules promulgated under this subsection remain in effect until July 1, 2012, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(6j) GROUP INSURANCE BOARD STUDY OF ASSISTED BIRTHS IN NONHOSPITAL SETTINGS. The group insurance board shall study the feasibility of including in the uniform benefits of state employee health insurance coverage the costs of certified nurse-midwife services to assist in births at home or at stand-alone birth centers.

SECTION 9118. Nonstatutory provisions; Government Accountability Board.

(1q) REVIEW OF PROPOSED EXPENDITURES FOR OUTREACH AND PUBLIC INFORMATION. No later than July 1, 2011, and before making any expenditures under section 7.08 (12) of the statutes or 2011 Wisconsin Act 23, section 144 (1), for the purpose of outreach or public information, the government accountability board shall transmit to the cochairpersons of the joint committee on finance in writing a plan identifying the specific proposed purposes for the expenditures and proposed amounts to be expended for each specific purpose. If the cochairpersons of the committee do not notify the board that the committee has scheduled a meeting for the purpose of reviewing the plan within 14 working days after the date of the board's submittal of the plan to the cochairpersons, the board may make the proposed expenditures identified in the plan. If, within 14 working days after the date of the board's submittal, the cochairpersons notify the board that the committee has scheduled a meeting for the purpose of reviewing the plan, the board shall not

make any expenditures for the purpose of outreach or public information as identified in this subsection without the approval of the committee.

SECTION 9121. Nonstatutory provisions; Health Services.

(1g) LONG-TERM CARE SERVICES CAP.

(a) *Definitions.* In this subsection and subsections (2g) and (3g):

1. "Department" means the department of health services.

2. "Family care partnership program" means an integrated health and long-term care program operated under an amendment to the state medical assistance plan, as authorized in 42 USC 1396n (i).

3. "Family care program" means the benefit program under section 46.286 of the statutes.

4. "Institutional facility" means a nursing home under section 50.01 (3) of the statutes, an intermediate care facility for persons with mental retardation under section 50.14 (1) (b) of the statutes, or a center for the developmentally disabled under section 51.01 (3) of the statutes.

5. "Long-term care program" means any of the following that are available in a county on June 30, 2011, or the effective date of this subdivision, whichever is later:

- a. The family care program.
- b. The self-directed services option.
- c. The family care partnership program.
- d. The program for all-inclusive care for the elderly under 42 USC 1396u-4.

6. "Resource center" has the meaning given under section 46.2805 (10) of the statutes.

7. "Resource center service area" means the geographical area prescribed for a resource center by the department.

8. "Self-directed services option" means the program operated under a waiver from the secretary of the federal department of health and human services under 42 USC 1396n (c) that allows participants to self-manage publicly funded long-term care services.

(b) *Enrollment cap.*

1. Notwithstanding section 46.286 (3) of the statutes and subject to subdivision 2. and paragraph (c), the department may not enroll more individuals in long-term care programs in a resource center service area than the number of individuals enrolled in long-term care programs in that resource center service area on June 30, 2011, or the effective date of this subdivision, whichever is later. This subdivision does not authorize the department to enroll an individual in a long-term care program that is not available in the individual's county of residence. This subdivision does not apply after June 30, 2013.

2. Individuals enrolled in a long-term care program under paragraph (c) are not counted for the purpose of determining the number of individuals enrolled in long-

term care programs in a resource center service area under subdivision 1.

3. A month during which subdivision 1. is in effect is not counted for purposes of determining the date under section 46.286 (3) (c) of the statutes by which the department must assure that there is sufficient capacity in care management organizations to provide the family care benefit to all entitled individuals in a county.

(c) *Exception to the enrollment cap.* The department may enroll an individual who is relocating from an institutional facility in a long-term care program if any of the following applies:

1. The individual has resided at the institutional facility for at least 90 days.

2. The department removes the individual from the institutional facility under section 50.03 (5m) (a) of the statutes.

3. The institutional facility is closing or relocating residents under section 50.03 (14) of the statutes.

4. The institutional facility is not licensed to operate in this state.

5. The individual is relocated due to an emergency, as determined by the department.

(2g) FAMILY CARE BENEFIT EMERGENCY FUNDING.

(a) *2011-13 biennium.* The department may expend \$12,639,000 in fiscal year 2011-12 and \$12,600,800 in fiscal year 2012-13 to provide the long-term care services and support items that are offered under the family care program to individuals who are on a waiting list for a long-term care program and who are in urgent need of long-term care services, as determined by the department. The department may provide services and support items to an individual under this paragraph until the individual is permanently enrolled in a long-term care program.

(b) *2013-15 biennium.* Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes for purposes of the 2013-15 biennial budget bill, the department shall submit information concerning the appropriation under section 20.435 (4) (b) of the statutes as though the increases in the dollar amounts of that appropriation for the purposes of paragraph (a) had not been made.

(3g) LONG-TERM CARE COST-EFFECTIVENESS STUDY. The secretary of the department shall study the cost-effectiveness of the family care program, the family care partnership program, the self-directed services option, and the program for all-inclusive care for the elderly under 42 USC 1396u-4. The study shall compare the cost-effectiveness of each program to each of the other programs; the cost-effectiveness of each program to the benefits provided to medical assistance recipients under section 49.46 (2) (a) and (b) of the statutes; and the cost-effectiveness of the care that individuals receive before they enroll in a long-term care program to the care that

the individuals receive in a long-term care program. The department shall submit the findings of its study to the joint committee on finance by March 1, 2012.

(5) **EXPANSION OF FAMILY CARE.** Beginning on July 1, 2011, and ending on June 30, 2013, the department of health services may not propose to contract with entities to administer the family care benefit, as described in section 46.286 of the statutes, in a county in which the family care benefit is not available on July 1, 2011, unless the department of health services determines that administering the family care benefit in such a county would be more cost-effective than the county's current mechanism for delivering long-term care services.

(6u) **INCOME MAINTENANCE PROGRAM ADMINISTRATION; MULTICOUNTY CONSORTIA.**

(a) In this subsection:

1. "Department" means the department of health services.

2. "Income maintenance program" has the meaning given in section 49.78 (1) (b) of the statutes.

3. "Multicounty consortium" has the meaning given in section 49.78 (1) (br) of the statutes, as created by this act.

(b) Counties with a population of less than 750,000 shall organize themselves into no more than 10 consortia and notify the department of the composition of the organized consortia no later than October 1, 2011.

(c) In each of calendar years 2012 and 2013, a county that is part of a multicounty consortium shall contribute funds to its multicounty consortium in an amount that is not less than the amount the county expended for the administration of income maintenance programs in calendar year 2009. For the purposes of this paragraph, Kenosha County expended \$673,000 for the administration of income maintenance programs in calendar year 2009.

(6v) **INCOME MAINTENANCE PROGRAM ADMINISTRATION; DATA PROCESSING UNIT.** The department of health services shall relocate the document processing unit to a location that is outside of Dane County no later than July 1, 2012.

(7u) **MILWAUKEE COUNTY ENROLLMENT SERVICES UNIT.** No later than 30 days after the effective date of this subsection, the department of health services shall discuss with Milwaukee County any issues relating to the employment of county employees with the state to provide services for the Milwaukee County enrollment services unit. The department of health services shall submit a report to the joint committee on finance on this issue no later than 60 days after the effective date of this subsection.

(8r) **VETERANS HOME EXEMPTION FROM NURSING HOME BED ASSESSMENT.** Notwithstanding section 50.14 (2) of the statutes, the Wisconsin veterans homes under section 45.50 of the statutes, as affected by this act, are not required to pay the per-bed assessment on nursing homes

under section 50.14 (2) (am) of the statutes during the fiscal biennium in which this subsection takes effect.

(9) **CONGENITAL DISORDER TESTING FEES; RULES.** Using the procedure under section 227.24 of the statutes, the department of health services shall promulgate rules required under section 253.13 (2) of the statutes, as affected by this act, for the period before the effective date of the permanent rules promulgated under section 253.13 (2) of the statutes, as affected by this act, but not to exceed the period authorized under section 227.24 (1) (c) of the statutes, subject to extension under section 227.24 (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department of health services is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(10q) **MEDICAL ASSISTANCE NURSING HOME PAYMENT BASE FUNDING.** For the purpose of submitting information under section 16.42 of the statutes for purposes of preparing the 2013-15 biennial budget bill, the department of health services shall increase its adjusted base year funding for nursing home payments by \$415,600 in general purpose revenue moneys and by \$925,100 in federal moneys.

(10x) **AUDIT OF STATEWIDE INCOME MAINTENANCE PROGRAM ADMINISTRATION.** The joint legislative audit committee is requested to direct the legislative audit bureau to conduct a performance evaluation audit of the statewide administration of income maintenance programs, as defined in section 49.78 (1) (b) of the statutes. If conducted, the audit shall address timeliness, program integrity, and efficiency. If the committee directs the legislative audit bureau to conduct the audit, the bureau shall file its reports in the manner described under section 13.94 (1) (b) of the statutes by March 1, 2013.

(11i) **STUDY ON PURCHASE OF GENERIC DRUGS FOR MEDICAL ASSISTANCE.** The department of health services shall conduct a study to determine whether the use of a competitive bidding process for the purchase of generic drug equivalents that are provided to recipients under the Medical Assistance program would generate cost savings in the Medical Assistance program. No later than December 31, 2011, the department of health services shall submit a report of its findings under the study to the joint committee on finance.

(12b) **STUDY ON MEDICAL ASSISTANCE AND FOOD SHARE CHANGES.**

(a) The department of health services shall conduct a study to estimate the costs and determine the feasibility of the following policies:

1. Implementing photo identification requirements for beneficiaries of the Medical Assistance program and beneficiaries of the Food Share program by requiring a

Medical Assistance enrollment card to contain a photograph of the beneficiary and a Food Share electronic benefit transfer card to contain a photograph of the beneficiary.

2. Promoting the purchase of nutritional foods and beverages among Food Share beneficiaries and requiring a beneficiary to purchase nutritional foods and beverages under the program.

(b) The study must address all of the following issues:

1. Any potential costs associated with the implementation of the changes and any potential savings due to fraud reduction as a result of implementing the requirement for photo identification.

2. How to accommodate the photo identification requirement in households comprised of multiple individuals.

3. The need for federal approval to implement the changes.

(c) No later than December 31, 2011, the department of health services shall submit to the joint committee on finance a report that includes the department's recommendations for implementing the policies under paragraph (a) and that analyzes the feasibility of implementing those changes by April 1, 2012.

(12f) SEAL-A-SMILE DENTAL SEALANT PROGRAM. The department of health services may submit a request to the joint committee on finance under section 13.10 of the statutes to provide supplemental funding under section 13.101 (3) of the statutes for the appropriation under section 20.435 (1) (de) of the statutes for use by the department to award a grant under section 250.10 (1m) (b) of the statutes for a school-based dental sealant program. Any request submitted under this subsection shall include a statement as to whether a private entity has agreed to provide matching funds for the grant for a school-based dental sealant program under section 250.10 (1m) (b) of the statutes. If the cochairpersons of the committee do not notify the department within 14 working days after the date of the department's request that the committee has scheduled a meeting for the purpose of reviewing the request, the request is granted. If, within 14 working days after the date of the request, the cochairpersons of the committee notify the department that the committee has scheduled a meeting for the purpose of reviewing the request, the request may be granted only upon approval of the committee. Notwithstanding section 13.101 (3) of the statutes, the joint committee on finance is not required to find that an emergency exists prior to making the supplementation under this subsection.

SECTION 9122. Nonstatutory provisions; Higher Educational Aids Board.

(1d) BOARD OF TRUSTEES OF THE MEDICAL COLLEGE OF WISCONSIN, INC. Notwithstanding the requirement specified in section 39.15 (1) (a) of the statutes, as

affected by this act, that 2 of the members of the board of trustees of the Medical College of Wisconsin, Inc., must be nominated by the governor, and with the advice and consent of the senate, appointed, that board may consist of more than 2 members so nominated and appointed until such time as through term expiration, resignation, removal, death, or other cause the membership of that board so nominated and appointed is reduced to 2 members.

SECTION 9126. Nonstatutory provisions; Investment Board.

(1f) RIGHTS OF CERTAIN INVESTMENT BOARD EMPLOYEES. Notwithstanding section 230.08 (2) (p) of the statutes, as affected by this act, all of the employees holding blue collar and clerical positions in the classified service at the investment board on the day before the effective date of this subsection, who have achieved permanent status in class on or before that date, shall retain, while serving in the unclassified service, those protections afforded employees in the classified service under sections 230.34 (1) (a) and 230.44 (1) (c) of the statutes relating to demotion, suspension, discharge, layoff, or reduction in base pay and shall also have reinstatement privileges to the classified service as provided under section 230.33 (1) of the statutes.

SECTION 9130. Nonstatutory provisions; Legislature.

(1u) OPEN ENROLLMENT PROGRAM REPORT.

(a) The legislative audit bureau shall prepare a report on the state aid transfer amount under the open enrollment program. The report shall discuss all of the following:

1. The history of the transfer amount.
2. Alternatives for increasing the transfer amount based on the costs to nonresident school districts of educating transfer pupils and the amount of funding the resident school districts retain for their fixed costs.
3. Alternatives for transferring the resident school district's revenue limit amount or state aid amount to the nonresident school district.

(b) The report shall discuss the issues and alternatives under paragraph (a) with respect to school districts that either gain or lose a relatively large proportion of pupils under the program.

(c) By January 1, 2012, the legislative audit bureau shall submit the report to the governor; to the cochairpersons of the joint committee on finance; to the cochairpersons of the joint legislative audit committee under section 13.172 (3) of the statutes; and to the chairpersons of the appropriate standing committees of the legislature, as determined by the speaker of the assembly and the president of the senate, under section 13.172 (3) of the statutes.

SECTION 9132. Nonstatutory provisions; Local Government.

(1d) COLLECTIVE BARGAINING AGREEMENTS COVERING CERTAIN MUNICIPAL DISTRICT EMPLOYEES.

(a) A school district and the representative of a collective bargaining unit containing employees of that school district may enter into one memorandum of understanding that reduces the cost of compensation or fringe benefits in the collective bargaining agreement under subchapter IV of chapter 111 of the statutes that covers the school district employees, that was entered into before February 1, 2011, and that is in effect on the effective date of this paragraph. Such a modification is not a modification of the collective bargaining agreement for purposes of 2011 Wisconsin Act 10, sections 9315 (1) and (2) and 9332 (1), or any provisions that are substantially similar to 2011 Wisconsin Act 10, sections 9315 (1) and (2) and 9332 (1), that may be enacted under separate legislation. The memorandum of understanding entered into under this paragraph remains effective for the duration of the current collective bargaining agreement and continues to be effective after the collective bargaining agreement expires until a new collective bargaining agreement takes effect except that, if the memorandum contains a provision addressing a subject that, at the expiration of the collective bargaining agreement, becomes a prohibited subject of bargaining, that provision is no longer effective.

(b) A technical college district board and the representative of a collective bargaining unit containing employees of that technical college district may enter into one memorandum of understanding that reduces the cost of compensation or fringe benefits in the collective bargaining agreement under subchapter IV of chapter 111 of the statutes that covers the technical college district employees, that was entered into before February 1, 2011, and that is in effect on the effective date of this paragraph. Such a modification is not a modification of the collective bargaining agreement for purposes of 2011 Wisconsin Act 10, sections 9315 (1) and (2) and 9332 (1), or any provisions that are substantially similar to 2011 Wisconsin Act 10, sections 9315 (1) and (2) and 9332 (1), that may be enacted under separate legislation. The memorandum of understanding entered into under this paragraph remains effective for the duration of the current collective bargaining agreement and continues to be effective after the collective bargaining agreement expires until a new collective bargaining agreement takes effect except that, if the memorandum contains a provision addressing a subject that, at the expiration of the collective bargaining agreement, becomes a prohibited subject of bargaining, that provision is no longer effective.

(c) No memorandum of understanding as described in paragraph (a) or (b) may be entered into later than 90 days after the effective date of this paragraph.

SECTION 9135. Nonstatutory provisions; Natural Resources.**(2) COMMERCIAL CONSTRUCTION SITE EROSION CONTROL.**

(a) In this subsection, "commercial building site" means a building site for construction of public buildings and buildings that are places of employment.

(b) All rules promulgated by the department of natural resources under section 281.33 (3m), 2009 stats., related to erosion control for commercial building sites that are in effect on the effective date of this paragraph, as determined by the secretary of administration, remain in effect until their specified expiration dates or until amended or repealed by the department of safety and professional services. All orders issued by the department of natural resources that are in effect on the effective date of this paragraph and that are primarily related to erosion control for commercial building sites, as determined by the secretary of administration, remain in effect until their specified expiration dates or until modified or rescinded by the department of safety and professional services.

(c) Any matter pending with the department of natural resources on the effective date of this paragraph that is primarily related to its commercial building site erosion control responsibilities under section 281.33 (3m), 2009 stats., as determined by the secretary of administration, is transferred to the department of safety and professional services and all materials submitted to or actions taken by the department of natural resources with respect to the pending matters are considered as having been submitted to or taken by the department of safety and professional services.

(d) Any delegation of the authority to act under section 281.33 (3m), 2009 stats., made by the department of natural resources to a county, city, village, or town that is in effect on the effective date of this paragraph remains in effect until revoked by the department of safety and professional services.

(e) 1. In this paragraph:

a. "Commercial building" means a public building or a building that is a place of employment.

b. "Place of employment" has the meaning given in section 101.01 (11) of the statutes.

c. "Public building" has the meaning given in section 101.01 (12) of the statutes.

2. On or before October 1, 2011, the department of natural resources and the department of safety and professional services shall enter into a memorandum of understanding that does all of the following:

a. Delineates the responsibilities of the department of natural resources under section 281.33 of the statutes, as affected by this act, and the department of safety and professional services under section 101.1206 of the statutes, as affected by this act, in administering erosion control activities at construction sites during and after construction.

b. Delineates the manner in which the department of safety and professional services will regulate erosion control activities at commercial building construction sites of one acre or larger so that those erosion control activities are regulated in a manner that is consistent with the manner in which the department of natural resources regulates erosion control activities under chapter 283 of the statutes, as affected by this act, and rules promulgated under chapter 283 of the statutes, as affected by this act.

(3c) FEDERAL FISCAL YEAR 2011 APPROPRIATIONS ACT FUNDING FOR CLEAN WATER FUND PROJECTS.

(a) If this state receives moneys under P.L. 112-10 as a capitalization grant for clean water state revolving funds under the Federal Water Pollution Control Act, the department of natural resources and the department of administration may, as provided in this subsection, allocate the funds, before December 31, 2013, for financial assistance to municipalities, as defined in section 281.59 (1) (c) of the statutes, under section 281.58 of the statutes for projects eligible to receive financial assistance under that section.

(b) The department of natural resources and the department of administration shall provide additional subsidy under this subsection to municipalities in the amount that P.L. 112-10 requires to be used to provide additional subsidy. The department of natural resources and the department of administration shall provide additional subsidy to a municipality in the form of forgiveness of part of the principal of a loan made to the municipality, notwithstanding the limits in section 281.58 (6) (b) of the statutes on the methods that may be used to provide financial assistance. The department of natural resources may establish a percentage limit of the amount of the principal forgiveness available under this paragraph that may be received by any municipality.

(c) The department of natural resources may establish a deadline for submitting applications for financial assistance under this subsection.

(d) In selecting the projects to receive financial assistance under this subsection, and the terms of the financial assistance, the department of natural resources may consider any of the following:

1. The population of the municipality in which a project would be located.

2. The median household income, as defined in section 281.58 (1) (cm) of the statutes, of the municipality in which a project would be located.

3. The extent to which a project promotes water efficiency or energy efficiency; is environmentally innovative; or uses natural systems or engineered systems that mimic natural processes, also called green infrastructure.

(e) Notwithstanding section 227.10 (1) of the statutes, the department of natural resources and the department of administration are not required to promulgate rules for the purposes of this subsection.

(3d) FEDERAL FISCAL YEAR 2011 APPROPRIATIONS ACT FUNDING FOR SAFE DRINKING WATER LOAN PROGRAM PROJECTS.

(a) If this state receives moneys under P.L. 112-10 as a capitalization grant for drinking water state revolving loan funds under the federal Safe Drinking Water Act, the department of natural resources and the department of administration may, as provided in this subsection, allocate the funds, before December 31, 2013, for financial assistance to local governmental units, as defined in section 281.61 (1) (a) of the statutes, under section 281.61 of the statutes for projects eligible to receive financial assistance under that section. Notwithstanding section 281.59 (3s) (a) of the statutes, the department of administration may, until December 30, 2013, allocate amounts approved for the 2011-13 biennium under section 281.59 (3s) (b) 1. of the statutes for projects under this subsection.

(b) The department of natural resources and the department of administration shall provide additional subsidy under this subsection to local governmental units in the amount that P.L. 112-10 requires to be used to provide additional subsidy. The department of natural resources and the department of administration shall provide additional subsidy to a local governmental unit in the form of forgiveness of part of the principal of a loan made to the local governmental unit, notwithstanding the limits in section 281.61 (2r) of the statutes on the methods that may be used to provide financial assistance. The department of natural resources may establish a percentage limit of the amount of the principal forgiveness available under this paragraph that may be received by any local governmental unit.

(c) The department of natural resources may establish a different deadline for submitting applications for financial assistance under this subsection than the deadline in section 281.61 (5) of the statutes.

(d) In selecting the projects to receive financial assistance under this subsection, and the terms of the financial assistance, the department of natural resources may consider any of the following:

1. The population of the local governmental unit in which a project would be located.

2. The median household income, as defined in section 281.58 (1) (cm) of the statutes, of the local governmental unit in which a project would be located.

3. The extent to which a project promotes water efficiency or energy efficiency; is environmentally innovative; or uses natural systems or engineered systems that mimic natural processes, also called green infrastructure.

(e) Notwithstanding section 227.10 (1) of the statutes, the department of natural resources and the department of administration are not required to promulgate rules for the purposes of this subsection.

(3f) ECONOMIC IMPACT ANALYSES FOR CERTAIN RULES.

(a) In this subsection, "department" means the department of natural resources.

(b) The department shall prepare an economic impact analysis of all of the following:

1. Section NR 102.06, Wisconsin Administrative Code.
2. Subchapter III of chapter NR 217, Wisconsin Administrative Code.
3. Section NR 115, Wisconsin Administrative Code.

(c) The economic impact analyses prepared by the department under this subsection shall include the information specified in section 227.137 (3) of the statutes. The department may prepare a single combined analysis for the rules specified under paragraph (b) 1. and 2.

(d) The department shall submit the economic impact analyses required under this subsection on or before December 31, 2011, to the governor, to the department of administration, to the cochairpersons of the joint committee for review of administrative rules, and to the chief clerks of the assembly and senate for distribution to the chairpersons of the appropriate standing committees of the legislature.

(3q) SOUTHEASTERN WISCONSIN FOX RIVER COMMISSION. The department of natural resources shall provide in the 2011-13 fiscal biennium, from the appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act, \$200,000 to the Southeastern Wisconsin Fox River commission. The commission may use this funding for activities that are required or authorized under subchapter VI of chapter 33 of the statutes and that are consistent with the commission's implementation plan. The activities for which this funding is utilized may include the activities required under section 33.56 (1), (2), and (3) of the statutes.

(4u) POSITION INCREASES AND DECREASES.

(a) The authorized FTE positions for the department of natural resources are decreased by 0.8 SEG positions funded from the appropriation under section 20.370 (9) (mu) of the statutes, for the purposes for which the appropriation is made. The secretary shall identify the position.

(b) The authorized FTE positions for the department of natural resources are decreased by 0.2 GPR positions funded from the appropriation under section 20.370 (9) (ma) of the statutes, for the purposes for which the appropriation is made. The secretary shall identify the position.

(c) The authorized FTE positions for the department of natural resources are decreased by 2.0 SEG positions funded from the appropriation under section 20.370 (8) (mu) of the statutes, for the purposes for which the appropriation is made. The secretary shall identify the positions.

(d) The authorized FTE positions for the department of natural resources are increased by 0.8 SEG positions, funded from the appropriation under section 20.370 (9)

(mu) of the statutes, to provide for an unclassified division administrator.

(e) The authorized FTE positions for the department of natural resources are increased by 0.2 GPR positions, funded from the appropriation under section 20.370 (9) (ma) of the statutes, to provide for an unclassified division administrator.

(f) The authorized FTE positions for the department of natural resources are increased by 2.0 SEG positions, funded from the appropriation under section 20.370 (8) (mu) of the statutes, to provide for additional unclassified division administrators.

SECTION 9137. Nonstatutory provisions; Public Instruction.

(1) STUDENT INFORMATION SYSTEM. The state superintendent of public instruction shall submit a plan for the expenditure of moneys appropriated under section 20.255 (1) (e) of the statutes, as created by this act, in the 2011-12 fiscal year to the governor for his or her approval. By October 1, 2011, the state superintendent and the governor shall submit the approved plan to the joint committee on finance for its approval. The state superintendent may not expend or encumber the moneys unless the joint committee on finance approves the plan.

(1u) PUPIL ASSESSMENTS.

(a) Beginning in the 2014-15 school year, the department of public instruction shall replace the Wisconsin Knowledge and Concepts Examination with pupil assessments developed by the Smarter Balance Assessment Consortium or by an entity selected by the department through a request for proposals process. The new assessments shall be standards-based; measure mastery of the common core standards; be designed so as to begin the transition to online testing; and allow for the results of multiple-choice questions to be provided within one week and the results of open-ended questions to be provided within 6 weeks, or as soon as practicable.

(b) By January 1, 2012, and by January 1, 2013, the department of public instruction shall report to the cochairpersons of the joint committee on finance on the progress of the transition from the current pupil assessment system to the new pupil assessment system. The department shall ensure that a stand-alone field test of new assessment items is conducted no later than the spring of 2014.

(2) SPECIAL ADJUSTMENT AIDS. Notwithstanding section 121.105 (2) of the statutes, for state aid distributed in the 2011-12 school year, the department of public instruction shall calculate the aid adjustment under that section using 90 percent instead of 85 percent in section 121.105 (2) (am) 1. and 2. of the statutes.

(3q) LOW REVENUE ADJUSTMENT AID.

(a) Except as provided in paragraph (b) and subject to paragraph (c), in the 2011-12 school year, from the appropriation under section 20.255 (2) (ar) of the statutes, as created by this act, the department of public

instruction shall pay to each school district in which the school district's per pupil revenue under section 121.905 (4) (a) of the statutes is greater than the school district's base revenue per member, as determined under section 121.905 of the statutes, as affected by this act, an amount determined as follows:

1. For a school district in which the difference between the school district's per pupil revenue under section 121.905 (4) (a) of the statutes and the school district's base revenue per member, as determined under section 121.905 of the statutes, as affected by this act, is \$100, an amount determined by multiplying \$40 by the average of the number of pupils enrolled in the school district in the 2009-10, 2010-11, and 2011-12 school years. For the purpose of calculating eligibility for aid under this subdivision, if the school district's base revenue per member, as determined under section 121.905 of the statutes, is less than \$8,900, the department of public instruction shall set the base revenue per member at \$8,900.

2. For a school district in which the difference between the school district's per pupil revenue under section 121.905 (4) (a) of the statutes and the school district's base revenue per member, as determined under section 121.905 of the statutes, as affected by this act, is less than \$100, an amount determined as provided in subdivision 3. For the purpose of calculating eligibility for aid under this subdivision and calculating aid under subdivision 3., if the school district's base revenue per member, as determined under section 121.905 of the statutes, is less than \$8,900, the department of public instruction shall set the base revenue per member at \$8,900.

3. a. Subtract the school district's base revenue per member, as determined under section 121.905 of the statutes, as affected by this act, from the school district's per pupil revenue under section 121.905 (4) (a) of the statutes.

b. Multiply the difference determined under subdivision 3. a. by 0.4.

c. Multiply the product under subdivision 3. b. by the average of the number of pupils enrolled in the school district in the 2009-10, 2010-11, and 2011-12 school years.

(b) If a school district's per pupil revenue under section 121.905 (4) (a) of the statutes is less than \$8,900, the school district may not receive aid under this subsection.

(c) 1. When considering under this subsection the school district's per pupil revenue under section 121.905 (4) (a) of the statutes, the department of public instruction shall not consider any adjustments under section 121.91 (3) or (4) of the statutes.

2. If the appropriation under section 20.255 (2) (ar) of the statutes, as created by this act, is insufficient to pay the full amount of aid for which school districts are eligible under this subsection, the department of public

instruction shall prorate the aid payments under this subsection among all eligible school districts.

(3r) PER PUPIL ADJUSTMENT AID.

(a) In the 2012-13 school year, from the appropriation under section 20.255 (2) (ap) of the statutes, as created by this act, the department of public instruction shall pay to each school district that, in the fall of 2012, certifies the maximum amount allowed to be levied under section 121.905 of the statutes, as affected by this act, or 121.91 (2m) of the statutes, as affected by this act, an amount equal to \$50 multiplied by the average of the number of pupils enrolled in the school district in the 2010-11, 2011-12, and 2012-13 school years. When considering under this paragraph whether a school district certified the maximum amount allowed to be levied, the department of public instruction shall not consider any increase under section 121.91 (4) (d) of the statutes.

(b) 1. Subject to paragraph (c), in the 2012-13 school year, from the appropriation under section 20.255 (2) (ap) of the statutes, as created by this act, the department of public instruction shall pay the amount determined under subdivision 2. to each school district to which all of the following apply:

a. In the fall of 2012, the school district certifies less than the maximum amount allowed to be levied under section 121.905 of the statutes, as affected by this act, or section 121.91 (2m) of the statutes, as affected by this act. When considering under this subdivision whether a school district certified the maximum amount allowed to be levied, the department of public instruction shall not consider any increase under section 121.91 (4) (d) of the statutes.

b. The quotient determined by dividing the difference between the maximum amount allowed to be levied by the school district in the 2012-13 school year under section 121.905 of the statutes, as affected by this act, or section 121.91 of the statutes, as affected by this act, and the actual amount certified by the school district in the fall of 2012, by the average of the number of pupils enrolled in the school district in the 2010-11, 2011-12, and 2012-13 school years is less than \$50.

2. a. Divide the difference between the maximum amount allowed to be levied by the school district in the 2012-13 school year under section 121.905 of the statutes, as affected by this act, or section 121.91 of the statutes, as affected by this act, and the actual amount certified by the school district in the fall of 2012, by the average of the number of pupils enrolled in the school district in the 2010-11, 2011-12, and 2012-13 school years.

b. Subtract the amount determined under subdivision 2. a. from \$50.

c. Multiply the difference determined in subdivision 2. b. by the average of the number of pupils enrolled in

the school district in the 2010–11, 2011–12, and 2012–13 school years.

(c) If the appropriation under section 20.255 (2) (ap) of the statutes, as created by this act, is insufficient to pay the full amount of aid for which school districts are eligible under this subsection, the department of public instruction shall prorate the aid payments under this subsection among all eligible school districts.

(3u) PARENTAL CHOICE PROGRAMS IN ELIGIBLE SCHOOL DISTRICTS: PARTICIPATION IN 2011–12 SCHOOL YEAR.

(a) Notwithstanding section 118.60 (1m) of the statutes, as created by this act, within 10 days after the effective date of this subsection, the department of public instruction shall prepare a list that identifies eligible school districts, as defined under section 118.60 (1) (am) of the statutes, as created by this act, and shall notify the school district clerk of each eligible school district. Regardless of the date on which the department of public instruction identifies a school district as an eligible school district under this paragraph, the department shall treat the date as no later than June 30, 2011.

(b) Subject to section 118.60 (2) (a) 1. and 2. of the statutes, as created by this act, any pupil who resides within a school district found to be an eligible school district under paragraph (a) may participate in the program under section 118.60 of the statutes, as created by this act, in the 2011–12 school year.

(c) Notwithstanding section 118.60 (1) (am) of the statutes, as created by this act, for purposes of determining whether a school district is an eligible school district under paragraph (a), the department of public instruction shall do all of the following:

1. Use the equalized value per member, as determined in accordance with section 121.15 (4) of the statutes on October 15, 2010, for the distribution of equalization aid in the 2010–11 school year.

2. Use the shared cost per member, as determined in accordance with section 121.07 of the statutes on October 15, 2010, for the distribution of equalization aid for the 2010–11 school year.

3. Determine whether the school district received aid under section 121.136 of the statutes in the 2010–11 school year.

4. Determine whether the school district was located in whole or in part in a city of the 2nd class in the 2010–11 school year.

(4u) REVENUE LIMIT ADJUSTMENT.

(a) If a school district received the revenue limit adjustment under section 121.91 (8) of the statutes for the 2010–11 school year, its revenue limit under subchapter VII of chapter 121 of the statutes for the 2011–12 school year is increased by the amount of that adjustment in the 2010–11 school year.

(b) If a school district received the revenue limit adjustment under section 121.91 (8) of the statutes for the 2010–11 school year and received no state aid under sec-

tion 121.08 of the statutes in the 2010–11 school year, its revenue limit under subchapter VII of chapter 121 of the statutes for the 2012–13 school year is increased by the amount of that adjustment in the 2010–11 school year.

(c) The excess revenue in the 2011–12 and 2012–13 school years resulting from the revenue limit increases under paragraphs (a) and (b) shall be treated as nonrecurring adjustments.

SECTION 9140. Nonstatutory provisions; Regulation and Licensing.

(1) RULES AND ORDERS. All rules promulgated by the department of regulation and licensing that relate to the licensure of real estate brokers and salespersons or the registration of time–share salespersons that are in effect on the effective date of this subsection remain in effect until their specified expiration dates or until amended or repealed by the real estate examining board. All orders issued by the department of regulation and licensing relating to such licensure or registration that are in effect on the effective date of this subsection remain in effect until their specified expiration dates or until modified or rescinded by the real estate examining board.

(2) PENDING MATTERS. Any matter pending with the department of regulation and licensing on the effective date of this subsection that is primarily related to the licensure of real estate brokers and salespersons or the registration of time–share salespersons, as determined by the secretary of regulation and licensing, is transferred to the real estate examining board, and all materials submitted to or actions taken by the department of regulation and licensing with respect to the pending matters are considered as having been submitted to or taken by the real estate examining board.

(3) CONTRACTS. All contracts entered into by the department of regulation and licensing in effect on the effective date of this subsection that are primarily related to licensure of real estate brokers and salespersons or the registration of time–share salespersons, as determined by the secretary of regulation and licensing, remain in effect and are transferred to the real estate examining board. The real estate examining board shall carry out any obligations under such a contract until the contract is modified or rescinded by the real estate examining board to the extent allowed under the contract.

(4) INITIAL APPOINTMENTS. Notwithstanding the lengths of terms specified in section 15.405 (11m) of the statutes, as created by this act, the initial members of the real estate examining board shall be appointed for the following terms:

(a) One real estate broker or salesperson licensed under chapter 452 of the statutes and one public member, for terms expiring on July 1, 2012.

(b) One licensed real estate broker or salesperson licensed under chapter 452 of the statutes and one public member, for terms expiring on July 1, 2013.

(c) Three licensed real estate brokers or salespersons licensed under chapter 452 of the statutes, for terms expiring on July 1, 2014.

(5c) BAIL BOND SURETY CORPORATION AND AGENT LICENSING: RULES. Using the procedure under section 227.24 of the statutes, the department of safety and professional services shall promulgate rules required under section 440.9995 of the statutes, as created by this act, for the period before the effective date of the permanent rules promulgated under section 440.9995 of the statutes, as created by this act, but not to exceed the period authorized under section 227.24 (1) (c), subject to extension under section 227.24 (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department of safety and professional services is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

SECTION 9142. Nonstatutory provisions; Secretary of State.

(1) TRANSFER OF TRADEMARK AND NOTARY FUNCTIONS TO THE DEPARTMENT OF FINANCIAL INSTITUTIONS; TRANSITIONAL PROVISIONS.

(a) *Definitions.* In this subsection:

1. "Department" means the department of financial institutions.

2. "Office" means the office of the secretary of state.

3. "Relating to the office's trademark or notary functions" means relating to the office's functions and duties under section 137.01, 2009 stats., or chapter 132, 2009 stats.

(b) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the office relating to the office's trademark or notary functions shall become the assets and liabilities of the department.

(c) *Staff.*

1. On the effective date of this subdivision, 1.0 FTE PR position relating to the office's trademark or notary functions and the incumbent employee, identified by the secretary of administration, holding that position in the office are transferred to the department.

2. The employee transferred under subdivision 1. to the division has all of the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the division that he or she enjoyed in the office immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, the employee so transferred who has attained permanent status in class is not required to serve a probationary period.

3. On the effective date of this subdivision, the remaining 1.0 FTE PR position of the office relating to the office's trademark or notary functions not transferred under subdivision 1. is deauthorized.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the office relating to the office's trademark or notary functions is transferred to the department.

(e) *Contracts.* All contracts entered into by the office, in effect on the effective date of this paragraph, relating to the office's trademark or notary functions remain in effect and are transferred to the department. The department shall carry out any obligations under such a contract until the contract is modified or rescinded by the department to the extent allowed under the contract.

(f) *Rules and orders.*

1. All rules promulgated by the office relating to the office's trademark or notary functions that are in effect on the effective date of this subdivision remain in effect until their specified expiration dates or until amended or repealed by the department.

2. All orders issued by the office relating to the office's trademark or notary functions that are in effect on the effective date of this subdivision remain in effect until their specified expiration dates or until modified or rescinded by the department.

(g) *Pending matters.* Any matter relating to the office's trademark or notary functions pending with the office on the effective date of this paragraph is transferred to the department, and all materials submitted to or actions taken by the office with respect to the pending matter are considered as having been submitted to or taken by the department.

(h) *Department of administration to arbitrate disputes.* In the case of disagreement between the secretary of financial institutions and the secretary of state with respect to any matter specified in paragraph (c), (d), (e), (f), or (g), the department of administration shall determine the matter and shall develop a plan for an orderly transfer.

(2) TRANSFER OF ADMINISTRATIVE SERVICES FUNCTIONS TO DEPARTMENT OF ADMINISTRATION.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the office of the secretary of state that are primarily related to administrative services, as determined by the secretary of administration, shall become the assets and liabilities of the department of administration.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the office of the secretary of state that are primarily related to administrative services, as determined by the secretary of administration, shall become the tangible personal property of the department of administration.

(c) *Contracts.* All contracts entered into by the office of the secretary of state in effect on the effective date of this paragraph that are primarily related to administrative

services, as determined by the secretary of administration, remain in effect and are transferred to the department of administration. The department of administration shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of administration to the extent allowed under the contract.

(d) *Rules and orders.* All rules promulgated by the office of the secretary of state in effect on the effective date of this paragraph that are primarily related to administrative services, as determined by the secretary of administration, remain in effect until their specified expiration date or until amended or repealed by the department of administration. All orders issued by the office of the secretary of state in effect on the effective date of this paragraph that are primarily related to administrative services, as determined by the secretary of administration, remain in effect until their specified expiration date or until modified or rescinded by the department of administration.

(e) *Pending matters.* Any matter pending with the office of the secretary of state on the effective date of this paragraph that is primarily related to administrative services, as determined by the secretary of administration, is transferred to the department of administration and all materials submitted to or actions taken by the office of the secretary of state with respect to the pending matter are considered as having been submitted to or taken by the department of administration.

SECTION 9143. Nonstatutory provisions; State Employment Relations, Office of.

(2q) HEALTH INSURANCE OPTIONS.

(a) The director of the office of state employment relations and the secretary of employee trust funds shall study the feasibility of all of the following:

1. Offering to employees eligible to receive health care coverage under subchapter IV of chapter 40 of the statutes, beginning on January 1, 2013, the options of receiving health care coverage through either a low-cost health care coverage plan or through a high-deductible health plan and the establishment of a health savings account, as described in 26 USC 223.

2. Implementing a 3-level health insurance premium cost structure that would establish separate premium levels for single individuals, married couples with no dependents, and families with dependents.

3. Implementing a program, beginning on January 1, 2012, to provide an online marketplace for the purchase of prescription drugs as a supplement to the pharmacy benefit management program provided under the group insurance plans offered by the group insurance board.

4. Requiring state employees to receive health care coverage through a health benefits exchange established pursuant to the federal Patient Protection and Affordable Care Act of 2010.

5. Creating a health care insurance purchasing pool for all state and local government employees and individuals receiving health care coverage under the Medical Assistance program.

(b) No later than October 31, 2011, the director and secretary shall report their findings and recommendations to the governor and the joint committee on finance.

SECTION 9148. Nonstatutory provisions; Transportation.

(1) CERTIFICATES OF TITLE. Notwithstanding chapter 342 of the statutes, as affected by this act, beginning on the effective date of this subsection, the department of transportation may, for 6 months after the effective date of this subsection, issue and deliver certificates of title under applicable provisions of chapter 342 of the statutes that are in effect on the day before the effective date of this subsection.

(3u) DISSOLUTION AND WINDING DOWN OF TRANSIT AUTHORITIES.

(a) Any authority created under section 66.1039, 2009 stats., is dissolved on the effective date of this paragraph.

(b) The authority under section 59.58 (7), 2009 stats., is dissolved on the effective date of this paragraph.

(c) After the effective date of this paragraph, the counties of Kenosha, Racine, and Milwaukee, and all members of the governing body of the authority under section 59.58 (7) of the statutes, shall begin the process of winding down the authority and shall complete the process by the time the authority is dissolved as provided in paragraph (b). All assets and liabilities of the authority under section 59.58 (7), 2009 stats., including any accumulated moneys received from the fees imposed under subchapter XIII of chapter 77 of the statutes, shall become the assets and liabilities of the counties of Kenosha, Racine, and Milwaukee and shall be divided and distributed as follows:

1. Fifty percent to Milwaukee County.
2. Twenty-five percent to Kenosha County.
3. Twenty-five percent to Racine County.

(4f) COPPER CULTURE STATE PARK DIRECTIONAL SIGNAGE. Notwithstanding any eligibility criteria or other criteria or specification under section 86.196 of the statutes, the department of transportation shall erect 2 tourist-oriented directional signs, one for each direction of travel, along STH 41 in Oconto County for Copper Culture State Park in Oconto County. The department may not charge any fee related to any sign erected under this subsection.

(7f) SOUTHEAST WISCONSIN FREEWAY FUNDING. Prior to July 1, 2011, the department of transportation shall determine all of the following, calculated as of the end of fiscal year 2010-11, based upon the portion of unencumbered funds for the department's southeast Wisconsin freeway rehabilitation program that are associated with

projects that will become part of the department's south-east Wisconsin freeway megaproject program:

(a) The amount to be transferred from section 20.395 (3) (cr) of the statutes, as affected by this act, to the department's new state funds appropriation account for southeast Wisconsin freeway megaprojects.

(b) The amount to be transferred from section 20.395 (3) (cw) of the statutes, as affected by this act, to the department's new local funds appropriation account for southeast Wisconsin freeway megaprojects.

(c) The amount to be transferred from section 20.395 (3) (cy) of the statutes, as affected by this act, to the department's new federal funds appropriation account for southeast Wisconsin freeway megaprojects.

(7g) COMMISSION ON TRANSPORTATION FINANCE AND POLICY.

(a) There is created a committee called the commission on transportation finance and policy. The commission shall consist of the following members:

1. The secretary of transportation, who shall serve as a nonvoting member.

2. Six citizen members, appointed by the governor.

3. One citizen member, appointed by the speaker of the assembly.

4. One citizen member, appointed by the assembly minority leader.

5. One citizen member, appointed by the senate majority leader.

6. One citizen member, appointed by the senate minority leader.

(b) At least 5 of the citizen members appointed under paragraph (a) shall have experience in public finance, transportation policy, or transportation system planning.

(c) The commission shall examine issues related to the future of transportation finance in this state, including all of the following:

1. The estimated costs of highway maintenance, rehabilitation, reconstruction, and expansion projects over a 10-year period, including both those currently identified in the department's 6-year program and those in the department's long-range transportation plans.

2. The estimated costs of local government transportation aid and assistance programs, including general transportation aids and mass transit operating assistance.

3. Projections of transportation fund revenues over the same 10-year period identified in subdivision 1.

4. Projections of transportation fund debt service for the use of bonds over the same 10-year period identified in subdivision 1., under various scenarios.

5. Various options for increasing transportation fund revenues or adjusting transportation fund expenditures over the 10-year period identified in subdivision 1. to achieve a stable balance between expenditures, revenues, and debt service.

6. The impact of highway project planning for specific projects on landowners with property abutting proposed improvements.

(d) The commission shall prepare a report with its findings and recommendations and submit the report, no later than March 1, 2013, to the governor, the speaker of the assembly, the assembly minority leader, the senate majority leader, and the senate minority leader.

(8f) ZOO INTERCHANGE PROJECT REPORT.

(a) In this subsection, "Zoo interchange" has the meaning given in section 84.014 (5m) (ag) 2. of the statutes.

(b) No later than December 1, 2011, the department of transportation shall submit a report to the joint committee on finance that does all of the following:

1. Outlines a financing plan and schedule for the Zoo interchange project, including planned expenditures by year and by funding source, through the year of completion of the project.

2. Shows the impact on transportation fund debt service of the issuance of bonds for the Zoo interchange project as well as past and future issuance of transportation fund-supported bonds for other projects and programs.

3. Provides estimates of the percentage of gross transportation fund revenues that would be required for the payment of transportation debt service on any bonds described under subdivision 2., through 2 years following the year of completion of the Zoo interchange project.

(9i) VEHICLE REGISTRATION DECALS. By the date specified by the cochairpersons of the joint committee on finance for submission of requests for consideration at the 3rd quarterly meeting of the committee under section 13.10 of the statutes in the 2011-12 fiscal year, the department of transportation shall submit a request to the committee under section 13.10 of the statutes to provide supplemental funding under section 13.101 (3) of the statutes for the appropriation under section 20.395 (5) (cq) of the statutes in the 2012-13 fiscal year for vehicle registration plate tags, decals, or stickers evidencing registration. The request submitted under this subsection shall include the department's proposal to establish a registration plate decal or sticker system under which decals or stickers would be issued centrally by a 3rd-party vendor and would carry an identification marker specific to the registration plate or vehicle for which the decal or sticker is issued. Upon approval of the proposal, including modification and approval, by the committee, the department shall implement the proposal as approved. Notwithstanding section 13.101 (3) of the statutes, the committee may supplement the appropriation under section 20.395 (5) (cq) of the statutes from the appropriation account under section 20.865 (4) (u) of the statutes for the

purpose described in this subsection without finding that an emergency exists.

SECTION 9149. Nonstatutory provisions; Treasurer.

(1) TRANSFER OF COLLEGE SAVINGS PROGRAMS DUTIES TO THE DEPARTMENT OF ADMINISTRATION.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the office of the state treasurer that are primarily related to the state treasurer's performance of duties under sections 14.63, 14.64, and 14.65, 2009 stats., as determined by the secretary of administration, shall become the assets and liabilities of the department of administration.

(b) *Staff.*

1. On the effective date of this subdivision, 1.0 FTE SEG position in the office of the state treasurer, and the incumbent employee holding that position, funded from the appropriation under section 20.585 (2) (tm), 2009 stats., and responsible for the performance of duties related to the college savings program, is transferred to the department of administration to be funded from the appropriation under section 20.505 (1) (th) of the statutes, as affected by this act. The secretary of administration shall identify the position.

2. An employee transferred under subdivision 1. to the department of administration has all of the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of administration that he or she enjoyed in the office of the state treasurer immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(c) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the office of the state treasurer that are primarily related to the state treasurer's performance of duties under sections 14.63, 14.64, and 14.65, 2009 stats., as determined by the secretary of administration, is transferred to the department of administration.

(d) *Pending matters.* Any matter pending with the office of the state treasurer that is primarily related to the state treasurer's performance of duties under sections 14.63, 14.64, and 14.65, 2009 stats., as determined by the secretary of administration, is transferred to the department of administration. All materials submitted to or actions taken by the office of the state treasurer with respect to the pending matter are considered as having been submitted to or taken by the department of administration.

(e) *Contracts.* All contracts entered into by the office of the state treasurer in effect on the effective date of this paragraph that are primarily related to the state treasurer's performance of duties under sections 14.63, 14.64, and 14.65, 2009 stats., as determined by the secretary of administration, remain in effect and are transferred to the

department of administration. The department of administration shall carry out any obligations under those contracts unless modified or rescinded by the department of administration to the extent allowed under the contract.

(f) *Rules and orders.* All rules promulgated by the office of the state treasurer in effect on the effective date of this paragraph that are primarily related to the state treasurer's performance of duties under sections 14.63, 14.64, and 14.65, 2009 stats., as determined by the secretary of administration, remain in effect until their specified expiration dates or until amended or repealed by the department of administration. All orders issued by the office of the state treasurer in effect on the effective date of this paragraph that are primarily related to the state treasurer's performance of duties under sections 14.63, 14.64, and 14.65, 2009 stats., as determined by the secretary of administration, remain in effect until their specified expiration dates or until modified or rescinded by the department of administration.

(2) TRANSFER OF LOCAL GOVERNMENT POOLED-INVESTMENT DUTIES TO THE DEPARTMENT OF ADMINISTRATION.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the office of the state treasurer that are primarily related to the state treasurer's performance of duties under section 25.50, 2009 stats., as determined by the secretary of administration, shall become the assets and liabilities of the department of administration.

(b) *Staff.*

1. On the effective date of this subdivision, 1.0 FTE PR position in the office of the state treasurer, and the incumbent employee holding that position funded from the appropriation under section 20.585 (1) (g), 2009 stats., and responsible for the performance of duties related to the local government pooled-investment fund under section 25.50, 2009 stats., is transferred to the department of administration to be funded from the appropriation under section 20.505 (1) (gc) of the statutes, as affected by this act. The secretary of administration shall identify the position.

2. An employee transferred under subdivision 1. to the department of administration has all of the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department that he or she enjoyed in the office of the state treasurer immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(c) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the office of the state treasurer that are primarily related to the state treasurer's performance of duties under section 25.50, 2009 stats., as determined by

the secretary of administration, is transferred to the department of administration.

(d) *Pending matters.* Any matter pending with the office of the state treasurer that is primarily related to the state treasurer's performance of duties under section 25.50, 2009 stats., as determined by the secretary of administration, is transferred to the department of administration. All materials submitted to or actions taken by the office of the state treasurer with respect to the pending matter are considered as having been submitted to or taken by the department of administration.

(e) *Contracts.* All contracts entered into by the office of the state treasurer in effect on the effective date of this paragraph that are primarily related to the state treasurer's performance of duties under section 25.50, 2009 stats., as determined by the secretary of administration, remain in effect and are transferred to the department of administration. The department of administration shall carry out any obligations under those contracts unless modified or rescinded by the department of administration to the extent allowed under the contract.

(f) *Rules and orders.* All rules promulgated by the office of the state treasurer in effect on the effective date of this paragraph that are primarily related to the state treasurer's performance of duties under section 25.50, 2009 stats., as determined by the secretary of administration, remain in effect until their specified expiration dates or until amended or repealed by the department of administration. All orders issued by the office of the state treasurer in effect on the effective date of this paragraph that are primarily related to the state treasurer's performance of duties under section 25.50, 2009 stats., as determined by the secretary of administration, remain in effect until their specified expiration dates or until modified or rescinded by the department of administration.

(3) TRANSFER OF MANAGEMENT SERVICE FUNCTIONS TO DEPARTMENT OF ADMINISTRATION.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the office of the state treasurer that are primarily related to management services, as determined by the secretary of administration, shall become the assets and liabilities of the department of administration.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the office of the state treasurer that are primarily related to management services, as determined by the secretary of administration, shall become the tangible personal property of the department of administration.

(c) *Contracts.* All contracts entered into by the office of the state treasurer in effect on the effective date of this paragraph that are primarily related to management services, as determined by the secretary of administration, remain in effect and are transferred to the department of administration. The department of administration shall carry out any obligations under such a contract until the

contract is modified or rescinded by the department of administration to the extent allowed under the contract.

(d) *Rules and orders.* All rules promulgated by the office of the state treasurer in effect on the effective date of this paragraph that are primarily related to management services, as determined by the secretary of administration, remain in effect until their specified expiration date or until amended or repealed by the department of administration. All orders issued by the office of the state treasurer in effect on the effective date of this paragraph that are primarily related to management services, as determined by the secretary of administration, remain in effect until their specified expiration date or until modified or rescinded by the department of administration.

(e) *Pending matters.* Any matter pending with the office of the state treasurer on the effective date of this paragraph that is primarily related to management services, as determined by the secretary of administration, is transferred to the department of administration and all materials submitted to or actions taken by the office of the state treasurer with respect to the pending matter are considered as having been submitted to or taken by the department of administration.

SECTION 9152. Nonstatutory provisions; University of Wisconsin System.

(1c) SUPPLEMENTAL PAY PLANS DURING 2011-13 FISCAL BIENNIUM.

(a) *Board of Regents of the University of Wisconsin System.* During the 2011-13 fiscal biennium, the Board of Regents of the University of Wisconsin System may provide supplemental pay plans for all of its employees, other than employees assigned to the University of Wisconsin-Madison. The supplemental pay plans shall be in addition to any pay plan approved under section 230.12 (3) (e) 1. of the statutes. The board shall submit the plans to the joint committee on employment relations, and the plans may be implemented only upon approval of the committee. The board may not request supplemental funding under section 20.928 of the statutes to pay the costs of these plans and the board, under section 16.42 of the statutes, may not request any funding of increases in salary and fringe benefit costs provided in these plans.

(b) *Chancellor of the University of Wisconsin-Madison.* During the 2011-13 fiscal biennium, the chancellor of the University of Wisconsin-Madison may provide supplemental pay plans for all employees assigned to the University of Wisconsin-Madison. The supplemental pay plans shall be in addition to any pay plan approved under section 230.12 (3) (e) 1. of the statutes. The chancellor shall submit the plans to the Board of Regents of the University of Wisconsin System. If the board approves the plans, the chancellor shall submit the plans to the joint committee on employment relations and the plans may be implemented only upon approval of the committee. The board may not request supplemental funding under section 20.928 of the statutes to pay the

costs of these plans and the board, under section 16.42 of the statutes, may not request any funding of increases in salary and fringe benefit costs provided in these plans.

(lgc) INTERIM BIDDING PROCEDURES PENDING IMPLEMENTATION OF PROCEDURES. Notwithstanding sections 16.855 (23) and s. 36.11 (53) of the statutes, as created by this act, all construction work for each project that is constructed by or for the University of Wisconsin System that is exempted from compliance with the provisions of section 16.855 of the statutes under this act shall remain subject to the provisions of section 16.855 of the statutes until the procedures required under section 36.11 (53) of the statutes, as created by this act, become effective.

(lpc) TUITION.

(a) Notwithstanding section 36.27 (1) of the statutes, the Board of Regents of the University of Wisconsin System may not charge resident undergraduates enrolled in the 2011-12 or 2012-13 academic year academic fees that are more than 5.5 percent greater than the academic fees charged resident undergraduates in the previous academic year.

(b) The limit under paragraph (a) does not apply to differential tuition approved by the Board of Regents before June 1, 2011.

(ltc) STUDY.

(a) In this subsection:

1. "Board" means the Board of Regents of the system.
2. "System" means the University of Wisconsin System.

(b) There is created a Special Task Force on UW Restructuring and Operational Flexibilities to study the system. The task force shall consist of the following members:

1. Six members appointed by the speaker of the assembly, including 3 business or public leaders, 2 current or former system chancellors or board members, and one member of the assembly.
2. Six members appointed by the senate majority leader, including 3 business or public leaders, 2 current or former system chancellors, or board members, and one member of the senate.
3. One member of the senate appointed by the senate minority leader and one member of the assembly appointed by the minority leader in the assembly.
4. Two members appointed by the governor.
5. One member appointed by the cochairpersons of the joint committee on finance.

(c) The member appointed under paragraph (b) 5. shall serve as chairperson of the task force. The president of the system, the secretary of administration, and the legislative fiscal bureau shall provide staff services for the task force.

(d) In conducting its study, the task force shall address the following issues:

1. Whether there is a need to restructure the system and make recommendations as to a new governance structure.

2. How system employees and those system employees assigned to the University of Wisconsin-Madison would transition from the state personnel system to the new personnel systems.

3. Whether tuition flexibility can be extended to the system while ensuring access and affordability, and what role the legislature should have in establishing tuition.

4. How compensation plans for system employees should be determined in future biennia.

5. Additional operational flexibilities that could be provided to system institutions.

6. How articulation and the transfer of credits between system institutions could be improved.

(e) By January 1, 2012, the task force shall submit its report to the appropriate standing committees of the legislature, as determined by the speaker of the assembly and the president of the senate, in the manner provided under section 13.172 (3) of the statutes, and to the joint committee on finance.

(f) Section 15.04 (1) (c) of the statutes applies to the task force as if it were a committee created under that paragraph. Task force expenses shall be paid from the appropriation under section 20.855 (7) (a) of the statutes, as created by this act.

(2c) The legislative audit bureau shall prepare a financial and performance evaluation audit of the use of broadband services by the Board of Regents of the University of Wisconsin System and the board's relationship with Wisconsin's Research and Education Network, known as WiseNet. The audit shall examine issues of statutory compliance, competition, cost shifting, financing, collaboration, and access when considering the current structure and possible recommendations going forward. By January 1, 2013, the legislative audit bureau shall file its report as provided in section 13.94 (1) (b) of the statutes.

(3) SYSTEM ADMINISTRATION GENERAL PROGRAM OPERATIONS.

(a) In this subsection:

1. "Board" means the Board of Regents of the system.
2. "Reduction amount" means the difference between the total amounts shown in the schedule under section 20.005 (3) of the statutes for the appropriation under section 20.285 (3) (a) of the statutes for fiscal years 2009-10 and 2010-11 and the total amounts shown in the schedule under that appropriation for fiscal years 2011-12 and 2012-13.
3. "System" means the University of Wisconsin System.

(am) The board shall allocate the reductions in general purpose revenue appropriated to the system under

this act to the institutions within the system based upon each institution's share of the system's general purpose revenue, academic fees, and nonresident tuition, excluding debt service, utilities, financial aid, separately budgeted tuition, and extension credit programs.

(b) No later than September 1, 2011, the board shall submit a plan to the secretary of administration and the joint committee on finance specifying the board's preferences for allocating the reduction amount among general program operations of the system administration. If the cochairpersons of the committee do not notify the board within 14 working days after the date of the board's submittal that the committee has scheduled a meeting for the purpose of reviewing the plan, the plan may be implemented as proposed by the board. If, within 14 working days after the date of the board's submittal, the cochairpersons of the committee notify the board that the committee has scheduled a meeting for the purpose of reviewing the proposed plan, the plan may be implemented only upon approval of the committee.

SECTION 9153. Nonstatutory provisions; Veterans Affairs.

(2i) RECOMMENDATIONS REGARDING VETERANS TRUST FUND. On or before June 30, 2012, the board of veterans affairs and the secretary of veterans affairs shall jointly provide recommendations regarding the adoption of a viable long-term funding source for the veterans trust fund. The department of veterans affairs shall submit the recommendations to the governor, the chief clerk of each house of the legislature for distribution to the chairs of the appropriate standing committees under section 13.172 (3) of the statutes, and the cochairpersons of the joint committee on finance.

(2j) INFORMATION REGARDING VETERANS TRUST FUND. In submitting information under section 16.42 of the statutes for purposes of the 2013-15 biennial budget act, the department of veterans affairs shall include an estimate of the amount of revenues that will be deposited into the veterans trust fund during that biennium and recommendations for amounts to be appropriated from the veterans trust fund for that biennium. The total amount that is recommended to be appropriated may not be greater than the estimate of the total amount to be deposited.

SECTION 9154. Nonstatutory provisions; Workforce Development.

(1) LOCAL AGENCY REIMBURSEMENT CONTRACTS.

(a) *Positions and employees.* On the effective date of this paragraph, one position and the incumbent employee, if any, holding that position in the department of workforce development performing duties that are primarily related to local agency reimbursement contracts for programs administered by the department of children and families, as determined by the secretary of administration, are transferred to the department of children and families.

(b) *Employee status.* Any employee transferred under paragraph (a) has all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of children and families that he or she enjoyed in the department of workforce development immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(2c) PREVAILING WAGE EXEMPTION: NURSING HOME. Section 66.0903 of the statutes, as affected by this act, does not apply to a project of public works involving the erection, construction, repair, remodeling, or demolition of a nursing home in a county having a population of less than 50,000, the erection, construction, repair, remodeling, or demolition of which commences no later than one year after the effective date of this subsection.

SECTION 9155. Nonstatutory provisions; Other.

(1j) JUDICIAL COMPENSATION COMMISSION.

(a) There is created a judicial compensation commission consisting of 2 members appointed by the governor, one member appointed by the president of the senate, one member appointed by the speaker of the assembly, one member appointed by the dean of the Marquette University Law School, one member appointed by the dean of the University of Wisconsin Law School, and one member appointed by the president of the State Bar of Wisconsin. The judicial compensation commission shall elect one of its members as chairperson. Members of the judicial compensation commission shall be reimbursed for expenses necessarily incurred as members of the judicial compensation commission.

(b) The judicial compensation commission shall review the salaries of the justices of the supreme court, court of appeals judges, and judges of circuit court. Not later than December 1, 2012, the judicial compensation commission shall submit a written report to the governor and the joint committee on employment relations that includes recommendations on salaries of the justices of the supreme court, court of appeals judges, and judges of circuit court.

(c) Notwithstanding section 20.923 (2) (b) of the statutes, for fiscal biennium 2013-15, the joint committee on employment relations shall review the recommendations submitted by the judicial compensation commission and shall approve the recommendations unless a majority of its members agree not to approve the recommendations. If a majority of members of the judicial compensation commission agree to modify the recommendations submitted by the judicial compensation commission, it shall state the reasons for the modifications in writing.

(d) Notwithstanding section 20.923 (2) (b) of the statutes, for the fiscal biennium 2013-15, the governor shall provide funding sufficient to implement the recommendations submitted by the judicial compensation commis-

sion and approved by the joint committee on employment relations under paragraph (c). If the salary adjustment approved by the joint committee on employment relations is less than the percentage increase of any across-the-board pay adjustments for any other position in the classified service, the annual salary adjustment for any supreme court justice or judge of the court of appeals or circuit court is increased to equal the percentage increase of the highest across-the-board pay adjustment provided for any position in the classified service.

(e) The director of state courts shall provide staff and support services to the judicial compensation commission.

(f) This subsection does not apply after December 1, 2012.

(3c) STATE AGENCY ATTORNEY PAY PROGRESSION PLAN. The Wisconsin State Attorneys Association and the director of the office of state employment relations shall develop a pay progression plan for attorneys who are included in the collective bargaining unit under section 111.825 (1) (f) 3. of the statutes, to be funded from any salary savings resulting from hiring new attorneys to fill the positions of attorneys who will retire from state employment during the 2011-13 fiscal biennium. The plan shall include a detailed description of how a pay progression system would be structured and administered and the fiscal cost of the pay progression system in the 2011-13 fiscal biennium, by fund source, and the projected costs of the pay progression system in the succeeding 4 fiscal biennia. Before October 1, 2011, the Wisconsin State Attorneys Association and the director of the office of state employment relations shall submit the proposed plan to the joint committee on finance. If the cochairpersons of the joint committee on finance do not notify the Wisconsin State Attorneys Association and the director of the office of state employment relations within 14 working days after the date of the submittal of the plan that the committee has scheduled a meeting to review the plan, the plan may be implemented as proposed by the Wisconsin State Attorneys Association and the director of the office of state employment relations. If, within 14 days after the date of the submittal of the plan, the cochairpersons of the committee notify the Wisconsin State Attorneys Association and the director of the office of state employment relations that the committee has scheduled a meeting to review the plan, the plan may only be implemented as approved by the committee.

(3f) PAYMENT OF BROWNFIELDS GRANT PROGRAM ENCUMBRANCES. The Wisconsin Economic Development Corporation shall pay from the appropriation account under section 20.192 (1) (r) of the statutes, as created by this act, the outstanding encumbrances under section 20.143 (1) (qm), 2009 stats., for grants under section 560.13, 2009 stats.

(3g) BROWNFIELD SITE ASSESSMENT GRANTS. The Wisconsin Economic Development Corporation shall

give priority in awarding brownfield site assessment grants under section 238.133 of the statutes, as affected by this act, in fiscal year 2011-12 to applicants that would have been on the funding list of the department of natural resources for awards for fiscal year 2010-11 for brownfield site assessment grants under section 292.75, 2009 stats.

(3r) WAGE INCREASE FOR INITIAL COLLECTIVE BARGAINING AGREEMENT.

(a) In this subsection:

1. "Consumer price index change" has the meaning given in section 111.81 (3n) of the statutes.

2. "General employee" has the meaning given in section 111.81 (9g) of the statutes, as affected by this act.

(b) Notwithstanding section 111.91 (3) (b) of the statutes, as affected by this act, in the first collective bargaining agreement that it negotiates after the effective date of this paragraph with each collective bargaining unit containing a general employee, the state is prohibited from bargaining with respect to a proposal that does any of the following:

1. If there is an increase in the consumer price index change, provides for total base wages for authorized positions in the proposed collective bargaining agreement that exceed the total base wages for authorized positions 180 days before July 1, 2011, by a greater percentage than the consumer price index change.

2. If there is a decrease or no change in the consumer price index change, provides for any change in total base wages for authorized positions in the proposed collective bargaining agreement from the total base wages for authorized positions 180 days before July 1, 2011.

SECTION 9201. Fiscal changes; Administration.

(1q) TRANSFER FROM GENERAL FUND TO TRANSPORTATION FUND. In addition to the transfer required under section 16.5185 of the statutes, as created by this act, during the 2011-13 fiscal biennium, the secretary of administration shall transfer \$125,000,000 from the general fund to the transportation fund.

SECTION 9203. Fiscal changes; Agriculture, Trade and Consumer Protection.

(1f) FERTILIZER RESEARCH FUNDING. In fiscal year 2012-13, the department of agriculture, trade and consumer protection shall transfer from the agricultural management fund to the appropriation account under section 20.115 (7) (h) of the statutes an amount equal to 7 cents per ton of fertilizer sold or distributed in this state during the 12 months ending on June 30, 2012.

SECTION 9210. Fiscal changes; Commerce.

(1) PETROLEUM INSPECTION FUND TRANSFER TO THE TRANSPORTATION FUND. There is transferred from the petroleum inspection fund to the transportation fund \$19,500,000 in each fiscal year of the 2011-13 fiscal biennium.

(2) ECONOMIC DEVELOPMENT TRANSFER. The unencumbered balances in the appropriation accounts under

section 20.143 (1) (a), (b), (bk), (bt), (c), (cf), (d), (dr), (e), (em), (er), (ew), (fi), (fj), (fy), (g), (gc), (gh), (gm), (gv), (h), (hm), (hr), (ie), (ig), (io), (ir), (k), (k), (kb), (kf), (kg), (kh), (kj), and (kt) of the statutes are transferred to the appropriation account under section 20.192 (1) (k) of the statutes.

(2q) MANUFACTURED HOUSING REHABILITATION AND RECYCLING PROGRAM. The unencumbered balance in the appropriation account under section 20.143 (1) (jp) of the statutes is transferred to the appropriation account under section 20.165 (2) (j) of the statutes, as affected by this act.

(3) ECONOMIC DEVELOPMENT TRANSFER; FEDERAL MONIES. The unencumbered balances in the appropriation accounts under section 20.143 (1) (m), (mr), (n), and (o) of the statutes are transferred to the appropriation account under section 20.192 (1) (m) of the statutes.

SECTION 9218. Fiscal changes; Government Accountability Board.

(3i) WISCONSIN ELECTION CAMPAIGN FUND TRANSFER. On the effective date of this subsection, the unencumbered balance in the Wisconsin election campaign fund is transferred to the general fund.

(3j) DEMOCRACY TRUST FUND TRANSFER. On the effective date of this subsection, the unencumbered balance in the democracy trust fund is transferred to the general fund.

SECTION 9219. Fiscal changes; Governor.

(1u) APPROPRIATION LAPSES AND REESTIMATES. The governor shall take actions during the 2011-13 and 2013-15 fiscal biennia to ensure that from general purpose revenue appropriations to the office of the governor under section 20.525 of the statutes an amount equal to \$582,200 is lapsed from sum certain appropriation accounts or is subtracted from the expenditure estimates for any other types of appropriations, or both, in each fiscal biennium.

SECTION 9224. Fiscal changes; Housing and Economic Development Authority.

(1f) TRANSFER OF SURPLUS TO GENERAL FUND. Notwithstanding section 234.165 (2) of the statutes, the Wisconsin Housing and Economic Development Authority shall pay to the state in fiscal year 2011-12 \$900,000 of its actual surplus under section 234.165 of the statutes and in fiscal year 2012-13 shall pay to the state \$900,000 of its actual surplus under section 234.165 of the statutes. The amount paid to the state under this subsection shall be deposited in the general fund.

SECTION 9230. Fiscal changes; Legislature.

(1) APPROPRIATION LAPSES AND REESTIMATES. The cochairpersons of the joint committee on legislative organization shall take actions during the 2011-13 and 2013-15 fiscal biennia to ensure that from general purpose revenue appropriations to the legislature under section 20.765 of the statutes an amount equal to \$9,232,200 is lapsed from sum certain appropriation accounts or is

subtracted from the expenditure estimates for any other types of appropriations, or both, in each fiscal biennium.

SECTION 9235. Fiscal changes; Natural Resources.

(8) ALL-TERRAIN VEHICLE PROGRAM LAPSE. Notwithstanding section 20.001 (3) (c) of the statutes, from the appropriation account to the department of natural resources under section 20.370 (5) (cv) of the statutes there is lapsed to the conservation fund \$1,299,900 in fiscal year 2011-12.

SECTION 9245. Fiscal changes; Supreme Court.

(2f) APPROPRIATION LAPSES AND REESTIMATES. The chief justice of the supreme court, acting as administrative head of the judicial system, shall take actions during the 2011-13 and 2013-15 fiscal biennia to ensure that from general purpose revenue and program revenue appropriations to the circuit courts under section 20.625 of the statutes, to the court of appeals under section 20.660 of the statutes, and to the supreme court under 20.680 of the statutes an amount equal to \$16,960,400 is lapsed from sum certain appropriation accounts or is subtracted from the expenditure estimates for any other types of appropriations, or both, in each fiscal biennium.

SECTION 9253. Fiscal changes; Veterans Affairs.

(1i) FUND TRANSFER. There is transferred from the general fund to the veterans trust fund \$5,000,000 in fiscal year 2011-12.

(1j) APPROPRIATION FOR MILITARY FUNERAL HONORS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of veterans affairs under section 20.485 (2) (dm) of the statutes, as affected by the acts of 2009 and 2011, the dollar amount is increased by \$68,900 for the second fiscal year of the fiscal biennium in which this subsection takes effect for the purpose for which the appropriation is made.

(2u) TRANSFER OF FUNDS TO THE VETERANS TRUST FUND.

(a) On June 30 of 2012 and 2013, the department of veterans affairs may transfer all or part of the unencumbered balance of any of the appropriations under section 20.485 (1) (g), (gd), (gk), or (i) of the statutes from the general fund to the veterans trust fund.

(b) The department of veterans affairs may not transfer money under this subsection unless it first notifies the joint committee on finance in writing of the proposal. If the cochairpersons of the committee do not notify the department within 14 working days after the date of the department's notification that the committee has scheduled a meeting to review the proposal, the department may transfer the money. If, within 14 working days after the date of the notification by the department, the cochairpersons of the committee notify the department that the committee has scheduled a meeting to review the proposal, the department may transfer the money only upon approval of the committee. A proposal as submitted by the department is approved unless a majority of the mem-

bers of the committee who attend the meeting to review the proposal vote to modify or deny the proposal.

SECTION 9255. Fiscal changes; Other.

(1) LAPSE OF UNENCUMBERED MONEYS FROM STATE AGENCY GENERAL PURPOSE REVENUE AND PROGRAM REVENUE APPROPRIATION ACCOUNTS.

(a) In this subsection, "executive branch state agency" means any office, department, or independent agency in the executive branch of state government.

(b) Notwithstanding section 20.001 (3) (a) to (c) of the statutes, but subject to paragraph (e), the secretary of administration shall lapse to the general fund from the unencumbered balances of general purpose revenue and program revenue appropriations to executive branch state agencies, other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to \$174,300,000 in the 2011-13 fiscal biennium and \$174,300,000 in the 2013-15 fiscal biennium. Before lapsing any moneys under this paragraph, the secretary

shall develop a plan for lapsing the moneys and shall submit the plan to the joint committee on finance. If the cochairpersons of the joint committee on finance do not notify the secretary within 14 working days after the date of the submittal of the plan that the committee has scheduled a meeting to review the plan, the plan may be implemented by the secretary. If, within 14 days after the date of the submittal of the plan, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting to review the plan, moneys may be lapsed only after the plan has been approved by the committee.

(c) Subject to paragraph (e), the secretary of administration shall lapse to the general fund, from the unencumbered balances of program revenue appropriations to the following executive branch state agencies, and the courts, the following amounts in each fiscal year of each fiscal biennium indicated:

Agency	2011-13 Fiscal Biennium	2013-15 Fiscal Biennium
Administration	\$ 7,041,200	\$ 7,041,200
Aging and Long-Term Care	103,700	103,700
Agriculture, Trade and Consumer Protection	1,461,100	1,461,100
Child Abuse and Neglect Prevention	228,400	228,400
Children and Families	578,000	578,000
Corrections	765,800	765,800
District Attorneys	40,800	40,800
Educational Communications Board	13,700	13,700
Employment Relations Commission	41,000	41,000
Financial Institutions	1,417,500	1,417,500
Government Accountability Board	38,600	38,600
Health Services	13,510,200	13,510,200
Justice	1,984,900	1,984,900
Military Affairs	569,800	569,800
Natural Resources	2,800,500	2,800,500
Office of State Employment Relations	692,600	692,600
Public Defender Board	117,800	117,800
Public Instruction	2,359,200	2,359,200
Public Service Commission	91,200	91,200
Regulation and Licensing	3,252,300	3,252,300
Revenue	1,107,800	1,107,800
Secretary of State	50,600	50,600

Tourism	3,600	3,600
Wisconsin Technical College System	57,100	57,100
Workforce Development	2,978,800	2,978,800

(d) Subject to paragraph (e), the secretary of administration shall lapse to the general fund, from the unencumbered balances of general purpose revenue and program

revenue appropriations to the following executive branch state agencies, the following amounts in each fiscal year of each fiscal biennium indicated:

Agency	2011-13 Fiscal Biennium	2013-15 Fiscal Biennium
Administration	\$ 291,600	\$ 236,800
Aging and Long-Term Care	26,300	15,000
Agriculture, Trade and Consumer Protection	273,800	130,300
Children and Families	178,200	14,200
Corrections	8,701,100	133,400
District Attorneys	513,900	2,500
Educational Communications Board	20,400	-0-
Financial Institutions	120,000	120,000
Government Accountability Board	11,600	1,600
Health Services	1,937,000	99,300
Higher Educational Aids Board	6,700	-0-
Historical Society	89,500	11,900
Justice	454,600	55,400
Military Affairs	84,500	31,700
Natural Resources	427,900	207,500
Office of State Employment Relations	1,100	1,100
Public Defender Board	632,600	900
Public Instruction	291,700	74,000
Regulation and Licensing	268,500	268,500
Revenue	928,800	80,500
Secretary of State	600	600
Tourism	12,600	-0-
Transportation	14,400	14,400
Wisconsin Technical College System	23,200	8,000
Workforce Development	124,800	8,200

(e) 1. The secretary of administration may not lapse moneys under paragraphs (b), (c), and (d) if the lapse would violate a condition imposed by the federal government on the expenditure of the moneys or if the lapse would violate the federal or state constitution. The secre-

tary also may not lapse any amount from program revenue appropriations under section 20.285 of the statutes.

2. For the purpose of submitting information under section 16.42 of the statutes for purposes of preparing the 2013-15 biennial budget bill, each executive branch state

agency subject to paragraph (d) shall adjust its base general purpose revenue appropriation levels to reflect the general purpose revenue lapses under paragraph (d).

SECTION 9301. Initial applicability; Administration.

(3) **CONTRACTING INELIGIBILITY.** The treatment of section 16.705 (9) of the statutes first applies to awards for contracts given on the effective date of this subsection.

(3f) **BIDDING THRESHOLD FOR UNIVERSITY OF WISCONSIN SYSTEM.** The renumbering of section 16.75 (1) (b) and (2m) (b) of the statutes and the creation of section 16.75 (1) (b) 2. and (2m) (b) 2. of the statutes first applies with respect to bids or proposals solicited on the effective date of this subsection.

(3j) **GRANT TO MILWAUKEE COUNTY.** The repeal of section 16.964 (12) (bt) of the statutes takes effect on July 1, 2012.

SECTION 9308. Initial applicability; Children and Families.

(1) **ORDER OF DISTRIBUTION OF CHILD SUPPORT PAYMENTS.** The treatment of section 767.511 (6) (intro.) of the statutes first applies to payments for child support that are received on the effective date of this subsection.

(2) **SOCIAL SECURITY NUMBERS IN PATERNITY ACTIONS.** The treatment of section 767.215 (5) (a) (intro.) and (am) of the statutes first applies to paternity actions that are commenced on the effective date of this subsection.

(3) **SOCIAL SECURITY NUMBERS OF MINOR CHILDREN.** The treatment of section 767.215 (5) (a) 2. of the statutes first applies to petitions that are filed on the effective date of this subsection.

(4) **MISCELLANEOUS WISCONSIN WORKS PARTICIPATION CHANGES.** The treatment of sections 49.147 (4) (as) and (5) (bs) (by SECTION 1357), 49.148 (1) (b) 1., 1m. d., and 3. and (c) (by SECTION 1361) and (4) (b), 49.1515 (title), (2), and (3), and 49.153 (1) (am), (bm), and (c) and (2) of the statutes first applies to individuals participating in Wisconsin Works on the effective date of this subsection.

(5c) **NO CHILD CARE SUBSIDY FOR PARENT WHO IS CHILD CARE PROVIDER.** The renumbering and amendment of section 49.155 (3m) (d) of the statutes and the creation of section 49.155 (3m) (d) 2., 3., and 4. of the statutes first apply to child care services provided for a child who first receives child care services under the program under section 49.155 of the statutes on the effective date of this subsection.

(5i) **TIME LIMITS UNDER WISCONSIN WORKS.** The treatment of sections 49.147 (3) (c), (4) (b), and (5) (b) (intro.), 1m., 2., 2m., 3., and 4. and (bs) (by SECTION 1357f), 49.148 (1) (c) (by SECTION 1361f) and (1m) (c) (intro.), and 49.151 (1) (b) of the statutes first applies to individuals participating in Wisconsin Works on the effective date of this subsection.

SECTION 9309. Initial applicability; Circuit Courts.

(1d) **COSTS OF BLOOD WITHDRAWALS.** The treatment of sections 814.63 (3m), 814.65 (4m), and 973.06 (1) (j) of the statutes first applies to a blood withdrawal that occurs on the effective date of this subsection.

(1f) **CHIROPRACTOR PAYMENTS.** The treatment of section 895.453 of the statutes first applies to chiropractic services provided on the effective date of this subsection.

(1g) **SMALL CLAIMS COURT JURISDICTIONAL AMOUNT.** The treatment of sections 799.01 (1) (c), (cr), and (d) (intro.) and (2) of the statutes first applies to actions commenced on the effective date of this subsection.

SECTION 9310. Initial applicability; Commerce.

(1i) **RULES INCREASING DWELLING CONSTRUCTION COSTS.** The treatment of sections 227.137 (3) (f) and 227.19 (4) (d) 7., (5) (c), (d), (dm), (e), (em), (fm), and (g) (title), and (6) (title) and (a) (intro.) of the statutes first applies to a proposed administrative rule submitted to the legislative council staff under section 227.15 (1) of the statutes on the effective date of this subsection.

SECTION 9315. Initial applicability; Employee Trust Funds.

(2q) **PAYMENT OF EMPLOYEE REQUIRED CONTRIBUTIONS.** The treatment of sections 13.111 (2), 40.02 (27), 40.05 (1) (a) (intro.), 1., 2., 3., and 4. and (b), (2m), and (2n), 40.32 (1), 59.875, 62.623, and 66.0518 of the statutes and SECTION 9115 (2q) of this act first apply to employees who are covered by a collective bargaining agreement that contains provisions inconsistent with those sections on the day on which the agreement expires or is terminated, extended, modified, or renewed, whichever occurs first.

SECTION 9317. Initial applicability; Financial Institutions.

(1f) **METHOD OF CALCULATING INTEREST.** The treatment of section 138.045 of the statutes first applies, retroactively, to all existing notes, bonds, or other instruments, regardless of their origination date.

(1u) **FINANCIAL INSTITUTION AFFILIATES.** The treatment of sections 138.09 (1a) (a) and 138.14 (3) of the statutes first applies to loans made by affiliates of banks, savings banks, savings and loan associations, trust companies, or credit unions on the effective date of this subsection.

(2u) **PAYDAY LOANS.** The treatment of section 138.14 (1) (bd), (be), (k) 1. and 2., (7) (e) 6., (9g) (a) 6., (9m), (9r) (c) 4., (10) (a) 2. and (am), (12) (b), and (14) (d) 4., (h), and (j) of the statutes, the renumbering and amendment of section 138.14 (11g) of the statutes, and the creation of section 138.14 (11g) (b) of the statutes first apply to payday loans, as defined in section 138.14 (1) (k) of the statutes, as affected by this act, made on the effective date of this subsection.

(3u) MOTOR VEHICLE TITLE LOANS. The treatment of section 138.16 (1) (a), (bm), and (c), (1m), (3), and (4) of the statutes, the renumbering and amendment of section 138.16 (2) of the statutes, and the creation of section 138.16 (2) (b) of the statutes first apply to title loans, as defined in section 138.16 (1) (c) of the statutes, as affected by this act, made on the effective date of this subsection.

SECTION 9321. Initial applicability; Health Services.

(1) PAYMENT FOR SERVICES FOR RENAL DISEASE. The treatment of section 49.68 (3) (b) and (e) of the statutes first applies to services that are provided on the effective date of this subsection.

(3) CONGENITAL TESTING FEES; RULES. The treatment of section 253.13 (2) of the statutes first applies to tests specified under section 253.13 of the statutes that are submitted to the state laboratory of hygiene on the effective date of this subsection.

(4) PATIENT HEALTH CARE RECORDS FEES. The treatment of sections 146.83 (1d), (1f) (a), (b), (c), and (d) 1. and 2., (1g), (1h) (a), (b), and (c), (1k), and (3f), 146.84 (2) (a) 1., and 908.03 (6m) (c) 3. of the statutes, the renumbering of section 146.83 (1m) of the statutes, and the creation of section 146.83 (1m) (b) of the statutes first apply to requests to inspect patient health care records and requests for copies of patient health care records that are made on the effective date of this subsection.

SECTION 9325. Initial applicability; Insurance.

(2f) DEPENDENT COVERAGE. The treatment of sections 49.67 (3) (am) 2. b. and 632.885 (1) (a), (af), (ar), and (at), (2) (a) (intro.), 1., 2., and 3., (b) (intro.) and 2., and (c), (3), (3m), and (4) of the statutes first applies to all of the following:

(a) Except as provided in paragraphs (b) and (c), health insurance coverage that is newly issued or renewed, and self-insured governmental or school district health plans that are newly established, extended, modified, or renewed, on the effective date of this paragraph.

(b) Health insurance coverage covering employees who are affected by a collective bargaining agreement containing provisions inconsistent with this act that is newly issued or renewed on the earlier of the following:

1. The day on which the collective bargaining agreement expires.

2. The day on which the collective bargaining agreement is extended, modified, or renewed.

(c) Self-insured governmental or school district health plans covering employees who are affected by a collective bargaining agreement containing provisions inconsistent with this act that are newly established, extended, modified, or renewed on the earlier of the following:

1. The day on which the collective bargaining agreement expires.

2. The day on which the collective bargaining agreement is extended, modified, or renewed.

SECTION 9332. Initial applicability; Local Government.

(1c) DISCIPLINARY PROVISIONS FOR POLICE AND FIRE PERSONNEL IN CITIES OTHER THAN MILWAUKEE. The treatment of section 111.70 (4) (c) 2. a. and b. and (mc) 1., 2., and 3. of the statutes first applies to an employee who is covered by a collective bargaining agreement on the day on which the collective bargaining agreement expires or is extended, modified, or renewed, whichever occurs first.

(1q) COLLECTIVE BARGAINING; MUNICIPAL EMPLOYEES. The treatment of sections 66.0506, 111.70 (1) (a), (f), (fm), (n), and (p), (2), (3) (a) 3., 5., 6., 7m., and 9. and (b) 6m., (3m), (3p), (4) (bm), (c) 2., (cg), (d) 2. a. and 3. b., and (p), (mb) 2. b., and (mbb), (7m) (c) 1. a., and (8) (a), 111.71 (2), (4m), and (5m), 111.77 (9), and 904.085 (2) (a) of the statutes first applies to employees who are covered by a collective bargaining agreement under subchapter IV of chapter 111 of the statutes that contains provisions inconsistent with those sections on the day on which the agreement expires or is terminated, extended, modified, or renewed, whichever occurs first.

(1r) ARBITRATION UNDER MERA. The treatment of sections 111.70 (4) (jm) 4w. and 5. (intro.) of the statutes, the renumbering and amendment of section 111.77 (6) of the statutes, and the creation of section 111.77 (6) (am) of the statutes first apply to a petition for arbitration that is filed on the effective date of this subsection.

(1u) LIMITATION ON PERFORMANCE OF CONSTRUCTION PROJECTS BY LOCAL GOVERNMENTS. The treatment of sections 59.52 (30), 62.15 (1d), and 66.0901 (11) of the statutes first applies to projects for which construction is commenced on the effective date of this subsection.

(2i) METROPOLITAN SEWERAGE DISTRICT COMMISSIONER PER DIEMS. The treatment of section 200.09 (1) and (7) of the statutes first applies to a commissioner who is appointed or reappointed on the effective date of this subsection, except that if a commission specifies by resolution a per diem amount that is at least equal to the per diem amount that is paid before the resolution takes effect, the amount specified in the resolution applies to a commissioner on the effective date of that resolution.

(2q) ROOM TAX; EXPENDITURE BY A TOURISM ENTITY. The treatment of section 66.0615 (1m) (d) 7. of the statutes first applies to room tax revenue that is paid to a municipality on the effective date of this subsection.

(2r) HEALTH CARE COVERAGE PLAN SELECTION UNDER MERA. The treatment of section 111.70 (4) (mc) 6. of the statutes first applies to an employee who is covered by a collective bargaining agreement under subchapter IV of chapter 111 of the statutes when the collective bargaining agreement expires or is extended, modified, or renewed, whichever occurs first.

SECTION 9335. Initial applicability; Natural Resources.

(1) **STEWARDSHIP ACQUISITION COSTS.** The treatment of section 23.0917 (7) (a), (b), (d) (intro.), and (e) 1. of the statutes, the renumbering and amendment of section 23.0917 (7) (c) of the statutes, and the creation of section 23.0917 (7) (c) 1. of the statutes first apply to applications for grants, state aid, or funding that are submitted to the department of natural resources on July 1, 2011, and that have not been approved or denied by the department of natural resources on or before the effective date of this subsection.

(1u) **LAKE MANAGEMENT PLANNING GRANTS.** The treatment of section 281.68 (2) (a) of the statutes first applies to grants for which applications are submitted on July 1, 2011.

(2) STEWARDSHIP ACQUISITIONS.

(a) The treatment of section 23.0917 (5t) of the statutes first applies to applications for grants and state aid that are submitted to the department of natural resources on the effective date of this paragraph.

(b) The treatment of section 23.0917 (5t) of the statutes first applies to acquisitions that are submitted to the governor for his or her approval on the effective date of this paragraph.

SECTION 9337. Initial applicability; Public Instruction.

(3) **EXTEND MILWAUKEE PARENTAL CHOICE PROGRAM TO PERMIT PRIVATE SCHOOLS LOCATED IN MUNICIPALITIES IN ADDITION TO THE CITY OF MILWAUKEE TO PARTICIPATE: PUPILS.** The treatment of section 119.23 (2) (a) (intro.) of the statutes, with respect to the location of a private school, first applies to pupils who participate in the program under section 119.23 of the statutes, as affected by this act, in the 2011-12 school year.

(4) **EXTEND MILWAUKEE PARENTAL CHOICE PROGRAM TO PERMIT PRIVATE SCHOOLS LOCATED IN MUNICIPALITIES IN ADDITION TO THE CITY OF MILWAUKEE TO PARTICIPATE: PARTICIPATING PRIVATE SCHOOLS.** The treatment of section 119.23 (7) (d) 1. of the statutes first applies to private schools participating in the program under section 119.23 of the statutes, as affected by this act, in the 2011-12 school year.

(5q) **MILWAUKEE PARENTAL CHOICE PROGRAM AND CHOICE PROGRAMS IN OTHER ELIGIBLE SCHOOL DISTRICTS: PROGRAM PAYMENTS AND APPLICATIONS.** The treatment of sections 119.23 (3) (a), (4) (b) (intro.), (bg), (c), and (d) and (10) (d) of the statutes, the renumbering and amendment of section 119.23 (4m) of the statutes, and the creation of sections 118.60 (4) (bg) and 119.23 (4m) (a) and (b) of the statutes first apply to applications to attend a private school and payments made to a private school participating in the program under section 119.23 of the statutes in the 2012-13 school year.

(5r) **MILWAUKEE PARENTAL CHOICE PROGRAM: PROGRAM AUDITS.** The treatment of section 119.23 (7) (am)

1. and 2. of the statutes first applies to audits performed of a private school participating in the program under section 119.23 of the statutes in the 2012-13 school year.

SECTION 9341. Initial applicability; Revenue.

(1) **DAIRY MANUFACTURING FACILITY INVESTMENT CREDIT.** The treatment of sections 71.07 (3p) (c) 2. and 4., 71.28 (3p) (c) 2. and 4., and 71.47 (3p) (c) 2. and 4. of the statutes first applies to taxable years beginning after December 31, 2010.

(1i) **COUNTY AND MUNICIPAL AID PAYMENTS.** The treatment of sections 20.835 (1) (b), (f), (m), and (q), 25.50 (3) (b), 33.32 (3) (b), 48.561 (3) (a) 3. and (b), 79.01 (2d) and (4), 79.015, 79.02 (2) (b) and (3) (a), (b), (c), and (d) and (4), 79.03, 79.035 (2), (4), and (5), 79.043 (1), (2), (3), (4), (5), and (6), 79.058, and 79.06 of the statutes, the amendment of sections 20.835 (1) (db) and 79.035 (1) of the statutes, and the repeal and recreation of sections 20.835 (1) (db) and 79.035 (1) of the statutes first apply to county and municipal aid payments distributed in 2012.

(2) **EXPENDITURE RESTRAINT PAYMENTS.** The treatment of section 79.05 (1) (am) of the statutes first applies to payments made in 2013.

(3u) **AMERICAN RED CROSS, BADGER CHAPTER CHECKOFF.** The treatment of section 71.10 (5k) of the statutes first applies to taxable years beginning on January 1 of the year in which this subsection takes effect, except that if this subsection takes effect after July 31 the treatment of section 71.10 (5k) of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(4) **COMBINED REPORTING ELECTION.** The treatment of section 71.255 (2m) (d) of the statutes first applies retroactively to taxable years beginning on January 1, 2009.

(4d) **STUDENT HOUSING FACILITIES PROPERTY TAX EXEMPTION.** The treatment of section 70.11 (intro.) and (3m) of the statutes first applies to the property tax assessments as of January 1, 2013.

(5f) **SUBTRACT MODIFICATION, EdVEST.** The treatment of section 71.05 (6) (b) 28. h., 32. (intro.), and 33. (intro.) of the statutes first applies to taxable years beginning on January 1, 2011.

SECTION 9346. Initial applicability; Technical College System.

(1) **FEE REMISSION.** The treatment of section 38.24 (7) (bg) and (8) (bg) of the statutes (with respect to fees paid under federal law) first applies to a student who is enrolled in the spring 2010 semester.

(2) **TUITION EXEMPTION FOR ALIENS.** The treatment of section 38.22 (6) (e) of the statutes first applies to persons who enroll for the semester or session following the effective date of this subsection.

(3f) **CAPITAL EXPENDITURES.** The treatment of section 38.15 (3) (e) of the statutes first applies to district board resolutions adopted on the effective date of this subsection.

SECTION 9348. Initial applicability; Transportation.

(1) COMMERCIAL MOTOR VEHICLES.

(a) The treatment of sections 341.10 (16) and (17) and 341.63 (1) (f) and (1m) of the statutes first applies with respect to notices or identifications received by the department of transportation on the effective date of this subsection.

(b) The treatment of sections 341.405 (3m) (c), 341.41 (7), and 341.63 (1r) of the statutes first applies to applications received by the department of transportation on the effective date of this subsection.

(c) The treatment of sections 343.315 (2) (h) and 343.44 (1) (c) of the statutes first applies to violations committed on the effective date of this subsection, but does not preclude the counting of other violations as prior violations for purposes of administrative action by the department of transportation or sentencing by a court.

(d) The treatment of section 341.63 (3) (b) of the statutes first applies with respect to federal out-of-service orders issued on the effective date of this subsection.

(2) CERTIFICATES OF TITLE. The renumbering and amendment of section 342.09 (1) of the statutes and the creation of section 342.09 (1) (b) of the statutes first apply to applications for certificates of title that are submitted on the effective date of this subsection.

(3) DRIVING SKILLS TEST FEE. The amendment of section 343.21 (2) (a) of the statutes first applies to driving skills test fees paid on the effective date of this subsection.

(5) MOTOR VEHICLE ENVIRONMENTAL IMPACT FEE. The treatment of sections 25.40 (1) (a) 3. and 5m., 25.46 (19), 84.59 (2) (b), and 342.14 (1), (1r), and (3) of the statutes first applies to fees collected by the department of transportation on the effective date of this subsection.

(6) MAJOR HIGHWAY PROJECTS. The treatment of sections 13.489 (1m) (f), (4) (d), and (4m), 84.013 (1) (a) (intro.), 1., 2. (intro.), a., and b., 2m., and 3., (2m), and (3) (ad), 85.05, and 227.01 (13) (yc) (as it relates to major highway projects) of the statutes first applies to highway projects which the department of transportation determines should be initially identified as major highway projects meeting the criterion described in section 84.013 (1) (a) 2m. of the statutes, as created by this act.

SECTION 9352. Initial applicability; University of Wisconsin System.

(1) FEE REMISSION. The treatment of section 36.27 (3n) (bg) and (3p) (bg) of the statutes (with respect to fees paid under federal law) first applies to a student who is enrolled in the spring 2010 semester.

(2) TUITION EXEMPTION FOR ALIENS. The treatment of section 36.27 (2) (cr) of the statutes first applies to persons who enroll for the semester or session following the effective date of this subsection.

SECTION 9354. Initial applicability; Workforce Development.

(1q) WAITING PERIOD FOR UNEMPLOYMENT INSURANCE BENEFITS. The treatment of sections 108.02 (26m) and 108.04 (3) of the statutes first applies with respect to benefit years beginning after December 31, 2011.

(1u) PREVAILING WAGES AND HOURS OF LABOR.

(a) The treatment of sections 19.36 (12), 66.0903 (3) (av), 66.0904, 103.49 (3) (ar), 103.50 (4m), 103.503 (title), (1) (a), (c), (e), and (g), (2), and (3) (a) 2., 104.001 (3) (am), 109.09 (1), 111.322 (2m) (c), 227.01 (13) (t), and 946.15 (title), (1), (2), (3), and (4) of the statutes first applies to a project proposal that is accepted by a local governmental unit on the effective date of this paragraph.

(b) The treatment of sections 66.0903 (4) (b) (intro.) and 1. and (5) (b), 103.49 (2m) (b) (intro.) and 1. and (3g) (b), and 103.50 (2m) (b) (intro.) and 1. of the statutes first applies to work performed on the effective date of this paragraph, except that, if that work is performed under a contract that contains provisions that are inconsistent with those sections, the treatment of those sections first applies to work performed on the day on which that contract expires or is extended, modified, or renewed, whichever occurs first.

(c) The treatment of sections 66.0903 (10) (c) and 103.49 (5) (c) of the statutes first applies, with respect to a request for the inspection of the payroll records for a project of public works, to a project of public works contracted for on the effective date of this paragraph.

(d) The treatment of sections 66.0903 (10) (am) and 103.49 (5) (am) of the statutes first applies to work performed on the effective date of this paragraph, except that, if that work is performed under a contract that contains provisions that are inconsistent with those sections, the treatment of those sections first applies to work performed on the day on which that contract expires or is extended, modified, or renewed.

(f) The treatment of sections 66.0903 (2) (c) and (5) (f) and (g) and 103.49 (1m) (b) and (3g) (g) and (h) of the statutes first applies to a contract for the erection, construction, remodeling, repair, or demolition of a project entered into, or extended, modified, or renewed, on the effective date of this paragraph.

(2q) FAILURE OR REFUSAL TO TAKE TEST FOR PRESENCE OF ILLEGAL DRUGS. The treatment of sections 108.04 (8) (b) and (13) (cm) and 108.09 (4r) of the statutes first applies with respect to weeks of unemployment beginning after the effective date of this subsection.

SECTION 9355. Initial applicability; Other.

(1f) TENANT PROTECTIONS IN FORECLOSURE. The treatment of sections 704.35 (3) and 846.35 of the statutes first applies to foreclosure actions that are commenced on the effective date of this subsection.

(2f) RENTAL AGREEMENTS REGARDING FORECLOSURE. The treatment of section 704.35 (2) of the statutes first applies to rental agreements that are entered into on the effective date of this subsection.

SECTION 9400. Effective dates; general. Except as otherwise provided in SECTIONS 9401 to 9455 of this act, this act takes effect on July 1, 2011, or on the day after publication, whichever is later.

SECTION 9401. Effective dates; Administration.

(1) CHILD CARE FACILITIES FOR STATE EMPLOYEES. The treatment of sections 13.48 (2) (b) 4., and (j), 16.841, 16.85 (1) (by SECTION 267), 20.505 (5) (ka), and 20.865 (2) (am), (gm), and (qm) of the statutes takes effect on September 1, 2011.

(1f) PENALTY SURCHARGE DEFICIT REPORT. The repeal of s. 16.513 (3) (bn) takes effect on July 1, 2013.

(2i) ENUMERATION OF STATE BUILDING PROJECTS. The treatment of section 20.924 (1) (b) (by SECTION 815i) of the statutes takes effect on July 1, 2002, or upon completion of acquisition of property sufficient for the construction of a facility to meet the space needs of the state law library, the legislative reference bureau library, and the legislative and judicial branch agencies and support staffs.

SECTION 9408. Effective dates; Children and Families.

(1d) REDUCTION IN CHILD'S AGE FOR CARETAKER OF NEWBORN GRANT. The treatment of section 49.148 (1m) (a) 1. of the statutes takes effect on January 1, 2012.

(3f) TRANSITIONAL JOBS DEMONSTRATION PROJECT. The treatment of sections 49.143 (2r) and 106.14 (2) of the statutes, the repeal of section 49.162 of the statutes, and SECTIONS 3568, 3569, and 3570 of this act take effect on July 1, 2013.

(3i) MISCELLANEOUS WISCONSIN WORKS PARTICIPATION CHANGES. The treatment of sections 49.147 (4) (as) and (5) (bs) (by SECTION 1357), 49.148 (1) (b) 1., 1m. d., and 3. and (c) (by SECTION 1361) and (4) (b), 49.1515 (title), (2), and (3), and 49.153 (1) (am), (bm), and (c) and (2) of the statutes and SECTION 9308 (4) of this act take effect on October 1, 2011.

(3j) TIME LIMITS UNDER WISCONSIN WORKS. The treatment of sections 49.147 (3) (c), (4) (b), and (5) (b) (intro.), 1m., 2., 2m., 3., and 4. and (bs) (by SECTION 1357f), 49.148 (1) (c) (by SECTION 1361f) and (1m) (c) (intro.), and 49.151 (1) (b) of the statutes and SECTION 9308 (5i) of this act take effect on January 1, 2012.

(3q) WISCONSIN WORKS CASE MANAGEMENT SERVICES. The treatment of sections 49.147 (2) (a) 1. and 2., (am), and (b), 49.152 (1) and (3) (a), and 49.159 (3) of the statutes takes effect on January 1, 2012.

SECTION 9417. Effective dates; Financial Institutions.

(1) INVESTMENT ADVISER REGISTRATION. The treatment of section 551.403 (2) (a) 2. and 2m. of the statutes takes effect on October 31, 2011, or on the day after publication, whichever is later.

SECTION 9421. Effective dates; Health Services.

(1i) MEDICAL ASSISTANCE PROGRAM CHANGES. The treatment of sections 49.45 (8) (b) (by SECTION 1436b),

(8) (c) (by SECTION 1436i), (8r) (by SECTION 1437b), (8v) (by SECTION 1437f), (18) (ac) (by SECTION 1437k), (18) (ag) (intro.) (by SECTION 1437o), (18) (b) (intro.) (by SECTION 1437r), (18) (d) (by SECTION 1437u), (23) (a) (by SECTION 1438e), (23) (b) (by SECTION 1438i), (24g) (c) (by SECTION 1438m), (24s) (a) (by SECTION 1441bg), (25g) (c) (by SECTION 1441d), (27) (by SECTION 1441g), and (39) (b) 1. (by SECTION 1442h), 49.46 (2) (a) (intro.) (by SECTION 1453i) and (2) (b) (intro.) (by SECTION 1453L), 49.465 (2) (intro.) (by SECTION 1453s), 49.47 (4) (a) (intro.) (by SECTION 1457q) and (6) (a) (intro.) (by SECTION 1459o), 49.472 (3) (intro.) (by SECTION 1461q) and (4) (b) (intro.) (by SECTION 1462h), 49.473 (2) (intro.) (by SECTION 1465p) and (5) (by SECTION 1470b) of the statutes and the repeal of sections 49.45 (2m), (3) (n), and (6m) (n), 49.46 (1) (n), 49.47 (5) (c), and 49.471 (13) of the statutes take effect on January 1, 2015.

(4u) INCOME MAINTENANCE ADMINISTRATION. The treatment of sections 20.435 (4) (bn) (by SECTION 640m), 46.215 (1) (intro.), 46.27 (7) (am), 49.78 (1m) (a), (c), and (d), (1r), (2r), (8) (a) and (b), (10) (a) and (b), (11) (a), (b), and (c) 1., 2., and 3., 49.79 (9) (a) 1., 49.793 (1), 49.795 (8) (d) 2., 49.797 (8), and 49.825 (2) (d) 1. and 2. and (3) (a) of the statutes takes effect on January 1, 2012.

(5) CONGENITAL TESTING FEES; RULES. The treatment of section 253.13 (2) of the statutes and SECTION 9321 (3) of this act take effect on the first day of the 4th month beginning after publication.

(6q) NURSING HOME PAYMENT LABOR REGIONS. The treatment of section 49.45 (6m) (ar) 1. a. of the statutes takes effect on July 1, 2013.

(7) FAMILY PLANNING DEMONSTRATION PROJECT. The repeal of section 49.45 (24r) of the statutes takes effect on January 1, 2012.

SECTION 9425. Effective dates; Insurance.

(2f) DEPENDENT COVERAGE. The treatment of sections 49.67 (3) (am) 2. b. and 632.885 (1) (a), (af), (ar), and (at), (2) (a) (intro.), 1., 2., and 3., (b) (intro.) and 2., and (c), (3), (3m), and (4) of the statutes and SECTION 9325 (2f) of this act take effect on January 1, 2012.

SECTION 9432. Effective dates; Local Government.

(1u) LIMITATION ON PERFORMANCE OF CONSTRUCTION PROJECTS BY LOCAL GOVERNMENTS. The creation of sections 59.52 (30), 62.15 (1d), and 66.0901 (11) of the statutes and SECTION 9332 (1u) of this act take effect on the first day of the 4th month beginning after publication.

SECTION 9435. Effective dates; Natural Resources.

(1i) WATER USE FEE LIMITATION. The treatment of section 281.346 (12) (a) of the statutes takes effect retroactively to January 1, 2011.

(1q) SOUTHEASTERN WISCONSIN FOX RIVER COMMISSION. The repeal and recreation of section 20.370 (5) (cq) of the statutes takes effect on July 1, 2013.

SECTION 9437. Effective dates; Public Instruction.

(1) INITIAL EDUCATOR GRANT PROGRAM. The treatment of sections 20.255 (2) (kg) and 115.405 (2m) of the statutes takes effect on July 1, 2012.

SECTION 9439. Effective dates; Public Service Commission.

(1q) ENERGY EFFICIENCY AND RENEWABLE RESOURCE PROGRAM SPENDING. The treatment of section 196.374 (3) (b) 2. (intro.) and a. to h. and 3. of the statutes takes effect on January 1, 2012.

SECTION 9441. Effective dates; Revenue.

(1) JOBS TAX CREDIT. The treatment of section 20.835 (2) (bb) of the statutes takes effect on January 1, 2012.

(1d) ADVERTISING AND PROMOTIONAL DIRECT MAIL. The treatment of section 77.54 (59) of the statutes takes effect on July 1, 2013.

(2) COMBINED REPORTING ELECTION. The treatment of section 71.255 (2m) (d) of the statutes takes effect retroactively on January 1, 2009.

(2i) COUNTY AND MUNICIPAL AID PAYMENTS. The treatment of section 20.835 (1) (q) of the statutes and the repeal and recreation of sections 20.835 (1) (db) and 79.035 (1) of the statutes take effect on December 31, 2012.

(2q) PRODUCTS PROVIDED FREE OF CHARGE. The renumbering and amendment of section 77.52 (21) of the statutes and the creation of section 77.52 (21) (b) of the statutes take effect on the first day of the 2nd month beginning after publication, or on September 1, 2011, whichever is later.

(3) MODULAR AND MANUFACTURED HOMES. The treatment of section 77.54 (5) (am) of the statutes takes effect on the first day of the 3rd month beginning after publication.

(3b) SNOWMAKING AND SNOWGROOMING. The treatment of section 77.54 (58) of the statutes takes effect on July 1, 2013.

(3u) MOIST SNUFF. The treatment of sections 139.76 (1) and 139.78 (1) of the statutes takes effect on January 1, 2012.

(4) VEGETABLE OIL CONVERTED TO FUEL. The treatment of section 77.54 (11m) of the statutes takes effect on the first day of the 3rd month beginning after publication.

(4d) STUDENT HOUSING FACILITIES PROPERTY TAX EXEMPTION. The treatment of section 70.11 (intro.) and (3m) of the statutes takes effect on January 1, 2013.

SECTION 9446. Effective dates; Technical College System.

(1q) FEE REMISSION. The treatment of sections 38.22 (6) (f), 38.24 (7) (a) (intro.), 1., 1p., and 2., (b) (intro.), (bg), and (c) and (8) (a) (intro.), 1., 1g., 2., 3., 4., 5., and 6., (b), (bg), and (c), and 45.03 (13) (L) and (m) of the statutes takes effect retroactively on January 1, 2010.

SECTION 9448. Effective dates; Transportation.

(1) CERTIFICATES OF TITLE. The treatment of sections 218.0171 (2) (c) and (cm) 2., 218.23 (1), 342.13 (1), 342.15 (1) (a) and (c) and (5), 342.20 (1), 342.22 (1) (intro.) and (2), and 342.23 (2) (a) and (b) and (4) of the statutes, the renumbering and amendment of sections 342.09 (1) of the statutes, and the creation of section 342.09 (1) (b) of the statutes and SECTIONS 9148 (1) and 9348 (2) of this act take effect on January 1, 2012.

(2) IDENTIFICATION CARD RENEWALS. The repeal and recreation of sections 343.20 (2) (a) and 343.50 (4) and (6) of the statutes takes effect on July 1, 2011, on the day after publication, or on the date on which the creation of section 343.165 of the statutes by 2007 Wisconsin Act 20 takes effect, whichever is latest.

(4) REAL ID NONCOMPLIANT OPERATOR'S LICENSES AND IDENTIFICATION CARDS. The treatment of sections 343.03 (3r), 343.06 (1) (L), 343.10 (7) (d), 343.11 (3) (by SECTION 3150), 343.14 (3) and (3m), 343.165 (1) (intro.), (2), (3) (a), (4) (a), (c), and (d), (5), and (7), and 343.17 (3) (a) 2. and 14. of the statutes and the repeal and recreation of sections 343.17 (5) and 343.50 (1), (3), and (4g) of the statutes take effect on July 1, 2011, on the day after publication, or on the date on which the creation of section 343.165 of the statutes by 2007 Wisconsin Act 20 takes effect, whichever is latest.

(6g) SOUTHEAST WISCONSIN FREEWAY FUNDING. Section 9148 (7f) of this act takes effect on the day after publication, or retroactively to June 30, 2011, whichever is earlier.

(6u) TRANSIT AUTHORITIES.

(a) The treatment of sections 59.58 (7) (e) (intro.), (i), and (j) and 66.1039 (4) (s) 1. of the statutes, the renumbering of section 77.9973 of the statutes, and the creation of sections 77.708 (3) and 77.9973 (2) of the statutes and SECTION 9148 (3u) (c) of this act take effect on the 10th day after the day of publication.

(b) The treatment of sections 20.566 (1) (gc) and (gh), 20.835 (4) (gc) and (gh), 32.02 (11), 32.05 (1) (a), 32.07 (2), 40.02 (28), 59.58 (6), 66.0301 (1) (a) (by Section 1720b), 66.0903 (1) (d), 67.01 (5), 70.11 (2), 71.05 (1) (c) 9., 71.26 (1) (b), 71.26 (1m) (j), 71.45 (1t) (j), chapter 77 (title) (by Section 2177m), 77.54 (9a) (er), subchapter V (title) of chapter 77, 77.71, 77.73 (2) and (3), 77.75, 77.76 (1), (2), (3r), (4), and (5), 77.77 (1) and (3), 77.78, subchapter XIII (title) of chapter 77, 77.9971, 77.9972, 85.062 (3) (c), 85.063 (3) (b) 1., 85.064 (1) (b), 111.70 (1) (j), 345.05 (1) (ag), 345.05 (2), and 611.11 (4) (a) of the statutes, the repeal of sections 59.58 (7), 66.1039, 77.708, and 77.9973 of the statutes, and SECTIONS 3567m and 9148 (3u) (a) and (b) take effect on the 90th day after the day of publication.

SECTION 9452. Effective dates; University of Wisconsin System.

(1d) UNIVERSITY OF WISCONSIN. The treatment of sections 16.705 (1r) (d) and (e), (2), (3) (intro.), and (8)

(intro.), 16.71 (1m) (by SECTION 241f) and (4), 16.72 (8), 16.73 (5), 16.78 (1), 16.993 (7), 19.42 (13) (b), (c), and (cm), 19.45 (11) (a) and (b), 20.865 (1) (c), (ci), (i), (ic), (s), and (si), 20.916 (10), 20.923 (4g), (5), (6) (Lm) and (m), (14) (b), (15) (b), and (16), 36.09 (1) (e), (i), (j), and (k), 36.15 (2), 36.30, 36.52, 40.02 (30), 111.335 (1) (cv), 111.81 (7) (ar) and (at), 111.815 (1) and (2), 111.825 (1r), (1t), (2) (a), (b), (c), (f), (g), (h), and (i), (3), (3m), (4), (6), and (7), 111.83 (5) (a), (b), and (c), 111.84 (2) (c), 111.91 (4), 111.93 (2) and (3), 111.935 (2), 230.01 (1), 230.03 (3), (6), (6m), (10h), and (13), 230.08 (2) (cm), (d), (dm), and (k), 230.10 (2), 230.12 (1) (a) 1. b. and (3) (e) (title) and 1., and 230.34 (1) (ar) of the statutes, the repeal of sections 36.58 (5) and 230.143 (1) and (2) of the statutes, the renumbering of sections 111.83 (7) and 111.85 (5) of the statutes, the renumbering and amendment of sections 16.417 (2) (f), 16.75 (1) (b) and (2m) (b), 111.92 (1) (a), and 230.143 (intro.) of the statutes, the creation of sections 16.417 (2) (f) 2., 16.75 (1) (b) 2. and (2m) (b) 2.,

111.83 (7) (b), 111.85 (5) (b), and 111.92 (1) (a) 2. and 3. of the statutes, and SECTIONS 9152 (1c) and 9301 (3f) of this act take effect on July 1, 2013.

(1q) FEE REMISSION. The treatment of section 36.27 (3n) (a) (intro.), 1., 1g., and 2., and (bg) and (3p) (a) (intro.), 1., 1g., 1m., 2., 3., 4., 5., and 6. and (bg) of the statutes takes effect retroactively on January 1, 2010.

SECTION 9453. Effective dates; Veterans Affairs.

(1j) FISCAL CHANGES. SECTION 9253 (1j) of this act takes effect on the day after publication or retroactively to June 30, 2011, whichever is earlier.

SECTION 9455. Effective dates; Other.

(1) DUAL EMPLOYMENT. The repeal and recreation of section 16.417 (1) (a) of the statutes takes effect on January 1, 2012.

(2u) CAPITOL SECURITY COSTS. The treatment of section 20.865 (4) (a) (by SECTION 778n) of the statutes takes effect on July 1, 2013.