

1 2009 stats., as determined by the secretary of administration, is transferred to the  
2 department of administration.

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8 any obligations under such a contract until the contract is modified or rescinded by  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

10 (f) *Rules and orders.* All rules promulgated by the department of commerce  
11 under sections 32.19 to 32.27, 2009 stats., that are in effect on the effective date of  
12 this paragraph, remain in effect until their specified expiration dates or until  
13 amended or repealed by the department of administration. All orders issued by the  
14 department of commerce relating to the functions of the department under sections  
15 32.19 to 32.27, 2009 stats., as determined by the secretary of administration, that are  
16 in effect on the effective date of this paragraph remain in effect until their specified  
17 expiration dates or until modified or rescinded by the department of administration.

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

25 **SECTION 9111. Nonstatutory provisions; Corrections.**

1 (1u) REPORT; NURSING services. The secretary of corrections shall, before  
2 October 1, 2011, submit a report to the joint committee on finance that identifies the  
3 number of nursing staff and associated costs for each correctional facility in fiscal  
4 years 2009-10 and 2010-11 and that summarizes each contract for nursing services  
5 entered into by the department of corrections in or for fiscal years 2009-10 and  
6 2010-11.

7 (2q) DEPARTMENT REPORT ON JUVENILE CORRECTIONS.

8 (a) In this subsection, "juvenile correctional services" includes those services  
9 for which section 301.26 (4) (d) 2. and 3. of the statutes, as affected by this act,  
10 provides daily cost assessments to counties and any other  
11 juvenile-delinquency-related care or services provided by counties or the state.

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

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

20 **SECTION 9112. Nonstatutory provisions; Court of Appeals.**

21 **SECTION 9113. Nonstatutory provisions; District Attorneys.**

22 (3c) ASSISTANT DISTRICT ATTORNEY PAY PROGRESSION PLAN. The Association of  
23 State Prosecutors and the director of the office of state employment relations shall  
24 develop a pay progression plan for attorneys who are included in the collective  
25 bargaining unit under section 111.825 (2) (d) of the statutes, to be funded from any

1 salary savings resulting from hiring new attorneys to fill the positions of attorneys  
2 who retired from state employment during the period that begins on January 1, 2011,  
3 and ends on June 30, 2013. The plan shall include a detailed description of how a  
4 pay progression system would be structured and administered and the fiscal cost of  
5 the pay progression system in the 2011-13 fiscal biennium, by fund source, and the  
6 projected costs of the pay progression system in the succeeding 4 fiscal biennia.  
7 Before October 1, 2011, the Association of State Prosecutors and the director of the  
8 office of state employment relations shall submit the proposed plan to the joint  
9 committee on finance. If the cochairpersons of the joint committee on finance do not  
10 notify the Association of State Prosecutors and the director of the office of state  
11 employment relations within 14 working days after the date of the submittal of the  
12 plan that the committee has scheduled a meeting to review the plan, the plan may  
13 be implemented as proposed by the Association of State Prosecutors and the director  
14 of the office of state employment relations. If, within 14 days after the date of the  
15 submittal of the plan, the cochairpersons of the committee notify the Association of  
16 State Prosecutors and the director of the office of state employment relations that the  
17 committee has scheduled a meeting to review the plan, the plan may only be  
18 implemented as approved by the committee.

19 **SECTION 9114. Nonstatutory provisions; Educational Communications**  
20 **Board.**

21 **SECTION 9115. Nonstatutory provisions; Employee Trust Funds.**

22 (1dr) STATE EMPLOYEE HEALTH CARE COVERAGE. Notwithstanding section 40.05  
23 (4) (ag) and (c) of the statutes, as affected by this act, beginning with health insurance  
24 premiums paid in any month that begins after the effective date of this subsection,

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

3 (a) Employees covered under section 40.05 (4) (ag) 2. of the statutes shall pay  
4 \$84 a month for individual coverage and \$208 a month for family coverage for health  
5 care coverage under any plan offered in the tier with the lowest employee premium  
6 cost under section 40.51 (6) of the statutes; \$122 a month for individual coverage and  
7 \$307 a month for family coverage for health care coverage under any plan offered in  
8 the tier with the next lowest employee premium cost under section 40.51 (6) of the  
9 statutes; and \$226 a month for individual coverage and \$567 a month for family  
10 coverage for health care coverage under any plan offered in the tier with the highest  
11 employee premium cost under section 40.51 (6) of the statutes.

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

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

19 (1hr) EMPLOYER AND EMPLOYEE REQUIRED CONTRIBUTIONS FOR 2011.  
20 Notwithstanding the employer and employee required contributions rates  
21 established for 2011 under section 40.05 (1) and (2), 2009 stats., beginning on the first  
22 day of any pay period after the effective date of this subsection, as determined by the  
23 secretary of administration, the employee required contributions under section  
24 40.05 (1) (a) of the statutes, as affected by this act, shall be in effect for the remainder  
25 of 2011, and the employer required contributions under section 40.05 (2) of the

1 statutes shall be adjusted to reflect the increases in employee required contributions  
2 for the remainder of 2011. ↓

3 (1q) SUPPLEMENTAL APPROPRIATIONS FOR DEPARTMENT OF EMPLOYEE TRUST FUNDS.  
4 During the 2011-13 fiscal biennium, the secretary of employee trust funds may  
5 submit one or more requests to the joint committee on finance to supplement the  
6 appropriation under section 20.515 (1) (w) of the statutes from the appropriation  
7 account under section 20.865 (4) (u) of the statutes for additional agency funding and  
8 authorized positions. Any request shall include a detailed expenditure plan and a  
9 description of how the plan addresses increasing workload and service  
10 improvements and a request for additional positions shall be consistent with the  
11 methodology developed under 2009 Wisconsin Act 28, section 9115 (1x). If the  
12 secretary intends to request additional authorized positions beyond the number  
13 derived from the methodology, the employee trust funds board must first approve the  
14 request before the secretary submits the request to the joint committee on finance.  
15 Any request submitted under this subsection shall be submitted by the applicable  
16 due date for agency requests for any of the joint committee on finance's quarterly  
17 meetings under section 13.10 of the statutes and shall also include the methodology  
18 used by the secretary. Notwithstanding section 13.101 (3) of the statutes, the joint  
19 committee on finance is not required to find that an emergency exists prior to making  
20 the supplementation under this subsection.

21 (2q) SUPPLEMENTAL APPROPRIATIONS FOR AUDIT OF DEPENDENT ELIGIBILITY UNDER  
22 BENEFIT PROGRAMS ADMINISTERED BY THE DEPARTMENT OF EMPLOYEE TRUST FUNDS. The  
23 joint committee on finance may supplement, from the appropriation under section  
24 20.865 (4) (u) of the statutes, the appropriation under section 20.515 (1) (w) of the  
25 statutes for the purpose of conducting an audit of dependent eligibility under benefit

1 programs administered by the department of employee trust funds if all of the  
2 following occur:

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

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

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

19 (3q) MODIFICATIONS TO WISCONSIN RETIREMENT SYSTEM.

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

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

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

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

11           (4q) PROMULGATION OF EMERGENCY RULES FOR DETERMINATION OF ELIGIBILITY TO  
12 PARTICIPATE IN THE WISCONSIN RETIREMENT SYSTEM. The department of employee trust  
13 funds may use the procedure under section 227.24 of the statutes to promulgate rules  
14 under section 40.22 (2) (am) of the statutes, as created by this act. Notwithstanding  
15 section 227.24 (1) (c) and (2) of the statutes, emergency rules promulgated under this  
16 subsection remain in effect until July 1, 2012, or the date on which permanent rules  
17 take effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the  
18 statutes, the department is not required to provide evidence that promulgating a rule  
19 under this subsection as an emergency rule is necessary for the preservation of the  
20 public peace, health, safety, or welfare and is not required to provide a finding of  
21 emergency for a rule promulgated under this subsection.

22           (6j) GROUP INSURANCE BOARD STUDY OF ASSISTED BIRTHS IN NONHOSPITAL SETTINGS.  
23 The group insurance board shall study the feasibility of including in the uniform  
24 benefits of state employee health insurance coverage the costs of certified  
25 nurse-midwife services to assist in births at home or at stand-alone birth centers.

1           **SECTION 9116. Nonstatutory provisions; Employment Relations**  
2 **Commission.**

3           **SECTION 9117. Nonstatutory provisions; Financial Institutions.**

4           **SECTION 9118. Nonstatutory provisions; Government Accountability**  
5 **Board.**

6           (1q) REVIEW OF PROPOSED EXPENDITURES FOR OUTREACH AND PUBLIC INFORMATION.

7           No later than July 1, 2011, and before making any expenditures under section 7.08  
8 (12) of the statutes or 2011 Wisconsin Act 23, section 144 (1), for the purpose of  
9 outreach or public information, the government accountability board shall transmit  
10 to the cochairpersons of the joint committee on finance in writing a plan identifying  
11 the specific proposed purposes for the expenditures and proposed amounts to be  
12 expended for each specific purpose. If the cochairpersons of the committee do not  
13 notify the board that the committee has scheduled a meeting for the purpose of  
14 reviewing the plan within 14 working days after the date of the board's submittal of  
15 the plan to the cochairpersons, the board may make the proposed expenditures  
16 identified in the plan. If, within 14 working days after the date of the board's  
17 submittal, the cochairpersons notify the board that the committee has scheduled a  
18 meeting for the purpose of reviewing the plan, the board shall not make any  
19 expenditures for the purpose of outreach or public information as identified in this  
20 subsection without the approval of the committee.

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

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

24           **SECTION 9121. Nonstatutory provisions; Health Services.**

25           (1g) LONG-TERM CARE SERVICES CAP.



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

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

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

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

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

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

14 a. The family care program.

15 b. The self-directed services option.

16 c. The family care partnership program.

17 d. The program for all-inclusive care for the elderly under 42 USC 1396u-4.

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

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

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

1           (b) *Enrollment cap.*

2           1. Notwithstanding section 46.286 (3) of the statutes and subject to subdivision  
3           2. and paragraph (c), the department may not enroll more individuals in long-term  
4           care programs in a resource center service area than the number of individuals  
5           enrolled in long-term care programs in that resource center service area on June 30,  
6           2011, or the effective date of this subdivision, whichever is later. This subdivision  
7           does not authorize the department to enroll an individual in a long-term care  
8           program that is not available in the individual's county of residence. This  
9           subdivision does not apply after June 30, 2013.

10           2. Individuals enrolled in a long-term care program under paragraph (c) are  
11           not counted for the purpose of determining the number of individuals enrolled in  
12           long-term care programs in a resource center service area under subdivision 1.

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

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

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

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

23           3. The institutional facility is closing or relocating residents under section  
24           50.03 (14) of the statutes.

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

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

3           (2g) FAMILY CARE BENEFIT EMERGENCY FUNDING.

4           (a) *2011-13 biennium.* The department may expend \$12,639,000 in fiscal year  
5 2011-12 and \$12,600,800 in fiscal year 2012-13 to provide the long-term care  
6 services and support items that are offered under the family care program to  
7 individuals who are on a waiting list for a long-term care program and who are in  
8 urgent need of long-term care services, as determined by the department. The  
9 department may provide services and support items to an individual under this  
10 paragraph until the individual is permanently enrolled in a long-term care program.

11           (b) *2013-15 biennium.* Notwithstanding section 16.42 (1) (e) of the statutes,  
12 in submitting information under section 16.42 of the statutes for purposes of the  
13 2013-15 biennial budget bill, the department shall submit information concerning  
14 the appropriation under section 20.435 (4) (b) of the statutes as though the increases  
15 in the dollar amounts of that appropriation for the purposes of paragraph (a) had not  
16 been made.

17           (3g) LONG-TERM CARE COST-EFFECTIVENESS STUDY. The secretary of the  
18 department shall study the cost-effectiveness of the family care program, the family  
19 care partnership program, the self-directed services option, and the program for  
20 all-inclusive care for the elderly under 42 USC 1396u-4. The study shall compare  
21 the cost-effectiveness of each program to each of the other programs; the  
22 cost-effectiveness of each program to the benefits provided to medical assistance  
23 recipients under section 49.46 (2) (a) and (b) of the statutes; and the  
24 cost-effectiveness of the care that individuals receive before they enroll in a  
25 long-term care program to the care that the individuals receive in a long-term care

1 program. The department shall submit the findings of its study to the joint  
2 committee on finance by March 1, 2012.

3 (5) EXPANSION OF FAMILY CARE. Beginning on July 1, 2011, and ending on June  
4 30, 2013, the department of health services may not propose to contract with entities  
5 to administer the family care benefit, as described in section 46.286 of the statutes,  
6 in a county in which the family care benefit is not available on July 1, 2011, unless  
7 the department of health services determines that administering the family care  
8 benefit in such a county would be more cost-effective than the county's current  
9 mechanism for delivering long-term care services.

10 (6u) INCOME MAINTENANCE PROGRAM ADMINISTRATION; MULTICOUNTY CONSORTIA.

11 (a) In this subsection:

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

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

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

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

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

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

4           (7u) MILWAUKEE COUNTY ENROLLMENT SERVICES UNIT. No later than 30 days after  
5 the effective date of this subsection, the department of health services shall discuss  
6 with Milwaukee County any issues relating to the employment of county employees  
7 with the state to provide services for the Milwaukee County enrollment services unit.  
8 The department of health services shall submit a report to the joint committee on  
9 finance on this issue no later than 60 days after the effective date of this subsection.

10          (8r) VETERANS HOME EXEMPTION FROM NURSING HOME BED ASSESSMENT.  
11 Notwithstanding section 50.14 (2) of the statutes, the Wisconsin veterans homes  
12 under section 45.50 of the statutes, as affected by this act, are not required to pay the  
13 per-bed assessment on nursing homes under section 50.14 (2) (am) of the statutes  
14 during the fiscal biennium in which this subsection takes effect.

15          (9) CONGENITAL DISORDER TESTING FEES; RULES. Using the procedure under  
16 section 227.24 of the statutes, the department of health services shall promulgate  
17 rules required under section 253.13 (2) of the statutes, as affected by this act, for the  
18 period before the effective date of the permanent rules promulgated under section  
19 253.13 (2) of the statutes, as affected by this act, but not to exceed the period  
20 authorized under section 227.24 (1) (c) of the statutes, subject to extension under  
21 section 227.24 (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and  
22 (3) of the statutes, the department of health services is not required to provide  
23 evidence that promulgating a rule under this subsection as an emergency rule is  
24 necessary for the preservation of public peace, health, safety, or welfare and is not

1 required to provide a finding of emergency for a rule promulgated under this  
2 subsection.

3 (10q) MEDICAL ASSISTANCE NURSING HOME PAYMENT BASE FUNDING. For the  
4 purpose of submitting information under section 16.42 of the statutes for purposes  
5 of preparing the 2013-15 biennial budget bill, the department of health services  
6 shall increase its adjusted base year funding for nursing home payments by \$415,600  
7 in general purpose revenue moneys and by \$925,100 in federal moneys.

8 (10x) AUDIT OF STATEWIDE INCOME MAINTENANCE PROGRAM ADMINISTRATION. The  
9 joint legislative audit committee is requested to direct the legislative audit bureau  
10 to conduct a performance evaluation audit of the statewide administration of income  
11 maintenance programs, as defined in section 49.78 (1) (b) of the statutes. If  
12 conducted, the audit shall address timeliness, program integrity, and efficiency. If  
13 the committee directs the legislative audit bureau to conduct the audit, the bureau  
14 shall file its reports in the manner described under section 13.94 (1) (b) of the statutes  
15 by March 1, 2013.

16 (11i) STUDY ON PURCHASE OF GENERIC DRUGS FOR MEDICAL ASSISTANCE. The  
17 department of health services shall conduct a study to determine whether the use of  
18 a competitive bidding process for the purchase of generic drug equivalents that are  
19 provided to recipients under the Medical Assistance program would generate cost  
20 savings in the Medical Assistance program. No later than December 31, 2011, the  
21 department of health services shall submit a report of its findings under the study  
22 to the joint committee on finance.

23 (12b) STUDY ON MEDICAL ASSISTANCE AND FOOD SHARE CHANGES.

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

1           1. Implementing photo identification requirements for beneficiaries of the  
2 Medical Assistance program and beneficiaries of the Food Share program by  
3 requiring a Medical Assistance enrollment card to contain a photograph of the  
4 beneficiary and a Food Share electronic benefit transfer card to contain a photograph  
5 of the beneficiary.

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

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

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

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

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

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

20           (12f) SEAL-A-SMILE DENTAL SEALANT PROGRAM. The department of health services  
21 may submit a request to the joint committee on finance under section 13.10 of the  
22 statutes to provide supplemental funding under section 13.101 (3) of the statutes for  
23 the appropriation under section 20.435 (1) (de) of the statutes for use by the  
24 department to award a grant under section 250.10 (1m) (b) of the statutes for a  
25 school-based dental sealant program. Any request submitted under this subsection

1 shall include a statement as to whether a private entity has agreed to provide  
2 matching funds for the grant for a school-based dental sealant program under  
3 section 250.10 (1m) (b) of the statutes. If the cochairpersons of the committee do not  
4 notify the department within 14 working days after the date of the department's  
5 request that the committee has scheduled a meeting for the purpose of reviewing the  
6 request, the request is granted. If, within 14 working days after the date of the  
7 request, the cochairpersons of the committee notify the department that the  
8 committee has scheduled a meeting for the purpose of reviewing the request, the  
9 request may be granted only upon approval of the committee. Notwithstanding  
10 section 13.101 (3) of the statutes, the joint committee on finance is not required to  
11 find that an emergency exists prior to making the supplementation under this  
12 subsection.

13 **SECTION 9122. Nonstatutory provisions; Higher Educational Aids**  
14 **Board.**

15 (1d) BOARD OF TRUSTEES OF THE MEDICAL COLLEGE OF WISCONSIN, INC.  
16 Notwithstanding the requirement specified in section 39.15 (1) (a) of the statutes, as  
17 affected by this act, that 2 of the members of the board of trustees of the Medical  
18 College of Wisconsin, Inc., must be nominated by the governor, and with the advice  
19 and consent of the senate, appointed, that board may consist of more than 2 members  
20 so nominated and appointed until such time as through term expiration, resignation,  
21 removal, death, or other cause the membership of that board so nominated and  
22 appointed is reduced to 2 members.

23 **SECTION 9123. Nonstatutory provisions; Historical Society.**

24 **SECTION 9124. Nonstatutory provisions; Housing and Economic**  
25 **Development Authority.**



1 **SECTION 9125. Nonstatutory provisions; Insurance.**

2 **SECTION 9126. Nonstatutory provisions; Investment Board.**

3 (1f) RIGHTS OF CERTAIN INVESTMENT BOARD EMPLOYEES. Notwithstanding section  
4 230.08 (2) (p) of the statutes, as affected by this act, all of the employees holding blue  
5 collar and clerical positions in the classified service at the investment board on the  
6 day before the effective date of this subsection, who have achieved permanent status  
7 in class on or before that date, shall retain, while serving in the unclassified service,  
8 those protections afforded employees in the classified service under sections 230.34  
9 (1) (a) and 230.44 (1) (c) of the statutes relating to demotion, suspension, discharge,  
10 layoff, or reduction in base pay and shall also have reinstatement privileges to the  
11 classified service as provided under section 230.33 (1) of the statutes.

12 **SECTION 9127. Nonstatutory provisions; Joint Committee on Finance.**

13 **SECTION 9128. Nonstatutory provisions; Judicial Commission.**

14 **SECTION 9129. Nonstatutory provisions; Justice.**

15 **SECTION 9130. Nonstatutory provisions; Legislature.**

16 (1u) OPEN ENROLLMENT PROGRAM REPORT.

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

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

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

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

10 **SECTION 9131. Nonstatutory provisions; Lieutenant Governor.**

11 **SECTION 9132. Nonstatutory provisions; Local Government.**

12 (1d) COLLECTIVE BARGAINING AGREEMENTS COVERING CERTAIN MUNICIPAL DISTRICT  
13 EMPLOYEES.

14 (a) A school district and the representative of a collective bargaining unit  
15 containing employees of that school district may enter into one memorandum of  
16 understanding that reduces the cost of compensation or fringe benefits in the  
17 collective bargaining agreement under subchapter IV of chapter 111 of the statutes  
18 that covers the school district employees, that was entered into before February 1,  
19 2011, and that is in effect on the effective date of this paragraph. Such a modification  
20 is not a modification of the collective bargaining agreement for purposes of 2011  
21 Wisconsin Act 10, sections 9315 (1) and (2) and 9332 (1), or any provisions that are  
22 substantially similar to 2011 Wisconsin Act 10, sections 9315 (1) and (2) and 9332 (1),  
23 that may be enacted under separate legislation. The memorandum of understanding  
24 entered into under this paragraph remains effective for the duration of the current  
25 collective bargaining agreement and continues to be effective after the collective

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1 bargaining agreement expires until a new collective bargaining agreement takes  
2 effect except that, if the memorandum contains a provision addressing a subject that,  
3 at the expiration of the collective bargaining agreement, becomes a prohibited  
4 subject of bargaining, that provision is no longer effective.

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

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

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

25 **SECTION 9134. Nonstatutory provisions; Military Affairs.**

1           **SECTION 9135. Nonstatutory provisions; Natural Resources.**

2           (2) COMMERCIAL CONSTRUCTION SITE EROSION CONTROL.

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

5           (b) All rules promulgated by the department of natural resources under section  
6 281.33 (3m), 2009 stats., related to erosion control for commercial building sites that  
7 are in effect on the effective date of this paragraph, as determined by the secretary  
8 of administration, remain in effect until their specified expiration dates or until  
9 amended or repealed by the department of safety and professional services. All  
10 orders issued by the department of natural resources that are in effect on the  
11 effective date of this paragraph and that are primarily related to erosion control for  
12 commercial building sites, as determined by the secretary of administration, remain  
13 in effect until their specified expiration dates or until modified or rescinded by the  
14 department of safety and professional services.

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

23           (d) Any delegation of the authority to act under section 281.33 (3m), 2009 stats.,  
24 made by the department of natural resources to a county, city, village, or town that

1 is in effect on the effective date of this paragraph remains in effect until revoked by  
2 the department of safety and professional services.

3 (e) 1. In this paragraph:

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

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

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

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

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

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

24 (3c) FEDERAL FISCAL YEAR 2011 APPROPRIATIONS ACT FUNDING FOR CLEAN WATER FUND  
25 PROJECTS.

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

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

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

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

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

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

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

7           (3d) FEDERAL FISCAL YEAR 2011 APPROPRIATIONS ACT FUNDING FOR SAFE DRINKING  
8           WATER LOAN PROGRAM PROJECTS.

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

19          (b) The department of natural resources and the department of administration  
20          shall provide additional subsidy under this subsection to local governmental units  
21          in the amount that P.L. 112-10 requires to be used to provide additional subsidy. The  
22          department of natural resources and the department of administration shall provide  
23          additional subsidy to a local governmental unit in the form of forgiveness of part of  
24          the principal of a loan made to the local governmental unit, notwithstanding the  
25          limits in section 281.61 (2r) of the statutes on the methods that may be used to

1 provide financial assistance. The department of natural resources may establish a  
2 percentage limit of the amount of the principal forgiveness available under this  
3 paragraph that may be received by any local governmental unit.

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

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

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

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

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

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

20 (3f) ECONOMIC IMPACT ANALYSES FOR CERTAIN RULES.

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

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

25 1. Section NR 102.06, Wisconsin Administrative Code.



1           2. Subchapter III of chapter NR 217, Wisconsin Administrative Code.

2           3. Section NR 115, Wisconsin Administrative Code.

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

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

13           (3q) SOUTHEASTERN WISCONSIN FOX RIVER COMMISSION. The department of  
14 natural resources shall provide in the 2011-13 fiscal biennium, from the  
15 appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act,  
16 \$200,000 to the Southeastern Wisconsin Fox River commission. The commission  
17 may use this funding for activities that are required or authorized under subchapter  
18 VI of chapter 33 of the statutes and that are consistent with the commission's  
19 implementation plan. The activities for which this funding is utilized may include  
20 the activities required under section 33.56 (1), (2), and (3) of the statutes.

21           (4u) POSITION INCREASES AND DECREASES.

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

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

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

9 (d) The authorized FTE positions for the department of natural resources are  
10 increased by 0.8 SEG positions, funded from the appropriation under section 20.370  
11 (9) (mu) of the statutes, to provide for an unclassified division administrator.

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

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

19 **SECTION 9136. Nonstatutory provisions; Public Defender Board.**

20 **SECTION 9137. Nonstatutory provisions; Public Instruction.**

21 (1) STUDENT INFORMATION SYSTEM. The state superintendent of public  
22 instruction shall submit a plan for the expenditure of moneys appropriated under  
23 section 20.255 (1) (e) of the statutes, as created by this act, in the 2011-12 fiscal year  
24 to the governor for his or her approval. By October 1, 2011, the state superintendent  
25 and the governor shall submit the approved plan to the joint committee on finance

1 for its approval. The state superintendent may not expend or encumber the moneys  
2 unless the joint committee on finance approves the plan.

3 (1u) PUPIL ASSESSMENTS.

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

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

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

22 (3q) LOW REVENUE ADJUSTMENT AID.

23 (a) Except as provided in paragraph (b) and subject to paragraph (c), in the  
24 2011-12 school year, from the appropriation under section 20.255 (2) (ar) of the  
25 statutes, as created by this act, the department of public instruction shall pay to each

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

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

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

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

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

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

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

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

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

15           (3r) PER PUPIL ADJUSTMENT AID.

16           (a) In the 2012-13 school year, from the appropriation under section 20.255 (2)  
17 (ap) of the statutes, as created by this act, the department of public instruction shall  
18 pay to each school district that, in the fall of 2012, certifies the maximum amount  
19 allowed to be levied under section 121.905 of the statutes, as affected by this act, or  
20 121.91 (2m) of the statutes, as affected by this act, an amount equal to \$50 multiplied  
21 by the average of the number of pupils enrolled in the school district in the 2010-11,  
22 2011-12, and 2012-13 school years. When considering under this paragraph  
23 whether a school district certified the maximum amount allowed to be levied, the  
24 department of public instruction shall not consider any increase under section  
25 121.91 (4) (d) of the statutes.

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

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

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

17 2. a. Divide the difference between the maximum amount allowed to be levied  
18 by the school district in the 2012-13 school year under section 121.905 of the  
19 statutes, as affected by this act, or section 121.91 of the statutes, as affected by this  
20 act, and the actual amount certified by the school district in the fall of 2012, by the  
21 average of the number of pupils enrolled in the school district in the 2010-11,  
22 2011-12, and 2012-13 school years.

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

1           c. Multiply the difference determined in subdivision 2. b. by the average of the  
2           number of pupils enrolled in the school district in the 2010-11, 2011-12, and 2012-13  
3           school years.

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

8           (3u) PARENTAL CHOICE PROGRAMS IN ELIGIBLE SCHOOL DISTRICTS; PARTICIPATION IN  
9           2011-12 SCHOOL YEAR.

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

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

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

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

4           2. Use the shared cost per member, as determined in accordance with section  
5 121.07 of the statutes on October 15, 2010, for the distribution of equalization aid for  
6 the 2010-11 school year.

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

9           4. Determine whether the school district was located in whole or in part in a  
10 city of the 2nd class in the 2010-11 school year. *De ccc*

11           (4u) REVENUE LIMIT ADJUSTMENT.

12           (a) If a school district received the revenue limit adjustment under section  
13 121.91 (8) of the statutes for the 2010-11 school year, its revenue limit under  
14 subchapter VII of chapter 121 of the statutes for the 2011-12 school year is increased  
15 by the amount of that adjustment in the 2010-11 school year.

16           (b) If a school district received the revenue limit adjustment under section  
17 121.91 (8) of the statutes for the 2010-11 school year and received no state aid under  
18 section 121.08 of the statutes in the 2010-11 school year, its revenue limit under  
19 subchapter VII of chapter 121 of the statutes for the 2012-13 school year is increased  
20 by the amount of that adjustment in the 2010-11 school year.

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

24           **SECTION 9138. Nonstatutory provisions; Public Lands, Board of**  
25 **Commissioners of.**



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1 **SECTION 9139. Nonstatutory provisions; Public Service Commission.**

2 **SECTION 9140. Nonstatutory provisions; Regulation and Licensing.**

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

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

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

1 contract is modified or rescinded by the real estate examining board to the extent  
2 allowed under the contract.

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

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

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

10 (c) Three licensed real estate brokers or salespersons licensed under chapter  
11 452 of the statutes, for terms expiring on July 1, 2014.

12 (5c) BAIL BOND SURETY CORPORATION AND AGENT LICENSING; RULES. Using the  
13 procedure under section 227.24 of the statutes, the department of safety and  
14 professional services shall promulgate rules required under section 440.9995 of the  
15 statutes, as created by this act, for the period before the effective date of the  
16 permanent rules promulgated under section 440.9995 of the statutes, as created by  
17 this act, but not to exceed the period authorized under section 227.24 (1) (c), subject  
18 to extension under section 227.24 (2) of the statutes. Notwithstanding section 227.24  
19 (1) (a), (2) (b), and (3) of the statutes, the department of safety and professional  
20 services is not required to provide evidence that promulgating a rule under this  
21 subsection as an emergency rule is necessary for the preservation of public peace,  
22 health, safety, or welfare and is not required to provide a finding of emergency for a  
23 rule promulgated under this subsection.

24 **SECTION 9141. Nonstatutory provisions; Revenue.**

1           **SECTION 9141m. Nonstatutory provisions; Safety and Professional**  
2           **Services.**

3           **SECTION 9142. Nonstatutory provisions; Secretary of State.**

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

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

- 7           1. "Department" means the department of financial institutions.  
8           2. "Office" means the office of the secretary of state.  
9           3. "Relating to the office's trademark or notary functions" means relating to the  
10          office's functions and duties under section 137.01, 2009 stats., or chapter 132, 2009  
11          stats.

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

15          (c) *Staff.*

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

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

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

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

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

12           (f) *Rules and orders.*

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

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

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

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

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

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

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

17           (c) *Contracts.* All contracts entered into by the office of the secretary of state  
18 in effect on the effective date of this paragraph that are primarily related to  
19 administrative services, as determined by the secretary of administration, remain  
20 in effect and are transferred to the department of administration. The department  
21 of administration shall carry out any obligations under such a contract until the  
22 contract is modified or rescinded by the department of administration to the extent  
23 allowed under the contract.

24           (d) *Rules and orders.* All rules promulgated by the office of the secretary of state  
25 in effect on the effective date of this paragraph that are primarily related to

1 administrative services, as determined by the secretary of administration, remain  
2 in effect until their specified expiration date or until amended or repealed by the  
3 department of administration. All orders issued by the office of the secretary of state  
4 in effect on the effective date of this paragraph that are primarily related to  
5 administrative services, as determined by the secretary of administration, remain  
6 in effect until their specified expiration date or until modified or rescinded by the  
7 department of administration.

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

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

16 (2q) HEALTH INSURANCE OPTIONS.

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

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

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

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

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

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

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

16           **SECTION 9144. Nonstatutory provisions; State Fair Park Board.**

17           **SECTION 9145. Nonstatutory provisions; Supreme Court.**

18           **SECTION 9146. Nonstatutory provisions; Technical College System.**

19           **SECTION 9147. Nonstatutory provisions; Tourism.**

20           **SECTION 9148. Nonstatutory provisions; Transportation.**

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

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1 (3u) DISSOLUTION AND WINDING DOWN OF TRANSIT AUTHORITIES. (a) Any authority  
2 created under section 66.1039, 2009 stats., is dissolved on the effective date of this  
3 paragraph.

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

6 (c) After the effective date of this paragraph, the counties of Kenosha, Racine,  
7 and Milwaukee, and all members of the governing body of the authority under  
8 section 59.58 (7) of the statutes, shall begin the process of winding down the  
9 authority and shall complete the process by the time the authority is dissolved as  
10 provided in paragraph (b). All assets and liabilities of the authority under section  
11 59.58 (7), 2009 stats., including any accumulated moneys received from the fees  
12 imposed under subchapter XIII of chapter 77 of the statutes, shall become the assets  
13 and liabilities of the counties of Kenosha, Racine, and Milwaukee and shall be  
14 divided and distributed as follows:

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

18 (4f) COPPER CULTURE STATE PARK DIRECTIONAL SIGNAGE. Notwithstanding any  
19 eligibility criteria or other criteria or specification under section 86.196 of the  
20 statutes, the department of transportation shall erect 2 tourist-oriented directional  
21 signs, one for each direction of travel, along STH 41 in Oconto County for Copper  
22 Culture State Park in Oconto County. The department may not charge any fee  
23 related to any sign erected under this subsection.

24 (7f) SOUTHEAST WISCONSIN FREEWAY FUNDING. Prior to July 1, 2011, the  
25 department of transportation shall determine all of the following, calculated as of the



1 end of fiscal year 2010-11, based upon the portion of unencumbered funds for the  
2 department's southeast Wisconsin freeway rehabilitation program that are  
3 associated with projects that will become part of the department's southeast  
4 Wisconsin freeway megaproject program:

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

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

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

14 (7g) COMMISSION ON TRANSPORTATION FINANCE AND POLICY.

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

- 17 1. The secretary of transportation, who shall serve as a nonvoting member.
- 18 2. Six citizen members, appointed by the governor.
- 19 3. One citizen member, appointed by the speaker of the assembly.
- 20 4. One citizen member, appointed by the assembly minority leader.
- 21 5. One citizen member, appointed by the senate majority leader.
- 22 6. One citizen member, appointed by the senate minority leader.

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

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

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

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

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

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

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

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

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

23 (8f) ZOO INTERCHANGE PROJECT REPORT.

24 (a) In this subsection, "Zoo interchange" has the meaning given in section  
25 84.014 (5m) (ag) 2. of the statutes.

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

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

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

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

13 (9i) VEHICLE REGISTRATION DECALS. By the date specified by the cochairpersons  
14 of the joint committee on finance for submission of requests for consideration at the  
15 3rd quarterly meeting of the committee under section 13.10 of the statutes in the  
16 2011-12 fiscal year, the department of transportation shall submit a request to the  
17 committee under section 13.10 of the statutes to provide supplemental funding  
18 under section 13.101 (3) of the statutes for the appropriation under section 20.395  
19 (5) (cq) of the statutes in the 2012-13 fiscal year for vehicle registration plate tags,  
20 decals, or stickers evidencing registration. The request submitted under this  
21 subsection shall include the department's proposal to establish a registration plate  
22 decal or sticker system under which decals or stickers would be issued centrally by  
23 a 3rd-party vendor and would carry an identification marker specific to the  
24 registration plate or vehicle for which the decal or sticker is issued. Upon approval  
25 of the proposal, including modification and approval, by the committee, the

1 department shall implement the proposal as approved. Notwithstanding section  
2 13.101 (3) of the statutes, the committee may supplement the appropriation under  
3 section 20.395 (5) (cq) of the statutes from the appropriation account under section  
4 20.865 (4) (u) of the statutes for the purpose described in this subsection without  
5 finding that an emergency exists.

6 **SECTION 9149. Nonstatutory provisions; Treasurer.**

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

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

14 (b) *Staff.*

15 1. On the effective date of this subdivision, 1.0 FTE SEG position in the office  
16 of the state treasurer, and the incumbent employee holding that position, funded  
17 from the appropriation under section 20.585 (2) (tm), 2009 stats., and responsible for  
18 the performance of duties related to the college savings program, is transferred to the  
19 department of administration to be funded from the appropriation under section  
20 20.505 (1) (th) of the statutes, as affected by this act. The secretary of administration  
21 shall identify the position.

22 2. An employee transferred under subdivision 1. to the department of  
23 administration has all of the rights and the same status under subchapter V of  
24 chapter 111 and chapter 230 of the statutes in the department of administration that  
25 he or she enjoyed in the office of the state treasurer immediately before the transfer.

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

3 (c) *Tangible personal property.* On the effective date of this paragraph, all  
4 tangible personal property, including records, of the office of the state treasurer that  
5 are primarily related to the state treasurer's performance of duties under sections  
6 14.63, 14.64, and 14.65, 2009 stats., as determined by the secretary of  
7 administration, is transferred to the department of administration.

8 (d) *Pending matters.* Any matter pending with the office of the state treasurer  
9 that is primarily related to the state treasurer's performance of duties under sections  
10 14.63, 14.64, and 14.65, 2009 stats., as determined by the secretary of  
11 administration, is transferred to the department of administration. All materials  
12 submitted to or actions taken by the office of the state treasurer with respect to the  
13 pending matter are considered as having been submitted to or taken by the  
14 department of administration.

15 (e) *Contracts.* All contracts entered into by the office of the state treasurer in  
16 effect on the effective date of this paragraph that are primarily related to the state  
17 treasurer's performance of duties under sections 14.63, 14.64, and 14.65, 2009 stats.,  
18 as determined by the secretary of administration, remain in effect and are  
19 transferred to the department of administration. The department of administration  
20 shall carry out any obligations under those contracts unless modified or rescinded  
21 by the department of administration to the extent allowed under the contract.

22 (f) *Rules and orders.* All rules promulgated by the office of the state treasurer  
23 in effect on the effective date of this paragraph that are primarily related to the state  
24 treasurer's performance of duties under sections 14.63, 14.64, and 14.65, 2009 stats.,  
25 as determined by the secretary of administration, remain in effect until their

1 specified expiration dates or until amended or repealed by the department of  
2 administration. All orders issued by the office of the state treasurer in effect on the  
3 effective date of this paragraph that are primarily related to the state treasurer's  
4 performance of duties under sections 14.63, 14.64, and 14.65, 2009 stats., as  
5 determined by the secretary of administration, remain in effect until their specified  
6 expiration dates or until modified or rescinded by the department of administration.

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

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

14 (b) *Staff.*

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

22 2. An employee transferred under subdivision 1. to the department of  
23 administration has all of the rights and the same status under subchapter V of  
24 chapter 111 and chapter 230 of the statutes in the department that he or she enjoyed  
25 in the office of the state treasurer immediately before the transfer. Notwithstanding

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

3 (c) *Tangible personal property.* On the effective date of this paragraph, all  
4 tangible personal property, including records, of the office of the state treasurer that  
5 are primarily related to the state treasurer's performance of duties under section  
6 25.50, 2009 stats., as determined by the secretary of administration, is transferred  
7 to the department of administration.

8 (d) *Pending matters.* Any matter pending with the office of the state treasurer  
9 that is primarily related to the state treasurer's performance of duties under section  
10 25.50, 2009 stats., as determined by the secretary of administration, is transferred  
11 to the department of administration. All materials submitted to or actions taken by  
12 the office of the state treasurer with respect to the pending matter are considered as  
13 having been submitted to or taken by the department of administration.

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

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

1 by the office of the state treasurer in effect on the effective date of this paragraph that  
2 are primarily related to the state treasurer's performance of duties under section  
3 25.50, 2009 stats., as determined by the secretary of administration, remain in effect  
4 until their specified expiration dates or until modified or rescinded by the  
5 department of administration.

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

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

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

17 (c) *Contracts.* All contracts entered into by the office of the state treasurer in  
18 effect on the effective date of this paragraph that are primarily related to  
19 management services, as determined by the secretary of administration, remain in  
20 effect and are transferred to the department of administration. The department of  
21 administration shall carry out any obligations under such a contract until the  
22 contract is modified or rescinded by the department of administration to the extent  
23 allowed under the contract.

24 (d) *Rules and orders.* All rules promulgated by the office of the state treasurer  
25 in effect on the effective date of this paragraph that are primarily related to



1 management services, as determined by the secretary of administration, remain in  
2 effect until their specified expiration date or until amended or repealed by the  
3 department of administration. All orders issued by the office of the state treasurer  
4 in effect on the effective date of this paragraph that are primarily related to  
5 management services, as determined by the secretary of administration, remain in  
6 effect until their specified expiration date or until modified or rescinded by the  
7 department of administration.

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

14 **SECTION 9150. Nonstatutory provisions; University of Wisconsin**  
15 **Hospitals and Clinics Authority.**

16 **SECTION 9151. Nonstatutory provisions; University of Wisconsin**  
17 **Hospitals and Clinics Board.**

18 **SECTION 9152. Nonstatutory provisions; University of Wisconsin**  
19 **System.**

20 (1c) SUPPLEMENTAL PAY PLANS DURING 2011-13 FISCAL BIENNIUM.

21 (a) *Board of Regents of the University of Wisconsin System.* During the 2011-13  
22 fiscal biennium, the Board of Regents of the University of Wisconsin System may  
23 provide supplemental pay plans for all of its employees, other than employees  
24 assigned to the University of Wisconsin-Madison. The supplemental pay plans shall  
25 be in addition to any pay plan approved under section 230.12 (3) (e) 1. of the statutes.

1 The board shall submit the plans to the joint committee on employment relations,  
2 and the plans may be implemented only upon approval of the committee. The board  
3 may not request supplemental funding under section 20.928 of the statutes to pay  
4 the costs of these plans and the board, under section 16.42 of the statutes, may not  
5 request any funding of increases in salary and fringe benefit costs provided in these  
6 plans.

7 (b) *Chancellor of the University of Wisconsin-Madison.* During the 2011-13  
8 fiscal biennium, the chancellor of the University of Wisconsin-Madison may provide  
9 supplemental pay plans for all employees assigned to the University of  
10 Wisconsin-Madison. The supplemental pay plans shall be in addition to any pay  
11 plan approved under section 230.12 (3) (e) 1. of the statutes. The chancellor shall  
12 submit the plans to the Board of Regents of the University of Wisconsin System. If  
13 the board approves the plans, the chancellor shall submit the plans to the joint  
14 committee on employment relations and the plans may be implemented only upon  
15 approval of the committee. The board may not request supplemental funding under  
16 section 20.928 of the statutes to pay the costs of these plans and the board, under  
17 section 16.42 of the statutes, may not request any funding of increases in salary and  
18 fringe benefit costs provided in these plans.

19 (1gc) INTERIM BIDDING PROCEDURES PENDING IMPLEMENTATION OF PROCEDURES.  
20 Notwithstanding sections 16.855 (23) and s. 36.11 (53) of the statutes, as created by  
21 this act, all construction work for each project that is constructed by or for the  
22 University of Wisconsin System that is exempted from compliance with the  
23 provisions of section 16.855 of the statutes under this act shall remain subject to the  
24 provisions of section 16.855 of the statutes until the procedures required under  
25 section 36.11 (53) of the statutes, as created by this act, become effective.