

1 of the compensation to which the employee is entitled under his or her contract of
2 employment or under the prevailing wage determination issued by the department
3 ~~or local governmental unit~~, or who gives up any part of the compensation to which
4 he or she is normally entitled for work on a project on which a prevailing wage rate
5 determination has not been issued under s. 66.0903 (3) ~~or (6)~~, ~~66.0904 (4) or (6)~~,
6 103.49 (3), 103.50 (3), or 229.8275 (3) during a week in which the person works
7 part-time on a project on which a prevailing wage rate determination has been
8 issued and part-time on a project on which a prevailing wage rate determination has
9 not been issued, is guilty of a Class C misdemeanor.

10 **SECTION 3534g.** 946.15 (3) of the statutes is amended to read:

11 946.15 (3) Any employer or labor organization, or any agent or employee of an
12 employer or labor organization, who induces any person who seeks to be or is
13 employed on a project on which a prevailing wage rate determination has been issued
14 by the department of workforce development under s. 66.0903 (3), ~~66.0904 (4)~~, 103.49
15 (3), 103.50 (3), or 229.8275 (3) ~~or by a local governmental unit, as defined in s. 66.0903~~
16 ~~(1) (d), under s. 66.0903 (6) or 66.0904 (6)~~ to permit any part of the wages to which
17 that person is entitled under the prevailing wage rate determination issued by the
18 department or local governmental unit to be deducted from the person's pay is guilty
19 of a Class I felony, unless the deduction would be permitted under 29 CFR 3.5 or 3.6
20 from a person who is working on a project that is subject to 40 USC 3142.

21 **SECTION 3535h.** 946.15 (4) of the statutes is amended to read:

22 946.15 (4) Any person employed on a project on which a prevailing wage rate
23 determination has been issued by the department of workforce development under
24 s. 66.0903 (3), ~~66.0904 (4)~~, 103.49 (3), 103.50 (3), or 229.8275 (3) ~~or by a local~~
25 ~~governmental unit, as defined in s. 66.0903 (1) (d), under s. 66.0903 (6) or 66.0904~~

1 (6) who permits any part of the wages to which that person is entitled under the
2 prevailing wage rate determination issued by the department or local governmental
3 unit to be deducted from his or her pay is guilty of a Class C misdemeanor, unless the
4 deduction would be permitted under 29 CFR 3.5 or 3.6 from a person who is working
5 on a project that is subject to 40 USC 3142.

6 **SECTION 3539.** 951.01 (3f) of the statutes is amended to read:

7 951.01 (3f) "Fire department" includes a volunteer fire department and a
8 department under s. 60.553, 61.66, or 62.13 (2e).

9 **SECTION 3539g.** 951.015 (3) of the statutes is created to read:

10 951.015 (3) This chapter does not apply to:

11 (a) Teaching, research, or experimentation conducted pursuant to a protocol or
12 procedure approved by an educational or research institution, and related incidental
13 animal care activities, at facilities that are regulated under 7 USC 2131 to 2159 or
14 42 USC 289d.

15 (b) Bona fide scientific research involving species unregulated by federal law.

16 **SECTION 3539m.** 951.02 of the statutes is amended to read:

17 **951.02 Mistreating animals.** No person may treat any animal, whether
18 belonging to the person or another, in a cruel manner. This section does not prohibit
19 ~~bona fide experiments carried on for scientific research or normal and accepted~~
20 veterinary practices.

21 **SECTION 3539s.** 951.06 of the statutes is amended to read:

22 **951.06 Use of poisonous and controlled substances.** No person may
23 expose any domestic animal owned by another to any known poisonous substance,
24 any controlled substance included in schedule I, II, III, IV or V of ch. 961, or any
25 controlled substance analog of a controlled substance included in schedule I or II of

1 ch. 961, whether mixed with meat or other food or not, so that the substance is liable
2 to be eaten by the animal and for the purpose of harming the animal. This section
3 shall not apply to poison used on one's own premises and designed for the purpose
4 of rodent or pest extermination nor to the use of a controlled substance ~~in bona fide~~
5 ~~experiments carried on for scientific research or in accepted veterinary practices.~~

6 **SECTION 3540.** 961.01 (20g) of the statutes is amended to read:

7 961.01 (20g) "Public housing project" means any housing project or
8 development administered by a housing authority, as defined in s. ~~560.9801~~ 16.301
9 (2).

10 **SECTION 3541.** 961.36 (1m) of the statutes is amended to read:

11 961.36 (1m) At the request of the department of ~~regulation and licensing safety~~
12 and professional services or a board, examining board or affiliated credentialing
13 board in the department of ~~regulation and licensing safety and professional services~~,
14 the controlled substances board shall provide advice and assistance in matters
15 related to the controlled substances law to the department or to the board, examining
16 board or affiliated credentialing board in the department making the request for
17 advice or assistance.

18 **SECTION 3541g.** 969.12 (1) of the statutes is repealed.

19 **SECTION 3541r.** 969.12 (2) of the statutes is amended to read:

20 969.12 (2) A surety under this chapter shall be a natural person, ~~except who~~
21 is a resident of this state, a surety under s. 345.61, or a surety corporation or its agent
22 that is licensed under s. 440.9993. No natural person or surety under this chapter
23 under s. 345.61 may be compensated for acting as such a surety. A surety corporation
24 or its agent that is licensed under s. 440.9993 shall be compensated at a rate of 10
25 percent of the amount of the bond set.

1 **SECTION 3547.** 973.045 (1r) (a) (intro.) of the statutes is amended to read:

2 973.045 (1r) (a) (intro.) The clerk shall record any crime victim and witness
3 surcharge imposed under sub. (1) in 2 parts as follows:

4 **SECTION 3548.** 973.045 (1r) (a) 2. of the statutes is amended to read:

5 973.045 (1r) (a) 2. Part B equals ~~\$27~~ \$20 for each misdemeanor offense or count
6 and ~~\$27~~ \$20 for each felony offense or count.

7 **SECTION 3549.** 973.045 (1r) (a) 3. of the statutes is created to read:

8 973.045 (1r) (a) 3. Part C equals \$7 for each misdemeanor offense or count and
9 \$7 for each felony offense or count.

10 **SECTION 3550.** 973.045 (2m) of the statutes, as affected by 2009 Wisconsin Act
11 28, section 3391c, is amended to read:

12 973.045 (2m) (a) The secretary of administration shall credit to the
13 appropriation account under s. 20.455 (5) (gc) ~~the first \$20 of part B of the crime~~
14 ~~victim and witness surcharge.~~

15 (b) The secretary of administration shall credit to the appropriation account
16 under s. 20.455 (5) (g) part A ~~of the crime victim and witness surcharge and any part~~
17 ~~of part B C of the crime victim and witness surcharge that remains after the secretary~~
18 ~~of administration complies with par. (a).~~

19 **SECTION 3551.** 973.045 (3) (c) of the statutes is created to read:

20 973.045 (3) (c) The person paying the crime victim and witness surcharge shall
21 pay all of the moneys due under part A and part B before he or she pays any of the
22 moneys due under part C.

23 **SECTION 3552.** 973.05 (2m) (dg) of the statutes is created to read:

24 973.05 (2m) (dg) To payment of part C of the crime victim and witness
25 assistance surcharge until paid in full.

1 **SECTION 3552m.** 973.06 (1) (j) of the statutes is created to read:

2 973.06 (1) (j) If the defendant violated s. 23.33 (4c), 30.681, 346.63, 350.101,
3 940.09 (1), or 940.25, any costs charged to or paid by a law enforcement agency for
4 the withdrawal of the defendant's blood, except that the court may not impose on the
5 defendant any cost for an alternative test provided free of charge as described in s.
6 343.305 (4). If at the time the court finds that the defendant committed the violation,
7 the law enforcement agency has not paid or been charged with the costs of
8 withdrawing the person's blood, the court shall impose and collect the costs the law
9 enforcement agency reasonably expects to be charged for the withdrawal, based on
10 the current charges for this procedure. Notwithstanding sub. (2), the court may not
11 remit these costs.

12 **SECTION 3559d.** 977.02 (3) (b) of the statutes is amended to read:

13 977.02 (3) (b) Subject to par. (d), ~~consider assets in the manner described in s.~~
14 ~~49.145 (3) (a) and treat assets as available to the person to pay the costs of legal~~
15 ~~representation if the assets exceed the resource limitations under s. 49.145 (3) (a),~~
16 ~~except that \$2,500 in combined equity value. In determining the combined equity~~
17 ~~value of assets, the representative of the state public defender shall exclude only the~~
18 ~~equity value of vehicles up to a total equity value of \$10,000 and shall exclude the~~
19 ~~first \$30,000 of the equity value of the home that serves as the individual's~~
20 ~~homestead.~~

21 **SECTION 3559h.** 977.02 (3) (c) of the statutes is amended to read:

22 977.02 (3) (c) Subject to par. (d), treat income as available to the person to pay
23 the costs of legal representation only if the gross income exceeds the ~~income~~
24 ~~limitations in s. 49.145 (3) (b) 115 percent of the federal poverty guideline, as defined~~
25 ~~in 42 USC 9902 (2) (2011). In calculating gross income under this paragraph, the~~

1 representative of the state public defender shall include all earned and unearned
2 income of the person, except any amount received under section 32 of the Internal
3 Revenue Code, as defined in s. 71.01 (6), any amount received under s. 71.07 (9e), any
4 payment made by an employer under section 3507 of the Internal Revenue Code, as
5 defined in s. 71.01 (6), any student financial aid received under any federal or state
6 program, any scholarship used for tuition and books, and any assistance received
7 under s. 49.148. In determining the earned and unearned income of the individual,
8 the representative of the state public defender may not include income earned by a
9 dependent child of the person.

10 **SECTION 3561.** 978.05 (6) (b) of the statutes is amended to read:

11 978.05 (6) (b) Enforce the provisions of all general orders of the department of
12 ~~commerce~~ safety and professional services relating to the sale, transportation and
13 storage of explosives.

14 **SECTION 3562.** 990.01 (7g) of the statutes is amended to read:

15 990.01 (7g) FIRE CHIEF. "Fire chief" or "chief of a fire department" includes the
16 chief of a department under s. 60.553, 61.66, or 62.13 (2e).

17 **SECTION 3563.** 990.01 (7m) of the statutes is amended to read:

18 990.01 (7m) FIRE DEPARTMENT. "Fire department" includes a department under
19 s. 60.553, 61.66, or 62.13 (2e).

20 **SECTION 3564.** 990.01 (7r) of the statutes is amended to read:

21 990.01 (7r) FIRE FIGHTER. "Fire fighter" includes a person serving under s.
22 60.553, 61.66, or 62.13 (2e).

23 **SECTION 3565.** 990.01 (28g) of the statutes is amended to read:

24 990.01 (28g) POLICE CHIEF. "Police chief" or "chief of a police department"
25 includes the chief of a department under s. 60.553, 61.66, or 62.13 (2e).

1 **SECTION 3566.** 990.01 (28m) of the statutes is amended to read:

2 990.01 **(28m)** POLICE DEPARTMENT. "Police department" includes a department
3 under s. 60.553, 61.66, or 62.13 (2e).

4 **SECTION 3567.** 990.01 (28r) of the statutes is amended to read:

5 990.01 **(28r)** POLICE OFFICER. "Police officer" includes a person serving under
6 s. 60.553, 61.66, or 62.13 (2e).

7 **SECTION 3567g.** 995.30 of the statutes is created to read:

8 **995.30 Ronald W. Reagan Day.** February 6 is designated as Ronald W.
9 Reagan Day. Appropriate exercises and celebrations may be held on that day, his
10 birthday, to honor him and remember him as the 40th President of the United States
11 and a promoter of freedom and democracy throughout the world.

12 **SECTION 3567m.** 2009 Wisconsin Act 28, section 9150 (1) is repealed.

13 **SECTION 3567o.** 2005 Wisconsin Act 25, section 9101 (4) (b) and (c), as last
14 amended by 2009 Wisconsin Act 28, section 3406, is repealed.

15 **SECTION 3567p.** 2009 Wisconsin Act 15, section 31 (1) (e) is repealed.

16 **SECTION 3568.** 2009 Wisconsin Act 333, section 20 (2) is amended to read:

17 [2009 Wisconsin Act 333] Section 20 (2) PUBLISH NOTICE IN THE WISCONSIN
18 ADMINISTRATIVE REGISTER THAT FUNDING IS NOT AVAILABLE. If, after making the
19 determination under subsection (1m), the department of children and families
20 determines that federal moneys from the Temporary Assistance for Needy Families
21 Emergency Fund under the American Recovery and Reinvestment Act of 2009 are
22 no longer available to support an expansion of trial jobs under section 49.147 (3) of
23 the statutes, as affected by this act, ~~and the project under section 49.162 of the~~
24 ~~statutes, as affected by this act,~~ the department shall publish a notice in the

1 Wisconsin Administrative Register that states the date on which the federal moneys
2 may no longer be obtained.

3 **SECTION 3569.** 2009 Wisconsin Act 333, section 20 (5) is amended to read:

4 [2009 Wisconsin Act 333] Section 20 (5) ADDITIONAL FUNDING FOR PROGRAMS. If
5 any other federal funding becomes available for the ~~programs~~ program under
6 ~~sections~~ section 49.147 (3) and ~~49.162~~ of the statutes, as affected by this act, the
7 department of children and families shall take any actions that may be necessary to
8 obtain the funding and use it for ~~those programs~~ that program.

9 **SECTION 3570.** 2009 Wisconsin Act 333, section 22 (2) is amended to read:

10 [2009 Wisconsin Act 333] Section 22 (2) The repeal of ~~sections~~ section 49.147 (3)
11 (cm) and ~~(dm)~~ and ~~49.162 (3) (am)~~ and (d) of the statutes and the amendment of
12 ~~sections~~ section 49.147 (3) (a) (by SECTION 4) and ~~49.162 (3) (a) (by SECTION 10)~~ of the
13 statutes take effect on the date stated in the notice published by the department of
14 children and families under SECTION 20 (2) of this act.

15 **SECTION 3570f.** 2011 Wisconsin Act 10, section 9132 (1) (b) is amended to read:

16 [2011 Wisconsin Act 10] Section 9132 (1) (b) Each collective bargaining unit
17 under subchapter IV of chapter 111 of the statutes, as affected by this act, containing
18 general municipal employees who are subject to an extension of their collective
19 bargaining agreement shall have their collective bargaining agreement terminated
20 as soon as legally possible and shall vote to certify or decertify their representatives
21 as provided in section 111.70 (4) (d) 3. b. of the statutes, as created by this act.
22 Notwithstanding the date provided under section 111.70 (4) (d) 3. b. of the statutes,
23 as created by this act, the vote shall be held in ~~April 2011~~ the 3rd month beginning
24 after the effective date of the 2011-13 biennial budget act.

25 **SECTION 3570g.** 2011 Wisconsin Act 10, section 9135 is repealed.

1 **SECTION 3570h.** 2011 Wisconsin Act 10, section 9155 (1) (b) is amended to read:

2 [2011 Wisconsin Act 10] Section 9155 (1) (b) Each collective bargaining unit
3 under subchapter V of chapter 111 of the statutes, as affected by this act, containing
4 general employees shall vote to certify or decertify their representatives as provided
5 in section 111.83 (3) (b) of the statutes, as created by this act. Notwithstanding the
6 date provided under section 111.83 (3) (b) of the statutes, as created by this act, the
7 vote shall be held in ~~April 2011~~ the 3rd month beginning after the effective date of
8 the 2011-13 biennial budget act.

9 **SECTION 3570j.** 2011 Wisconsin Act 10, section 9315 (3) (a) is amended to read:

10 [2011 Wisconsin Act 10] Section 9315 (3) (a) Except as provided in paragraph
11 (b), for elected officials, as defined in section 40.02 (24) of the statutes, and for any
12 public officer holding a term of office subject to article IV, section 26 (2) of the
13 constitution, who are participating employees in the Wisconsin retirement system,
14 the treatment of section 40.23 (2m) (e) 2. of the statutes first applies to creditable
15 service that is performed on the first day of a term of office that begins after the
16 effective date of this paragraph.

17 **SECTION 9101. Nonstatutory provisions; Administration.**

18 (1) YOUTH DIVERSION GRANT REDUCTIONS.

19 (a) Notwithstanding the amount specified under section 16.964 (8) (a) of the
20 statutes, the office of justice assistance in the department of administration shall
21 reduce the amount of money allocated under section 16.964 (8) (a) of the statutes by
22 \$85,900 in each of fiscal years 2011-12 and 2012-13.

23 (b) Notwithstanding the amount specified under section 16.964 (8) (b) of the
24 statutes, the office of justice assistance in the department of administration shall

1 reduce the amount of money distributed under section 16.964 (8) (b) of the statutes
2 by \$18,400 in each of fiscal years 2011-12 and 2012-13.

3 (c) Notwithstanding the amounts specified under section 16.964 (8) (c) of the
4 statutes, the office of justice assistance in the department of administration shall
5 reduce the amount of money allocated for each of the 4 contracts that are funded with
6 moneys from the appropriation accounts under section 20.505 (6) (d) and (kj) of the
7 statutes by \$25,650 in each of fiscal years 2011-12 and 2012-13 and shall reduce the
8 amount of money allocated for the contract that is funded only with moneys from the
9 appropriation account under section 20.505 (6) (kj) of the statutes by \$18,100 in each
10 of fiscal years 2011-12 and 2012-13.

11 (1u) ENERGY EFFICIENCY STUDY OF STATE-OWNED BUILDINGS. The department of
12 administration shall conduct a study concerning the feasibility of installing
13 energy-efficient heating, ventilating, and air conditioning systems in state-owned
14 buildings to conserve energy and save money. The department shall report its
15 findings and recommendations to the members of the joint committee on finance no
16 later than December 1, 2011.

17 (2) LITERACY INITIATIVE; GOVERNOR'S TASK FORCE. A task force created by the
18 governor by executive order and charged with developing detailed recommendations
19 for a program to assess and improve literacy in elementary school children may
20 request the department of administration to release funding from the department's
21 appropriation account under section 20.505 (4) (c) of the statutes, as created by this
22 act, for use by the department to implement the recommendations of the task force
23 after the governor has approved the detailed recommendations proposed by the task
24 force.

1 (2u) COST-BENEFIT ANALYSIS FOR VETERANS HOME AT CHIPPEWA FALLS.

2 Notwithstanding section 16.705 (1p) of the statutes, as created by this act, the
3 department of administration shall conduct a cost-benefit analysis on the initial
4 contract for the operation and staffing of the Veterans Home at Chippewa Falls as
5 provided by section 45.50 (2m) (c) of the statutes, as created by this act. The analysis
6 shall be a comprehensive study to identify and compare the total cost, quality,
7 technical expertise, and timeliness of a service performed by state employees and
8 resources with the total cost, quality, technical expertise, and timeliness of the same
9 service obtained by means of a contract for contractual services. The department of
10 administration shall submit the results of the cost-benefit analysis to the joint
11 committee on finance by February 1, 2012, or before the department of veterans
12 affairs enters into the initial contract for the operation and staffing of the home,
13 whichever occurs first. The contract entered into must contain a performance
14 guarantee requirement that states that, during the contract period, the Wisconsin
15 Veterans Home at Chippewa Falls must maintain an overall star rating that is at
16 least equal to four stars.

17 (3) ELIMINATION OF OFFICE OF THE WISCONSIN COVENANT SCHOLARS PROGRAM.

18 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
19 liabilities of the office of the Wisconsin Covenant Scholars Program shall become the
20 assets and liabilities of the higher educational aids board.

21 (b) *Tangible personal property.* On the effective date of this paragraph, all
22 tangible personal property, including records, of the office of the Wisconsin Covenant
23 Scholars Program is transferred to the higher educational aids board.

24 (c) *Contracts.* All contracts entered into by the office of the Wisconsin Covenant
25 Scholars Program in effect on the effective date of this paragraph remain in effect

1 and are transferred to the higher educational aids board. The higher educational
2 aids board shall carry out any obligations under such a contract until the contract
3 is modified or rescinded by the higher educational aids board to the extent allowed
4 under the contract.

5 (d) *Rules and orders.* All rules promulgated by the office of the Wisconsin
6 Covenant Scholars Program that are in effect on the effective date of this paragraph
7 remain in effect until their specified expiration dates or until amended or repealed
8 by the higher educational aids board. All orders issued by the office of the Wisconsin
9 Covenant Scholars Program that are in effect on the effective date of this paragraph
10 remain in effect until their specified expiration dates or until modified or rescinded
11 by the higher educational aids board.

12 (e) *Pending matters.* Any matter pending with the office of the Wisconsin
13 Covenant Scholars Program on the effective date of this paragraph is transferred to
14 the higher educational aids board and all materials submitted to or actions taken by
15 the office of the Wisconsin Covenant Scholars Program with respect to the pending
16 matter are considered as having been submitted to or taken by the higher
17 educational aids board.

18 (3i) COMMUNITY PARTNERSHIPS. By January 10, 2012, the department of
19 administration shall submit to the joint committee on finance for the approval of that
20 committee under section 13.10 of the statutes a plan that includes all of the following:

21 (a) A plan prepared by the department of public instruction for providing
22 funding to community-based nongovernmental organizations for the establishment
23 of partnerships with local school districts that center on those organizations
24 providing advocacy for students and serving as liaison between families and staff of

1 those school districts with the goal of improving educational outcomes and
2 promoting and teaching greater self-sufficiency.

3 (b) A plan prepared by the department of children and families for providing
4 funding to community-based nongovernmental organizations for the establishment
5 of partnerships with agencies that license foster homes that center on those
6 organizations providing advocacy for children and serving as liaison between
7 families and staff of those agencies with the goal of improving educational outcomes
8 and promoting and teaching greater self-sufficiency.

9 (4j) DRUG OFFENDER DIVERSION SURCHARGE FUND. The department of
10 administration shall submit a plan to the joint committee on finance as to how the
11 department will reduce state appropriations by \$1,917,900 over the 2011-2013 fiscal
12 biennium and lapse the associated funding to the general fund to eliminate the
13 deficit in the drug offender diversion surcharge fund.

14 (4q) TRANSFER OF HUMAN RESOURCES POSITIONS.

15 (a) The secretary of administration shall identify 2.0 FTE PR positions in the
16 department of administration having responsibility for human resources functions.
17 On the effective date of this subsection, one of the positions so identified, as
18 determined by the secretary, is transferred to the state fair park board and the other
19 of the positions so identified is transferred to the department of regulation and
20 licensing and the incumbent employees in those positions are transferred to the state
21 fair park board and the department of regulation and licensing, respectively.

22 (b) Employees transferred under paragraph (a) have all of the rights and the
23 same status under subchapter V of chapter 111 and chapter 230 of the statutes in the
24 state fair park board and the department of regulation and licensing that they
25 enjoyed in the department of administration 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 (5q) STATE BUILDING AND LEASE BACK STUDY. The department of administration
4 shall study the feasibility of instituting a program for private construction of
5 buildings for the purpose of leasing those buildings to the state. The department
6 shall report its findings and recommendations to the members of the joint committee
7 on finance no later than December 1, 2011.

8 **SECTION 9103. Nonstatutory provisions; Agriculture, Trade and**
9 **Consumer Protection.**

10 (1i) EVALUATION OF PURCHASE OF AGRICULTURAL CONSERVATION EASEMENT PROGRAM.
11 The department of agriculture, trade and consumer protection shall evaluate the
12 program for the purchase of agricultural conservation easements under section
13 93.73 of the statutes, including the administration of the program, the source of
14 funding for the program, state financial participation, and the amount of local
15 matching funds required. The department shall include in its evaluation options for
16 a replacement program that would be less costly and more efficient in preserving
17 farmland. The department shall report its findings from the evaluation no later than
18 June 30, 2012, to the joint committee on finance and to the standing committees in
19 each house of the legislature with responsibility for agricultural matters.

20 (2i) FARMLAND PRESERVATION CONVERSION FEES. If a political subdivision collected
21 conversion fees under section 91.48 (1) (b), 2009 stats., for land rezoned in 2011, the
22 political subdivision shall retain the fees and use them for farmland preservation
23 planning, zoning, and compliance monitoring.

24 (2u) CONDITION OF SEGREGATED FUNDS. The department of agriculture, trade and
25 consumer protection shall study and evaluate the condition of the agricultural

1 chemical cleanup fund and of the agrichemical management fund and make
2 recommendations to correct any structural imbalances that cause authorized
3 expenditures to exceed annual revenues of the funds. The department shall submit
4 its findings to the joint committee on finance no later than December 31, 2011.

5 (3q) GRAIN INSPECTION PROGRAM REPORT. No later than January 1, 2012, the
6 department of agriculture, trade and consumer protection shall report to the joint
7 committee on finance on specific actions taken or administrative efforts planned to
8 ensure that expenditures for grain inspection under s. 93.06 (1m) do not exceed
9 program revenues and to eliminate any amount by which accumulated expenses
10 have exceeded accumulated program revenues.

11 **SECTION 9104. Nonstatutory provisions; Arts Board.**

12 (1) ELIMINATION OF PERCENT FOR ART PROGRAM. Notwithstanding the repeal of
13 section 44.57 (4) and (5) (a) and (b) of the statutes by this act, any contract entered
14 into by the arts board under section 44.57 (4), 2009 stats., for the procurement of a
15 work of art that is in effect on the day before the effective date of this subsection
16 remains in effect. The arts board shall carry out any obligation under the contract,
17 unless the contract is modified or rescinded as permitted under the contract, and
18 shall ensure that the work of art procured under the contract is properly executed
19 and installed as required under section 44.57 (5) (a) and (b), 2009 stats.

20 (2) PLACEMENT OF ARTS BOARD IN DEPARTMENT OF TOURISM.

21 (a) *Employee transfers.* The incumbent executive secretary of the arts board
22 and all incumbent employees holding positions in the arts board that are primarily
23 related to grants administration, as determined by the secretary of administration,
24 are transferred on the effective of this paragraph to the department of tourism.

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

7 **SECTION 9106. Nonstatutory provisions; Building Commission.**

8 (1) 2011-13 AUTHORIZED STATE BUILDING PROGRAM. For the fiscal years
 9 beginning on July 1, 2011, and ending on June 30, 2013, the Authorized State
 10 Building Program is as follows:

11 (a) DEPARTMENT OF CORRECTIONS

12 1. *Projects financed by general fund supported*
 13 *borrowing:*

Green Bay Correctional Institution — shower	
buildings	\$ 1,242,400
(Total project all funding sources \$3,834,000)	

Green Bay Correctional Institution — visiting	3,812,000
building	

Waupun Correctional Institution boiler conversion	7,000,000
---	-----------

20 2. *Projects financed by existing general fund supported*
 21 *borrowing authority:*

Green Bay Correctional Institution — shower	
buildings	2,591,600

1	(Total project all funding sources \$3,834,000)	
2	St. Croix Correctional Institution housing	
3	replacement	3,234,000
4	Waupun Correctional Institution food service	
5	renovation	6,026,000
6	3. <i>Agency totals:</i>	
7	General fund supported borrowing	12,054,400
8	Existing general fund supported borrowing	
9	authority	<u>11,851,600</u>
10	Total — All sources of funds	\$ 23,906,000
11	(b) EDUCATIONAL COMMUNICATIONS BOARD	
12	1. <i>Projects financed by general fund supported</i>	
13	<i>borrowing:</i>	
14	WHSa-FM Tower replacement — Brule	\$ 521,700
15	2. <i>Agency totals:</i>	
16	General fund supported borrowing	<u>521,700</u>
17	Total — All sources of funds	\$ 521,700
18	(c) DEPARTMENT OF HEALTH SERVICES	
19	1. <i>Projects financed by general fund supported</i>	
20	<i>borrowing:</i>	
21	Mendota Mental Health Institute — patient	
22	skilled learning center	\$ 1,442,000

1	Wisconsin Resource Center visitor and gatehouse	
2	modifications	2,003,700
3	2. <i>Agency totals:</i>	
4	General fund supported borrowing	<u>3,445,700</u>
5	Total — All sources of funds	\$ 3,445,700
6	(d) DEPARTMENT OF MILITARY AFFAIRS	
7	1. <i>Projects financed by existing general fund supported</i>	
8	<i>borrowing authority:</i>	
9	Motor vehicle storage building — Beloit	\$ 181,300
10	(Total project all funding sources \$725,000)	
11	Tactical Unmanned Aircraft System facility —	
12	Camp Williams	124,600
13	(Total project all funding sources \$8,092,600)	
14	Fusion center — Madison	3,720,200
15	(Total project all funding sources \$6,803,000)	
16	2. <i>Projects financed by federal funds:</i>	
17	Motor vehicle storage building — Beloit	543,700
18	(Total project all funding sources \$725,000)	
19	Tactical Unmanned Aircraft System facility —	
20	Camp Williams	7,968,000
21	(Total project all funding sources \$8,092,600)	
22	Fusion center — Madison	2,082,800

1 (Total project all funding sources \$6,803,000)

2 2m. *Projects financed by moneys appropriated to the*
3 *agency from any revenue source:*

4 Fusion center — Madison 1,000,000

5 (Total project all funding sources \$6,803,000)

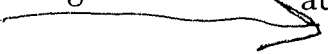
6 3. *Agency totals:*

7 Existing general fund supported borrowing

See 7

8 authority 4,026,100

9 Federal funds 10,594,500



10 Total — All sources of funds \$ 14,620,600

11 (e) DEPARTMENT OF NATURAL RESOURCES

12 1. *Projects financed by existing general fund supported*
13 *borrowing authority — stewardship property*
14 *development and local assistance funds:*

15 Dam reconstruction — Montello \$ 5,300,000

16 (Total project all funding sources \$9,000,000)

17 Rib Mountain State Park park development —

18 Phase II 686,100

19 Entrance and visitor station — Amnicon Falls

20 State Park 643,600

21 Flambeau River State Forest improvements 2,000,000

22 (Total project all funding sources \$2,513,700)

1	Buckhorn State Park — campground development	2,199,400
2	Straight Lake State Park park development —	
3	Phase I	1,258,100
4	Horicon Marsh International Education Center	
5	displays	925,000
6	(Total project all funding sources \$3,236,300)	
7	Old Abe State Trail resurfacing	425,000
8	(Total project all funding sources \$850,000)	
9	<i>2. Projects financed by segregated fund supported</i>	
10	<i>borrowing:</i>	
11	Dam reconstruction — Montello	2,500,000
12	(Total project all funding sources \$9,000,000)	
13	Fire control heavy-unit drive-thru vehicle	
14	storage garages — Bowler and Oconto Falls	2,525,900
15	Flambeau River State Forest improvements	513,700
16	(Total project all funding sources \$2,513,700)	
17	Horicon Marsh International Education Center	
18	displays	1,836,300
19	(Total project all funding sources \$3,236,700)	
20	Poynette state game farm — pheasant hatchery	
21	building	1,023,400
22	<i>3. Projects financed by gifts, grants, and other receipts:</i>	

1	Horicon Marsh International Education Center	
2	displays	400,000
3	(Total project all funding sources \$3,236,300)	
4	4. <i>Projects financed by federal funds:</i>	
5	Dam reconstruction — Montello	1,200,000
6	(Total project all funding sources \$9,000,000)	
7	Horicon Marsh International Education Center	
8	displays	75,000
9	(Total project all funding sources \$3,236,300)	
10	Old Abe State Trail resurfacing	425,000
11	(Total project all funding sources \$850,000)	
12	5. <i>Agency totals:</i>	
13	Existing general fund supported borrowing	
14	authority — stewardship property development	
15	and local assistance funds	13,437,200
16	Segregated fund supported borrowing	8,399,300
17	Gifts, grants, and other receipts	400,000
18	Federal funds	<u>1,700,000</u>
19	Total — All sources of funds	\$ 23,936,500
20	(f) DEPARTMENT OF PUBLIC INSTRUCTION	
21	1. <i>Projects financed by general fund supported</i>	
22	<i>borrowing:</i>	

1	Wisconsin School for the Deaf — Walker Hall	
2	replacement	\$ 4,982,900
3	2. <i>Agency totals:</i>	
4	General fund supported borrowing	<u>4,982,900</u>
5	Total — All sources of funds	\$ 4,982,900
6	(g) STATE HISTORICAL SOCIETY	
7	1. <i>Projects financed by general fund supported</i>	
8	<i>borrowing:</i>	
9	Joint museum	\$ 75,000,000
10	Preservation and storage facility capital	
11	equipment	4,350,000
12	2. <i>Projects financed by gifts, grants, and other receipts:</i>	
13	Stonefield Village storage facilities	4,300,000
14	3. <i>Agency totals:</i>	
15	General fund supported borrowing	79,350,000
16	Gifts, grants, and other receipts	<u>4,300,000</u>
17	Total — All sources of funds	\$ 83,650,000
18	(h) DEPARTMENT OF TRANSPORTATION	
19	1. <i>Projects financed by segregated fund supported</i>	
20	<i>revenue borrowing:</i>	
21	Division of State Patrol gap filler towers —	
22	statewide	\$ 2,956,500

1	2. <i>Agency totals:</i>	
2	Segregated fund supported revenue borrowing	<u>2,956,500</u>
3	Total — All sources of funds	\$ 2,956,500
4	(i) UNIVERSITY OF WISCONSIN SYSTEM	
5	1. <i>Projects financed by general fund supported</i>	
6	<i>borrowing:</i>	
7	Madison — School of Nursing	\$17,413,500
8	(Total project all funding sources \$52,240,000)	
9	Oshkosh, Platteville, Stout, and Superior — major	
10	facilities renovation	50,000,000
11	River Falls — Health and Human Performance	
12	building	50,491,000
13	(Total project all funding sources \$63,512,000)	
14	System — classroom renovation/instructional	
15	technology	5,000,000
16	2. <i>Projects financed by existing general fund supported</i>	
17	<i>borrowing authority:</i>	
18	Madison — School of Nursing	17,413,500
19	(Total project all funding sources \$52,240,000)	
20	Whitewater — Carlson Hall renovation	17,000,000
21	3. <i>Projects financed by program revenue supported</i>	
22	<i>borrowing:</i>	

1	La Crosse — parking ramp	7,131,000
2	(Total project all funding sources \$12,131,000)	
3	Madison — Badger Athletic Performance Center	49,200,000
4	(Total project all funding sources \$76,800,000)	
5	— west campus/hospital parking ramp	
6	addition	25,753,000
7	(Total project all funding sources \$26,253,000)	
8	— Carson Gully Commons renovation	5,000,000
9	(Total project all funding sources \$10,049,000)	
10	— utility improvements	3,124,000
11	Oshkosh — Lincoln School remodeling	4,476,000
12	Platteville — residence hall upgrades	12,179,000
13	River Falls — Health and Human Performance	
14	building	10,264,000
15	(Total project all funding sources \$63,512,000)	
16	Stevens Point — North Debot Residence Hall	
17	renovation	11,720,000
18	Stout — Fleming Residence Hall renovation	6,599,000
19	Superior — Ross and Hawkes halls renovation	15,276,000
20	Whitewater — Bigelow and Benson halls	
21	renovation	12,223,000
22	— Drumlin Dining Hall renovation	4,627,000

1	4. <i>Projects financed by existing program revenue</i>	
2	<i>supported borrowing authority:</i>	
3	Milwaukee — School of Public Health	12,250,000
4	5. <i>Projects financed by program revenue:</i>	
5	La Crosse — parking ramp	5,000,000
6	(Total project all funding sources \$12,131,000)	
7	— storage facility	1,092,000
8	Madison — Carson Gulley Commons renovation	5,049,000
9	(Total project all funding sources \$10,049,000)	
10	— Elizabeth Waters Hall renovation	7,100,000
11	— west campus/hospital parking ramp	
12	addition	500,000
13	(Total project all funding sources \$26,253,000)	
14	6. <i>Projects financed by gifts, grants, and other receipts:</i>	
15	Extension — Upham Woods Outdoor Learning	
16	Center — shower facility	971,000
17	Madison — Alumni Plaza	8,000,000
18	— Badger Athletic Performance Center	27,600,000
19	(Total project all funding sources \$76,800,000)	
20	— Birge Hall greenhouse addition	2,967,000
21	— library storage facility	1,500,000
22	— School of Nursing	17,413,000

1	(Total project all funding sources \$52,240,000)	
2	— University Ridge Golf Course — all-	
3	seasons practice facility	2,500,000
4	River Falls — Health and Human Performance	
5	building	2,056,000
6	(Total project all funding sources \$63,512,000)	
7	Whitewater — Young Auditorium addition	940,000
8	<i>7. Projects financed by building trust funds:</i>	
9	River Falls — Health and Human Performance	
10	building	701,000
11	(Total project all funding sources \$63,512,000)	
12	<i>8. Agency totals:</i>	
13	General fund supported borrowing	122,904,500
14	Existing general fund revenue supported	
15	borrowing authority	34,413,500
16	Program revenue supported borrowing	167,572,000
17	Existing program revenue supported borrowing	
18	authority	12,250,000
19	Program revenue	18,741,000
20	Gifts, grants, and other receipts	63,047,000
21	Building trust funds	<u>701,000</u>
22	Total — All sources of funds	\$ 420,529,000

See 7

1	(j) DEPARTMENT OF VETERANS AFFAIRS	
2	1. <i>Projects financed by general fund supported</i>	
3	<i>borrowing:</i>	
4	Preservation and storage facility capital	
5	equipment	\$ 4,070,700
6	2. <i>Agency totals:</i>	
7	General fund supported borrowing	<u>4,070,700</u>
8	Total — All sources of funds	\$ 4,070,700
9	(k) MARQUETTE UNIVERSITY	
10	1. <i>Projects financed by general fund supported</i>	
11	<i>borrowing:</i>	
12	Dental school addition	\$ 8,000,000
13	(Total project all funding sources \$16,000,000)	
14	2. <i>Projects financed by gifts, grants, and other receipts:</i>	
15	Dental school addition	8,000,000
16	(Total project all funding sources \$16,000,000)	
17	3. <i>Agency totals:</i>	
18	General fund supported borrowing	8,000,000
19	Gifts, grants, and other receipts	<u>8,000,000</u>
20	Total — All sources of funds	\$ 16,000,000
21	(L) LAC DU FLAMBEAU INDIAN TRIBAL CULTURAL CENTER	

1	1. <i>Projects financed by general fund supported</i>	
2	<i>borrowing:</i>	
3	Lac du Flambeau Indian Tribal Cultural Center	\$ 250,000
4	(Total project all funding sources \$1,623,000)	
5	2. <i>Projects financed by gifts, grants, and other receipts:</i>	
6	Lac du Flambeau Indian Tribal Cultural Center	1,373,000
7	(Total project all funding sources \$1,623,000)	
8	3. <i>Agency totals:</i>	
9	General fund supported borrowing	250,000
10	Gifts, grants, and other receipts	<u>1,373,000</u>
11	Total — All sources of funds	\$ 1,623,000
12	(n) ALL AGENCY PROJECT FUNDING	
13	1. <i>Projects financed by general fund supported</i>	
14	<i>borrowing:</i>	
15	Capital equipment acquisition	\$ 5,000,000
16	Facilities maintenance and repair	105,000,000
17	(Total program all funding sources	
18	\$164,108,600)	
19	Health, safety, and environmental protection	18,000,000
20	(Total program all funding sources	
21	\$18,770,300)	
22	Land and property acquisition	4,000,000

1	Preventive maintenance	2,000,000
2	Programmatic remodeling and renovation	5,000,000
3	(Total program all funding sources \$7,334,100)	
4	Utilities repair and and renovation	46,000,000
5	(Total program all funding sources	
6	\$64,521,700)	
7	<i>2. Projects financed by existing general fund supported</i>	
8	<i>borrowing authority — stewardship property</i>	
9	<i>development and local assistance funds:</i>	
10	Facilities maintenance and repair	4,562,800
11	(Total program all funding sources	
12	\$164,108,600)	
13	<i>3. Projects financed by program revenue supported</i>	
14	<i>borrowing:</i>	
15	Energy conservation	100,000,000
16	(Total program all funding sources	
17	\$100,000,000)	
18	Facilities maintenance and repair	18,696,100
19	(Total program all funding sources	
20	\$164,108,600)	
21	Health, safety, and environmental protection	121,000

1	(Total program all funding sources	
2	\$18,770,300)	
3	Utilities repair and renovation	15,094,000
4	(Total program all funding sources	
5	\$64,521,700)	
6	4. <i>Projects financed by segregated fund supported</i>	
7	<i>borrowing:</i>	
8	Facilities maintenance and repair	1,639,900
9	(Total program all funding sources	
10	\$164,108,600)	
11	5. <i>Projects financed by segregated fund supported</i>	
12	<i>revenue borrowing</i>	
13	Facilities maintenance and repair	5,040,800
14	(Total program all funding sources	
15	\$166,108,600)	
16	6. <i>Projects financed by program revenue:</i>	
17	Facilities maintenance and repair	14,057,200
18	(Total program all funding sources	
19	\$164,108,600)	
20	Health, safety, and environmental protection	359,000
21	(Total program all funding sources	
22	\$18,770,300)	

1	Programmatic remodeling and renovation	218,000
2	(Total program all funding sources \$7,334,100)	
3	Utilities repair and renovation	214,700
4	(Total program all funding sources	
5	\$64,521,700)	
6	<i>7. Projects financed by federal funds:</i>	
7	Facilities maintenance and repair	13,877,000
8	(Total program all funding sources	
9	\$164,108,600)	
10	Health, safety, and environmental protection	290,300
11	(Total program all funding sources	
12	\$18,770,300)	
13	Programmatic remodeling and renovation	268,100
14	(Total program all funding sources \$7,334,100)	
15	Utilities repair and renovation	3,213,000
16	(Total program all funding sources	
17	\$64,521,700)	
18	<i>8. Projects finances by gifts, grants, and other receipts:</i>	
19	Facilities maintenance and repair	1,234,800
20	(Total program all funding sources	
21	\$164,108,600)	
22	Programmatic remodeling and renovation	1,848,000

1 (Total program all funding sources \$7,334,100)

2 9. *All agency totals:*

3	General fund supported borrowing	185,000,000
4	Existing general fund supported borrowing	
5	authority — stewardship property development	
6	and local assistance funds	4,562,800
7	Program revenue supported borrowing	133,911,100
8	Segregated fund supported borrowing	1,639,900
9	Segregated fund supported revenue borrowing	5,040,800
10	Program revenue	14,848,900
11	Building trust funds	0
12	Gifts, grants, and other receipts	3,082,800
13	Federal funds	<u>17,648,400</u>
14	Total — All sources of funds	\$ 365,734,700

15 (o) SUMMARY

16	Total general fund supported borrowing	420,579,900
17	Total existing general fund supported borrowing	
18	authority	50,291,200
19	Total existing general fund supported borrowing	
20	authority — stewardship property development	
21	and local assistance funds	18,000,000
22	Total program revenue supported borrowing	301,483,100

1	Total existing program revenue supported	
2	borrowing authority	12,250,000
3	Total segregated fund supported borrowing	10,039,200
4	Total segregated fund supported revenue	
5	borrowing	7,997,300
6	Total program revenue	33,589,900
7	Total building trust funds	701,000
8	Total gifts, grants, and other receipts	81,102,800
9	Total moneys appropriated to state agencies from	
10	any revenue source	1,000,000
11	Total federal funds	29,942,900
12	Total — All sources of funds	\$ 966,959,300

see 7

966,959,300

(2) 2009-11 AUTHORIZED STATE BUILDING PROGRAM DELETIONS.

(a) In 2009 Wisconsin Act 28, section 9106 (1) (c) 1., under projects financed by general fund supported borrowing, the 2009-11 Authorized State Building Program project identified as "Armory - Wisconsin Rapids" is deleted and the appropriate totals are decreased accordingly.

(b) In 2009 Wisconsin Act 28, section 9106 (1) (c) 3., under projects financed by federal funds, the 2009-11 Authorized State Building Program project identified as "Armory - Wisconsin Rapids" is deleted and the appropriate totals are decreased accordingly.

(c) In 2009 Wisconsin Act 28, section 9106 (1) (b) 3., under projects financed by program revenue supported borrowing, the 2009-11 Authorized State Building

1 Program project identified as “Fox Lake Correctional Institution — methane
2 digester” is deleted and the appropriate totals are decreased accordingly.

3 (3) PROGRAMS PREVIOUSLY AUTHORIZED. In addition to the projects and financing
4 authority enumerated in subsection (1), the building and financing authority
5 enumerated in the previous state building program is continued in the 2011–13 fiscal
6 biennium.

7 (4) LOANS. During the 2011–13 fiscal biennium, the building commission may
8 make loans from general fund supported borrowing or the building trust fund to state
9 agencies, as defined in section 20.001 (1) of the statutes, for projects that are to be
10 utilized for programs not funded by general purpose revenue and that are authorized
11 in subsection (1).

12 (5) SCHOOL OF NURSING PROJECT. Notwithstanding section 18.04 (1) and (2) of
13 the statutes, of the public debt authorized for the School of Nursing project, as
14 enumerated in subsection (1) (i) 1., \$17,413,500 in public debt may not be contracted
15 until after June 30, 2013.

16 (6) HEALTH AND HUMAN PERFORMANCE BUILDING PROJECT. Notwithstanding
17 section 18.04 (1) and (2) of the statutes, of the public debt authorized for the Health
18 and Human Performance building project, as enumerated in subsection (1) (i) 1.,
19 \$50,491,000 in public debt may not be contracted until after June 30, 2013.

20 (7) LAC DU FLAMBEAU INDIAN TRIBAL CULTURAL CENTER. Notwithstanding
21 section 13.48 (40m) (b) of the statutes, as created by this act, the building commission
22 shall not make a grant to the Lac du Flambeau Band of Lake Superior Chippewa for
23 construction of a tribal cultural center, as enumerated in subsection (1) (L), under
24 section 13.48 (40m) of the statutes, as created by this act, unless the department of
25 administration has reviewed and approved plans for the project. Notwithstanding

1 sections 16.85 (1) and 16.855 (1) of the statutes, the department of administration
2 shall not supervise any services or work or let any contract for the project. Section
3 16.87 of the statutes does not apply to the project.

4 (9) FACILITIES MAINTENANCE AND REPAIR PROJECTS. Notwithstanding section
5 13.48 (10) (a) of the statutes, as affected by this act, of the amount provided under
6 subsection (1) (n) 1. for facilities maintenance and repair, the secretary of
7 administration may disburse up to \$5,000,000 for needed facilities maintenance and
8 repair projects in the 2011-13 fiscal biennium without approval of any projects under
9 section 13.48 (10) (a) of the statutes, as affected by this act.

10 **SECTION 9108. Nonstatutory provisions; Children and Families.**

11 (1) CLIENT ASSISTANCE FOR REEMPLOYMENT AND ECONOMIC SUPPORT.

12 (a) *Positions and employees.* On the effective date of this paragraph, 3 positions
13 and the incumbent employee or employees, if any, holding those positions in the
14 department of children and families performing duties that are primarily related to
15 automation security for the Client Assistance for Reemployment and Economic
16 Support system, as determined by the secretary of administration, are transferred
17 to the department of health services.

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

24 (1u) SUBSIDIZED GUARDIANSHIPS.

1 (a) *Amendment of state plan.* The department of children and families shall
2 submit to the federal secretary of health and human services an amendment to the
3 state plan for foster care and adoption assistance under 42 USC 671 to provide for
4 the department and county departments of human services or social services to enter
5 into subsidized guardianship agreements under section 48.623 (2) of the statutes, as
6 created by this act, under which the department and those county departments
7 provide subsidized guardianship payments under section 48.623 (1) of the statutes,
8 as created by this act.

9 (b) *Subsidized guardianship training.* The department of children and
10 families shall include in the plan that under section 48.567 (2) of the statutes the
11 department is required to submit to the secretary of administration by September
12 1, 2011, a proposal for a subsidized guardianship training curriculum and a
13 statewide subsidized guardianship training program. That proposal shall include
14 an estimate of the cost of providing that training program.

15 (1v) CHILD CARE AUTOMATED ATTENDANCE TRACKING SYSTEM.

16 (a) Of the amounts appropriated to the joint committee on finance under
17 section 20.865 (4) (m) of the statutes, \$1,000,000 in each of fiscal years 2011-12 and
18 2012-13 is allocated to supplement the appropriation account under section 20.437
19 (2) (mc) of the statutes, as affected by this act, for the purpose specified in paragraph
20 (b).

21 (b) By January 1, 2012, the department of children and families shall submit
22 to the joint committee on finance a request for that committee to supplement the
23 appropriation account under section 20.437 (2) (mc) of the statutes, as affected by
24 this act, for the purpose of implementing an automated attendance tracking system
25 to electronically record and monitor child care attendance in licensed or certified

1 child care facilities that receive reimbursement under the child care subsidy
2 program under section 49.155 of the statutes, as affected by this act. That
3 department shall include in the request a detailed plan explaining how the system
4 would work and how the supplement, if released, would be spent. The joint
5 committee on finance, from the appropriation account under section 20.865 (4) (m)
6 of the statutes, may supplement the appropriation account under section 20.437 (2)
7 (mc) of the statutes, as affected by this act, by an amount that is sufficient to
8 implement the system, but not by more than \$1,000,000 in each of fiscal years
9 2011-12 and 2012-13. Notwithstanding section 13.101 (3) (a) of the statutes, the
10 joint committee on finance is not required to find that an emergency exists. The joint
11 committee on finance may use the process described in paragraph (c) to provide a
12 supplement under this paragraph.

13 (c) If the cochairpersons of the joint committee on finance do not notify the
14 department of children and families within 14 working days after the date of the
15 submittal of the request under paragraph (b) that the committee has scheduled a
16 meeting to review the request, the supplement is approved as requested. If the
17 cochairpersons of the joint committee on finance notify the department of children
18 and families within 14 working days after the date of that submittal that the
19 committee has scheduled a meeting to review the request, the supplement may occur
20 only as approved, or as modified and approved, by the committee.

21 (2c) RULES FOR WAIVER UNDER WISCONSIN SHARES. The department of children
22 and families shall submit in proposed form the rules required under section 49.155
23 (3m) (d) 4. of the statutes, as created by this act, to the legislative council staff under
24 section 227.15 (1) of the statutes no later than the first day of the 4th month
25 beginning after the effective date of this subsection.

1 (2i) DISTRIBUTION OF CHILD SUPPORT INCENTIVE PAYMENTS.

2 (a) *Review by joint committee on finance.* Notwithstanding section 49.24 (2) (a)
3 of the statutes, the department of children and families shall develop, and submit to
4 the joint committee on finance no later than August 31, 2011, a detailed plan for
5 distributing child support incentive payments to counties under section 49.24 of the
6 statutes during calendar years 2012 and 2013. The plan shall meet all of the
7 following requirements:

8 1. 'Basis for distributions.' The plan shall describe the method the department
9 used to calculate the distributions to counties under the plan.

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

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

19 (b) *Implementation of distribution plan.* If the cochairpersons of the joint
20 committee on finance do not notify the department of children and families that the
21 committee has scheduled a meeting for the purpose of reviewing the plan submitted
22 under paragraph (a) within 14 working days after the date the plan is submitted, the
23 department may implement the plan. If, within 14 working days after the date the
24 plan is submitted, the cochairpersons of the committee notify the department that
25 the committee has scheduled a meeting for the purpose of reviewing the plan, the

1 department may not distribute child support incentive payments after December 31,
2 2011, unless the distribution is approved by the committee.

3 **SECTION 9110. Nonstatutory provisions; Commerce.**

4 (1) HOUSING ASSISTANCE TRANSFER.

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

10 (b) *Tangible personal property.* On the effective date of this paragraph, all
11 tangible personal property, including records, of the department of commerce that
12 is primarily related to the functions of the department under subchapter X of chapter
13 560, 2009 stats., as determined by the secretary of administration, is transferred to
14 the department of administration.

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

22 (cg) *Employee transfers.* All positions and all incumbent employees holding
23 those positions in the department performing duties primarily related to housing
24 programs, as determined by the secretary of administration, are transferred on the
25 effective date of this paragraph to the department of administration.

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

7 (2u) TRANSFER OF BUSINESS CERTIFICATION PROGRAMS.

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

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

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

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

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

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

23 (g) *Pending matters.* Any matter pending with the department of commerce
24 on the effective date of this paragraph that is primarily related to disabled
25 veteran-owned business certifications, woman-owned business certifications, or

1 minority business certifications, as determined by the secretary of administration,
2 is transferred to the department of administration and all materials submitted to or
3 actions taken by the department of commerce with respect to the pending matters
4 are considered as having been submitted to or taken by the department of
5 administration.

6 (2v) TRANSFER OF CERTAIN GRANT PROGRAMS.

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

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

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

22 (d) *Tangible personal property.* On the effective date of this paragraph, all
23 tangible personal property, including records, of the department of commerce that
24 is primarily related to diesel truck idling reduction grants, as determined by the

1 secretary of administration, is transferred to the department of safety and
2 professional services.

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 diesel truck
5 idling reduction grants, as determined by the secretary of administration, remain in
6 effect and are transferred to the department of safety and professional services. The
7 department of safety and professional services shall carry out any obligations under
8 such a contract until the contract is modified or rescinded by the department of safety
9 and professional services to the extent allowed under the contract.

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

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 diesel truck idling
20 reduction grants, as determined by the secretary of administration, is transferred to
21 the department of safety and professional services and all materials submitted to or
22 actions taken by the department of commerce with respect to the pending matters
23 are considered as having been submitted to or taken by the department of safety and
24 professional services.

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

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

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

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

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

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

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

21 (g) *Pending matters.* Any matter pending with the department of commerce
22 on the effective date of this paragraph that is primarily related to the functions of the
23 division of safety and buildings and the division of environmental and regulatory
24 services, as determined by the secretary of administration, is transferred to the
25 department of safety and professional services and all materials submitted to or

1 actions taken by the department of commerce with respect to the pending matters
2 are considered as having been submitted to or taken by the department of safety and
3 professional services.

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

6 (a) The positions, and the incumbent employees holding those positions, in the
7 division of administrative services in the department of commerce that the secretary
8 of administration determines shall be transferred to the department of safety and
9 professional services, are transferred on the effective date of this paragraph.

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

16 (6) ECONOMIC DEVELOPMENT TRANSFER.

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

22 (b) *Tangible personal property.* On the effective date of this paragraph, all
23 tangible personal property, including records, of the department of commerce that
24 is primarily related to the functions of the department under subchapters I, II, III,
25 IV, V, VI, VIII, and IX of chapter 560, 2009 stats., except the tangible personal

1 property, including records, transferred to the department of agriculture, trade and
2 consumer protection under subsection (7) (a) and except the tangible personal
3 property, including records, transferred to the department of administration under
4 subsection (8) (b), as determined by the secretary of administration, is transferred
5 to the Wisconsin Economic Development Corporation.

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

14 (7) INVESTMENT TAX CREDITS; TRANSFER.

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

21 (b) *Rules.* All rules promulgated by the department of commerce under sections
22 560.2056 (4), 560.207 (4), 560.208 (4), and 560.209 (4), 2009 stats., that are in effect
23 on the effective date of this paragraph remain in effect until their specified expiration
24 date or until amended or repealed by the department of agriculture, trade and
25 consumer protection.

1 (8) RURAL HOSPITAL LOAN GUARANTEE; TRANSFER.

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

7 (b) *Rules.* All rules promulgated by the department of commerce under section
8 231.35 (7), 2009 stats., that are in effect on the effective date of this paragraph
9 remain in effect until their specified expiration date or until amended or repealed by
10 the department of administration.

11 (8q) ELECTRONIC MEDICAL RECORDS CREDIT; TRANSFER.

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

17 (b) *Rules.* All rules promulgated by the department of commerce under section
18 560.204 (4), 2009 stats., that are in effect on the effective date of this paragraph
19 remain in effect until their specified expiration date or until amended or repealed by
20 the department of revenue.

21 (9u) RELOCATION ASSISTANCE TRANSFER.

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

1 secretary of administration, shall become the assets and liabilities of the department
2 of administration.

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

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

14 (d) *Tangible personal property.* On the effective date of this paragraph, all
15 tangible personal property, including records, of the department of commerce that
16 is primarily related to the functions of the department under sections 32.19 to 32.27,
17 2009 stats., as determined by the secretary of administration, is transferred to the
18 department of administration.

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

1 (f) *Rules and orders.* All rules promulgated by the department of commerce
2 under sections 32.19 to 32.27, 2009 stats., that are in effect on the effective date of
3 this paragraph, remain in effect until their specified expiration dates or until
4 amended or repealed by the department of administration. All orders issued by the
5 department of commerce relating to the functions of the department under sections
6 32.19 to 32.27, 2009 stats., as determined by the secretary of administration, that are
7 in effect on the effective date of this paragraph remain in effect until their specified
8 expiration dates or until modified or rescinded by the department of administration.

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

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

17 (1u) REPORT; NURSING services. The secretary of corrections shall, before
18 October 1, 2011, submit a report to the joint committee on finance that identifies the
19 number of nursing staff and associated costs for each correctional facility in fiscal
20 years 2009-10 and 2010-11 and that summarizes each contract for nursing services
21 entered into by the department of corrections in or for fiscal years 2009-10 and
22 2010-11.

23 (2q) DEPARTMENT REPORT ON JUVENILE CORRECTIONS.

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