



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-0971/P4

RAC/MDK/CMH:wlj&cjs:jf

O-NOTE

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DOA:.....Schwanz, BB0311 - University of Wisconsin System Authority

**FOR 2015-2017 BUDGET - NOT READY FOR INTRODUCTION**

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1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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

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

2 SECTION 1. 7.33 (1) (c) of the statutes is amended to read:

3 7.33 (1) (c) "State agency" has the meaning given under s. 20.001 (1) and  
4 includes an authority created under subch. II of ch. 114 or ch. 36, 231, 232, 233, 234,  
5 or 237.

6 SECTION 2. 11.36 (1) of the statutes is amended to read:

7 11.36 (1) No person may solicit or receive from any state officer or employee or  
8 from any officer or employee of the University of Wisconsin Hospitals and Clinics

**SECTION 2**

1 Authority or the University of Wisconsin System Authority any contribution or  
 2 service for any political purpose while the officer or employee is engaged in his or her  
 3 official duties, except that an elected state official may solicit and receive services not  
 4 constituting a contribution from a state officer or employee or an officer or employee  
 5 of the University of Wisconsin Hospitals and Clinics Authority or the University of  
 6 Wisconsin System Authority with respect to a referendum only. Agreement to  
 7 perform services authorized under this subsection may not be a condition of  
 8 employment for any such officer or employee.

9 **SECTION 3.** 11.36 (3) of the statutes is amended to read:

10 11.36 (3) Every person who has charge or control in a building, office or room  
 11 occupied for any purpose by this state, by any political subdivision thereof or by the  
 12 University of Wisconsin Hospitals and Clinics Authority or the University of  
 13 Wisconsin System Authority shall prohibit the entry of any person into that building,  
 14 office or room for the purpose of making or receiving a contribution.

15 **SECTION 4.** 11.36 (4) of the statutes is amended to read:

16 11.36 (4) No person may enter or remain in any building, office or room  
 17 occupied for any purpose by the state, by any political subdivision thereof or by the  
 18 University of Wisconsin Hospitals and Clinics Authority or the University of  
 19 Wisconsin System Authority or send or direct a letter or other notice thereto for the  
 20 purpose of requesting or collecting a contribution.

21 **SECTION 5.** 13.101 (6) (a) of the statutes is amended to read:

22 **13.101 (6) (a)** As an emergency measure necessitated by decreased state  
 23 revenues and to prevent the necessity for a state tax on general property, the  
 24 committee may reduce any appropriation made to any board, commission, or  
 25 department, ~~or the University of Wisconsin System,~~ or to any other state agency or

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1 activity, or to the University of Wisconsin System Authority, by such amount as it  
 2 deems feasible, not exceeding 25% of the appropriations, except appropriations made  
 3 by ss. 20.255 (2) (ac), (bc), (bh), (cg), and (cr), 20.395 (1), (2) (cq), (eq) to (ex) and (gq)  
 4 to (gx), (3), (4) (aq) to (ax), and (6) (af), (aq), (ar), and (au), 20.435 (a) and (da), and  
 5 20.437 (2) (a) and (dz) or for forestry purposes under s. 20.370 (1), or any other  
 6 moneys distributed to any county, city, village, town, or school district.  
 7 Appropriations of receipts and of a sum sufficient shall for the purposes of this  
 8 section be regarded as equivalent to the amounts expended under such  
 9 appropriations in the prior fiscal year which ended June 30. All functions of said  
 10 state agencies shall be continued in an efficient manner, but because of the  
 11 uncertainties of the existing situation no public funds should be expended or  
 12 obligations incurred unless there shall be adequate revenues to meet the  
 13 expenditures therefor. For such reason the committee may make reductions of such  
 14 appropriations as in its judgment will secure sound financial operations of the  
 15 administration for said state agencies and at the same time interfere least with their  
 16 services and activities.

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~~SECTION 6.~~ 13.172 (1) of the statutes is amended to read:

18 13.172 (1) In this section, "agency" means an office, department, agency,  
 19 institution of higher education, association, society, or other body in state  
 20 government created or authorized to be created by the constitution or any law, that  
 21 is entitled to expend moneys appropriated by law, including the legislature and the  
 22 courts, and any authority created in subch. II of ch. 114 or in ch. 36, 231, 233, 234,  
 23 238, or 279.

SECTION 7. 13.48 (2) (b) 1m. of the statutes is repealed.

SECTION 8. 13.48 (2) (d) of the statutes is repealed.

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1 SECTION 9. 13.48 (2) (f) of the statutes is repealed.

2 SECTION 10. 13.48 (3) of the statutes is amended to read:

3 13.48 (3) STATE BUILDING TRUST FUND. In the interest of the continuity of the  
4 program, the moneys appropriated to the state building trust fund under s. 20.867  
5 (2) (f) shall be retained as a nonlapsing building depreciation reserve. Such moneys  
6 shall be deposited into the state building trust fund. At such times as the building  
7 commission directs, or in emergency situations under s. 16.855 (16) (b), the governor  
8 shall authorize releases from this fund to become available for projects and shall  
9 direct the department of administration to allocate from this fund such amounts as  
10 are approved for these projects. In issuing such directions, the building commission  
11 shall consider the cash balance in the state building trust fund, the necessity and  
12 urgency of the proposed improvement, employment conditions and availability of  
13 materials in the locality in which the improvement is to be made. The building  
14 commission may authorize any project costing \$760,000 or less in accordance with  
15 priorities to be established by the building commission and may adjust the priorities  
16 by deleting, substituting or adding new projects as needed to reflect changing  
17 program needs and unforeseen circumstances. The building commission may enter  
18 into contracts for the construction of buildings for any state agency and the  
19 University of Wisconsin System Authority, except a project authorized described  
20 under sub. (10) (c), and shall be responsible for accounting for all funds released to  
21 projects. The building commission may designate the department of administration  
22 or the agency for which the project is constructed to act as its representative in such  
23 accounting.

24 SECTION 11. 13.48 (4) of the statutes is amended to read:

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1           13.48 (4) STATE AGENCIES, UNIVERSITY OF WISCONSIN SYSTEM AUTHORITY TO  
2 REPORT PROPOSED PROJECTS. Whenever any state agency or the University of  
3 Wisconsin System Authority contemplates a project under the state building  
4 program it shall report the project to the building commission. The report shall be  
5 made on such date and in such manner as the building commission prescribes. This  
6 subsection does not apply to projects identified in sub. (10) (c).

7           **SECTION 12.** 13.48 (6) of the statutes is amended to read:

8           13.48 (6) **REVIEW OF PROJECTS.** All reports submitted as provided by sub. (4)  
9 shall be reviewed by the building commission, which shall make its report as soon  
10 after November 20 as is possible. Such report shall include specific  
11 recommendations and establish priorities for the next 3 biennia from among all  
12 projects submitted which the building commission deems essential and shall  
13 recommend additional appropriations if necessary for the execution thereof. The  
14 building commission shall include in the report any projects proposed by the state  
15 fair park board involving a cost of not more than \$250,000, together with the method  
16 of financing proposed for those projects by the board, without recommendation. The  
17 building commission shall include in its report an appraisal and recommendation of  
18 available and alternative methods of financing buildings for the use of state agencies  
19 and the University of Wisconsin System Authority and shall file copies of its report  
20 with the governor-elect.

21           **SECTION 13.** 13.48 (7) of the statutes is amended to read:

22           13.48 (7) **BIENNIAL RECOMMENDATIONS.** The building commission shall prepare  
23 and formally adopt recommendations for the long-range state building program on  
24 a biennial basis, including projects proposed by the University of Wisconsin System  
25 Authority. The building commission shall include in its report any projects proposed

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1 by the state fair park board involving a cost of not more than \$250,000, together with  
2 the method of financing those projects proposed by the board, without  
3 recommendation. Unless a later date is requested by the building commission and  
4 approved by the joint committee on finance, the building commission shall, no later  
5 than the first Tuesday in April of each odd-numbered year, transmit the report  
6 prepared by the department of administration under s. 16.40 (20) and the  
7 commission's recommendations for the succeeding fiscal biennium that require  
8 legislative approval to the joint committee on finance in the form of proposed  
9 legislation prepared in proper form.

10 **SECTION 14.** 13.48 (10) (a) of the statutes is amended to read:

11 13.48 (10) (a) Except as provided in par. (c) and subject to s. 16.85 (1), no state  
12 board, agency, officer, department, commission, or body corporate may enter into a  
13 contract for the construction, reconstruction, remodeling of, or addition to any  
14 building, structure, or facility, in connection with any building project which involves  
15 a cost in excess of \$185,000 without completion of final plans and arrangement for  
16 supervision of construction and prior approval by the building commission. This  
17 section applies to the department of transportation only in respect to buildings,  
18 structures, and facilities to be used for administrative or operating functions,  
19 including buildings, land, and equipment to be used for the motor vehicle emission  
20 inspection and maintenance program under s. 110.20.

21 **SECTION 15.** 13.48 (10) (c) of the statutes is amended to read:

22 13.48 (10) (c) Paragraph (a) does not apply to any contract for a building project  
23 involving a cost of less than \$500,000 to be constructed for the University of  
24 Wisconsin System Authority that is funded entirely from the proceeds of gifts and  
25 grants made to the system not financed from general purpose revenues.

1           **SECTION 16.** 13.48 (13) (a) of the statutes is amended to read:

2           13.48 (13) (a) Except as provided in par. (b) or (c), every building, structure or  
3           facility that is constructed for the benefit of or use of the state, any state agency,  
4           board, commission or department, the University of Wisconsin Hospitals and Clinics  
5           Authority, the University of Wisconsin System Authority, the Fox River Navigational  
6           System Authority, the Wisconsin Economic Development Corporation, or any local  
7           professional baseball park district created under subch. III of ch. 229 if the  
8           construction is undertaken by the department of administration on behalf of the  
9           district, shall be in compliance with all applicable state laws, rules, codes and  
10          regulations but the construction is not subject to the ordinances or regulations of the  
11          municipality in which the construction takes place except zoning, including without  
12          limitation because of enumeration ordinances or regulations relating to materials  
13          used, permits, supervision of construction or installation, payment of permit fees, or  
14          other restrictions.

15          **SECTION 17.** 13.48 (14) (am) 5. of the statutes is created to read:

16          13.48 (14) (am) 5. This paragraph does not apply to real property that is subject  
17          to the lease agreement under s. 36.11 (27m) (a).

18          **SECTION 18.** 13.48 (14) (d) of the statutes is amended to read:

19          13.48 (14) (d) Biennially, beginning on January 1, 2014, the University of  
20          Wisconsin System Authority and each agency other than the investment board shall  
21          submit to the department of administration an inventory of all real property under  
22          its jurisdiction. Except with respect to the Board of Regents of the University of  
23          Wisconsin System Authority, the inventory shall include the estimated fair market  
24          value of each property. The University of Wisconsin System Authority and each  
25          agency shall specifically identify any underutilized assets in the inventory. No later

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1 than July 1 following receipt of the inventories, the department of administration  
2 shall obtain appraisals of all properties in the inventories that are identified by the  
3 department for potential sale and shall submit to the building commission an  
4 inventory containing the location, description and fair market value of each parcel  
5 of property identified for potential sale.

6 SECTION 19. 13.48 (20) of the statutes is amended to read:

7 13.48 (20) RESIDENCE HALLS. ~~Except as provided in sub. (14) (am),~~ <sup>state</sup> the building  
8 commission may approve the sale or lease of state-owned residence halls by the  
9 board of regents of the University of Wisconsin System Authority to another state  
10 agency or a nonstate nonprofit agency for purposes provided in s. 36.11 (1) (e). The

11 SECTION 20. 13.48 (29) of the statutes is amended to read:

12 13.48 (29) SMALL PROJECTS. Except as otherwise required under s. 16.855  
13 (10m), the building commission may prescribe simplified policies and procedures to  
14 be used in lieu of the procedures provided in s. 16.855 for any project that does not  
15 require prior approval of the building commission under sub. (10) (a), ~~except projects~~  
16 ~~specified in sub. (10) (e).~~

17 SECTION 21. 13.58 (5) (b) 3. of the statutes is repealed.

18 SECTION 22. 13.58 (5) (b) 6. of the statutes is repealed.

19 SECTION 23. 13.62 (2) of the statutes is amended to read:

20 13.62 (2) "Agency" means any board, commission, department, office, society,  
21 institution of higher education, council, or committee in the state government, or any  
22 authority created in subch. II of ch. 114 or in ch. 36, 231, 232, 233, 234, 237, 238, or  
23 279, except that the term does not include a council or committee of the legislature.

24 SECTION 24. 13.625 (6s) of the statutes is repealed.

25 SECTION 25. 13.94 (1) (intro.) of the statutes is amended to read:



1           **13.94 (1) DUTIES OF THE BUREAU.** (intro.) The legislative audit bureau shall be  
2 responsible for conducting postaudits of the accounts and other financial records of  
3 departments to assure that all financial transactions have been made in a legal and  
4 proper manner. In connection with such postaudits, the legislative audit bureau  
5 shall review the performance and program accomplishments of the department  
6 during the fiscal period for which the audit is being conducted to determine whether  
7 the department carried out the policy of the legislature and the governor during the  
8 period for which the appropriations were made. In performing postaudits under this  
9 subsection, the legislative audit bureau shall not examine issues related to academic  
10 freedom within the University of Wisconsin System. A postaudit shall not examine  
11 into or comment upon the content of the various academic programs, including  
12 degree requirements, majors, curriculum or courses within the University of  
13 Wisconsin System, nor shall any such postaudit examine into the manner in which  
14 individual faculty members or groups of faculty members conduct their  
15 instructional, research or public service activities. This subsection does not preclude  
16 the bureau from reviewing the procedures by which decisions are made and priorities  
17 set in the University of Wisconsin System, or the manner in which such decisions and  
18 priorities are implemented within the University of Wisconsin System, insofar as  
19 such review is not inconsistent with s. ~~36.09~~ 36.11. The legislative audit bureau shall  
20 audit the fiscal concerns of the state as required by law. To this end, it shall:

21           **SECTION 26.** 13.94 (1) (t) of the statutes is amended to read:

22           13.94 (1) (t) Annually conduct a financial audit of the University of Wisconsin  
23 System Authority. The legislative audit bureau shall file a copy of each audit report  
24 under this paragraph with the distributees specified in par. (b).

25           **SECTION 27.** 13.94 (1s) (c) 8. of the statutes is amended to read:

1           13.94 (1s) (c) 8. The University of Wisconsin System Authority for the cost of  
2 an audit performed under sub. (1) (t).

3           **SECTION 28.** 13.94 (4) (a) 1. of the statutes is amended to read:

4           13.94 (4) (a) 1. Every state department, board, examining board, affiliated  
5 credentialing board, commission, independent agency, council or office in the  
6 executive branch of state government; all bodies created by the legislature in the  
7 legislative or judicial branch of state government; any public body corporate and  
8 politic created by the legislature including specifically the University of Wisconsin  
9 System Authority, the Fox River Navigational System Authority, the Lower Fox  
10 River Remediation Authority, the Wisconsin Aerospace Authority, the Wisconsin  
11 Economic Development Corporation, a professional baseball park district, a local  
12 professional football stadium district, a local cultural arts district and a long-term  
13 care district under s. 46.2895; every Wisconsin works agency under subch. III of ch.  
14 49; every provider of medical assistance under subch. IV of ch. 49; technical college  
15 district boards; every county department under s. 51.42 or 51.437; every nonprofit  
16 corporation or cooperative or unincorporated cooperative association to which  
17 moneys are specifically appropriated by state law; and every corporation, institution,  
18 association or other organization which receives more than 50% of its annual budget  
19 from appropriations made by state law, including subgrantee or subcontractor  
20 recipients of such funds.

21           **SECTION 29.** 13.95 (intro.) of the statutes is amended to read:

22           **13.95 Legislative fiscal bureau.** (intro.) There is created a bureau to be  
23 known as the "Legislative Fiscal Bureau" headed by a director. The fiscal bureau  
24 shall be strictly nonpartisan and shall at all times observe the confidential nature  
25 of the research requests received by it; however, with the prior approval of the

1 requester in each instance, the bureau may duplicate the results of its research for  
2 distribution. Subject to s. 230.35 (4) (a) and (f), the director or the director's  
3 designated employees shall at all times, with or without notice, have access to all  
4 state agencies, the University of Wisconsin Hospitals and Clinics Authority, the  
5 University of Wisconsin System Authority, the Wisconsin Aerospace Authority, the  
6 Lower Fox River Remediation Authority, the Wisconsin Economic Development  
7 Corporation, and the Fox River Navigational System Authority, and to any books,  
8 records, or other documents maintained by such agencies or authorities and relating  
9 to their expenditures, revenues, operations, and structure.

10 **SECTION 30.** 14.26 (4) of the statutes is repealed.

11 **SECTION 31.** 14.40 (1) of the statutes is amended to read:

12 14.40 (1) Annually not later than July 1, each legislative, administrative and  
13 judicial agency of the state government shall submit to the secretary of state a list  
14 of all positions within that agency outside the classified service and above the clerical  
15 level, excluding the faculties under the jurisdiction of the ~~board of regents of the~~  
16 ~~University of Wisconsin System and the~~ department of public instruction, which are  
17 filled by appointment, and the term if there is one, together with the name of the  
18 incumbent and the date of his or her appointment.

19 **SECTION 32.** 15.07 (1) (cm) of the statutes is amended to read:

20 15.07 (1) (cm) The term of one member of the government accountability board  
21 shall expire on each May 1. The terms of the 3 members of the land and water  
22 conservation board appointed under s. 15.135 (4) (b) 2. shall expire on January 1.  
23 The term of the member of the land and water conservation board appointed under  
24 s. 15.135 (4) (b) 2m. shall expire on May 1 of an even-numbered year. The terms of  
25 the appraiser members of the real estate appraisers board and the terms of the

1 auctioneer and auction company representative members of the auctioneer board  
2 shall expire on May 1 in an even-numbered year. The terms of the members of the  
3 cemetery board shall expire on July 1 in an even-numbered year. The term of the  
4 student member of the Board of Regents of the University of Wisconsin System who  
5 is at least 24 years old shall expire on May 1 of every even-numbered year.

6 SECTION 33. 15.07 (2) (d) of the statutes is amended to read:

7 15.07 (2) (d) The officers elected by the board of regents of the University of  
8 Wisconsin System and the technical college system board shall be known as a  
9 president, vice president and secretary.

10 SECTION 34. 15.105 (25m) (b) of the statutes is amended to read:

11 15.105 (25m) (b) The president chairperson of the board of regents Board of  
12 Regents of the University of Wisconsin System Authority or his or her designee.

13 SECTION 35. 15.107 (5) (a) 4. of the statutes is amended to read:

14 15.107 (5) (a) 4. A representative of the University of Wisconsin System  
15 Authority appointed by the secretary of administration.

16 SECTION 36. 15.137 (2) (a) 5. of the statutes is amended to read:

17 15.137 (2) (a) 5. The president of the University of Wisconsin System Authority  
18 or his or her designee.

19 SECTION 37. 15.137 (5) of the statutes is repealed.

20 SECTION 38. 15.347 (4) (b) of the statutes is amended to read:

21 15.347 (4) (b) Four from the University of Wisconsin System, appointed by the  
22 board of regents of the University of Wisconsin System Authority.

23 SECTION 39. 15.347 (13) (b) 6. of the statutes is amended to read:

24 15.347 (13) (b) 6. The president of the University of Wisconsin System  
25 Authority.

1           **SECTION 40.** 15.377 (8) (c) 8. of the statutes is amended to read:

2           15.377 (8) (c) 8. One faculty member of a department or School of Education  
3 in the University of Wisconsin System, recommended by the president board of  
4 regents of the University of Wisconsin System Authority.

5           **SECTION 41.** 15.57 (1) of the statutes is amended to read:

6           15.57 (1) The secretary of administration, the state superintendent of public  
7 instruction, the president of the University of Wisconsin System Authority and the  
8 director of the technical college system board, or their designees.

9           **SECTION 42.** 15.57 (5) of the statutes is amended to read:

10          15.57 (5) One member appointed by the board of regents of the University of  
11 Wisconsin System Authority for a 4-year term.

12          **SECTION 43.** 15.67 (1) (a) 1. of the statutes is amended to read:

13          15.67 (1) (a) 1. One member of the board of regents of the University of  
14 Wisconsin System Authority.

15          **SECTION 44.** 15.91 of the statutes is repealed.

16          **SECTION 45.** 15.915 (title) of the statutes is repealed.

17          **SECTION 46.** 15.915 (1) of the statutes is renumbered 15.135 (6), and 15.135 (6)  
18 (a), as renumbered, is amended to read:

19          15.135 (6) (a) There is created a veterinary diagnostic laboratory board which  
20 is attached to the University of Wisconsin System department of agriculture, trade  
21 and consumer protection under s. 15.03.

22          **SECTION 47.** 15.915 (2) of the statutes is renumbered 15.135 (5), and 15.135 (5)  
23 (intro.), as renumbered, is amended to read:

24          15.135 (5) LABORATORY OF HYGIENE BOARD. (intro.) There is created ~~in the~~  
25 ~~University of Wisconsin System a laboratory of hygiene under the direction and~~

1 ~~supervision of the a~~ laboratory of hygiene board to direct and supervise a laboratory  
2 of hygiene and which is attached to the department of agriculture, trade and  
3 consumer protection under s. 15.03. The board shall consist of the following  
4 members:

5 **SECTION 48.** 15.915 (6) of the statutes is repealed.

6 **SECTION 49.** 15.917 of the statutes is repealed.

7 **SECTION 50.** 15.94 (2m) of the statutes is amended to read:

8 15.94 (2m) The ~~president chairperson~~, or by his or her designation another  
9 member, of the ~~board of regents~~ Board of Regents of the University of Wisconsin  
10 System Authority.

11 **SECTION 51.** 16.002 (2) of the statutes is amended to read:

12 16.002 (2) "Departments" means constitutional offices, departments, and  
13 independent agencies and includes all societies, associations, and other agencies of  
14 state government for which appropriations are made by law, but not including  
15 authorities created in subch. II of ch. 114 or in ch. 36, 231, 232, 233, 234, 237, 238,  
16 or 279.

17 **SECTION 52.** 16.003 (2) of the statutes is amended to read:

18 16.003 (2) STAFF. Except as provided in ss. 16.548, 16.57, 978.03 (1), (1m) and  
19 (2), 978.04 and 978.05 (8) (b), the secretary shall appoint the staff necessary for  
20 performing the duties of the department. All staff shall be appointed under the  
21 classified service except as otherwise provided by law.

22 **SECTION 53.** 16.004 (4) of the statutes is amended to read:

23 16.004 (4) FREEDOM OF ACCESS. The secretary and such employees of the  
24 department as the secretary designates may enter into the offices of state agencies  
25 and authorities created under subch. II of ch. 114 and under chs. 36, 231, 233, 234,

1 237, 238, and 279, and may examine their books and accounts and any other matter  
2 that in the secretary's judgment should be examined and may interrogate the  
3 agency's employees publicly or privately relative thereto.

4 **SECTION 54.** 16.004 (5) of the statutes is amended to read:

5 16.004 (5) AGENCIES AND EMPLOYEES TO COOPERATE. All state agencies and  
6 authorities created under subch. II of ch. 114 and under chs. 36, 231, 233, 234, 237,  
7 238, and 279, and their officers and employees, shall cooperate with the secretary  
8 and shall comply with every request of the secretary relating to his or her functions.

9 **SECTION 55.** 16.004 (7) (a) of the statutes is amended to read:

10 16.004 (7) (a) The secretary shall establish and maintain a personnel  
11 management information system which shall be used to furnish the governor, the  
12 legislature and the office of state employment relations with current information  
13 pertaining to authorized positions, payroll and related items for all civil service  
14 employees, except employees of the office of the governor, the courts and judicial  
15 branch agencies, and the legislature and legislative service agencies. It is the intent  
16 of the legislature that the University of Wisconsin System provide position and other  
17 information to the department and the legislature, which includes appropriate data  
18 on each position, facilitates accountability for each authorized position and traces  
19 each position over time. Nothing in this paragraph may be interpreted as limiting  
20 the authority of the board of regents of the University of Wisconsin System to allocate  
21 and reallocate positions by funding source within the legally authorized levels.

22 **SECTION 56.** 16.004 (12) (a) of the statutes is amended to read:

23 16.004 (12) (a) In this subsection, "state agency" means an association,  
24 authority, board, department, commission, independent agency, institution, office,  
25 society, or other body in state government created or authorized to be created by the

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1 constitution or any law, including the legislature, the office of the governor, and the  
2 courts, but excluding the University of Wisconsin Hospitals and Clinics Authority,  
3 the University of Wisconsin System Authority, the Wisconsin Aerospace Authority,  
4 the Lower Fox River Remediation Authority, the Wisconsin Economic Development  
5 Corporation, and the Fox River Navigational System Authority.

6 SECTION 57. 16.004 (19) of the statutes is created to read:

7 16.004 (19) PAYMENTS TO THE UNIVERSITY OF WISCONSIN SYSTEM AUTHORITY. (a)

8 Subject to par. (b), the secretary shall pay quarterly to the University of Wisconsin  
9 System Authority one-quarter of the amounts appropriated under section 20.285 (1)

10 (a).

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11 (b) The secretary may make quarterly payments under par. (a) only if the  
12 University of Wisconsin System Authority has made the payments due under the  
13 lease agreement under s. 36.11 (27m) (a), the payments due for municipal services  
14 under s. 70.119 (7) (a), and any other payments due the state for services provided.

15 SECTION 58. 16.008 (2) of the statutes is amended to read:

16 16.008 (2) The state shall pay for extraordinary police services provided  
17 directly to state facilities, as defined in s. 70.119 (3) (e), in response to a request of  
18 a state officer or agency responsible for the operation and preservation of such  
19 facilities. The University of Wisconsin Hospitals and Clinics Authority shall pay for  
20 extraordinary police services provided to facilities of the authority described in s.  
21 70.11 (38). The University of Wisconsin System Authority shall pay for  
22 extraordinary police services provided to facilities of the authority described in s.  
23 70.11 (38c). The Fox River Navigational System Authority shall pay for  
24 extraordinary police services provided to the navigational system, as defined in s.  
25 237.01 (5). Municipalities or counties that provide extraordinary police services to



1 state facilities may submit claims to the claims board for actual additional costs  
2 related to wage and disability payments, pensions and worker's compensation  
3 payments, damage to equipment and clothing, replacement of expendable supplies,  
4 medical and transportation expense, and other necessary expenses. The clerk of the  
5 municipality or county submitting a claim shall also transmit an itemized statement  
6 of charges and a statement that identifies the facility served and the person who  
7 requested the services. The board shall obtain a review of the claim and  
8 recommendations from the agency responsible for the facility prior to proceeding  
9 under s. 16.007 (3), (5), and (6).

10 **SECTION 59.** 16.01 (1) of the statutes is amended to read:

11 16.01 (1) In this section, "agency" means any office, department, agency,  
12 institution of higher education, association, society or other body in state  
13 government created or authorized to be created by the constitution or any law which  
14 is entitled to expend moneys appropriated by law, including the legislature and the  
15 courts, and any authority created under subch. II of ch. 114 or ch. 36, 231, 233 or 234.

16 **SECTION 60.** 16.01 (2) (d) of the statutes is amended to read:

17 16.01 (2) (d) Work closely with all state agencies, including the ~~University of~~  
18 ~~Wisconsin System and the technical college system~~ and the University of Wisconsin  
19 System Authority, with the private sector, and with groups concerned with women's  
20 issues to develop long-term solutions to women's economic and social inequality in  
21 this state.

22 **SECTION 61.** 16.01 (3) (intro.) of the statutes is amended to read:

23 16.01 (3) (intro.) All state agencies, including the ~~University of Wisconsin~~  
24 ~~System and the technical college system~~, shall fully cooperate with and assist the

1 women's council. To that end, a representative of a state agency shall, upon request  
2 by the women's council:

3 **SECTION 62.** 16.04 (1e) of the statutes is repealed.

4 **SECTION 63.** 16.045 (1) (a) of the statutes is amended to read:

5 16.045 (1) (a) "Agency" means an office, department, independent agency,  
6 institution of higher education, association, society, or other body in state  
7 government created or authorized to be created by the constitution or any law, that  
8 is entitled to expend moneys appropriated by law, including the legislature and the  
9 courts, but not including an authority created in subch. II of ch. 114 or in ch. 36, 231,  
10 232, 233, 234, 237, 238, or 279.

11 **SECTION 64.** 16.15 (1) (ab) of the statutes is amended to read:

12 16.15 (1) (ab) "Authority" has the meaning given under s. 16.70 (2), but  
13 excludes the University of Wisconsin Hospitals and Clinics Authority, the University  
14 of Wisconsin System Authority, the Lower Fox River Remediation Authority, and the  
15 Wisconsin Economic Development Corporation.

16 **SECTION 65.** 16.40 (23) of the statutes is repealed.

17 **SECTION 66.** 16.41 (4) of the statutes is amended to read:

18 16.41 (4) In this section, "authority" means a body created under subch. II of  
19 ch. 114 or under ch. 36, 231, 233, 234, 237, 238, or 279.

20 **SECTION 67.** 16.417 (1) (b) of the statutes is amended to read:

21 16.417 (1) (b) "Authority" means a body created under subch. II of ch. 114 or  
22 ch. 36, 231, 232, 233, 234, 237, 238, or 279.

23 **SECTION 68.** 16.417 (2) (f) 2. of the statutes is repealed.

24 **SECTION 69.** 16.42 (1) (intro.) of the statutes is amended to read:

INSERT 18-23

1           16.42 (1) (intro.) All agencies, ~~other than~~ including the University of Wisconsin  
2           System Authority and not including the legislature and the courts, no later than  
3           September 15 of each even-numbered year, in the form and content prescribed by the  
4           department, shall prepare and forward to the department and to the legislative fiscal  
5           bureau the following program and financial information:

6           **SECTION 70.** 16.50 (3) (b) of the statutes is amended to read:

7           16.50 (3) (b) No change in the number of full-time equivalent positions  
8           authorized through the biennial budget process or other legislative act may be made  
9           without the approval of the joint committee on finance, except for position changes  
10          made by the governor under s. 16.505 (1) (c), (2), or (2j), or by the investment board  
11          under s. 16.505 (2g), ~~or by the board of regents of the University of Wisconsin System~~  
12          ~~under s. 16.505 (2m) or (2p).~~

13          **SECTION 71.** 16.50 (3) (c) of the statutes is amended to read:

14          16.50 (3) (c) The secretary may withhold, in total or in part, the funding for any  
15          position, as defined in s. 230.03 (11), as well as the funding for part-time or limited  
16          term employees until such time as the secretary determines that the filling of the  
17          position or the expending of funds is consistent with s. 16.505 and with the intent of  
18          the legislature as established by law or in budget determinations, ~~or~~ the intent of the  
19          joint committee on finance in creating or abolishing positions under s. 13.10, or the  
20          intent of the governor in creating or abolishing positions under s. 16.505 (1) (c) or (2),  
21          ~~or the intent of the board of regents of the University of Wisconsin System in creating~~  
22          ~~or abolishing positions under s. 16.505 (2m) or (2p).~~ Until the release of funding  
23          occurs, recruitment or certification for the position may not be undertaken.

24          **SECTION 72.** 16.505 (1) (intro.) of the statutes is amended to read:

1           16.505 (1) (intro.) Except as provided in subs. (2), (2g), and (2j), ~~(2m), and (2p)~~,  
2 no position, as defined in s. 230.03 (11), regardless of funding source or type, may be  
3 created or abolished unless authorized by one of the following:

4           **SECTION 73.** 16.505 (2m) of the statutes is repealed.

5           **SECTION 74.** 16.505 (2p) of the statutes is repealed.

6           **SECTION 75.** 16.505 (4) (b) of the statutes is amended to read:

7           16.505 (4) (b) ~~Except as provided in par. (c), no~~ No agency may change the  
8 funding source for a position authorized under this section unless the position is  
9 authorized to be created under a different funding source in accordance with this  
10 section.

11          **SECTION 76.** 16.505 (4) (c) of the statutes is repealed.

12          **SECTION 77.** 16.517 (1) of the statutes is amended to read:

13          16.517 (1) No later than 30 days after the effective date of each biennial budget  
14 act, the department shall provide to the joint committee on finance a report  
15 indicating any initial modifications that are necessary to the appropriation levels  
16 established under that act for program revenue and program revenue–service  
17 appropriations as defined in s. 20.001 (2) (b) and (c) or to the number of full–time  
18 equivalent positions funded from program revenue and program revenue–service  
19 appropriations authorized by that act to account for any additional funding or  
20 positions authorized under s. 16.505 (2) ~~or (2m)~~ or 16.515 in the fiscal year  
21 immediately preceding the fiscal biennium of the budget that have not been included  
22 in authorizations under the biennial budget act but that should be included as  
23 continued budget authorizations in the fiscal biennium of the budget.

24          **SECTION 78.** 16.517 (2) of the statutes is amended to read:

1 16.517 (2) Modifications under sub. (1) shall be limited to adjustment of the  
2 appropriation or position levels to the extent required to account for higher base  
3 levels for the fiscal year immediately preceding the fiscal biennium of the budget due  
4 to appropriation or position increases authorized under s. 16.505 (2) ~~or (2m)~~ or 16.515  
5 during the fiscal year immediately preceding the fiscal biennium of the budget.

6 **SECTION 79.** 16.52 (7) of the statutes is amended to read:

7 16.52 (7) **PETTY CASH ACCOUNT.** With the approval of the secretary, each agency  
8 that is authorized to maintain a contingent fund under s. 20.920 may establish a  
9 petty cash account from its contingent fund. The procedure for operation and  
10 maintenance of petty cash accounts and the character of expenditures therefrom  
11 shall be prescribed by the secretary. In this subsection, "agency" means an office,  
12 department, independent agency, institution of higher education, association,  
13 society, or other body in state government created or authorized to be created by the  
14 constitution or any law, that is entitled to expend moneys appropriated by law,  
15 including the legislature and the courts, but not including an authority created in  
16 subch. II of ch. 114 or in ch. 36, 231, 233, 234, 237, 238, or 279.

17 **SECTION 80.** 16.528 (1) (a) of the statutes is amended to read:

18 16.528 (1) (a) "Agency" means an office, department, independent agency,  
19 institution of higher education, association, society, or other body in state  
20 government created or authorized to be created by the constitution or any law, that  
21 is entitled to expend moneys appropriated by law, including the legislature and the  
22 courts, but not including an authority created in subch. II of ch. 114 or in ch. 36, 231,  
23 233, 234, 237, 238, or 279.

24 **SECTION 81.** 16.53 (1) (d) 4. of the statutes is amended to read:

1           16.53 (1) (d) 4. The secretary may promulgate rules pertaining to the  
2 administration of earnings garnishment actions under s. 812.42 whenever the state  
3 is the garnishee in such actions. ~~In any earnings garnishment action where the~~  
4 ~~judgment debtor is employed by the University of Wisconsin System, the secretary~~  
5 ~~may require the appropriate payroll processing center for the University of~~  
6 ~~Wisconsin System to directly process necessary forms, papers, deductions and~~  
7 ~~checks, share drafts or other drafts in connection with such action.~~

8           **SECTION 82.** 16.53 (2) of the statutes is amended to read:

9           16.53 (2) IMPROPER INVOICES. If an agency receives an improperly completed  
10 invoice, the agency shall notify the sender of the invoice within 10 working days after  
11 it receives the invoice of the reason it is improperly completed. In this subsection,  
12 “agency” means an office, department, independent agency, institution of higher  
13 education, association, society, or other body in state government created or  
14 authorized to be created by the constitution or any law, that is entitled to expend  
15 moneys appropriated by law, including the legislature and the courts, but not  
16 including an authority created in subch. II of ch. 114 or in ch. 36, 231, 233, 234, 237,  
17 238, or 279.

18           **SECTION 83.** 16.53 (7) of the statutes is amended to read:

19           16.53 (7) CERTIFICATION OF BOARDS, EVIDENCE OF CORRECTNESS OF ACCOUNT. The  
20 certificate of the proper officers of the board of regents of the University of Wisconsin  
21 System, the department of health services, or the proper officers of any other board  
22 or commission organized or established by the state, shall in all cases be evidence of  
23 the correctness of any account which may be certified by them.

24           **SECTION 84.** 16.54 (8g) of the statutes is repealed.

1           **SECTION 85.** 16.54 (8r) (a) of the statutes is renumbered 16.54 (8r) and amended  
2 to read:

3           **16.54 (8r)** Whenever the federal government makes available moneys for  
4 instruction, extension, special projects or emergency employment opportunities, the  
5 board of regents of the University of Wisconsin System Authority may accept the  
6 moneys on behalf of the state. The board of regents shall, in the administration of  
7 the expenditure of such moneys, comply with the requirements of the act of congress  
8 making the moneys available and with the regulations prescribed by the federal  
9 government or the federal agency administering the act, insofar as the act or  
10 regulations are consistent with state law. The board of regents may submit any plan,  
11 budget, application or proposal required by the federal agency as a precondition to  
12 receipt of the moneys. The board of regents may, consistent with state law, perform  
13 any act required by the act of congress or the federal agency to carry out the purpose  
14 of the act of congress. ~~The board of regents shall deposit all moneys received under~~  
15 ~~this paragraph in the appropriation account under s. 20.285 (1) (m).~~

16           **SECTION 86.** 16.54 (8r) (b) of the statutes is repealed.

17           **SECTION 87.** 16.54 (9) (a) 1. of the statutes is amended to read:

18           **16.54 (9) (a) 1.** “Agency” means an office, department, independent agency,  
19 institution of higher education, association, society or other body in state  
20 government created or authorized to be created by the constitution or any law, which  
21 is entitled to expend moneys appropriated by law, including the legislature and the  
22 courts, but not including an authority created in subch. II of ch. 114 or in ch. 36, 231,  
23 233, 234, 237, 238, or 279.

24           **SECTION 88.** 16.544 (3) of the statutes is amended to read:

1           16.544 (3) Prior to taking final action to remove any liability related to a  
2 disallowance of the use of federal moneys, an agency shall submit to the department  
3 a statement of the action proposed to remove the liability. The department may  
4 approve, disapprove or approve with modifications each such proposed action. The  
5 secretary shall forward a copy of each statement of proposed action approved by the  
6 department to the joint committee on finance. ~~This subsection does not apply to an  
7 action taken by the board of regents of the University of Wisconsin System, within  
8 the statutory authority of the board, to remove a liability of less than \$5,000.~~

9           **SECTION 89.** 16.57 of the statutes is repealed.

10          **SECTION 90.** 16.61 (3) (s) of the statutes is amended to read:

11          16.61 (3) (s) Shall recommend to the department procedures for the transfer  
12 of public records and records of the University of Wisconsin Hospitals and Clinics  
13 Authority and the University of Wisconsin System Authority to optical disk format,  
14 including procedures to ensure the authenticity, accuracy and reliability of any  
15 public records or records of the University of Wisconsin Hospitals and Clinics  
16 Authority and the University of Wisconsin System Authority so transferred and  
17 procedures to ensure that such records are protected from unauthorized destruction.  
18 The board shall also recommend to the department qualitative standards for optical  
19 disks and copies of documents generated from optical disks used to store public  
20 records and records of the University of Wisconsin Hospitals and Clinics Authority  
21 and the University of Wisconsin System Authority.

22          **SECTION 91.** 16.61 (13) (a) of the statutes is amended to read:

23          16.61 (13) (a) The historical society, as trustee for the state, shall be the  
24 ultimate depository of the archives of the state, and the board may transfer to the  
25 society such original records and reproductions as it deems proper and worthy of



1 permanent preservation, including records and reproductions which the custodian  
2 thereof has been specifically directed by statute to preserve or keep in the custodian's  
3 office. The permanent preservation of records of the University of Wisconsin System  
4 Authority may be accomplished under par. (b). The society may deposit in the  
5 regional depositories established under s. 44.10, title remaining with the society, the  
6 records of state agencies or their district or regional offices which are primarily  
7 created in the geographic area serviced by the depository, but the records of all  
8 central departments, offices, establishments and agencies shall remain in the main  
9 archives in the capital city under the society's immediate jurisdiction, except that the  
10 society may place the records temporarily at a regional depository for periods of time  
11 to be determined by the society. Nothing in this subsection nor in ch. 44 prevents the  
12 society's taking the steps for the safety of articles and materials entrusted to its care  
13 in library, museum or archives, including temporary removal to safer locations,  
14 dictated by emergency conditions arising from a state of war, civil rebellion or other  
15 catastrophe.

16 **SECTION 92.** 16.611 (2) (a) of the statutes is amended to read:

17 16.611 (2) (a) The department shall prescribe, by rule, procedures for the  
18 transfer of public records and records of the University of Wisconsin Hospitals and  
19 Clinics Authority, of the University of Wisconsin System Authority, and of the  
20 Wisconsin Aerospace Authority to optical disk or electronic format and for the  
21 maintenance of such records stored in optical disk or electronic format, including  
22 procedures to ensure the authenticity, accuracy, reliability and accessibility of any  
23 public records or records of the University of Wisconsin Hospitals and Clinics  
24 Authority, of the University of Wisconsin System Authority, or of the Wisconsin

1 Aerospace Authority so transferred and procedures to ensure that such records are  
2 protected from unauthorized destruction.

3 **SECTION 93.** 16.611 (2) (c) of the statutes is amended to read:

4 16.611 (2) (c) The department shall prescribe, by rule, qualitative standards  
5 for optical disks and for copies of documents generated from optical disks used to  
6 store public records and records of the University of Wisconsin Hospitals and Clinics  
7 Authority, of the University of Wisconsin System Authority, and of the Wisconsin  
8 Aerospace Authority.

9 **SECTION 94.** 16.62 (1) (a) of the statutes is amended to read:

10 16.62 (1) (a) To advise and assist state agencies, the University of Wisconsin  
11 System Authority, and the University of Wisconsin Hospitals and Clinics Authority  
12 in the establishment and operation of records management programs through the  
13 issuance of standards and procedures and provision of technical and management  
14 consulting services.

15 **SECTION 95.** 16.62 (1) (b) of the statutes is amended to read:

16 16.62 (1) (b) To operate a state records center and a central microfilm facility  
17 for state agencies, the University of Wisconsin System Authority, and the University  
18 of Wisconsin Hospitals and Clinics Authority and to promulgate rules necessary for  
19 efficient operation of the facilities.

20 **SECTION 96.** 16.62 (1) (bm) of the statutes is amended to read:

21 16.62 (1) (bm) To operate a storage facility for storage of public records and  
22 records of the University of Wisconsin System Authority and the University of  
23 Wisconsin Hospitals and Clinics Authority in optical disk or electronic format in  
24 accordance with rules, promulgated by the department under s. 16.611, governing  
25 operation of the facility.

1           **SECTION 97.** 16.62 (1) (c) of the statutes is amended to read:

2           16.62 (1) (c) To periodically audit the records management programs of state  
3 agencies, the University of Wisconsin System Authority, and the University of  
4 Wisconsin Hospitals and Clinics Authority and recommend improvements in records  
5 management practices.

6           **SECTION 98.** 16.64 (1) (a) of the statutes is amended to read:

7           16.64 (1) (a) “Board” means the board of regents of the University of Wisconsin  
8 System Authority.

9           **SECTION 99.** 16.70 (2) of the statutes is amended to read:

10           16.70 (2) “Authority” means a body created under subch. II of ch. 114 or under  
11 ch. 36, 231, 232, 233, 234, 237, or 279.

12           **SECTION 100.** 16.70 (8) of the statutes is amended to read:

13           16.70 (8) “Municipality” means a county, city, village, town, school district,  
14 board of school directors, sewer district, drainage district, technical college district,  
15 the University of Wisconsin System Authority, or any other public or quasi-public  
16 corporation, officer, board or other body having the authority to award public  
17 contracts.

18           **SECTION 101.** 16.705 (1r) (d) of the statutes is repealed.

19           **SECTION 102.** 16.705 (1r) (e) of the statutes is repealed.

20           **SECTION 103.** 16.705 (2) (a) of the statutes is amended to read:

21           16.705 (2) (a) The department shall promulgate rules for the procurement of  
22 contractual services by the department and its designated agents, including but not  
23 limited to rules prescribing approval and monitoring processes for contractual  
24 service contracts; except as provided in par. (b), a requirement for agencies, ~~except~~  
25 ~~for the University of Wisconsin System~~, to conduct a uniform cost-benefit analysis

1 of each proposed contractual service procurement involving an estimated  
2 expenditure of more than \$50,000 in accordance with standards prescribed in the  
3 rules; and, except as provided in par. (b), a requirement for agencies, ~~except for the~~  
4 ~~University of Wisconsin System,~~ to review periodically, and before any renewal, the  
5 continued appropriateness of contracting under each contractual services  
6 agreement involving an estimated expenditure of more than \$50,000.

7 **SECTION 104.** 16.71 (1m) of the statutes is amended to read:

8 16.71 (1m) The department shall not delegate to any executive branch agency,  
9 other than the board of regents of the University of Wisconsin System, the authority  
10 to enter into any contract for materials, supplies, equipment, or contractual services  
11 relating to information technology or telecommunications prior to review and  
12 approval of the contract by the department. ~~The department may delegate this~~  
13 ~~authority to the University of Wisconsin-Madison.~~ No executive branch agency,  
14 other than the board of regents of the University of Wisconsin System, may enter into  
15 any such contract without review and approval of the contract by the department.  
16 ~~The University of Wisconsin-Madison may enter into any such contract without~~  
17 ~~review and approval by the department.~~ Any executive branch agency that enters  
18 into a contract relating to information technology under this section shall comply  
19 with the requirements of s. 16.973 (13). ~~Any delegation to the board of regents of the~~  
20 ~~University of Wisconsin System or to the University of Wisconsin-Madison is subject~~  
21 ~~to the limitations prescribed in s. 36.585.~~

22 **SECTION 105.** 16.71 (4) of the statutes is repealed.

23 **SECTION 106.** 16.72 (2) (e) (intro.) of the statutes is amended to read:

24 16.72 (2) (e) (intro.) In writing the specifications under this subsection, the  
25 department and any other designated purchasing agent under s. 16.71 (1) shall

1 incorporate requirements for the purchase of products made from recycled materials  
2 and recovered materials if their use is technically and economically feasible. Each  
3 authority other than the University of Wisconsin Hospitals and Clinics Authority,  
4 the University of Wisconsin System Authority, and the Lower Fox River Remediation  
5 Authority, in writing specifications for purchasing by the authority, shall incorporate  
6 requirements for the purchase of products made from recycled materials and  
7 recovered materials if their use is technically and economically feasible. The  
8 specifications shall include requirements for the purchase of the following materials:

9 **SECTION 107.** 16.72 (2) (f) of the statutes is amended to read:

10 16.72 (2) (f) In writing specifications under this subsection, the department,  
11 any other designated purchasing agent under s. 16.71 (1), and each authority other  
12 than the University of Wisconsin Hospitals and Clinics Authority, the University of  
13 Wisconsin System Authority, and the Lower Fox River Remediation Authority shall  
14 incorporate requirements relating to the recyclability and ultimate disposition of  
15 products and, wherever possible, shall write the specifications so as to minimize the  
16 amount of solid waste generated by the state, consistent with the priorities  
17 established under s. 287.05 (12). All specifications under this subsection shall  
18 discourage the purchase of single-use, disposable products and require, whenever  
19 practical, the purchase of multiple-use, durable products.

20 **SECTION 108.** 16.72 (8) of the statutes is amended to read:

21 16.72 (8) The department may purchase educational technology materials,  
22 supplies, equipment, or contractual services from orders placed with the department  
23 by school districts, cooperative educational service agencies, and technical college  
24 districts, ~~the board of regents of the University of Wisconsin System, and the~~  
25 ~~University of Wisconsin-Madison.~~

**SECTION 109**

1           **SECTION 109.** 16.73 (5) of the statutes is repealed.

2           **SECTION 110.** 16.75 (1m) of the statutes is amended to read:

3           **16.75 (1m)** The department shall award each order or contract for materials,  
4 supplies or equipment on the basis of life cycle cost estimates, whenever such action  
5 is appropriate. Each authority other than the University of Wisconsin Hospitals and  
6 Clinics Authority, the University of Wisconsin System Authority, the Lower Fox  
7 River Remediation Authority, and the Wisconsin Aerospace Authority shall award  
8 each order or contract for materials, supplies or equipment on the basis of life cycle  
9 cost estimates, whenever such action is appropriate. The terms, conditions and  
10 evaluation criteria to be applied shall be incorporated in the solicitation of bids or  
11 proposals. The life cycle cost formula may include, but is not limited to, the  
12 applicable costs of energy efficiency, acquisition and conversion, money,  
13 transportation, warehousing and distribution, training, operation and maintenance  
14 and disposition or resale. The department shall prepare documents containing  
15 technical guidance for the development and use of life cycle cost estimates, and shall  
16 make the documents available to local governmental units.

17           **SECTION 111.** 16.75 (3t) (c) 1. of the statutes is repealed.

18           **SECTION 112.** 16.75 (3t) (c) 6. of the statutes is repealed.

19           **SECTION 113.** 16.75 (8) of the statutes is amended to read:

20           **16.75 (8) (am)** The department, any other designated purchasing agent under  
21 s. 16.71 (1), any agency making purchases under s. 16.74, and each authority other  
22 than the University of Wisconsin Hospitals and Clinics Authority, the University of  
23 Wisconsin System Authority, and the Lower Fox River Remediation Authority shall,  
24 to the extent practicable, make purchasing selections using specifications developed

1 under s. 16.72 (2) (e) to maximize the purchase of materials utilizing recycled  
2 materials and recovered materials.

3 (bm) Each agency and authority other than the University of Wisconsin  
4 Hospitals and Clinics Authority, the University of Wisconsin System Authority, and  
5 the Lower Fox River Remediation Authority shall ensure that the average recycled  
6 or recovered content of all paper purchased by the agency or authority measured as  
7 a proportion, by weight, of the fiber content of paper products purchased in a fiscal  
8 year, is not less than 40% of all purchased paper.

9 **SECTION 114.** 16.75 (12) (a) 1. of the statutes is amended to read:

10 16.75 (12) (a) 1. “Agency” means the department of administration, the  
11 department of corrections, the department of health services, the department of  
12 public instruction, and the department of veterans affairs, ~~and the Board of Regents~~  
13 ~~of the University of Wisconsin System.~~

14 **SECTION 115.** 16.765 (1) of the statutes is amended to read:

15 16.765 (1) Contracting agencies, the University of Wisconsin Hospitals and  
16 Clinics Authority, the University of Wisconsin System Authority, the Fox River  
17 Navigational System Authority, the Wisconsin Aerospace Authority, the Lower Fox  
18 River Remediation Authority, the Wisconsin Economic Development Corporation,  
19 and the Bradley Center Sports and Entertainment Corporation shall include in all  
20 contracts executed by them a provision obligating the contractor not to discriminate  
21 against any employee or applicant for employment because of age, race, religion,  
22 color, handicap, sex, physical condition, developmental disability as defined in s.  
23 51.01 (5), sexual orientation as defined in s. 111.32 (13m), or national origin and,  
24 except with respect to sexual orientation, obligating the contractor to take  
25 affirmative action to ensure equal employment opportunities.

1           **SECTION 116.** 16.765 (2) of the statutes is amended to read:

2           16.765 (2) Contracting agencies, the University of Wisconsin Hospitals and  
3 Clinics Authority, the University of Wisconsin System Authority, the Fox River  
4 Navigational System Authority, the Wisconsin Aerospace Authority, the Lower Fox  
5 River Remediation Authority, the Wisconsin Economic Development Corporation,  
6 and the Bradley Center Sports and Entertainment Corporation shall include the  
7 following provision in every contract executed by them: “In connection with the  
8 performance of work under this contract, the contractor agrees not to discriminate  
9 against any employee or applicant for employment because of age, race, religion,  
10 color, handicap, sex, physical condition, developmental disability as defined in s.  
11 51.01 (5), sexual orientation or national origin. This provision shall include, but not  
12 be limited to, the following: employment, upgrading, demotion or transfer;  
13 recruitment or recruitment advertising; layoff or termination; rates of pay or other  
14 forms of compensation; and selection for training, including apprenticeship. Except  
15 with respect to sexual orientation, the contractor further agrees to take affirmative  
16 action to ensure equal employment opportunities. The contractor agrees to post in  
17 conspicuous places, available for employees and applicants for employment, notices  
18 to be provided by the contracting officer setting forth the provisions of the  
19 nondiscrimination clause”.

20           **SECTION 117.** 16.765 (4) of the statutes is amended to read:

21           16.765 (4) Contracting agencies, the University of Wisconsin Hospitals and  
22 Clinics Authority, the University of Wisconsin System Authority, the Fox River  
23 Navigational System Authority, the Wisconsin Aerospace Authority, the Lower Fox  
24 River Remediation Authority, and the Bradley Center Sports and Entertainment



1 Corporation shall take appropriate action to revise the standard government  
2 contract forms under this section.

3 **SECTION 118.** 16.765 (5) of the statutes is amended to read:

4 16.765 (5) The head of each contracting agency and the boards of directors of  
5 the University of Wisconsin Hospitals and Clinics Authority, the University of  
6 Wisconsin System Authority, the Fox River Navigational System Authority, the  
7 Wisconsin Aerospace Authority, the Lower Fox River Remediation Authority, the  
8 Wisconsin Economic Development Corporation, and the Bradley Center Sports and  
9 Entertainment Corporation shall be primarily responsible for obtaining compliance  
10 by any contractor with the nondiscrimination and affirmative action provisions  
11 prescribed by this section, according to procedures recommended by the department.  
12 The department shall make recommendations to the contracting agencies and the  
13 boards of directors of the University of Wisconsin Hospitals and Clinics Authority,  
14 the University of Wisconsin System Authority, the Fox River Navigational System  
15 Authority, the Wisconsin Aerospace Authority, the Lower Fox River Remediation  
16 Authority, the Wisconsin Economic Development Corporation, and the Bradley  
17 Center Sports and Entertainment Corporation for improving and making more  
18 effective the nondiscrimination and affirmative action provisions of contracts. The  
19 department shall promulgate such rules as may be necessary for the performance of  
20 its functions under this section.

21 **SECTION 119.** 16.765 (6) of the statutes is amended to read:

22 16.765 (6) The department may receive complaints of alleged violations of the  
23 nondiscrimination provisions of such contracts. The department shall investigate  
24 and determine whether a violation of this section has occurred. The department may  
25 delegate this authority to the contracting agency, the University of Wisconsin

1 Hospitals and Clinics Authority, the University of Wisconsin System Authority, the  
2 Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the  
3 Lower Fox River Remediation Authority, the Wisconsin Economic Development  
4 Corporation, or the Bradley Center Sports and Entertainment Corporation for  
5 processing in accordance with the department's procedures.

6 **SECTION 120.** 16.765 (7) (intro.) of the statutes is amended to read:

7 16.765 (7) (intro.) When a violation of this section has been determined by the  
8 department, ~~the contracting agency, the University of Wisconsin Hospitals and~~  
9 ~~Clinics Authority, the Fox River Navigational System Authority, the Wisconsin~~  
10 ~~Aerospace Authority, the Lower Fox River Remediation Authority, the Wisconsin~~  
11 ~~Economic Development Corporation, or the Bradley Center Sports and~~  
12 ~~Entertainment Corporation~~, the contracting agency, the University of Wisconsin  
13 Hospitals and Clinics Authority, the University of Wisconsin System Authority, the  
14 Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the  
15 Lower Fox River Remediation Authority, the Wisconsin Economic Development  
16 Corporation, or the Bradley Center Sports and Entertainment Corporation shall:

17 **SECTION 121.** 16.765 (7) (d) of the statutes is amended to read:

18 16.765 (7) (d) Direct the violating party to take immediate steps to prevent  
19 further violations of this section and to report its corrective action to the contracting  
20 agency, the University of Wisconsin Hospitals and Clinics Authority, the University  
21 of Wisconsin System Authority, the Fox River Navigational System Authority, the  
22 Wisconsin Aerospace Authority, the Lower Fox River Remediation Authority, the  
23 Wisconsin Economic Development Corporation, or the Bradley Center Sports and  
24 Entertainment Corporation.

25 **SECTION 122.** 16.78 (1) of the statutes is amended to read:

1           16.78 (1) ~~Every agency other than the board of regents of the University of~~  
2 ~~Wisconsin System, the University of Wisconsin-Madison, or an agency making~~  
3 ~~purchases under s. 16.74 shall make all purchases of materials, supplies, equipment,~~  
4 ~~and contractual services relating to information technology or telecommunications~~  
5 ~~from the department, unless the department requires the agency to purchase the~~  
6 ~~materials, supplies, equipment, or contractual services pursuant to a master~~  
7 ~~contract established under s. 16.972 (2) (h), or grants written authorization to the~~  
8 ~~agency to procure the materials, supplies, equipment, or contractual services under~~  
9 ~~s. 16.75 (1) or (2m), to purchase the materials, supplies, equipment, or contractual~~  
10 ~~services from another agency or to provide the materials, supplies, equipment, or~~  
11 ~~contractual services to itself. The board of regents of the University of Wisconsin~~  
12 ~~System and the University of Wisconsin-Madison may make purchases of materials,~~  
13 ~~supplies, equipment, and contractual services relating to information technology or~~  
14 ~~telecommunications from the department.~~

15           **SECTION 123.** 16.838 (1) (b) of the statutes is amended to read:

16           16.838 (1) (b) “Authority” means a body created under subch. II of ch. 114 or  
17 ch. 36, 231, 232, 233, 234, or 237.

18           **SECTION 124.** 16.84 (10) of the statutes is amended to read:

19           16.84 (10) Approve the design, structure, composition, location and  
20 arrangements made for the care and maintenance of all public monuments,  
21 memorials, or works of art which shall be constructed by or become the property of  
22 the state by purchase wholly or in part from state funds, or by gift or otherwise. “Work  
23 of art” means any painting, portrait, mural decoration, stained glass, statue,  
24 bas-relief, ornament, tablets, fountain or any other article or structure of a  
25 permanent character intended for decoration or commemoration. This subsection

1 does not apply to public monuments, memorials or works of art which are or will  
2 become property of the ~~University of Wisconsin System~~ or the historical society.

3 **SECTION 125.** 16.845 (1) of the statutes is amended to read:

4 16.845 (1) RULE; PENALTY. Except as elsewhere expressly prohibited, the  
5 managing authority of any facility owned by the state or by the University of  
6 Wisconsin Hospitals and Clinics Authority or the University of Wisconsin System  
7 Authority or leased from the state by the Fox River Navigational System Authority  
8 may permit its use for free discussion of public questions, or for civic, social,  
9 recreational or athletic activities. No such use shall be permitted if it would unduly  
10 burden the managing authority or interfere with the prime use of such facility. The  
11 applicant for use shall be liable to the state, to the Fox River Navigational System  
12 Authority, to the University of Wisconsin System Authority, or to the University of  
13 Wisconsin Hospitals and Clinics Authority for any injury done to its property, for any  
14 expense arising out of any such use and for such sum as the managing authority may  
15 charge for such use. All such sums payable to the state shall be paid into the general  
16 fund and credited to the appropriation account for the operation of the facility used.  
17 The managing authority may permit such use notwithstanding the fact that a  
18 reasonable admission fee may be charged to the public. Whoever does or attempts  
19 to do an act for which a permit is required under this section without first obtaining  
20 the permit may be fined not more than \$100 or imprisoned not more than 30 days  
21 or both. This subsection applies only to those facilities for which a procedure for  
22 obtaining a permit has been established by the managing authority.

23 **SECTION 126.** 16.847 (1) (b) of the statutes is amended to read:

1           16.847 (1) (b) “State facilities” means all property owned and operated by the  
2 state for the purpose of carrying out usual state functions, ~~including each institution~~  
3 ~~within the University of Wisconsin System.~~

4           **SECTION 127.** 16.848 (1s) (c) of the statutes is amended to read:

5           16.848 (1s) (c) Notwithstanding s. 20.001 (3) (a) to (c) and subject to approval  
6 under par. (d), the secretary may lapse or transfer to the general fund from the  
7 unencumbered balance of appropriations to any agency, other than ~~sum sufficient~~  
8 ~~appropriations or appropriations of program revenues to the Board of Regents of the~~  
9 ~~University of Wisconsin System or appropriations of segregated or federal revenues,~~  
10 any amount appropriated to an agency that is determined by the secretary to be  
11 allocated for the management or operation of the facility that was sold or leased  
12 effective on the effective date of the sale or lease.

13           **SECTION 128.** 16.848 (2) (em) of the statutes is created to read:

14           16.848 (2) (em) Subsection (1) does not apply to property that is subject to the  
15 lease agreement under s. 36.11 (27m) (a).

16           **SECTION 129.** 16.85 (1) of the statutes is amended to read:

17           16.85 (1) To take charge of and supervise all engineering or architectural  
18 services or construction work, as defined in s. 16.87 (1) (a), performed by, or for, the  
19 state, or any department, board, institution, commission, or officer of the state,  
20 including nonprofit-sharing corporations organized for the purpose of assisting the  
21 state in the construction and acquisition of new buildings or improvements and  
22 additions to existing buildings as contemplated under ~~ss. s. 13.488, 36.09, and 36.11,~~  
23 ~~except work to be performed for the University of Wisconsin System with respect to~~  
24 ~~a building, structure, or facility involving a cost of less than \$500,000 that is funded~~  
25 ~~entirely with the proceeds of gifts or grants made to the system, and except the~~

1 engineering, architectural, and construction work of the department of  
2 transportation; and the engineering service performed by the department of safety  
3 and professional services, department of revenue, public service commission,  
4 department of health services, and other departments, boards, and commissions  
5 when the service is not related to the maintenance, and construction and planning,  
6 of the physical properties of the state.

7 **SECTION 130.** 16.85 (2) of the statutes is amended to read:

8 16.85 (2) To furnish engineering, architectural, project management, and other  
9 building construction services whenever requisitions therefor are presented to the  
10 department by any agency. The department may deposit moneys received from the  
11 provision of these services in the account under s. 20.505 (1) (kc) or in the general  
12 fund as general purpose revenue — earned. In this subsection, “agency” means an  
13 office, department, independent agency, institution of higher education, association,  
14 society, or other body in state government created or authorized to be created by the  
15 constitution or any law, which is entitled to expend moneys appropriated by law,  
16 including the legislature and the courts, but not including an authority created in  
17 subch. II of ch. 114 or in ch. 36, 231, 233, 234, 237, 238, or 279.

18 **SECTION 131.** 16.85 (12) of the statutes is amended to read:

19 16.85 (12) To review and approve plans and specifications for any building or  
20 structure that is constructed for the benefit of the University of Wisconsin System  
21 Authority or any institution thereof, and to periodically review the progress of any  
22 such building or structure during construction to assure compliance with the  
23 approved plans and specifications. This subsection ~~does not apply~~ applies to any  
24 building, structure, or facility that is constructed, remodeled, repaired, renewed, or  
25 expanded for the University of Wisconsin System ~~involving a cost of less than~~

1     \$500,000 Authority if the project is financed from general purpose revenues. If a  
 2     project is not financed from general purpose revenues, this subsection does not apply,  
 3     except that if such project is not funded entirely from the proceeds of gifts or grants  
 4     made to the system University of Wisconsin System Authority, and the cost of such  
 5     project is at least \$760,000, the department shall conduct the bidding process for the  
 6     project at no cost to the authority.

7           **SECTION 132.** 16.85 (14) of the statutes is amended to read:

8           16.85 (14) To review and approve the design and specifications of any  
 9     construction or improvement project of the University of Wisconsin Hospitals and  
 10    Clinics Authority on state-owned land, to approve the decision to construct any such  
 11    construction or improvement project and to periodically review the progress of the  
 12    project during construction to assure compliance with the approved design and  
 13    specifications. This subsection does not apply to any construction or improvement  
 14    project of the authority that costs less than the amount that is required to be specified  
 15    in the lease agreement between the authority and the ~~board of regents~~ Board of  
 16    Regents of the University of Wisconsin System Authority under s. 233.04 (7) (d).

17           **SECTION 133.** 16.855 (20) of the statutes is repealed.

18           **SECTION 134.** 16.855 (22) of the statutes is amended to read:

19           16.855 (22) The provisions of this section, except sub. (10m), do not apply to  
 20    construction work for any project that does not require the prior approval of the  
 21    building commission under s. 13.48 (10) (a) if the project is constructed in accordance  
 22    with policies and procedures prescribed by the building commission under s. 13.48  
 23    (29). If the estimated construction cost of any project, ~~other than a project~~  
 24    ~~constructed by or for the University of Wisconsin System that is exempted under sub.~~  
 25    (23), is at least \$50,000, and the building commission elects to utilize the procedures

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1 prescribed under s. 13.48 (29) to construct the project, the department shall provide  
2 adequate public notice of the project and the procedures to be utilized to construct  
3 the project on a publicly accessible computer site.

4 **SECTION 135.** 16.855 (23) of the statutes is repealed.

5 **SECTION 136.** 16.865 (1) (a) of the statutes is amended to read:

6 16.865 (1) (a) Protect ~~Except as provided in sub. (10), protect~~ the state and the  
7 University of Wisconsin System Authority from losses which are catastrophic in  
8 nature and minimize total cost to the state of all activities related to the control of  
9 accidental loss. *and the authority*

10 **SECTION 137.** 16.865 (2) of the statutes is amended to read:

11 16.865 (2) Identify ~~Except as provided in sub. (10), identify~~ and evaluate  
12 exposure to loss to the state, ~~its~~ and the University of Wisconsin System Authority  
13 and their employees or injury to the public by reason of fire or other accidents and  
14 fortuitous events at state-owned and authority-owned properties or facilities.

15 **SECTION 138.** 16.865 (3) of the statutes is amended to read:

16 16.865 (3) Recommend ~~Except as provided in sub. (10), recommend~~ changes in  
17 procedures, program conditions or capital improvement for all agencies and the  
18 University of Wisconsin System Authority which would satisfactorily eliminate or  
19 *IN SEAT 1940-19* reduce the existing exposure.

20 **SECTION 139.** 16.865 (5) of the statutes is amended to read:

21 16.865 (5) Arrange ~~Except as provided in sub. (10), arrange~~ appropriate  
22 insurance contracts for the transfer of risk of loss on the part of the state and the  
23 University of Wisconsin System Authority or its their employees, to the extent such  
24 loss cannot reasonably be assumed by the individual agencies or the authority or the  
25 self-funded programs. The placement of insurance may be by private negotiation



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1 rather than competitive bid, if such insurance has a restricted number of interested  
2 carriers. The department shall approve all insurance purchases. INSERT 41-2

3 **SECTION 140.** 16.865 (8) of the statutes is amended to read:

4 16.865 (8) Annually Except as provided in sub. (10), annually in each fiscal  
5 year, allocate as a charge to each agency and to the University of Wisconsin System  
6 Authority a proportionate share of the estimated costs attributable to programs  
7 administered by the agency or the authority to be paid from the appropriation under  
8 s. 20.505 (2) (k). The department may charge premiums to agencies and the  
9 authority to finance costs under this subsection and pay the costs from the  
10 appropriation on an actual basis. The department shall deposit all collections under  
11 this subsection in the appropriation account under s. 20.505 (2) (k). Costs assessed  
12 under this subsection may include judgments, investigative and adjustment fees,  
13 data processing and staff support costs, program administration costs, litigation  
14 costs, and the cost of insurance contracts under sub. (5). In this subsection, "agency"  
15 means an office, department, independent agency, institution of higher education,  
16 association, society, or other body in state government created or authorized to be  
17 created by the constitution or any law, that is entitled to expend moneys  
18 appropriated by law, including the legislature and the courts, but not including an  
19 authority created in subch. II of ch. 114 or in ch. 36, 231, 232, 233, ~~234~~, <sup>235</sup>237, ~~238~~ or  
20 279. INSERT 41-20

21 **SECTION 141.** 16.865 (10) of the statutes is created to read:

22 16.865 (10) This section does not apply to the University of Wisconsin System  
23 Authority for a fiscal year if the authority, no later than July 1 of the preceding fiscal  
24 year, provides written notice to the department that it elects not to be governed by  
25 this section and the department approves the nonelection. Any notice of nonelection

**SECTION 141**

1 approved by the department applies to each subsequent fiscal year unless the  
2 University of Wisconsin System Authority, no later than July 1 of the preceding fiscal  
3 year, provides written notice to the department that it elects to be governed by this  
4 section and the department approves the election. Any notice of election approved  
5 by the department applies to each subsequent fiscal year unless the University of  
6 Wisconsin System Authority again provides timely notice of nonelection and the  
7 department approves the nonelection.

8 **SECTION 142.** 16.87 (5) of the statutes is repealed.

9 **SECTION 143.** 16.89 of the statutes is amended to read:

10 **16.89 Construction and services controlled by this chapter.** No  
11 department, independent agency, constitutional office or agent of the state shall  
12 employ engineering, architectural or allied services or expend money for  
13 construction purposes on behalf of the state, except as provided in this chapter and  
14 ~~except that the Board of Regents of the University of Wisconsin System may engage~~  
15 ~~such services for any project involving a cost of less than \$500,000 that is funded~~  
16 ~~entirely from the proceeds of gifts or grants made to the system.~~

17 **SECTION 144.** 16.967 (6) (a) of the statutes is amended to read:

18 16.967 (6) (a) By March 31 of each year, the department of administration, the  
19 department of agriculture, trade and consumer protection, the department of safety  
20 and professional services, the department of health services, the department of  
21 natural resources, the department of tourism, the department of revenue, the  
22 department of transportation, ~~the board of regents of the University of Wisconsin~~  
23 ~~System~~, the public service commission, and the board of curators of the historical  
24 society shall each submit to the department a plan to integrate land information to  
25 enable such information to be readily translatable, retrievable, and geographically

1 referenced for use by any state, local governmental unit, or public utility. Upon  
2 receipt of this information, the department shall integrate the information to enable  
3 the information to be used to meet land information data needs. The integrated  
4 information shall be readily translatable, retrievable, and geographically referenced  
5 to enable members of the public to use the information.

6 **SECTION 145.** 16.967 (8) of the statutes is amended to read:

7 16.967 (8) ADVICE; COOPERATION. In carrying out its duties under this section,  
8 the department may seek advice and assistance from the board of regents of the  
9 University of Wisconsin System Authority and other agencies, local governmental  
10 units, and other experts involved in collecting and managing land information.  
11 Agencies shall cooperate with the department in the coordination of land  
12 information collection.

13 **SECTION 146.** 16.971 (2) (a) of the statutes is amended to read:

14 16.971 (2) (a) Ensure that an adequate level of information technology services  
15 is made available to all agencies by providing systems analysis and application  
16 programming services to augment agency resources, as requested. The department  
17 shall also ensure that executive branch agencies, ~~other than the board of regents of~~  
18 ~~the University of Wisconsin System,~~ make effective and efficient use of the  
19 information technology resources of the state. The department shall, in cooperation  
20 with agencies, establish policies, procedures and planning processes, for the  
21 administration of information technology services, which executive branch agencies  
22 shall follow. The policies, procedures and processes shall address the needs of  
23 agencies, ~~other than the board of regents of the University of Wisconsin System,~~ to  
24 carry out their functions. The department shall monitor adherence to these policies,  
25 procedures and processes.

1           **SECTION 147.** 16.971 (2) (L) of the statutes is amended to read:

2           16.971 (2) (L) Require each executive branch agency, ~~other than the board of~~  
3 ~~regents of the University of Wisconsin System,~~ to adopt and submit to the  
4 department, in a form specified by the department, no later than March 1 of each  
5 year, a strategic plan for the utilization of information technology to carry out the  
6 functions of the agency in the succeeding fiscal year for review and approval under  
7 s. 16.976.

8           **SECTION 148.** 16.971 (2) (Lg) 1. (intro.) of the statutes is amended to read:

9           16.971 (2) (Lg) 1. (intro.) Develop, in consultation with each executive branch  
10 agency, ~~other than the Board of Regents of the University of Wisconsin System,~~ and  
11 adopt the following written policies for information technology development projects  
12 included in the strategic plan required of each executive branch agency under par.  
13 (L) and that either exceed \$1,000,000 or that are vital to the functions of the executive  
14 branch agency:

15           **SECTION 149.** 16.971 (2) (Lm) of the statutes is amended to read:

16           16.971 (2) (Lm) No later than 60 days after enactment of each biennial budget  
17 act, require each executive branch agency, ~~other than the board of regents of the~~  
18 ~~University of Wisconsin System,~~ that receives funding under that act for an  
19 information technology development project to file with the department an  
20 amendment to its strategic plan for the utilization of information technology under  
21 par. (L). The amendment shall identify each information technology development  
22 project for which funding is provided under that act and shall specify, in a form  
23 prescribed by the department, the benefits that the agency expects to realize from  
24 undertaking the project.

25           **SECTION 150.** 16.971 (2m) (a) of the statutes is repealed.

1           **SECTION 151.** 16.971 (2m) (f) of the statutes is repealed.

2           **SECTION 152.** 16.972 (1) (b) of the statutes is amended to read:

3           16.972 (1) (b) “Qualified postsecondary institution” means a regionally  
4 accredited 4-year private nonprofit college or university having its regional  
5 headquarters and principal place of business in this state or a tribally controlled  
6 college located in this state.

7           **SECTION 153.** 16.972 (2) (f) of the statutes is amended to read:

8           16.972 (2) (f) Acquire, operate, and maintain any information technology  
9 equipment or systems required by the department to carry out its functions, and  
10 provide information technology development and management services related to  
11 those information technology systems. The department may assess executive  
12 branch agencies, ~~other than the board of regents of the University of Wisconsin~~  
13 ~~System~~, for the costs of equipment or systems acquired, operated, maintained, or  
14 provided or services provided under this paragraph in accordance with a  
15 methodology determined by the department. The department may also charge any  
16 agency for such costs as a component of any services provided by the department to  
17 the agency.

18           **SECTION 154.** 16.972 (2) (g) of the statutes is amended to read:

19           16.972 (2) (g) Assume direct responsibility for the planning and development  
20 of any information technology system in the executive branch of state government  
21 ~~outside of the University of Wisconsin System~~ that the department determines to be  
22 necessary to effectively develop or manage the system, with or without the consent  
23 of any affected executive branch agency. The department may charge any executive  
24 branch agency for the department’s reasonable costs incurred in carrying out its  
25 functions under this paragraph on behalf of that agency.

1           **SECTION 155.** 16.972 (2) (h) of the statutes is amended to read:

2           16.972 (2) (h) Establish master contracts for the purchase of materials,  
3 supplies, equipment, or contractual services relating to information technology or  
4 telecommunications for use by agencies, authorities, local governmental units, or  
5 entities in the private sector. The department may require any executive branch  
6 agency, ~~other than the board of regents of the University of Wisconsin System,~~ to  
7 make any purchases of materials, supplies, equipment, or contractual services  
8 relating to information technology or telecommunications that are included under  
9 the contract pursuant to the terms of the contract.

10           **SECTION 156.** 16.973 (7) of the statutes is amended to read:

11           16.973 (7) Prescribe and revise as necessary performance measures to ensure  
12 financial controls and accountability, optimal personnel utilization, and customer  
13 satisfaction for all information technology functions in the executive branch ~~outside~~  
14 ~~of the University of Wisconsin System~~ and annually, no later than March 31, report  
15 to the joint committee on information policy and technology and the board  
16 concerning the performance measures utilized by the department and the actual  
17 performance of the department and the executive branch agencies measured against  
18 the performance measures then in effect.

19           **SECTION 157.** 16.973 (12) (b) (intro.) of the statutes is amended to read:

20           16.973 (12) (b) (intro.) Annually, no later than October 1, submit to the  
21 governor and the members of the joint committee on information policy and  
22 technology a report documenting the use by each executive branch agency, ~~other than~~  
23 ~~the Board of Regents of the University of Wisconsin System,~~ of master leases to fund  
24 information technology projects in the previous fiscal year. The report shall contain  
25 all of the following information:

1           **SECTION 158.** 16.973 (14) (a) (intro.) of the statutes is amended to read:

2           16.973 (14) (a) (intro.) Require each executive branch agency, ~~other than the~~  
3 ~~Board of Regents of the University of Wisconsin system,~~ that has entered into an  
4 open-ended contract for the development of information technology to submit to the  
5 department quarterly reports documenting the amount expended on the information  
6 technology development project. In this subsection, “open-ended contract” means  
7 a contract for information technology that includes one or both of the following:

8           **SECTION 159.** 16.974 (3) of the statutes is amended to read:

9           16.974 (3) Develop or operate and maintain any system or device facilitating  
10 Internet or telephone access to information about programs of agencies, authorities,  
11 local governmental units, entities in the private sector, individuals, or any tribal  
12 schools, as defined in s. 115.001 (15m), or otherwise permitting the transaction of  
13 business by agencies, authorities, local governmental units, entities in the private  
14 sector, individuals, or tribal schools by means of electronic communication. The  
15 department may assess executive branch agencies, ~~other than the board of regents~~  
16 ~~of the University of Wisconsin System,~~ for the costs of systems or devices relating to  
17 information technology or telecommunications that are developed, operated, or  
18 maintained under this subsection in accordance with a methodology determined by  
19 the department. The department may also charge any agency, authority, local  
20 governmental unit, entity in the private sector, or tribal school for such costs as a  
21 component of any services provided by the department to that agency, authority, local  
22 governmental unit, entity, or tribal school. The department may charge an  
23 individual for such costs as a component of any services provided by the department  
24 to that individual.

25           **SECTION 160.** 16.974 (5) of the statutes is amended to read:

**SECTION 160**

1           16.974 (5) Review and approve, approve with modifications, or disapprove any  
2 proposed contract for the purchase of materials, supplies, equipment, or contractual  
3 services relating to information technology or telecommunications by an executive  
4 branch agency, ~~other than the board of regents of the University of Wisconsin~~  
5 ~~System.~~

6           **SECTION 161.** 16.976 (5) of the statutes is amended to read:

7           16.976 (5) No executive branch agency, ~~other than the board of regents of the~~  
8 ~~University of Wisconsin System,~~ may implement a new or revised information  
9 technology development project authorized under a strategic plan until the  
10 implementation is approved by the department in accordance with procedures  
11 prescribed by the department.

12           **SECTION 162.** 16.978 (4) of the statutes is amended to read:

13           16.978 (4) The board may monitor progress in attaining goals for information  
14 technology and telecommunications development set by the department or executive  
15 branch agencies, ~~other than the board of regents of the University of Wisconsin~~  
16 ~~System,~~ and may make recommendations to the department or agencies concerning  
17 appropriate means of attaining those goals.

18           **SECTION 163.** 16.993 (1) of the statutes is amended to read:

19           16.993 (1) In cooperation with school districts, cooperative educational service  
20 agencies, and the technical college system board, ~~and the board of regents of the~~  
21 ~~University of Wisconsin System,~~ promote the efficient, cost-effective procurement,  
22 installation, and maintenance of educational technology by school districts,  
23 cooperative educational service agencies, and technical college districts, ~~and the~~  
24 ~~University of Wisconsin System.~~

25           **SECTION 164.** 16.993 (4) of the statutes is amended to read:



1           16.993 (4) In cooperation with the board of regents of the University of  
2 Wisconsin System Authority, the technical college system board, the department of  
3 public instruction and other entities, support the development of courses for the  
4 instruction of professional employees who are licensed by the state superintendent  
5 of public instruction concerning the effective use of educational technology.

6           **SECTION 165.** 16.993 (7) of the statutes is amended to read:

7           16.993 (7) Purchase educational technology materials, supplies, equipment,  
8 and contractual services for school districts, cooperative educational service  
9 agencies, and technical college districts, ~~the board of regents of the University of~~  
10 ~~Wisconsin System, and the University of Wisconsin–Madison under s. 16.72 (8), and~~  
11 establish standards and specifications for purchases of educational technology  
12 hardware and software by school districts, cooperative educational service agencies,  
13 and technical college districts, ~~and the board of regents of the University of~~  
14 ~~Wisconsin System.~~

15           **SECTION 166.** 19.36 (14) of the statutes is created to read:

16           19.36 (14) UNIVERSITY OF WISCONSIN SYSTEM AUTHORITY. Any authority may  
17 withhold from access under s. 19.35 (1) information in a record that is produced or  
18 collected by or for the faculty or staff employed by the University of Wisconsin System  
19 Authority in the conduct of, or as a result of, study or research on a commercial,  
20 scientific, or technical subject, whether sponsored by the University of Wisconsin  
21 System Authority alone or in conjunction with an authority or a private person, until  
22 that information is publicly disseminated or patented.

23           **SECTION 167.** 19.42 (5) of the statutes is amended to read:

24           19.42 (5) “Department” means the legislature, ~~the University of Wisconsin~~  
25 ~~System~~, any authority or public corporation created and regulated by an act of the

1 legislature and any office, department, independent agency or legislative service  
2 agency created under ch. 13, 14 or 15, any technical college district or any  
3 constitutional office other than a judicial office. In the case of a district attorney,  
4 “department” means the department of administration unless the context otherwise  
5 requires.

6 **SECTION 168.** 19.42 (10) (m) of the statutes is created to read:

7 19.42 (10) (m) The president and members of the Board of Regents of the  
8 University of Wisconsin System Authority.

9 **SECTION 169.** 19.42 (13) (b) of the statutes, as affected by 2011 Wisconsin Act  
10 32, is amended to read:

11 19.42 (13) (b) The positions of associate and assistant vice presidents of the  
12 University of Wisconsin System Authority.

13 **SECTION 170.** 19.42 (13) (cm) of the statutes, as affected by 2011 Wisconsin Act  
14 32, is amended to read:

15 19.42 (13) (cm) The president and vice presidents of the University of  
16 Wisconsin System Authority and the chancellors and vice chancellors of all  
17 University of Wisconsin System institutions, ~~the University of Wisconsin Colleges,~~  
18 ~~and the University of Wisconsin-Extension.~~

19 **SECTION 171.** 19.45 (11) (intro.) of the statutes is amended to read:

20 19.45 (11) (intro.) The legislature recognizes that all state public officials and  
21 employees and all employees of the University of Wisconsin Hospitals and Clinics  
22 Authority and the University of Wisconsin System Authority should be guided by a  
23 code of ethics and thus:

24 **SECTION 172** 19.45 (11) (a) of the statutes, as affected by 2011 Wisconsin Act  
25 32, is amended to read:

*create ARg*  
*as affected by 2015 Wisconsin Act ... (this act)*