



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-0971/P6
MDK/CMH/RAC/MES:wlj&cjs:wj

DOA:.....Schwanz, BB0311 - University of Wisconsin System Authority
FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau
EDUCATION

UNIVERSITY OF WISCONSIN SYSTEM AUTHORITY

Current law creates a system of institutions of learning known as the UW System and specifies a mission and purposes for the system. The UW System is governed by the Board of Regents, which consists of the State Superintendent of Public Instruction, the president of the technical college system, 14 citizen members with seven-year terms, and two students with two-year terms. The latter 16 members are nominated by the governor and appointed with the advice and consent of the senate. There is a shared, hierarchical system of governance for the UW System: the Board of Regents has primary responsibility, followed by the UW System president, institution chancellors, faculty, academic staff, and students. Three boards and one council are created in or attached to the UW System: the Environmental Education Board, the Laboratory of Hygiene Board, the Veterinary Diagnostic Laboratory Board, and the Rural Health Development Council.

Effective July 1, 2016, this bill converts the UW System to an authority called the University of Wisconsin System Authority (UWSA) by creating a system of higher education known by the same name, UW System, which is provided by UWSA. The bill creates a governing board for UWSA that retains the name, Board of Regents, and has the same members who are appointed in the same manner and for the same terms as under current law. The bill allows the members of the Board

of Regents under current law to continue to serve until the expiration of their terms. The bill eliminates the shared, hierarchical system of governance under current law by vesting responsibility for governing the UW System in the UWSA Board of Regents and eliminating the powers specified under current law for the UW System president, chancellors, faculty, academic staff, and students. The bill specifies that the mission of the UW System includes developing human resources to meet the state's workforce needs, and requires the UWSA Board of Regents to provide affordable access to high-quality postsecondary, graduate, and doctoral education.

The bill eliminates specified grants of power to the Board of Regents under current law, and specifies that the UWSA Board of Regents has all powers necessary or convenient to operate the UW System, including the power to sue and be sued, have perpetual existence, execute contracts, and contract for legal services. The bill generally allows the UWSA Board of Regents of UWSA to adopt policies and procedures for matters without promulgating rules under procedures that apply to state agencies. However, the bill requires the UWSA Board of Regents to promulgate rules under those procedures for protecting the lives, health, and safety of persons on property under its jurisdiction, as well as for managing such property. The UWSA Board of Regents retains the police power of the Board of Regents under current law and campus police have the same duties and powers as under current law. As under current law, the bill allows the UWSA Board of Regents to authorize chancellors to adopt parking rules that are not subject to state agency rule-making procedures.

The bill requires the UWSA Board of Regents to enter into an agreement with the DOA secretary to lease for a period of not more than 75 years any state-owned property or facilities required for the UWSA Board of Regents to perform its duties and exercise its powers. The lease agreement must contain specified provisions, including provisions that do the following: 1) give the state ownership of improvements or modifications made to property or facilities subject to the lease agreement; 2) give the state ownership of any facility that the UWSA Board of Regents constructs on state-owned land; 3) require the UWSA Board of Regents to obtain building commission approval for any construction or renovation project costing at least \$760,000 and involving a state-owned facility or occurring on state-owned land; 4) require UWSA to make debt payments for self-amortizing university facilities; and 5) make the UWSA Board of Regents responsible for maintenance and upkeep of facilities and property. The lease agreement and any modifications, extensions, or renewals may take effect only upon approval by JCF.

The bill requires the UWSA Board of Regents to appoint a president who is chief executive officer of UWSA, as well as the following, who are appointed by the Board of Regents under current law: the state geologist, state cartographer, and director of the psychiatric institute. The bill allows the UWSA Board of Regents to employ agents and employees whom the board finds necessary and requires the UWSA Board of Regents to develop and implement a personnel system and other employment policies. The bill transfers all UW System employees under current law to UWSA, except those who perform duties related to the Veterinary Diagnostic Laboratory and the State Laboratory of Hygiene. The bill transfers those laboratories and their employees to DATCP, and specifies that the employees are not

required to serve a probationary period. The bill requires the DATCP secretary to appoint the directors of those laboratories, but allows the directors appointed under current law to continue to serve until their appointments expire. The bill specifies that UW System employees who are transferred to UWSA are eligible to transfer back to a position in state government any time before July 1, 2017.

The bill requires the UWSA Board of Regents to establish an annual budget and monitor fiscal management of UWSA. The bill allows the UWSA Board of Regents to issue bonds that are not public debt and specifies that the state pledges that, unless bondholders are adequately protected, the state will not limit or alter any rights before UWSA satisfies the bonds. The bill eliminates all appropriations to the UW System under current law, except general purpose revenues for educational programs and the payment of certain construction debt. The bill requires the DOA secretary to make quarterly payments to UWSA of the general purpose revenues appropriated for educational programs. However, the secretary is allowed to make the payments only if UWSA has made payments due on the lease agreement described above, payments required for municipal services, and any other payments for obligations otherwise due to the state. In fiscal year 2017–18, the bill allocates \$753,533,000 from state sales tax revenue for the educational programs. In each fiscal year thereafter, the bill allocates the same amount with adjustments for inflation.

The bill generally maintains requirements under current law regarding tuition and tuition remissions. In academic years 2015–16 and 2016–17, the bill prohibits increases in resident undergraduate tuition above that charged in the 2014–15 academic year. The bill transfers responsibility for Minnesota–Wisconsin tuition reciprocity agreements from the Higher Educational Aids Board to the UWSA Board of Regents, which may continue such agreements at its discretion.

The bill specifies requirements for legal proceedings involving UWSA. Under current law, no one may sue a state officer, employee, or agent who is acting in his or her official capacity for damages unless the person serves the attorney general with a written notice of claim within 120 days of the event that allegedly caused the damages. The bill applies that prohibition to actions against a UWSA officer or employee. However, the prohibition does not apply to actions by the state against UWSA officers and employees. Current law generally limits damages in a case against a state officer, employee, or agent who is acting in his or her official capacity to \$250,000. The bill applies that limit to actions, including those by the state, against a UWSA officer or employee. Current law generally provides that, if a public officer or a state employee is sued in an official capacity or for actions undertaken within the scope of his or her employment, the state or political subdivision that employs the officer or employee must provide legal counsel to the defendant or cover legal costs for the defendant. If damages are assessed against the officer or employee, the state or political subdivision must pay any damages in excess of applicable insurance. The bill applies those duties to UWSA regarding its officers and employees. Under current law, DOJ represents the state, state agencies, and state employees in certain legal proceedings, reviews, and actions. The bill requires DOJ

to do the same for UWSA and its officials, employees, and agents, unless the state and the UWSA Board of Regents are adverse parties.

The bill eliminates requirements that apply to the UW System and Board of Regents under current law, including requirements regarding the following: faculty tenure and probationary appointments; academic staff appointments; accumulation of sick leave; specified educational programs and studies; graduate student financial aid; recruiting programs for minority and disadvantaged students; public broadcasting; application and parking fees; student fee statements; gifts, grants, and bequests to the UW System; transportation planning; orientation information on sexual assault and harassment; student identification numbers; Downer Woods preservation; criteria for use of animals in research; information technology; support for medical practice in underserved areas; a rural physician residency assistance program; loan assistance programs for physicians, dentists, and other health care providers; and various legislative reports.

The bill makes other changes, including the following:

1. The bill allows the UWSA Board of Regents to acquire property by condemnation in the same manner as the Board of Regents under current law.

2. Under current law, employees of the UW System, except faculty and academic staff, may collectively bargain under the State Employment Labor Relations Act (SELRA). Under SELRA, the legislature must adopt collective bargaining agreements covering the employees before the agreements may be executed. Under this bill, UWSA employees, except faculty, academic staff, and law enforcement officers, may collectively bargain under the Municipal Employment Relations Act (MERA), and collective bargaining agreements under MERA are not subject to legislative approval.

3. The bill allows the UWSA Board of Regents, with DOA approval, to opt in or out of the state's risk management program administered by DOA, except for the state worker's compensation program.

4. Under current law, the UW System is subject to state procurement requirements applicable to state agencies. Under this bill, UWSA is not subject to those requirements. Instead, UWSA is treated like a municipality, which allows DOA to enter into cooperative purchasing agreements with UWSA.

5. The bill requires the UWSA Board of Regents members to file annual statements of economic interest required for public officials, subjects specified UWSA officials to the ethics code for public officials, and requires the UWSA Board of Regents to establish an ethics code for other personnel.

6. The bill specifies that UWSA retains the income, sales, and property tax exemptions of the UW System under current law and requires UWSA to make payments for municipal services in the same manner as the UW System under current law.

7. The bill creates an exception to the open records law for information produced or collected by or for UWSA faculty or staff with respect to commercial, scientific, or technical research until that information is publicly disseminated or patented.

8. The bill specifies that the UW-Extension programs in counties are subject to the approval of the UWSA Board of Regents.

9. The bill eliminates the Environmental Education Board and the Rural Health Development Council.

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Under current law, DOA manages all engineering, design, and construction work for state agencies, including the UW System, but DOA may delegate its management authority to an agency for a specific project. Plans and specifications for all work on UW projects are subject to approval of DOA. Under this bill, a project for UWSA, which is created effective July 1, 2016, under this bill, is subject to Building Commission approval and DOA supervision if the project is funded entirely from general purpose revenues. For any project of UWSA that is not funded entirely by general purpose revenues, Building Commission approval is not required and UWSA is in charge of all aspects of the project, except that DOA is still responsible for the bidding process on a project of UWSA that costs at least \$760,000. DOA may not charge UWSA for conducting the bidding process on such a project.

Currently, the UW System may not accept a gift or grant of real property valued in excess of \$150,000 or any gift of a building, structure, or facility that is constructed for the benefit of the UW System without approval of the Building Commission. Under the bill, this restriction does not apply to UWSA.

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:

1 **SECTION 1.** 11.36 (1) of the statutes is amended to read:
 2 11.36 (1) No person may solicit or receive from any state officer or employee or
 3 from any officer or employee of the University of Wisconsin Hospitals and Clinics
 4 Authority or the University of Wisconsin System Authority any contribution or
 5 service for any political purpose while the officer or employee is engaged in his or her
 6 official duties, except that an elected state official may solicit and receive services not
 7 constituting a contribution from a state officer or employee or an officer or employee
 8 of the University of Wisconsin Hospitals and Clinics Authority or the University of
 9 Wisconsin System Authority with respect to a referendum only. Agreement to

1 perform services authorized under this subsection may not be a condition of
2 employment for any such officer or employee.

3 **SECTION 2.** 11.36 (3) of the statutes is amended to read:

4 11.36 (3) Every person who has charge or control in a building, office or room
5 occupied for any purpose by this state, by any political subdivision thereof or by the
6 University of Wisconsin Hospitals and Clinics Authority or the University of
7 Wisconsin System Authority shall prohibit the entry of any person into that building,
8 office or room for the purpose of making or receiving a contribution.

9 **SECTION 3.** 11.36 (4) of the statutes is amended to read:

10 11.36 (4) No person may enter or remain in any building, office or room
11 occupied for any purpose by the 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 or send or direct a letter or other notice thereto for the
14 purpose of requesting or collecting a contribution.

15 **SECTION 4.** 13.101 (6) (a) of the statutes, as affected by 2015 Wisconsin Act
16 (this act), is amended to read:

17 13.101 (6) (a) As an emergency measure necessitated by decreased state
18 revenues and to prevent the necessity for a state tax on general property, the
19 committee may reduce any appropriation made to any board, commission, or
20 department, ~~or the University of Wisconsin System,~~ or to any other state agency or
21 activity, or to the University of Wisconsin System Authority, by such amount as it
22 deems feasible, not exceeding 25% of the appropriations, except appropriations made
23 by ss. 20.255 (2) (ac), (bc), (bh), (cg), and (cr), 20.395 (1), (2) (cq), (eq) to (ex) and (gq)
24 to (gx), (3), (4) (aq) to (ax), and (6) (af), (aq), (ar), and (au), 20.435 (4) (a) and (5) (da),
25 and 20.437 (2) (a) and (dz) or for forestry purposes under s. 20.370 (1), or any other

1 moneys distributed to any county, city, village, town, or school district.
2 Appropriations of receipts and of a sum sufficient shall for the purposes of this
3 section be regarded as equivalent to the amounts expended under such
4 appropriations in the prior fiscal year which ended June 30. All functions of said
5 state agencies shall be continued in an efficient manner, but because of the
6 uncertainties of the existing situation no public funds should be expended or
7 obligations incurred unless there shall be adequate revenues to meet the
8 expenditures therefor. For such reason the committee may make reductions of such
9 appropriations as in its judgment will secure sound financial operations of the
10 administration for said state agencies and at the same time interfere least with their
11 services and activities.

****NOTE: This is reconciled s. 13.101 (6) (a). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0971/P4 and LRB-1461/P1.

12 **SECTION 5.** 13.48 (2) (b) 1m. of the statutes, as affected by 2015 Wisconsin Act
13 (this act), is repealed.

****NOTE: This is reconciled s. 13.48 (2) (b) 1m. This SECTION has been affected by
drafts with the following LRB numbers: LRB-0971/P4 and LRB-1192/P4.

14 **SECTION 6.** 13.48 (2) (d) of the statutes is repealed.

15 **SECTION 7.** 13.48 (3) of the statutes, as affected by 2015 Wisconsin Act (this
16 act), is amended to read:

17 **13.48 (3) STATE BUILDING TRUST FUND.** In the interest of the continuity of the
18 program, the moneys appropriated to the state building trust fund under s. 20.867
19 (2) (f) shall be retained as a nonlapsing building depreciation reserve. Such moneys
20 shall be deposited into the state building trust fund. At such times as the building
21 commission directs, or in emergency situations under s. 16.855 (16) (b), the governor
22 shall authorize releases from this fund to become available for projects and shall

1 direct the department of administration to allocate from this fund such amounts as
2 are approved for these projects. In issuing such directions, the building commission
3 shall consider the cash balance in the state building trust fund, the necessity and
4 urgency of the proposed improvement, employment conditions and availability of
5 materials in the locality in which the improvement is to be made. The building
6 commission may authorize any project costing \$3,000,000 or less in accordance with
7 priorities to be established by the building commission and may adjust the priorities
8 by deleting, substituting or adding new projects as needed to reflect changing
9 program needs and unforeseen circumstances. The building commission may enter
10 into contracts for the construction of buildings for any state agency and the
11 University of Wisconsin System Authority, except a project authorized described
12 under sub. (10) (c), and shall be responsible for accounting for all funds released to
13 projects. The building commission may designate the department of administration
14 or the agency for which the project is constructed to act as its representative in such
15 accounting.

****NOTE: This is reconciled s. 13.48 (3). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0971/P4 and LRB-1081/P2.

16 SECTION 8. 13.48 (7) of the statutes, as affected by 2015 Wisconsin Act (this
17 act), is amended to read:

18 13.48 (7) BIENNIAL RECOMMENDATIONS. The building commission shall prepare
19 and formally adopt recommendations for the long-range state building program on
20 a biennial basis, including projects proposed by the University of Wisconsin System
21 Authority. The building commission shall include in its report any projects proposed
22 by the state fair park board involving a cost of not more than \$760,000, together with
23 the method of financing those projects proposed by the board, without

1 recommendation. Unless a later date is requested by the building commission and
2 approved by the joint committee on finance, the building commission shall, no later
3 than the first Tuesday in April of each odd-numbered year, transmit the report
4 prepared by the department of administration under s. 16.40 (20) and the
5 commission's recommendations for the succeeding fiscal biennium that require
6 legislative approval to the joint committee on finance in the form of proposed
7 legislation prepared in proper form.

****NOTE: This is reconciled s. 13.48 (7). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0971/P4 and LRB-1081/P2.

8 **SECTION 9.** 13.48 (10) (a) of the statutes, as affected by 2015 Wisconsin Act
9 (this act), is amended to read:

10 13.48 (10) (a) Except as provided in par. (c) and subject to s. 16.85 (1), no state
11 board, agency, officer, department, commission, or body corporate may enter into a
12 contract for the construction, reconstruction, remodeling of, or addition to any
13 building, structure, or facility, in connection with any building project which involves
14 a cost in excess of \$760,000 without completion of final plans and arrangement for
15 supervision of construction and prior approval by the building commission. This
16 section applies to the department of transportation only in respect to buildings,
17 structures, and facilities to be used for administrative or operating functions,
18 including buildings, land, and equipment to be used for the motor vehicle emission
19 inspection and maintenance program under s. 110.20.

****NOTE: This is reconciled s. 13.48 (10) (a). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0971/P4 and LRB-1081/P2.

20 **SECTION 10.** 13.48 (10) (c) of the statutes, as affected by 2015 Wisconsin Act
21 (this act), is amended to read:

1 13.48 (10) (c) Paragraph (a) does not apply to any contract for a building project
2 involving a cost of less than \$760,000 to be constructed for the University of
3 Wisconsin System Authority that is funded entirely from the proceeds of gifts and
4 grants made to the system not financed from general purpose revenues.

 ****NOTE: This is reconciled s. 13.48 (10) (c). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0971/P4 and LRB-1081/P2.

5 **SECTION 11.** 13.48 (14) (am) 5. of the statutes is created to read:

6 13.48 (14) (am) 5. This paragraph does not apply to real property that is subject
7 to the lease agreement under s. 36.11 (27m) (a).

8 **SECTION 12.** 13.48 (14) (d) of the statutes is amended to read:

9 13.48 (14) (d) Biennially, beginning on January 1, 2014, the University of
10 Wisconsin System Authority and each agency other than the investment board shall
11 submit to the department of administration an inventory of all real property under
12 its jurisdiction. Except with respect to ~~the Board of Regents of the University of~~
13 Wisconsin System Authority, the inventory shall include the estimated fair market
14 value of each property. The University of Wisconsin System Authority and each
15 agency shall specifically identify any underutilized assets in the inventory. No later
16 than July 1 following receipt of the inventories, the department of administration
17 shall obtain appraisals of all properties in the inventories that are identified by the
18 department for potential sale and shall submit to the building commission an
19 inventory containing the location, description and fair market value of each parcel
20 of property identified for potential sale.

21 **SECTION 13.** 13.48 (20) of the statutes is amended to read:

22 13.48 (20) RESIDENCE HALLS. ~~Except as provided in sub. (14) (am), the~~ The
23 building commission may approve the sale or lease of state-owned residence halls

1 by the board of regents of the University of Wisconsin System Authority to another
2 state agency or a nonstate nonprofit agency for purposes provided in s. 36.11 (1) (e).

3 **SECTION 14.** 13.48 (25) of the statutes is amended to read:

4 **13.48 (25) WISCONSIN INITIATIVE FOR STATE TECHNOLOGY AND APPLIED RESEARCH.**

5 There is created a program, to be known as the Wisconsin initiative for state
6 technology and applied research, for the purpose of providing financial support to
7 maintain the ability of the University of Wisconsin System Authority and ~~other~~ state
8 agencies, as defined in s. 20.001 (1), to attract federal and private research funds
9 which enable the state to engage in high-technology endeavors, which expand the
10 state's economy and which influence the ability of the state and nation to compete
11 in an increasingly complex world. To carry out the program, the building commission
12 may authorize new construction projects and projects to repair and renovate existing
13 research facilities and supporting systems. Projects shall be financed from the
14 appropriation under s. 20.866 (2) (z) or as otherwise provided in the authorized state
15 building program.

16 **SECTION 15.** 13.48 (25r) of the statutes is amended to read:

17 **13.48 (25r) WISCONSIN INSTITUTE FOR DISCOVERY INITIATIVE.** There is created a

18 program, to be known as the Wisconsin Institute for Discovery initiative, for the
19 purpose of providing financial support to attract federal and private funds to
20 construct facilities for biotechnology, nanotechnology, and information technology
21 education and research activities at the University of Wisconsin System Authority.
22 Projects financed under the program shall be designed to provide computational and
23 biological sciences education and research facilities, ancillary systems, and
24 supporting infrastructure. Projects shall be financed from the appropriation under
25 s. 20.866 (2) (z) or as otherwise provided in the authorized state building program.

1 **SECTION 16.** 13.48 (29) of the statutes, as affected by 2015 Wisconsin Act
2 (this act), is amended to read:

3 13.48 (29) SIMPLIFIED POLICIES AND PROCEDURES. Except as otherwise required
4 under s. 16.855 (10m), the building commission may prescribe simplified policies and
5 procedures to be used in lieu of the procedures provided in s. 16.855 for any
6 construction project that does not involve an expenditure that exceeds \$185,000,
7 ~~except projects specified in sub. (10) (c).~~

 ****NOTE: This is reconciled s. 13.48 (29). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0971/P4 and LRB-1081/P2.

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

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

10 **SECTION 19.** 13.625 (6s) of the statutes is repealed.

11 **SECTION 20.** 13.94 (1) (intro.) of the statutes is amended to read:

12 13.94 (1) DUTIES OF THE BUREAU. (intro.) The legislative audit bureau shall be
13 responsible for conducting postaudits of the accounts and other financial records of
14 departments to assure that all financial transactions have been made in a legal and
15 proper manner. In connection with such postaudits, the legislative audit bureau
16 shall review the performance and program accomplishments of the department
17 during the fiscal period for which the audit is being conducted to determine whether
18 the department carried out the policy of the legislature and the governor during the
19 period for which the appropriations were made. In performing postaudits under this
20 subsection, the legislative audit bureau shall not examine issues related to academic
21 freedom within the University of Wisconsin System. A postaudit shall not examine
22 into or comment upon the content of the various academic programs, including
23 degree requirements, majors, curriculum or courses within the University of

1 Wisconsin System, nor shall any such postaudit examine into the manner in which
2 individual faculty members or groups of faculty members conduct their
3 instructional, research or public service activities. This subsection does not preclude
4 the bureau from reviewing the procedures by which decisions are made and priorities
5 set in the University of Wisconsin System, or the manner in which such decisions and
6 priorities are implemented within the University of Wisconsin System, insofar as
7 such review is not inconsistent with s. ~~36.09~~ 36.11. The legislative audit bureau shall
8 audit the fiscal concerns of the state as required by law. To this end, it shall:

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

10 13.94 (1) (t) Annually conduct a financial audit of the University of Wisconsin
11 System Authority. The legislative audit bureau shall file a copy of each audit report
12 under this paragraph with the distributees specified in par. (b).

13 **SECTION 22.** 13.94 (1s) (c) 8. of the statutes is amended to read:

14 13.94 (1s) (c) 8. The University of Wisconsin System Authority for the cost of
15 an audit performed under sub. (1) (t).

16 **SECTION 23.** 14.26 (4) of the statutes is repealed.

17 **SECTION 24.** 14.40 (1) of the statutes is amended to read:

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

25 **SECTION 25.** 15.07 (1) (cm) of the statutes is amended to read:

1 15.07 (1) (cm) The term of one member of the government accountability board
2 shall expire on each May 1. The terms of the 3 members of the land and water
3 conservation board appointed under s. 15.135 (4) (b) 2. shall expire on January 1.
4 The term of the member of the land and water conservation board appointed under
5 s. 15.135 (4) (b) 2m. shall expire on May 1 of an even-numbered year. The terms of
6 the appraiser members of the real estate appraisers board and the terms of the
7 auctioneer and auction company representative members of the auctioneer board
8 shall expire on May 1 in an even-numbered year. The terms of the members of the
9 cemetery board shall expire on July 1 in an even-numbered year. ~~The term of the~~
10 ~~student member of the Board of Regents of the University of Wisconsin System who~~
11 ~~is at least 24 years old shall expire on May 1 of every even-numbered year.~~

12 **SECTION 26.** 15.07 (2) (d) of the statutes is amended to read:

13 15.07 (2) (d) The officers elected by the ~~board of regents of the University of~~
14 ~~Wisconsin System and the~~ technical college system board shall be known as a
15 president, vice president and secretary.

16 **SECTION 27.** 15.105 (25m) (b) of the statutes is amended to read:

17 15.105 (25m) (b) The ~~president~~ chairperson of the ~~board of regents~~ Board of
18 Regents of the University of Wisconsin System Authority or his or her designee.

19 **SECTION 28.** 15.107 (5) (a) 4. of the statutes is amended to read:

20 15.107 (5) (a) 4. A representative of the University of Wisconsin System
21 Authority appointed by the secretary of administration.

22 **SECTION 29.** 15.137 (2) (a) 5. of the statutes is amended to read:

23 15.137 (2) (a) 5. The president of the University of Wisconsin System Authority
24 or his or her designee.

25 **SECTION 30.** 15.137 (5) of the statutes is repealed.

1 **SECTION 31.** 15.347 (4) (b) of the statutes is amended to read:

2 15.347 (4) (b) Four from the University of Wisconsin System, appointed by the
3 board of regents of the University of Wisconsin System Authority.

4 **SECTION 32.** 15.347 (13) (b) 6. of the statutes is amended to read:

5 15.347 (13) (b) 6. The president of the University of Wisconsin System
6 Authority.

7 **SECTION 33.** 15.377 (8) (c) 8. of the statutes is amended to read:

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

11 **SECTION 34.** 15.57 (1) of the statutes is amended to read:

12 15.57 (1) The secretary of administration, the state superintendent of public
13 instruction, the president of the University of Wisconsin System Authority and the
14 director of the technical college system board, or their designees.

15 **SECTION 35.** 15.57 (5) of the statutes is amended to read:

16 15.57 (5) One member appointed by the board of regents of the University of
17 Wisconsin System Authority for a 4-year term.

18 **SECTION 36.** 15.67 (1) (a) 1. of the statutes is amended to read:

19 15.67 (1) (a) 1. One member of the board of regents of the University of
20 Wisconsin System Authority.

21 **SECTION 37.** 15.91 of the statutes is repealed.

22 **SECTION 38.** 15.915 (title) of the statutes is repealed.

23 **SECTION 39.** 15.915 (1) of the statutes is renumbered 15.135 (6), and 15.135 (6)

24 (a), as renumbered, is amended to read:

1 15.135 (6) (a) There is created a veterinary diagnostic laboratory board which
2 is attached to the University of Wisconsin System department of agriculture, trade
3 and consumer protection under s. 15.03.

4 **SECTION 40.** 15.915 (2) of the statutes is renumbered 15.135 (5), and 15.135 (5)
5 (intro.), as renumbered, is amended to read:

6 15.135 (5) LABORATORY OF HYGIENE BOARD. (intro.) There is created ~~in the~~
7 ~~University of Wisconsin System a laboratory of hygiene under the direction and~~
8 ~~supervision of the~~ a laboratory of hygiene board to direct and supervise a laboratory
9 of hygiene and which is attached to the department of agriculture, trade and
10 consumer protection under s. 15.03. The board shall consist of the following
11 members:

12 **SECTION 41.** 15.915 (6) of the statutes is repealed.

13 **SECTION 42.** 15.917 of the statutes is repealed.

14 **SECTION 43.** 15.94 (2m) of the statutes is amended to read:

15 15.94 (2m) The ~~president~~ chairperson, or by his or her designation another
16 member, of the ~~board of regents~~ Board of Regents of the University of Wisconsin
17 System Authority.

18 **SECTION 44.** 16.003 (2) of the statutes is amended to read:

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

23 **SECTION 45.** 16.004 (7) (a) of the statutes, as affected by 2015 Wisconsin Act
24 (this act), is amended to read:

1 16.004 (7) (a) The secretary shall establish and maintain a personnel
2 management information system which shall be used to furnish the governor, the
3 legislature and the division of personnel management in the department with
4 current information pertaining to authorized positions, payroll and related items for
5 all civil service employees, except employees of the office of the governor, the courts
6 and judicial branch agencies, and the legislature and legislative service agencies.
7 ~~It is the intent of the legislature that the University of Wisconsin System provide~~
8 ~~position and other information to the department and the legislature, which includes~~
9 ~~appropriate data on each position, facilitates accountability for each authorized~~
10 ~~position and traces each position over time. Nothing in this paragraph may be~~
11 ~~interpreted as limiting the authority of the board of regents of the University of~~
12 ~~Wisconsin System to allocate and reallocate positions by funding source within the~~
13 ~~legally authorized levels.~~

 ***NOTE: This is reconciled s. 16.004 (7) (a). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0971/P4 and LRB-1059/7.

14 **SECTION 46.** 16.004 (19) of the statutes is created to read:

15 16.004 (19) PAYMENTS TO THE UNIVERSITY OF WISCONSIN SYSTEM AUTHORITY. (a)
16 Subject to par. (b), the secretary shall pay quarterly to the University of Wisconsin
17 System Authority one-quarter of the amounts appropriated under section 20.285 (1)
18 (a).

19 (b) The secretary may make quarterly payments under par. (a) only if the
20 University of Wisconsin System Authority has made the payments due under the
21 lease agreement under s. 36.11 (27m) (a), the payments due for municipal services
22 under s. 70.119 (7) (a), and any other payments for any obligation otherwise due to
23 the state.

1 **SECTION 47.** 16.008 (2) of the statutes is amended to read:

2 16.008 (2) The state shall pay for extraordinary police services provided
3 directly to state facilities, as defined in s. 70.119 (3) (e), in response to a request of
4 a state officer or agency responsible for the operation and preservation of such
5 facilities. The University of Wisconsin Hospitals and Clinics Authority shall pay for
6 extraordinary police services provided to facilities of the authority described in s.
7 70.11 (38). The University of Wisconsin System Authority shall pay for
8 extraordinary police services provided to facilities of the authority described in s.
9 70.11 (38c). The Fox River Navigational System Authority shall pay for
10 extraordinary police services provided to the navigational system, as defined in s.
11 237.01 (5). Municipalities or counties that provide extraordinary police services to
12 state facilities may submit claims to the claims board for actual additional costs
13 related to wage and disability payments, pensions and worker's compensation
14 payments, damage to equipment and clothing, replacement of expendable supplies,
15 medical and transportation expense, and other necessary expenses. The clerk of the
16 municipality or county submitting a claim shall also transmit an itemized statement
17 of charges and a statement that identifies the facility served and the person who
18 requested the services. The board shall obtain a review of the claim and
19 recommendations from the agency responsible for the facility prior to proceeding
20 under s. 16.007 (3), (5), and (6).

21 **SECTION 48.** 16.01 (2) (d) of the statutes is amended to read:

22 16.01 (2) (d) Work closely with all state agencies, including the ~~University of~~
23 ~~Wisconsin System and the technical college system~~ and the University of Wisconsin
24 System Authority, with the private sector, and with groups concerned with women's

1 issues to develop long-term solutions to women's economic and social inequality in
2 this state.

3 **SECTION 49.** 16.01 (3) (intro.) of the statutes is amended to read:

4 16.01 (3) (intro.) All state agencies, including the ~~University of Wisconsin~~
5 ~~System and the~~ technical college system, shall fully cooperate with and assist the
6 women's council. To that end, a representative of a state agency shall, upon request
7 by the women's council:

8 **SECTION 50.** 16.04 (1e) of the statutes is repealed.

9 **SECTION 51.** 16.40 (23) of the statutes is repealed.

10 **SECTION 52.** 16.417 (2) (f) 2. of the statutes is amended to read:

11 16.417 (2) (f) 2. An individual who is employed by the Board of Regents of the
12 University of Wisconsin System Authority, but only with respect to compensation
13 received within the system.

14 **SECTION 53.** 16.42 (1) (intro.) of the statutes is amended to read:

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

20 **SECTION 54.** 16.50 (3) (b) of the statutes is amended to read:

21 16.50 (3) (b) No change in the number of full-time equivalent positions
22 authorized through the biennial budget process or other legislative act may be made
23 without the approval of the joint committee on finance, except for position changes
24 made by the governor under s. 16.505 (1) (c), (2), or (2j), or by the investment board

1 under s. 16.505 (2g), ~~or by the board of regents of the University of Wisconsin System~~
2 ~~under s. 16.505 (2m) or (2p).~~

3 **SECTION 55.** 16.50 (3) (c) of the statutes is amended to read:

4 16.50 (3) (c) The secretary may withhold, in total or in part, the funding for any
5 position, as defined in s. 230.03 (11), as well as the funding for part-time or limited
6 term employees until such time as the secretary determines that the filling of the
7 position or the expending of funds is consistent with s. 16.505 and with the intent of
8 the legislature as established by law or in budget determinations, ~~or the intent of the~~
9 ~~joint committee on finance in creating or abolishing positions under s. 13.10, or the~~
10 ~~intent of the governor in creating or abolishing positions under s. 16.505 (1) (c) or (2),~~
11 ~~or the intent of the board of regents of the University of Wisconsin System in creating~~
12 ~~or abolishing positions under s. 16.505 (2m) or (2p).~~ Until the release of funding
13 occurs, recruitment or certification for the position may not be undertaken.

14 **SECTION 56.** 16.505 (1) (intro.) of the statutes is amended to read:

15 16.505 (1) (intro.) Except as provided in subs. (2), (2g), and (2j), ~~(2m), and (2p),~~
16 no position, as defined in s. 230.03 (11), regardless of funding source or type, may be
17 created or abolished unless authorized by one of the following:

18 **SECTION 57.** 16.505 (2m) of the statutes is repealed.

19 **SECTION 58.** 16.505 (2p) of the statutes is repealed.

20 **SECTION 59.** 16.505 (4) (b) of the statutes is amended to read:

21 16.505 (4) (b) ~~Except as provided in par. (e), no~~ No agency may change the
22 funding source for a position authorized under this section unless the position is
23 authorized to be created under a different funding source in accordance with this
24 section.

25 **SECTION 60.** 16.505 (4) (c) of the statutes is repealed.

1 **SECTION 61.** 16.517 (1) of the statutes is amended to read:

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

13 **SECTION 62.** 16.517 (2) of the statutes is amended to read:

14 16.517 (2) Modifications under sub. (1) shall be limited to adjustment of the
15 appropriation or position levels to the extent required to account for higher base
16 levels for the fiscal year immediately preceding the fiscal biennium of the budget due
17 to appropriation or position increases authorized under s. 16.505 (2) ~~or (2m)~~ or 16.515
18 during the fiscal year immediately preceding the fiscal biennium of the budget.

19 **SECTION 63.** 16.529 (1) of the statutes is repealed and recreated to read:

20 16.529 (1) In this section, “state agency” has the meaning given in s. 40.02 (54).

21 **SECTION 64.** 16.529 (2) of the statutes is amended to read:

22 16.529 (2) Notwithstanding ss. 20.001 (3) (a) to (c) and 25.40 (3), ~~beginning in~~
23 ~~the 2007–09 fiscal biennium,~~ during each fiscal biennium the secretary shall lapse
24 to the general fund or transfer to the general fund from each state agency
25 appropriation specified in sub. (3) an amount equal to that portion of the total

1 amount of principal and interest to be paid on obligations issued under s. 16.527
2 during the fiscal biennium that is allocable to the appropriation, as determined
3 under sub. (3). The secretary may require that a state agency pay the amount
4 directly to the state in lieu of lapsing or transferring the amount to the general fund.

5 **SECTION 65.** 16.53 (1) (d) 4. of the statutes is amended to read:

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

13 **SECTION 66.** 16.53 (7) of the statutes is amended to read:

14 16.53 (7) CERTIFICATION OF BOARDS, EVIDENCE OF CORRECTNESS OF ACCOUNT. The
15 certificate of the proper officers of ~~the board of regents of the University of Wisconsin~~
16 ~~System,~~ the department of health services, or the proper officers of any other board
17 or commission organized or established by the state, shall in all cases be evidence of
18 the correctness of any account which may be certified by them.

19 **SECTION 67.** 16.54 (8g) of the statutes is repealed.

20 **SECTION 68.** 16.54 (8r) (a) of the statutes is renumbered 16.54 (8r) and amended
21 to read:

22 16.54 (8r) Whenever the federal government makes available moneys for
23 instruction, extension, special projects or emergency employment opportunities, the
24 board of regents of the University of Wisconsin System Authority may accept the
25 moneys on behalf of the state. The board of regents shall, in the administration of

1 the expenditure of such moneys, comply with the requirements of the act of congress
2 making the moneys available and with the regulations prescribed by the federal
3 government or the federal agency administering the act, insofar as the act or
4 regulations are consistent with state law. The board of regents may submit any plan,
5 budget, application or proposal required by the federal agency as a precondition to
6 receipt of the moneys. The board of regents may, consistent with state law, perform
7 any act required by the act of congress or the federal agency to carry out the purpose
8 of the act of congress. ~~The board of regents shall deposit all moneys received under
9 this paragraph in the appropriation account under s. 20.285 (1) (m).~~

10 **SECTION 69.** 16.54 (8r) (b) of the statutes is repealed.

11 **SECTION 70.** 16.544 (3) of the statutes is amended to read:

12 16.544 (3) Prior to taking final action to remove any liability related to a
13 disallowance of the use of federal moneys, an agency shall submit to the department
14 a statement of the action proposed to remove the liability. The department may
15 approve, disapprove or approve with modifications each such proposed action. The
16 secretary shall forward a copy of each statement of proposed action approved by the
17 department to the joint committee on finance. ~~This subsection does not apply to an
18 action taken by the board of regents of the University of Wisconsin System, within
19 the statutory authority of the board, to remove a liability of less than \$5,000.~~

20 **SECTION 71.** 16.57 of the statutes is repealed.

21 **SECTION 72.** 16.61 (3) (s) of the statutes is amended to read:

22 16.61 (3) (s) Shall recommend to the department procedures for the transfer
23 of public records and records of the University of Wisconsin Hospitals and Clinics
24 Authority and the University of Wisconsin System Authority to optical disk format,
25 including procedures to ensure the authenticity, accuracy and reliability of any

1 public records or records of the University of Wisconsin Hospitals and Clinics
2 Authority and the University of Wisconsin System Authority so transferred and
3 procedures to ensure that such records are protected from unauthorized destruction.
4 The board shall also recommend to the department qualitative standards for optical
5 disks and copies of documents generated from optical disks used to store public
6 records and records of the University of Wisconsin Hospitals and Clinics Authority
7 and the University of Wisconsin System Authority.

8 **SECTION 73.** 16.61 (13) (a) of the statutes is amended to read:

9 16.61 (13) (a) The historical society, as trustee for the state, shall be the
10 ultimate depository of the archives of the state, and the board may transfer to the
11 society such original records and reproductions as it deems proper and worthy of
12 permanent preservation, including records and reproductions which the custodian
13 thereof has been specifically directed by statute to preserve or keep in the custodian's
14 office. The permanent preservation of records of the University of Wisconsin System
15 Authority may be accomplished under par. (b). The society may deposit in the
16 regional depositories established under s. 44.10, title remaining with the society, the
17 records of state agencies or their district or regional offices which are primarily
18 created in the geographic area serviced by the depository, but the records of all
19 central departments, offices, establishments and agencies shall remain in the main
20 archives in the capital city under the society's immediate jurisdiction, except that the
21 society may place the records temporarily at a regional depository for periods of time
22 to be determined by the society. Nothing in this subsection nor in ch. 44 prevents the
23 society's taking the steps for the safety of articles and materials entrusted to its care
24 in library, museum or archives, including temporary removal to safer locations,

1 dictated by emergency conditions arising from a state of war, civil rebellion or other
2 catastrophe.

3 **SECTION 74.** 16.611 (2) (a) of the statutes is amended to read:

4 16.611 (2) (a) The department shall prescribe, by rule, procedures for the
5 transfer of public records and records of the University of Wisconsin Hospitals and
6 Clinics Authority, of the University of Wisconsin System Authority, and of the
7 Wisconsin Aerospace Authority to optical disk or electronic format and for the
8 maintenance of such records stored in optical disk or electronic format, including
9 procedures to ensure the authenticity, accuracy, reliability and accessibility of any
10 public records or records of the University of Wisconsin Hospitals and Clinics
11 Authority, of the University of Wisconsin System Authority, or of the Wisconsin
12 Aerospace Authority so transferred and procedures to ensure that such records are
13 protected from unauthorized destruction.

14 **SECTION 75.** 16.611 (2) (c) of the statutes is amended to read:

15 16.611 (2) (c) The department shall prescribe, by rule, qualitative standards
16 for optical disks and for copies of documents generated from optical disks used to
17 store public records and records of the University of Wisconsin Hospitals and Clinics
18 Authority, of the University of Wisconsin System Authority, and of the Wisconsin
19 Aerospace Authority.

20 **SECTION 76.** 16.62 (1) (a) of the statutes is amended to read:

21 16.62 (1) (a) To advise and assist state agencies, the University of Wisconsin
22 System Authority, and the University of Wisconsin Hospitals and Clinics Authority
23 in the establishment and operation of records management programs through the
24 issuance of standards and procedures and provision of technical and management
25 consulting services.

1 **SECTION 77.** 16.62 (1) (b) of the statutes is amended to read:

2 16.62 (1) (b) To operate a state records center and a central microfilm facility
3 for state agencies, the University of Wisconsin System Authority, and the University
4 of Wisconsin Hospitals and Clinics Authority and to promulgate rules necessary for
5 efficient operation of the facilities.

6 **SECTION 78.** 16.62 (1) (bm) of the statutes is amended to read:

7 16.62 (1) (bm) To operate a storage facility for storage of public records and
8 records of the University of Wisconsin System Authority and the University of
9 Wisconsin Hospitals and Clinics Authority in optical disk or electronic format in
10 accordance with rules, promulgated by the department under s. 16.611, governing
11 operation of the facility.

12 **SECTION 79.** 16.62 (1) (c) of the statutes is amended to read:

13 16.62 (1) (c) To periodically audit the records management programs of state
14 agencies, the University of Wisconsin System Authority, and the University of
15 Wisconsin Hospitals and Clinics Authority and recommend improvements in records
16 management practices.

17 **SECTION 80.** 16.64 (1) (a) of the statutes is amended to read:

18 16.64 (1) (a) “Board” means the board of regents of the University of Wisconsin
19 System Authority.

20 **SECTION 81.** 16.70 (8) of the statutes is amended to read:

21 16.70 (8) “Municipality” means a county, city, village, town, school district,
22 board of school directors, sewer district, drainage district, technical college district,
23 the University of Wisconsin System Authority, or any other public or quasi-public
24 corporation, officer, board or other body having the authority to award public
25 contracts.

1 **SECTION 82.** 16.705 (1r) (d) of the statutes is repealed.

2 **SECTION 83.** 16.705 (1r) (e) of the statutes is repealed.

3 **SECTION 84.** 16.71 (1m) of the statutes is amended to read:

4 16.71 (1m) The department shall not delegate to any executive branch agency,
5 ~~other than the board of regents of the University of Wisconsin System,~~ the authority
6 to enter into any contract for materials, supplies, equipment, or contractual services
7 relating to information technology or telecommunications prior to review and
8 approval of the contract by the department. ~~The department may delegate this~~
9 ~~authority to the University of Wisconsin–Madison.~~ No executive branch agency,
10 ~~other than the board of regents of the University of Wisconsin System,~~ may enter into
11 any such contract without review and approval of the contract by the department.
12 ~~The University of Wisconsin–Madison may enter into any such contract without~~
13 ~~review and approval by the department.~~ Any executive branch agency that enters
14 into a contract relating to information technology under this section shall comply
15 with the requirements of s. 16.973 (13). ~~Any delegation to the board of regents of the~~
16 ~~University of Wisconsin System or to the University of Wisconsin–Madison is subject~~
17 ~~to the limitations prescribed in s. 36.585.~~

18 **SECTION 85.** 16.71 (4) of the statutes is repealed.

19 **SECTION 86.** 16.72 (2) (e) (intro.) of the statutes is amended to read:

20 16.72 (2) (e) (intro.) In writing the specifications under this subsection, the
21 department and any other designated purchasing agent under s. 16.71 (1) shall
22 incorporate requirements for the purchase of products made from recycled materials
23 and recovered materials if their use is technically and economically feasible. Each
24 authority other than the University of Wisconsin Hospitals and Clinics Authority,
25 the University of Wisconsin System Authority, and the Lower Fox River Remediation

1 Authority, in writing specifications for purchasing by the authority, shall incorporate
2 requirements for the purchase of products made from recycled materials and
3 recovered materials if their use is technically and economically feasible. The
4 specifications shall include requirements for the purchase of the following materials:

5 **SECTION 87.** 16.72 (2) (f) of the statutes is amended to read:

6 16.72 (2) (f) In writing specifications under this subsection, the department,
7 any other designated purchasing agent under s. 16.71 (1), and each authority other
8 than the University of Wisconsin Hospitals and Clinics Authority, the University of
9 Wisconsin System Authority, and the Lower Fox River Remediation Authority shall
10 incorporate requirements relating to the recyclability and ultimate disposition of
11 products and, wherever possible, shall write the specifications so as to minimize the
12 amount of solid waste generated by the state, consistent with the priorities
13 established under s. 287.05 (12). All specifications under this subsection shall
14 discourage the purchase of single-use, disposable products and require, whenever
15 practical, the purchase of multiple-use, durable products.

16 **SECTION 88.** 16.72 (8) of the statutes is amended to read:

17 16.72 (8) The department may purchase educational technology materials,
18 supplies, equipment, or contractual services from orders placed with the department
19 by school districts, cooperative educational service agencies, and technical college
20 districts, ~~the board of regents of the University of Wisconsin System, and the~~
21 ~~University of Wisconsin-Madison.~~

22 **SECTION 89.** 16.73 (5) of the statutes is repealed.

23 **SECTION 90.** 16.75 (1m) of the statutes is amended to read:

24 16.75 (1m) The department shall award each order or contract for materials,
25 supplies or equipment on the basis of life cycle cost estimates, whenever such action

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

13 **SECTION 91.** 16.75 (3t) (c) 1. of the statutes is repealed.

14 **SECTION 92.** 16.75 (3t) (c) 6. of the statutes is repealed.

15 **SECTION 93.** 16.75 (8) of the statutes is amended to read:

16 16.75 (8) (am) The department, any other designated purchasing agent under
17 s. 16.71 (1), any agency making purchases under s. 16.74, and each authority other
18 than the University of Wisconsin Hospitals and Clinics Authority, the University of
19 Wisconsin System Authority, and the Lower Fox River Remediation Authority shall,
20 to the extent practicable, make purchasing selections using specifications developed
21 under s. 16.72 (2) (e) to maximize the purchase of materials utilizing recycled
22 materials and recovered materials.

23 (bm) Each agency and authority other than the University of Wisconsin
24 Hospitals and Clinics Authority, the University of Wisconsin System Authority, and
25 the Lower Fox River Remediation Authority shall ensure that the average recycled

1 or recovered content of all paper purchased by the agency or authority measured as
2 a proportion, by weight, of the fiber content of paper products purchased in a fiscal
3 year, is not less than 40% of all purchased paper.

4 **SECTION 94.** 16.75 (12) (a) 1. of the statutes is amended to read:

5 16.75 (12) (a) 1. “Agency” means the department of administration, the
6 department of corrections, the department of health services, the department of
7 public instruction, and the department of veterans affairs, ~~and the Board of Regents~~
8 ~~of the University of Wisconsin System.~~

9 **SECTION 95.** 16.765 (4) of the statutes is amended to read:

10 16.765 (4) Contracting agencies, the University of Wisconsin Hospitals and
11 Clinics Authority, the University of Wisconsin System Authority, the Fox River
12 Navigational System Authority, the Wisconsin Aerospace Authority, the Lower Fox
13 River Remediation Authority, and the Bradley Center Sports and Entertainment
14 Corporation shall take appropriate action to revise the standard government
15 contract forms under this section.

16 **SECTION 96.** 16.78 (1) of the statutes is amended to read:

17 16.78 (1) Every agency other than ~~the board of regents of the University of~~
18 ~~Wisconsin System, the University of Wisconsin-Madison, or an agency making~~
19 purchases under s. 16.74 shall make all purchases of materials, supplies, equipment,
20 and contractual services relating to information technology or telecommunications
21 from the department, unless the department requires the agency to purchase the
22 materials, supplies, equipment, or contractual services pursuant to a master
23 contract established under s. 16.972 (2) (h), or grants written authorization to the
24 agency to procure the materials, supplies, equipment, or contractual services under
25 s. 16.75 (1) or (2m), to purchase the materials, supplies, equipment, or contractual

1 services from another agency or to provide the materials, supplies, equipment, or
2 contractual services to itself. ~~The board of regents of the University of Wisconsin~~
3 ~~System and the University of Wisconsin-Madison may make purchases of materials,~~
4 ~~supplies, equipment, and contractual services relating to information technology or~~
5 ~~telecommunications from the department.~~

6 **SECTION 97.** 16.84 (10) of the statutes is amended to read:

7 16.84 (10) Approve the design, structure, composition, location and
8 arrangements made for the care and maintenance of all public monuments,
9 memorials, or works of art which shall be constructed by or become the property of
10 the state by purchase wholly or in part from state funds, or by gift or otherwise. "Work
11 of art" means any painting, portrait, mural decoration, stained glass, statue,
12 bas-relief, ornament, tablets, fountain or any other article or structure of a
13 permanent character intended for decoration or commemoration. This subsection
14 does not apply to public monuments, memorials or works of art which are or will
15 become property of the ~~University of Wisconsin System or the historical society.~~

16 **SECTION 98.** 16.845 (1) of the statutes is amended to read:

17 16.845 (1) RULE; PENALTY. Except as elsewhere expressly prohibited, the
18 managing authority of any facility owned by the state or by the University of
19 Wisconsin Hospitals and Clinics Authority or the University of Wisconsin System
20 Authority or leased from the state by the Fox River Navigational System Authority
21 may permit its use for free discussion of public questions, or for civic, social,
22 recreational or athletic activities. No such use shall be permitted if it would unduly
23 burden the managing authority or interfere with the prime use of such facility. The
24 applicant for use shall be liable to the state, to the Fox River Navigational System
25 Authority, to the University of Wisconsin System Authority, or to the University of

1 Wisconsin Hospitals and Clinics Authority for any injury done to its property, for any
2 expense arising out of any such use and for such sum as the managing authority may
3 charge for such use. All such sums payable to the state shall be paid into the general
4 fund and credited to the appropriation account for the operation of the facility used.
5 The managing authority may permit such use notwithstanding the fact that a
6 reasonable admission fee may be charged to the public. Whoever does or attempts
7 to do an act for which a permit is required under this section without first obtaining
8 the permit may be fined not more than \$100 or imprisoned not more than 30 days
9 or both. This subsection applies only to those facilities for which a procedure for
10 obtaining a permit has been established by the managing authority.

11 **SECTION 99.** 16.847 (1) (b) of the statutes is amended to read:

12 16.847 (1) (b) "State facilities" means all property owned and operated by the
13 state for the purpose of carrying out usual state functions, ~~including each institution~~
14 ~~within the University of Wisconsin System.~~

15 **SECTION 100.** 16.848 (1s) (c) of the statutes is amended to read:

16 16.848 (1s) (c) Notwithstanding s. 20.001 (3) (a) to (c) and subject to approval
17 under par. (d), the secretary may lapse or transfer to the general fund from the
18 unencumbered balance of appropriations to any agency, other than ~~sum sufficient~~
19 ~~appropriations or appropriations of program revenues to the Board of Regents of the~~
20 ~~University of Wisconsin System or appropriations of segregated or federal revenues,~~
21 any amount appropriated to an agency that is determined by the secretary to be
22 allocated for the management or operation of the facility that was sold or leased
23 effective on the effective date of the sale or lease.

24 **SECTION 101.** 16.848 (2) (em) of the statutes is created to read:

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

3 **SECTION 102.** 16.85 (1) of the statutes is amended to read:

4 16.85 (1) To take charge of and supervise all engineering or architectural
5 services or construction work, as defined in s. 16.87 (1) (a), performed by, or for, the
6 state, or any department, board, institution, commission, or officer of the state,
7 including nonprofit-sharing corporations organized for the purpose of assisting the
8 state in the construction and acquisition of new buildings or improvements and
9 additions to existing buildings as contemplated under ~~ss. s. 13.488, 36.09, and 36.11,~~
10 ~~except work to be performed for the University of Wisconsin System with respect to~~
11 ~~a building, structure, or facility involving a cost of less than \$500,000 that is funded~~
12 ~~entirely with the proceeds of gifts or grants made to the system, and except the~~
13 engineering, architectural, and construction work of the department of
14 transportation; and the engineering service performed by the department of safety
15 and professional services, department of revenue, public service commission,
16 department of health services, and other departments, boards, and commissions
17 when the service is not related to the maintenance, and construction and planning,
18 of the physical properties of the state.

19 **SECTION 103.** 16.85 (12) of the statutes is amended to read:

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

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

8 SECTION 104. 16.85 (14) of the statutes is amended to read:

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

18 SECTION 105. 16.855 (20) of the statutes is repealed.

19 SECTION 106. 16.855 (22) of the statutes, as affected by 2015 Wisconsin Act
20 (this act), is amended to read:

21 16.855 (22) The provisions of this section, except sub. (10m), do not apply to
22 construction work for any project that does not involve an expenditure that exceeds
23 \$185,000 if the project is constructed in accordance with policies and procedures
24 prescribed by the building commission under s. 13.48 (29). If the estimated
25 construction cost of any project, other than a project constructed by or for the

1 ~~University of Wisconsin System that is exempted under sub. (23),~~ is at least \$50,000,
2 and the building commission elects to utilize the procedures prescribed under s.
3 13.48 (29) to construct the project, the department shall provide adequate public
4 notice of the project and the procedures to be utilized to construct the project on a
5 publicly accessible computer site.

****NOTE: This is reconciled s. 16.855 (22). This SECTION has been affected by drafts
with the following LRB numbers: LRB0971/P4 and LRB-1081/P2.

6 **SECTION 107.** 16.855 (23) of the statutes, as affected by 2015 Wisconsin Act
7 (this act), is repealed.

****NOTE: This is reconciled s. 16.855 (23). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0971/P4 and LRB-1081/P2.

8 **SECTION 108.** 16.865 (1) (a) of the statutes is amended to read:

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

13 **SECTION 109.** 16.865 (2) of the statutes is amended to read:

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

18 **SECTION 110.** 16.865 (3) of the statutes is amended to read:

19 16.865 (3) ~~Recommend~~ Except as provided in sub. (10), recommend changes in
20 procedures, program conditions or capital improvement for all agencies and the
21 University of Wisconsin System Authority which would satisfactorily eliminate or
22 reduce the existing exposure.

1 **SECTION 111.** 16.865 (4) of the statutes, as affected by 2015 Wisconsin Act
2 (this act), is renumbered 16.865 (4) (intro.) and amended to read:

3 16.865 (4) (intro.) Manage ~~the~~ all of the following:

4 (a) The state employees' worker's compensation program and the statewide
5 self-funded programs to protect the state from losses of and damage to state property
6 and liability and, if retained by the office of the commissioner of insurance under s.
7 102.65 (3), process, investigate, and pay claims under ss. 102.44 (1), 102.49, 102.59,
8 and 102.66 as provided in s. 102.65 (3).

 ****NOTE: This is reconciled s. 16.865 (4). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0610/P2 and LRB-0971/P4.

9 **SECTION 112.** 16.865 (4) (b) of the statutes is created to read:

10 16.865 (4) (b) Except as provided in sub. (10), the statewide self-funded
11 programs to protect the state and the University of Wisconsin System Authority from
12 liability and losses of and damage to state and authority property.

13 **SECTION 113.** 16.865 (5) of the statutes is amended to read:

14 16.865 (5) ~~Arrange~~ Except as provided in sub. (10), arrange appropriate
15 insurance contracts for the transfer of risk of loss on the part of the state and the
16 University of Wisconsin System Authority or its their employees, to the extent such
17 loss cannot reasonably be assumed by the individual agencies or the authority or the
18 self-funded programs. The placement of insurance may be by private negotiation
19 rather than competitive bid, if such insurance has a restricted number of interested
20 carriers. The department shall approve all insurance purchases. This subsection
21 does not require the department to arrange for worker's compensation insurance for
22 the University of Wisconsin System Authority.

1 **SECTION 114.** 16.865 (8) of the statutes, as affected by 2015 Wisconsin Act ...
2 (this act), is amended to read:

3 16.865 (8) Annually Except as provided in sub. (10), annually in each fiscal
4 year, allocate as a charge to each agency and to the University of Wisconsin System
5 Authority a proportionate share of the estimated costs attributable to programs
6 administered by the agency or the authority to be paid from the appropriation under
7 s. 20.505 (2) (k). The department may charge premiums to agencies and the
8 authority to finance costs under this subsection and pay the costs from the
9 appropriation on an actual basis. The department shall deposit all collections under
10 this subsection in the appropriation account under s. 20.505 (2) (k). Costs assessed
11 under this subsection may include judgments, investigative and adjustment fees,
12 data processing and staff support costs, program administration costs, litigation
13 costs, and the cost of insurance contracts under sub. (5). In this subsection, “agency”
14 means an office, department, independent agency, institution of higher education,
15 association, society, or other body in state government created or authorized to be
16 created by the constitution or any law, that is entitled to expend moneys
17 appropriated by law, including the legislature and the courts, but not including an
18 authority created in subch. II of ch. 114 or in ch. 36, 231, 232, 233, 235, 237, 238, or
19 279.

 ***NOTE: This is reconciled s. 16.865 (8). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0971/P4 and LRB-1215/P2.

20 **SECTION 115.** 16.865 (10) of the statutes is created to read:

21 16.865 (10) This section does not apply to the University of Wisconsin System
22 Authority for a fiscal year if the authority, no later than July 1 of the preceding fiscal
23 year, provides written notice to the department that it elects not to be governed by

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

9 SECTION 116. 16.87 (5) of the statutes is repealed.

10 SECTION 117. 16.89 of the statutes is amended to read:

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

18 SECTION 118. 16.967 (6) (a) of the statutes is amended to read:

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

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

7 **SECTION 119.** 16.967 (8) of the statutes is amended to read:

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

14 **SECTION 120.** 16.971 (2) (a) of the statutes is amended to read:

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

1 carry out their functions. The department shall monitor adherence to these policies,
2 procedures and processes.

3 **SECTION 121.** 16.971 (2) (L) of the statutes is amended to read:

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

10 **SECTION 122.** 16.971 (2) (Lg) 1. (intro.) of the statutes is amended to read:

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

17 **SECTION 123.** 16.971 (2) (Lm) of the statutes is amended to read:

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

1 prescribed by the department, the benefits that the agency expects to realize from
2 undertaking the project.

3 **SECTION 124.** 16.971 (2m) (a) of the statutes is repealed.

4 **SECTION 125.** 16.971 (2m) (f) of the statutes is repealed.

5 **SECTION 126.** 16.972 (1) (b) of the statutes is amended to read:

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

10 **SECTION 127.** 16.972 (2) (f) of the statutes is amended to read:

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

21 **SECTION 128.** 16.972 (2) (g) of the statutes is amended to read:

22 16.972 (2) (g) Assume direct responsibility for the planning and development
23 of any information technology system in the executive branch of state government
24 ~~outside of the University of Wisconsin System~~ that the department determines to be
25 necessary to effectively develop or manage the system, with or without the consent

1 of any affected executive branch agency. The department may charge any executive
2 branch agency for the department's reasonable costs incurred in carrying out its
3 functions under this paragraph on behalf of that agency.

4 **SECTION 129.** 16.972 (2) (h) of the statutes is amended to read:

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

13 **SECTION 130.** 16.973 (7) of the statutes is amended to read:

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

22 **SECTION 131.** 16.973 (12) (b) (intro.) of the statutes is amended to read:

23 16.973 (12) (b) (intro.) Annually, no later than October 1, submit to the
24 governor and the members of the joint committee on information policy and
25 technology a report documenting the use by each executive branch agency, ~~other than~~

1 ~~the Board of Regents of the University of Wisconsin System,~~ of master leases to fund
2 information technology projects in the previous fiscal year. The report shall contain
3 all of the following information:

4 **SECTION 132.** 16.973 (14) (a) (intro.) of the statutes is amended to read:

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

11 **SECTION 133.** 16.974 (3) of the statutes is amended to read:

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

1 individual for such costs as a component of any services provided by the department
2 to that individual.

3 **SECTION 134.** 16.974 (5) of the statutes is amended to read:

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

9 **SECTION 135.** 16.976 (5) of the statutes is amended to read:

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

15 **SECTION 136.** 16.978 (4) of the statutes is amended to read:

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

21 **SECTION 137.** 16.993 (1) of the statutes is amended to read:

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

1 cooperative educational service agencies, and technical college districts, ~~and the~~
2 ~~University of Wisconsin System.~~

3 **SECTION 138.** 16.993 (4) of the statutes is amended to read:

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

9 **SECTION 139.** 16.993 (7) of the statutes is amended to read:

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

18 **SECTION 140.** 19.36 (14) of the statutes is created to read:

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

1 **SECTION 141.** 19.42 (5) of the statutes is amended to read:

2 19.42 (5) “Department” means the legislature, ~~the University of Wisconsin~~
3 ~~System~~, any authority or public corporation created and regulated by an act of the
4 legislature and any office, department, independent agency or legislative service
5 agency created under ch. 13, 14 or 15, any technical college district or any
6 constitutional office other than a judicial office. In the case of a district attorney,
7 “department” means the department of administration unless the context otherwise
8 requires.

9 **SECTION 142.** 19.42 (10) (m) of the statutes is created to read:

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

12 **SECTION 143.** 19.42 (13) (b) of the statutes, as affected by 2011 Wisconsin Act
13 32, is amended to read:

14 19.42 (13) (b) The positions of associate and assistant vice presidents of the
15 University of Wisconsin System Authority.

16 **SECTION 144.** 19.42 (13) (cm) of the statutes, as affected by 2011 Wisconsin Act
17 32, is amended to read:

18 19.42 (13) (cm) The president and vice presidents of the University of
19 Wisconsin System Authority and the chancellors and vice chancellors of all
20 University of Wisconsin System institutions, ~~the University of Wisconsin Colleges,~~
21 ~~and the University of Wisconsin–Extension.~~

22 **SECTION 145.** 19.45 (11) (intro.) of the statutes is amended to read:

23 19.45 (11) (intro.) The legislature recognizes that all state public officials and
24 employees and all employees of the University of Wisconsin Hospitals and Clinics

1 Authority and the University of Wisconsin System Authority should be guided by a
2 code of ethics and thus:

3 **SECTION 146.** 19.45 (11) (a) of the statutes, as affected by 2015 Wisconsin Act
4 ... (this act), is amended to read:

5 19.45 (11) (a) The director of the bureau of merit recruitment and selection in
6 the department of administration shall, with the board's advice, promulgate rules to
7 implement a code of ethics for classified and unclassified state employees except
8 state public officials subject to this subchapter, ~~personnel in the University of~~
9 ~~Wisconsin System,~~ and officers and employees of the judicial branch.

****NOTE: This is reconciled s. 19.45 (11) (a). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0971/P4 and LRB-1059/7.

10 **SECTION 147.** 19.45 (11) (b) of the statutes, as affected by 2011 Wisconsin Act
11 32, is amended to read:

12 19.45 (11) (b) The board of regents of the University of Wisconsin System
13 Authority shall establish a code of ethics for personnel in that system who are not
14 subject to this subchapter.

15 **SECTION 148.** 19.58 (1) (a) of the statutes is amended to read:

16 19.58 (1) (a) Any person who intentionally violates any provision of this
17 subchapter except s. 19.45 (13) or 19.59 (1) (br), or a code of ethics adopted or
18 established under s. 19.45 (11) (a) ~~or (b)~~, shall be fined not less than \$100 nor more
19 than \$5,000 or imprisoned not more than one year in the county jail or both.

20 **SECTION 149.** 20.115 (7) (h) of the statutes is repealed.

21 **SECTION 150.** 20.115 (9) (title) of the statutes is created to read:

22 20.115 (9) (title) **State laboratory of hygiene.**

****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

1 **SECTION 151.** 20.115 (9) (k) of the statutes is created to read:

2 20.115 (9) (k) *State agency services.* All moneys received from other state
3 agencies for the costs of services performed by the state laboratory of hygiene for
4 those state agencies, to provide those services.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 **SECTION 152.** 20.235 (1) (e) of the statutes is repealed.

6 **SECTION 153.** 20.235 (1) (fz) of the statutes is amended to read:

7 20.235 (1) (fz) *Remission of fees and reimbursement for veterans and*
8 *dependents.* Biennially, the amounts in the schedule to reimburse the Board of
9 Regents of the University of Wisconsin System Authority and technical college
10 district boards under s. 39.50 for fee remissions made under ss. 36.27 (3n) (b) or (3p)
11 (b) and 38.24 (7) (b) or (8) (b) and to reimburse veterans and dependents as provided
12 in ss. 36.27 (3n) (bm) or (3p) (bm) and 38.24 (7) (bm) or (8) (bm).

13 **SECTION 154.** 20.285 (intro.) of the statutes is amended to read:

14 **20.285 University of Wisconsin System Authority.** (intro.) There is
15 appropriated to the ~~board of regents~~ Board of Regents of the University of Wisconsin
16 System Authority for the following programs:

17 **SECTION 155.** 20.285 (1) (a) of the statutes is amended to read:

18 20.285 (1) (a) *General program operations.* ~~The Biennially, the~~ amounts in the
19 schedule for the purpose of educational programs and related programs. ~~The board~~
20 ~~of regents may not encumber amounts appropriated under this paragraph for~~
21 ~~groundwater research without the approval of the secretary of administration.~~

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 **SECTION 156.** 20.285 (1) (a) of the statutes, as affected by 2015 Wisconsin Act
2 ... (this act), section 155, is amended to read:

3 20.285 (1) (a) *General program operations.* Biennially, the amounts in the
4 schedule for the purpose of educational programs and related programs, to be paid
5 as provided in s. 16.004 (19).

6 **SECTION 157.** 20.285 (1) (a) of the statutes, as affected by 2015 Wisconsin Act
7 ... (this act), section 156, is amended to read:

8 20.285 (1) (a) *General program operations.* ~~Biennially, the~~ The amounts in the
9 schedule for the purpose of educational programs and related programs, to be paid
10 as provided in s. 16.004 (19).

 ****NOTE: This SECTION involves a change in an appropriation, but should not be
 reflected in the revised schedule in s. 20.005, stats., because of a delayed effective date.

11 **SECTION 158.** 20.285 (1) (d) 2. of the statutes is amended to read:

12 20.285 (1) (d) 2. Reimburse s. 20.866 (1) (u) for any amounts advanced to meet
13 principal and interest costs on self-amortizing university facilities whenever the
14 amount appropriated under ~~par. (gj) s. 20.505 (5) (h)~~ is insufficient, as determined
15 by the department of administration, to make such reimbursement.

16 **SECTION 159.** 20.285 (1) (fd) of the statutes is renumbered 20.115 (9) (f), and
17 20.115 (9) (f) (title), as renumbered, is amended to read:

18 20.115 (9) (f) (title) ~~State laboratory of hygiene; general~~ General program
19 operations.

20 **SECTION 160.** 20.285 (1) (fj) of the statutes is renumbered 20.115 (2) (am).

21 **SECTION 161.** 20.285 (1) (gb) of the statutes, as affected by 2013 Wisconsin Act
22 20, is amended to read:

1 20.285 (1) (gb) *General program operations*. All moneys received from the
2 operation of educational programs and related programs to carry out the purposes
3 for which received, including the transfer of funds to par. (gj). In each fiscal year, the
4 Board of Regents shall transfer no more than ~~\$20,338,500~~ \$30,338,500 from this
5 appropriation account to the medical assistance trust fund.

 ****NOTE: This is reconciled s. 20.285 (1) (gb). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0971/P4 and LRB-1012/P1.

6 **SECTION 162.** 20.285 (1) (gb) of the statutes, as affected by 2015 Wisconsin Act
7 (this act), is repealed.

8 **SECTION 163.** 20.285 (1) (ge) of the statutes is repealed.

9 **SECTION 164.** 20.285 (1) (gj) of the statutes is repealed.

10 **SECTION 165.** 20.285 (1) (i) of the statutes is renumbered 20.115 (9) (i), and
11 20.115 (9) (i) (title), as renumbered, is amended to read:

12 20.115 (9) (i) (title) *State laboratory of hygiene Program revenues*.

13 **SECTION 166.** 20.285 (1) (ia) of the statutes, as affected by 2013 Wisconsin Act
14 20, is renumbered 20.115 (9) (im), and 20.115 (9) (im) (title), as renumbered, is
15 amended to read:

16 20.115 (9) (im) (title) *State laboratory of hygiene, drivers Drivers*.

17 **SECTION 167.** 20.285 (1) (je) of the statutes is renumbered 20.115 (2) (je) and
18 amended to read:

19 20.115 (2) (je) *Veterinary diagnostic laboratory; fees*. All moneys received under
20 s. ~~36.58~~ 93.13 (3), other than from state agencies, to be used for general program
21 operations of the veterinary diagnostic laboratory and to reimburse s. 20.866 (1) (u)
22 for the payment of principal and interest costs incurred in financing the construction
23 of the veterinary diagnostic laboratory enumerated in 2001 Wisconsin Act 16, section