



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-0462/1
MIM:wlj

2021 ASSEMBLY BILL 126

March 5, 2021 - Introduced by Representatives STUBBS, L. MYERS, HAYWOOD, BOWEN, CABRERA, ANDERSON, EMERSON, HEBL, HONG, SHELTON, S. RODRIGUEZ, ORTIZ-VELEZ, VRUWINK, HESSELBEIN, BALDEH, NEUBAUER, HINTZ, SHANKLAND, SPREITZER, DRAKE and VINING, cosponsored by Senators L. TAYLOR, JOHNSON, CARPENTER, ROYS, AGARD, LARSON, PFAFF, RINGHAND and SMITH. Referred to Committee on State Affairs.

1 **AN ACT to amend** 230.08 (2) (fs); and **to create** 15.04 (4), 15.105 (25), 15.107 (20),
2 16.02, 20.923 (6) (ak), 20.923 (6) (ar) and 230.08 (2) (ym) of the statutes;
3 **relating to:** creating the Council for Equity and Inclusion and the Office for
4 Equity and Inclusion and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill creates the Council for Equity and Inclusion and the Office for Equity and Inclusion, both attached to the Department of Administration. Under the bill, the council must do all of the following: establish and annually update a statewide plan for equity and inclusion in this state; designate individuals to coordinate with the Office for Equity and Inclusion to implement and enforce the plan established by the council; review individual agency plans for equity and inclusion; and submit annual reports of activities and updates to the statewide plan for equity and inclusion to the governor and the legislature. Under the bill, the Office for Equity and Inclusion must establish programs to implement and enforce the plan established by the Council for Equity and Inclusion.

Also, under the bill, the head of each executive branch entity represented on the Council for Equity and Inclusion must appoint an officer for equity and inclusion, and each such officer must develop and implement an annual plan for equity and inclusion that must be submitted to the council for review and approval. The bill also authorizes five full-time equivalent GPR positions for the Office for Equity and Inclusion and one full-time equivalent position for each of the executive branch entities represented on the Council for Equity and Inclusion.

ASSEMBLY BILL 126

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.** 15.04 (4) of the statutes is created to read:

2 15.04 (4) OFFICER FOR EQUITY AND INCLUSION. The head of each department or
3 entity listed in s. 15.107 (20) (b) to (v) shall appoint an officer for equity and inclusion
4 to serve at the pleasure of the head of the department or entity outside the classified
5 service.

6 **SECTION 2.** 15.105 (25) of the statutes is created to read:

7 15.105 (25) OFFICE FOR EQUITY AND INCLUSION. There is created an office for
8 equity and inclusion attached to the department of administration under s. 15.03.
9 The office shall be under the direction and supervision of a director, who shall be
10 appointed by the council for equity and inclusion, and serve at the pleasure of the
11 council. The director shall appoint a deputy director in the unclassified service.

12 **SECTION 3.** 15.107 (20) of the statutes is created to read:

13 15.107 (20) COUNCIL FOR EQUITY AND INCLUSION. There is created a council for
14 equity and inclusion, attached to the department of administration under s. 15.03.
15 The council shall meet quarterly and may meet at other times on the call of the
16 chairperson or a majority of its members. The council consists of the following
17 members:

18 (a) The governor, or his or her designee, who shall serve as chairperson.

19 (b) The secretary of administration, or his or her designee.

20 (c) The secretary of agriculture, trade and consumer protection, or his or her
21 designee.

ASSEMBLY BILL 126

- 1 (d) The secretary of health services, or his or her designee.
- 2 (e) The secretary of children and families, or his or her designee.
- 3 (f) The secretary of workforce development, or his or her designee.
- 4 (g) The secretary of veterans affairs, or his or her designee.
- 5 (h) The secretary of corrections, or his or her designee.
- 6 (i) The state superintendent of public instruction, or his or her designee.
- 7 (j) The secretary of financial institutions, or his or her designee.
- 8 (k) The attorney general, or his or her designee.
- 9 (L) The adjutant general of military affairs, or his or her designee.
- 10 (m) The secretary of natural resources, or his or her designee.
- 11 (n) The secretary of safety and professional services, or his or her designee.
- 12 (o) The secretary of revenue, or his or her designee.
- 13 (p) The secretary of tourism, or his or her designee.
- 14 (q) The secretary of transportation, or his or her designee.
- 15 (r) The commissioner of insurance, or his or her designee.
- 16 (s) The chief executive officer of the Wisconsin Economic Development
17 Corporation, or his or her designee.
- 18 (t) The executive director of the Wisconsin Housing and Economic
19 Development Authority, or his or her designee.
- 20 (u) The chairperson of the public service commission, or his or her designee.
- 21 (v) The executive secretary of the higher educational aids board, or his or her
22 designee.
- 23 (w) One representative to the assembly appointed by the speaker of the
24 assembly.

ASSEMBLY BILL 126**SECTION 3**

1 (x) One representative to the assembly appointed by the minority leader of the
2 assembly.

3 (y) One senator appointed by the majority leader of the senate.

4 (z) One senator appointed by the minority leader of the senate.

5 (aa) One current judge or former judge appointed by the director of state courts.

6 (ab) One individual designated by the board of directors of the Great Lakes
7 Inter-Tribal Council, Inc.

8 **SECTION 4.** 16.02 of the statutes is created to read:

9 **16.02 Equity and inclusion. (1) DEFINITIONS.** In this section:

10 (a) "Council" means the council for equity and inclusion.

11 (b) "Director" means the director appointed under s. 15.105 (25).

12 (c) "Office" means the office for equity and inclusion.

13 **(2) DUTIES OF THE COUNCIL.** The council shall do all of the following:

14 (a) Establish and annually review and update a statewide plan with the
15 purpose of promoting equity and inclusion in this state.

16 (b) Designate individuals from each entity represented on the council, who
17 shall meet at least twice quarterly, to coordinate with the office regarding the
18 implementation and enforcement of the plan established by the council under par.

19 (a).

20 (c) Review and approve, or request revision of, a plan for equity and inclusion
21 submitted under sub. (6).

22 (d) Not later than December 31 of each year, submit a report on the activities
23 of the council, and updates to the plan established under par. (a), to the governor and
24 to the chief clerk of each house of the legislature, for distribution to the appropriate
25 standing committees under s. 13.172 (3).

ASSEMBLY BILL 126

1 **(3) DUTIES OF THE DIRECTOR.** The director shall coordinate the activities of the
2 council and entities with a representative on the council.

3 **(4) DUTIES OF THE OFFICE.** The office shall do all of the following:

4 (a) Distribute to all state agencies an electronic copy of the most recent plan
5 established by the council under sub. (2) (a).

6 (b) Establish programs to implement and enforce the plan established by the
7 council under sub. (2) (a).

8 (c) Post on the office's Internet site the most recent plan established by the
9 council under sub. (2) (a).

10 **(5) DUTIES OF STATE AGENCIES.** State agencies shall do all of the following:

11 (a) Cooperate with the council, the office, and individuals designated under
12 sub. (2) (b) in the implementation and enforcement of the plan established by the
13 council under sub. (2) (a).

14 (b) Post on the agency's Internet site the most recent plan established by the
15 council under sub. (2) (a) and, as applicable, the most recent plan developed under
16 sub. (6).

17 **(6) ENTITY PLANS FOR EQUITY AND INCLUSION.** Each officer for equity and
18 inclusion appointed under s. 15.04 (4) shall develop and implement a plan for equity
19 and inclusion for the department or entity. Annually, the officer shall submit the
20 plan to the council for review and approval or revision.

21 **SECTION 5.** 20.923 (6) (ak) of the statutes is created to read:

22 20.923 **(6)** (ak) Administration, department of; office for equity and inclusion:
23 director.

24 **SECTION 6.** 20.923 (6) (ar) of the statutes is created to read:

ASSEMBLY BILL 126**SECTION 6**

1 20.923 (6) (ar) Each officer for equity and inclusion appointed under s. 15.04
2 (4).

3 **SECTION 7.** 230.08 (2) (fs) of the statutes is amended to read:

4 230.08 (2) (fs) All deputies of department secretaries appointed under s. 15.04
5 (2), assistant deputy secretaries to department secretaries appointed under s. 15.05
6 (3), officers for equity and inclusion appointed under s. 15.04 (4), and executive
7 assistants appointed by the attorney general, the adjutant general, the director of
8 the technical college system, and the state superintendent of public instruction.

9 **SECTION 8.** 230.08 (2) (ym) of the statutes is created to read:

10 230.08 (2) (ym) The director and deputy director of the office for equity and
11 inclusion in the department of administration.

12 **SECTION 9. Nonstatutory provisions.**

13 (1) The council for equity and inclusion shall first submit the plan established
14 under s. 16.02 (2) (a) by December 31, 2021.

15 (2) The authorized FTE positions for the department of agriculture, trade and
16 consumer protection are increased by 1.0 GPR position, to be funded from the
17 appropriation under s. 20.115 (1) (a), for the officer for equity and inclusion appointed
18 under s. 15.04 (4).

19 (3) The authorized FTE positions for the department of health services are
20 increased by 1.0 GPR position, to be funded from the appropriation under s. 20.435
21 (1) (a), to provide for an officer for equity and inclusion appointed under s. 15.04 (4).

22 (4) The authorized FTE positions for the department of children and families
23 are increased by 1.0 GPR position, to be funded from the appropriation under s.
24 20.437 (1) (a), to provide for an officer for equity and inclusion appointed under s.
25 15.04 (4).

ASSEMBLY BILL 126

1 (5) The authorized FTE positions for the department of workforce development
2 are increased by 1.0 GPR position, to be funded from the appropriation under s.
3 20.445 (1) (a), to provide for an officer for equity and inclusion appointed under s.
4 15.04 (4).

5 (6) The authorized FTE positions for the department of veterans affairs are
6 increased by 1.0 SEG position, to be funded from the appropriation under s. 20.485
7 (2) (u), to provide for an officer for equity and inclusion appointed under s. 15.04 (4).

8 (7) The authorized FTE positions for the department of corrections are
9 increased by 1.0 GPR position, to be funded from the appropriation under s. 20.410
10 (1) (a), to provide for an officer for equity and inclusion appointed under s. 15.04 (4).

11 (8) The authorized FTE positions for the department of public instruction are
12 increased by 1.0 GPR position, to be funded from the appropriation under s. 20.255
13 (1) (a), to provide for an officer for equity and inclusion appointed under s. 15.04 (4).

14 (9) The authorized FTE positions for the department of financial institutions
15 are increased by 1.0 PR position, to be funded from the appropriation under s. 20.144
16 (1) (g), to provide for an officer for equity and inclusion appointed under s. 15.04 (4).

17 (10) The authorized FTE positions for the department of justice are increased
18 by 1.0 GPR position, to be funded from the appropriation under s. 20.455 (1) (a), to
19 provide for an officer for equity and inclusion appointed under s. 15.04 (4).

20 (11) The authorized FTE positions for the department of military affairs are
21 increased by 1.0 GPR position, to be funded from the appropriation under s. 20.465
22 (1) (a), to provide for an officer for equity and inclusion appointed under s. 15.04 (4).

23 (12) The authorized FTE positions for the department of natural resources are
24 increased by 1.0 GPR position, to be funded from the appropriation under s. 20.370

ASSEMBLY BILL 126**SECTION 9**

1 (8) (ma), to provide for an officer for equity and inclusion appointed under s. 15.04
2 (4).

3 (13) The authorized FTE positions for the department of safety and
4 professional services are increased by 1.0 GPR position, to be funded from the
5 appropriation under s. 20.165 (1) (a), to provide for an officer for equity and inclusion
6 appointed under s. 15.04 (4).

7 (14) The authorized FTE positions for the department of revenue are increased
8 by 1.0 GPR position, to be funded from the appropriation under s. 20.566 (1) (a), to
9 provide for an officer for equity and inclusion appointed under s. 15.04 (4).

10 (15) The authorized FTE positions for the department of tourism are increased
11 by 1.0 GPR position, to be funded from the appropriation under s. 20.380 (1) (a), to
12 provide for an officer for equity and inclusion appointed under s. 15.04 (4).

13 (16) The authorized FTE positions for the department of transportation are
14 increased by 1.0 SEG position, to be funded from the appropriation under s. 20.395
15 (4) (aq), to provide for an officer for equity and inclusion appointed under s. 15.04 (4).

16 (17) The authorized FTE positions for the office of the commissioner of
17 insurance are increased by 1.0 PR position, to be funded from the appropriation
18 under s. 20.145 (1) (g), to provide for an officer for equity and inclusion appointed
19 under s. 15.04 (4).

20 (18) The authorized FTE positions for the public service commission are
21 increased by 1.0 PR position, to be funded from the appropriation under s. 20.155 (1)
22 (g), to provide for an officer for equity and inclusion appointed under s. 15.04 (4).

23 (19) The authorized FTE positions for the higher educational aids board are
24 increased by 1.0 GPR position, to be funded from the appropriation under s. 20.235
25 (2) (aa), to provide for an officer for equity and inclusion appointed under s. 15.04 (4).

ASSEMBLY BILL 126

1 (20) The authorized FTE positions for the department of administration are
2 increased by 1.0 GPR position, to be funded from the appropriation under s. 20.505
3 (1) (a), to provide for an officer for equity and inclusion appointed under s. 15.04 (4).

4 **SECTION 10. Fiscal changes.**

5 (1) OFFICE FOR EQUITY AND INCLUSION; POSITION AUTHORIZATIONS. In the schedule
6 under s. 20.005 (3) for the appropriation to the department of administration under
7 s. 20.505 (1) (a), the dollar amount for fiscal year 2021-22 is increased by \$347,700
8 to increase the authorized FTE positions for the department by 5.0 GPR positions for
9 providing staff for the office for equity and inclusion. In the schedule under s. 20.005
10 (3) for the appropriation to the department of administration under s. 20.505 (1) (a),
11 the dollar amount for fiscal year 2022-23 is increased by \$615,000 to provide funding
12 for the positions authorized under this subsection.

13

(END)