

1 **SECTION 304.** 111.91 (1) (am) of the statutes is repealed.

2 **SECTION 305.** 111.91 (1) (b) of the statutes is amended to read:

3 111.91 (1) (b) The employer ~~shall not be~~ is not required to bargain with a
4 collective bargaining unit under s. 111.825 (1) (g) on management rights under s.
5 111.90, except that procedures for the adjustment or settlement of grievances or
6 disputes arising out of any type of disciplinary action referred to in s. 111.90 (3) shall
7 be a subject of bargaining.

8 **SECTION 306.** 111.91 (1) (c) of the statutes is amended to read:

9 111.91 (1) (c) The employer is prohibited from bargaining with a collective
10 bargaining unit under s. 111.825 (1) (g) on matters contained in sub. (2).

11 **SECTION 307.** 111.91 (1) (cg) of the statutes is repealed.

12 **SECTION 308.** 111.91 (1) (cm) of the statutes is amended to read:

13 111.91 (1) (cm) Except as provided in sub. (2) (g) and (h) and ss. 40.02 (22) (e)
14 and 40.23 (1) (f) 4., all laws governing the Wisconsin retirement system under ch. 40
15 and all actions of the employer that are authorized under any such law which apply
16 to nonrepresented individuals employed by the state shall apply to similarly situated
17 public safety employees, unless otherwise specifically provided in a collective
18 bargaining agreement that applies to ~~those~~ the public safety employees.

19 **SECTION 309.** 111.91 (1) (d) of the statutes is amended to read:

20 111.91 (1) (d) ~~Demands~~ In the case of a collective bargaining unit under s.
21 111.825 (1) (g), demands relating to retirement and group insurance shall be
22 submitted to the employer at least one year prior to commencement of negotiations.

23 **SECTION 310.** 111.91 (1) (e) of the statutes is repealed.

24 **SECTION 311.** 111.91 (2) (intro.) of the statutes is amended to read:

1 111.91 (2) (intro.) The employer is prohibited from bargaining ~~on~~ with a
2 collective bargaining unit under s. 111.825 (1) (g) with respect to all of the following:

3 **SECTION 312.** 111.91 (2) (gu) of the statutes is amended to read:

4 111.91 (2) (gu) The right of ~~an~~ a public safety employee, who is an employee,
5 as defined in s. 103.88 (1) (d), and who is a fire fighter, emergency medical technician,
6 first responder, or ambulance driver for a volunteer fire department or fire company,
7 a public agency, as defined in s. 256.15 (1) (n), or a nonprofit corporation, as defined
8 in s. 256.01 (12), to respond to an emergency as provided under s. 103.88 (2).

9 **SECTION 313.** 111.91 (2c) of the statutes is repealed.

10 **SECTION 314.** 111.91 (3) of the statutes is created to read:

11 111.91 (3) The employer is prohibited from bargaining with a collective
12 bargaining unit containing a general employee with respect to any of the following:

13 (a) Any factor or condition of employment except wages, which includes only
14 total base wages and excludes any other compensation, which includes, but is not
15 limited to, overtime, premium pay, merit pay, performance pay, supplemental
16 compensation, pay schedules, and automatic pay progressions.

17 (b) Unless the electors in a statewide referendum approve a total base wages
18 increase that exceeds the total base wages expenditure described in this paragraph,
19 any proposal that does any of the following:

20 1. If there is an increase in the consumer price index change, provides for total
21 base wages for authorized positions in the proposed collective bargaining agreement
22 that exceeds the total base wages for authorized positions 180 days before the
23 expiration of the previous collective bargaining agreement by a greater percentage
24 than the consumer price index change.

1 2. If there is a decrease in the consumer price index change, provides for total
2 base wages for authorized positions in the proposed collective bargaining agreement
3 that exceeds the total base wages for authorized positions 180 days before the
4 expiration of the previous collective bargaining agreement decreased by a
5 percentage of that expenditure that is equal to the decrease in the consumer price
6 index change.

7 **SECTION 315.** 111.91 (3q) of the statutes is created to read:

8 111.91 (3q) For purposes of determining compliance with sub. (3), the
9 commission shall provide, upon request, to the employer or to any representative of
10 a collective bargaining unit containing a general employee, the consumer price index
11 change during any 12-month period. The commission may get the information from
12 the department of revenue.

13 **SECTION 316.** 111.92 (1) (a) of the statutes is amended to read:

14 111.92 (1) (a) Any tentative agreement reached between the office, ~~or, as~~
15 ~~provided in s. 111.815 (1), the department of health services, acting for the state, and~~
16 any labor organization representing a collective bargaining unit specified in s.
17 111.825 (1), or (2) (a) to (e), ~~or (2g)~~ shall, after official ratification by the labor
18 organization, be submitted by the office ~~or department of health services~~ to the joint
19 committee on employment relations, which shall hold a public hearing before
20 determining its approval or disapproval. If the committee approves the tentative
21 agreement, it shall introduce in a bill or companion bills, to be put on the calendar
22 or referred to the appropriate scheduling committee of each house, that portion of the
23 tentative agreement which requires legislative action for implementation, such as
24 salary and wage adjustments, changes in fringe benefits, and any proposed
25 amendments, deletions or additions to existing law. Such bill or companion bills are

1 not subject to ss. 13.093 (1), 13.50 (6) (a) and (b) and 16.47 (2). The committee may,
2 however, submit suitable portions of the tentative agreement to appropriate
3 legislative committees for advisory recommendations on the proposed terms. The
4 committee shall accompany the introduction of such proposed legislation with a
5 message that informs the legislature of the committee's concurrence with the
6 matters under consideration and which recommends the passage of such legislation
7 without change. If the joint committee on employment relations does not approve
8 the tentative agreement, it shall be returned to the parties for renegotiation. If the
9 legislature does not adopt without change that portion of the tentative agreement
10 introduced by the joint committee on employment relations, the tentative agreement
11 shall be returned to the parties for renegotiation.

12 **SECTION 317.** 111.92 (1) (b) of the statutes is repealed.

13 **SECTION 318.** 111.92 (2m) of the statutes is repealed.

14 **SECTION 319.** 111.92 (3) of the statutes is renumbered 111.92 (3) (a) and
15 amended to read:

16 111.92 (3) (a) Agreements covering a collective bargaining unit specified under
17 s. 111.825 (1) (g) shall coincide with the fiscal year or biennium.

18 **SECTION 320.** 111.92 (3) (b) of the statutes is created to read:

19 111.92 (3) (b) No agreements covering a collective bargaining unit containing
20 a general employee may be for a period that exceeds one year, and each agreement
21 must coincide with the fiscal year. Agreements covering a collective bargaining unit
22 containing a general employee may not be extended.

23 **SECTION 321.** 111.93 (3) of the statutes is renumbered 111.93 (3) (intro.) and
24 amended to read:

1 111.93 (3) (intro.) Except as provided in ss. 7.33 (4), 40.05, 40.80 (3), 111.91 (1)
2 (cm), 230.35 (2d) and (3) (e) 6., and 230.88 (2) (b), if all of the following apply:

3 (a) If a collective bargaining agreement exists between the employer and a
4 labor organization representing employees in a collective bargaining unit under s.
5 111.825 (1) (g), the provisions of that agreement shall supersede the provisions of
6 civil service and other applicable statutes, as well as rules and policies of the board
7 of regents of the University of Wisconsin System, related to wages, fringe benefits,
8 hours, and conditions of employment whether or not the matters contained in those
9 statutes, rules, and policies are set forth in the collective bargaining agreement.

10 **SECTION 322.** 111.93 (3) (b) of the statutes is created to read:

11 111.93 (3) (b) If a collective bargaining agreement exists between the employer
12 and a labor organization representing general employees in a collective bargaining
13 unit, the provisions of that agreement shall supersede the provisions of civil service
14 and other applicable statutes, as well as rules and policies of the board of regents of
15 the University of Wisconsin System, related to wages, whether or not the matters
16 contained in those statutes, rules, and policies are set forth in the collective
17 bargaining agreement.

18 **SECTION 323.** Subchapter VI of chapter 111 [precedes 111.95] of the statutes is
19 repealed.

20 **SECTION 324.** 118.22 (4) of the statutes is repealed.

21 **SECTION 325.** 118.223 of the statutes is created to read:

22 **118.223 Collective bargaining.** Except as provided under subch. IV of ch.
23 111, no school board may collectively bargain with its employees.

24 **SECTION 326.** 118.23 (5) of the statutes is repealed.

25 **SECTION 327.** 118.245 of the statutes is created to read:

1 **118.245 Referendum; increase in employee wages.** (1) If a school board
2 wishes to increase the total base wages of its employees in an amount that exceeds
3 the limit under s. 111.70 (4) (mb) 2., the school board shall adopt a resolution to that
4 effect. The resolution shall specify the amount by which the proposed total base
5 wages increase will exceed the limit under s. 111.70 (4) (mb) 2. The resolution may
6 not take effect unless it is approved in a referendum called for that purpose. The
7 referendum shall occur in April for collective bargaining agreements that begin in
8 July of that year. The results of a referendum apply to the total base wages only in
9 the next collective bargaining agreement.

10 (2) The question submitted in the referendum shall be substantially as follows:
11 “Shall the employees in the [school district] receive a total increase on wages from
12 \$....[current total base wages] to \$....[proposed total base wages], which is a
13 percentage wage increase that is [x] percent higher than the percent of the
14 consumer price index increase, for a total percentage increase in wages of [x]?”

15 **SECTION 328.** 118.40 (2r) (b) 3. a. of the statutes is amended to read:

16 118.40 (2r) (b) 3. a. Delegate to the governing board of the charter school the
17 board of regents' authority to establish and adjust all compensation ~~and fringe~~
18 ~~benefits~~ of instructional staff, subject to the terms of any collective bargaining
19 agreement under subch. V of ch. 111 that covers the instructional staff. In the
20 absence of a collective bargaining agreement, the governing board may establish and
21 adjust all compensation ~~and fringe benefits~~ of the instructional staff only with the
22 approval of the chancellor of the University of Wisconsin-Parkside.

23 **SECTION 329.** 118.42 (3) (a) 4. of the statutes is amended to read:

24 118.42 (3) (a) 4. Implement changes in administrative and personnel
25 structures ~~that are consistent with applicable collective bargaining agreements.~~

1 **SECTION 330.** 118.42 (5) of the statutes is amended to read:

2 118.42 (5) Nothing in this section alters or otherwise affects the rights or
3 remedies afforded school districts and school district employees under federal or
4 state law ~~or under the terms of any applicable collective bargaining agreement.~~

5 **SECTION 331.** 119.04 (1) of the statutes is amended to read:

6 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
7 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
8 115.345, 115.361, 115.365 (3), 115.38 (2), 115.445, 115.45, 118.001 to 118.04, 118.045,
9 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4),
10 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.223,
11 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.255, 118.258, 118.291,
12 118.30 to 118.43, 118.46, 118.51, 118.52, 118.55, 120.12 (4m), (5), and (15) to (27),
13 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and
14 (38), 120.14, 120.21 (3), and 120.25 are applicable to a 1st class city school district
15 and board.

16 **SECTION 332.** 120.12 (4m) of the statutes is created to read:

17 120.12 (4m) CALCULATION OF TOTAL BASE WAGES INCREASE FOR COLLECTIVE
18 BARGAINING. If collectively bargaining with employees of the school district,
19 determine the maximum total base wages expenditure that is subject to collective
20 bargaining under s. 111.70 (4) (mb) 2., calculating the consumer price index change
21 using the method the department of revenue uses under s. 73.03 (68).

22 **SECTION 333.** 120.12 (15) of the statutes is amended to read:

23 120.12 (15) SCHOOL HOURS. Establish rules scheduling the hours of a normal
24 school day. The school board may differentiate between the various elementary and
25 high school grades in scheduling the school day. The equivalent of 180 such days, as

1 defined in s. 115.01 (10), shall be held during the school term. ~~This subsection shall~~
2 ~~not be construed to eliminate a school district's duty to bargain with the employee's~~
3 ~~collective bargaining representative over any calendaring proposal which is~~
4 ~~primarily related to wages, hours and conditions of employment.~~

5 **SECTION 334.** 120.18 (1) (gm) of the statutes is amended to read:

6 120.18 (1) (gm) Payroll and related benefit costs for all school district
7 employees in the previous school year. ~~Costs~~ Payroll costs for represented employees
8 shall be based upon the costs of wages of any collective bargaining agreements
9 covering such employees for the previous school year. If, as of the time specified by
10 the department for filing the report, the school district has not entered into a
11 collective bargaining agreement for any portion of the previous school year with the
12 recognized or certified representative of any of its employees ~~and the school district~~
13 ~~and the representative have been required to submit final offers under s. 111.70 (4)~~
14 ~~(cm) 6., increased costs limited to the lower of the school district's offer or the~~
15 ~~representative's offer shall be~~ of wages reflected in the report shall be equal to the
16 maximum wage expenditure that is subject to collective bargaining under s. 111.70
17 (4) (mb) 2. for the employees. The school district shall amend the annual report to
18 reflect any change in such costs as a result of any ~~award or settlement under s. 111.70~~
19 ~~(4) (cm) 6. collective bargaining agreement entered into~~ between the date of filing the
20 report and October 1. Any such amendment shall be concurred in by the certified
21 public accountant licensed or certified under ch. 442 certifying the school district
22 audit.

23 **SECTION 335.** 146.59 of the statutes is repealed.

24 **SECTION 336.** 230.01 (3) of the statutes is amended to read:

1 230.01 (3) Nothing in this chapter shall be construed to either infringe upon
2 or supersede the rights guaranteed state employees under subch. V ~~or VI~~ of ch. 111.

3 **SECTION 337.** 230.03 (3) of the statutes, as affected by 2011 Wisconsin Act 7,
4 is amended to read:

5 230.03 (3) "Agency" means any board, commission, committee, council, or
6 department in state government or a unit thereof created by the constitution or
7 statutes if such board, commission, committee, council, department, unit, or the
8 head thereof, is authorized to appoint subordinate staff by the constitution or
9 statute, except a legislative or judicial board, commission, committee, council,
10 department, or unit thereof or an authority created under subch. II of ch. 114 or
11 subch. III of ch. 149 or under ch. 52, 231, 232, 233, 234, 235, 237, 238, or 279.
12 "Agency" does not mean any local unit of government or body within one or more local
13 units of government that is created by law or by action of one or more local units of
14 government.

15 **SECTION 338.** 230.04 (16) of the statutes is amended to read:

16 230.04 (16) The director may appoint either a deputy director or an executive
17 assistant outside the classified service.

18 **SECTION 339.** 230.046 (10) (a) of the statutes is amended to read:

19 230.046 (10) (a) Conduct off-the-job employee development and training
20 programs relating to functions under this chapter or subch. V ~~or VI~~ of ch. 111.

21 **SECTION 340.** 230.08 (2) (e) 1. of the statutes is amended to read:

22 230.08 (2) (e) 1. Administration — 14 13.

23 **SECTION 341.** 230.08 (2) (e) 2. of the statutes is amended to read:

24 230.08 (2) (e) 2. Agriculture, trade and consumer protection — 6 9.

25 **SECTION 342.** 230.08 (2) (e) 2m. of the statutes is amended to read:

1 230.08 (2) (e) 2m. Children and families — 5 8.

2 **SECTION 343.** 230.08 (2) (e) 3e. of the statutes is amended to read:

3 230.08 (2) (e) 3e. Corrections — 4 7.

4 **SECTION 344.** 230.08 (2) (e) 4f. of the statutes is amended to read:

5 230.08 (2) (e) 4f. Financial institutions — 3 5.

6 **SECTION 345.** 230.08 (2) (e) 5. of the statutes is amended to read:

7 230.08 (2) (e) 5. Health services — 6 9.

8 **SECTION 346.** 230.08 (2) (e) 6. of the statutes is amended to read:

9 230.08 (2) (e) 6. Workforce development — 6 8.

10 **SECTION 347.** 230.08 (2) (e) 7. of the statutes is amended to read:

11 230.08 (2) (e) 7. Justice — 3 5.

12 **SECTION 348.** 230.08 (2) (e) 8. of the statutes is amended to read:

13 230.08 (2) (e) 8. Natural resources — 7 10.

14 **SECTION 349.** 230.08 (2) (e) 8h. of the statutes is created to read:

15 230.08 (2) (e) 8h. Office of the commissioner of insurance — 2.

16 **SECTION 350.** 230.08 (2) (e) 8j. of the statutes is created to read:

17 230.08 (2) (e) 8j. Office of state employment relations — 3.

18 **SECTION 351.** 230.08 (2) (e) 9m. of the statutes is amended to read:

19 230.08 (2) (e) 9m. Public service commission — 5 8.

20 **SECTION 352.** 230.08 (2) (e) 10. of the statutes is amended to read:

21 230.08 (2) (e) 10. Regulation and licensing — 4 6.

22 **SECTION 353.** 230.08 (2) (e) 11. of the statutes is amended to read:

23 230.08 (2) (e) 11. Revenue — 4 7.

24 **SECTION 354.** 230.08 (2) (e) 12. of the statutes is amended to read:

25 230.08 (2) (e) 12. Transportation — 6 9.

1 **SECTION 355.** 230.08 (2) (e) 15. of the statutes is created to read:

2 230.08 (2) (e) 15. Tourism — 1.

3 **SECTION 356.** 230.08 (2) (ya) of the statutes is amended to read:

4 230.08 (2) (ya) The director, deputy director, and executive assistant to the
5 director of the office of state employment relations ~~in the department of~~
6 ~~administration.~~

7 **SECTION 357.** 230.08 (4) (a) of the statutes is amended to read:

8 230.08 (4) (a) The number of administrator positions specified in sub. (2) (e)
9 includes all administrator positions specifically authorized by law to be employed
10 outside the classified service in each department, board or commission and the
11 historical society, and any other managerial position determined by an appointing
12 authority. In this paragraph, “department” has the meaning given under s. 15.01 (5),
13 “board” means the educational communications board, government accountability
14 board, investment board, public defender board and technical college system board
15 and “commission” means the public service commission. Notwithstanding sub. (2)
16 (z), no division administrator position exceeding the number authorized in sub. (2)
17 (e) may be created in the unclassified service.

18 **SECTION 358.** 230.09 (2) (g) of the statutes is amended to read:

19 230.09 (2) (g) When filling a new or vacant position, if the director determines
20 that the classification for a position is different than that provided for by the
21 legislature as established by law or in budget determinations, or as authorized by the
22 joint committee on finance under s. 13.10, or as specified by the governor creating
23 positions under s. 16.505 (1) (c) or (2), ~~the University of Wisconsin Hospitals and~~
24 ~~Clinics Board creating positions under s. 16.505 (2n) or the board of regents of the~~
25 University of Wisconsin System creating positions under s. 16.505 (2m), or is

1 different than that of the previous incumbent, the director shall notify the
2 administrator and the secretary of administration. The administrator shall
3 withhold action on the selection and certification process for filling the position. The
4 secretary of administration shall review the position to determine that sufficient
5 funds exist for the position and that the duties and responsibilities of the proposed
6 position reflect the intent of the legislature as established by law or in budget
7 determinations, the intent of the joint committee on finance acting under s. 13.10,
8 the intent of the governor creating positions under s. 16.505 (1) (c) or (2), ~~the~~
9 ~~University of Wisconsin Hospitals and Clinics Board creating positions under s.~~
10 ~~16.505 (2n)~~ or the intent of the board of regents of the University of Wisconsin System
11 creating positions under s. 16.505 (2m). The administrator may not proceed with the
12 selection and certification process until the secretary of administration has
13 authorized the position to be filled.

14 **SECTION 359.** 230.10 (1) of the statutes is amended to read:

15 230.10 (1) Except as provided under sub. (2), the compensation plan provisions
16 of s. 230.12 apply to all employees of the classified service, ~~unless they are covered~~
17 ~~by a collective bargaining agreement under subch. V of ch. 111.~~ If an employee is
18 covered under a collective bargaining agreement under subch. V of ch. 111, the
19 compensation plan provisions of s. 230.12 apply to that employee, except for those
20 provisions relating to matters that are subject to bargaining under a collective
21 bargaining agreement that covers the employee.

22 **SECTION 360.** 230.12 (3) (e) 1. of the statutes is amended to read:

23 230.12 (3) (e) 1. The director, after receiving recommendations from the board
24 of regents, shall submit to the joint committee on employment relations a proposal
25 for adjusting compensation and employee benefits for employees under ss. 20.923

1 (4g), (5) and (6) (m) and 230.08 (2) (d) who are not included in a collective bargaining
2 unit under subch. V ~~or VI~~ of ch. 111 for which a representative is certified. The
3 proposal shall include the salary ranges and adjustments to the salary ranges for the
4 university senior executive salary groups 1 and 2 established under s. 20.923 (4g).
5 The proposal shall be based upon the competitive ability of the board of regents to
6 recruit and retain qualified faculty and academic staff, data collected as to rates of
7 pay for comparable work in other public services, universities and commercial and
8 industrial establishments, recommendations of the board of regents and any special
9 studies carried on as to the need for any changes in compensation and employee
10 benefits to cover each year of the biennium. The proposal shall also take proper
11 account of prevailing pay rates, costs and standards of living and the state's
12 employment policies. The proposal for such pay adjustments may contain
13 recommendations for across-the-board pay adjustments, merit or other
14 adjustments and employee benefit improvements. Paragraph (b) and sub. (1) (bf)
15 shall apply to the process for approval of all pay adjustments for such employees
16 under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d). The proposal as approved
17 by the joint committee on employment relations and the governor shall be based
18 upon a percentage of the budgeted salary base for such employees under ss. 20.923
19 (4g), (5) and (6) (m) and 230.08 (2) (d). The amount included in the proposal for merit
20 and adjustments other than across-the-board pay adjustments is available for
21 discretionary use by the board of regents.

22 **SECTION 361.** 230.24 (4) of the statutes is created to read:

23 230.24 (4) An appointing authority may reassign an employee in a career
24 executive position to a career executive position in any agency if the appointing

1 authority in the agency to which the employee is to be reassigned approves of the
2 reassignment.

3 **SECTION 362.** 230.29 (1) of the statutes is renumbered 230.29 and amended to
4 read:

5 **230.29 Transfers.** Subject to sub. (2), a A transfer may be made from one
6 position to another only if specifically authorized by the administrator.

7 **SECTION 363.** 230.29 (2) of the statutes is repealed.

8 **SECTION 364.** 230.34 (1) (ar) of the statutes is amended to read:

9 230.34 (1) (ar) Paragraphs (a) and (am) apply to all employees with permanent
10 status in class in the classified service and all employees who have served with the
11 state as an assistant district attorney for a continuous period of 12 months or more,
12 ~~except that for employees specified in s. 111.81 (7) (a) in a collective bargaining unit~~
13 ~~for which a representative is recognized or certified, or for employees specified in s.~~
14 ~~111.81 (7) (b) or (c) in a collective bargaining unit for which a representative is~~
15 ~~certified, if a collective bargaining agreement is in effect covering employees in the~~
16 ~~collective bargaining unit, the determination of just cause and all aspects of the~~
17 ~~appeal procedure shall be governed by the provisions of the collective bargaining~~
18 ~~agreement.~~

19 **SECTION 365.** 230.34 (1) (ax) of the statutes is created to read:

20 230.34 (1) (ax) 1. Notwithstanding pars. (a), (am), and (ar), during a state of
21 emergency declared by the governor under s. 323.10, an appointing authority may
22 discharge any employee who does any of the following:

23 a. Fails to report to work as scheduled for any 3 working days during the state
24 of emergency and the employee's absences from work are not approved leaves of
25 absence.

1 b. Participates in a strike, work stoppage, sit-down, stay-in, slowdown, or
2 other concerted activities to interrupt the operations or services of state government,
3 including specifically participation in purported mass resignations or sick calls.

4 2. Engaging in any action under subd. 1. constitutes just cause for discharge.

5 3. Before discharging an employee, the appointing authority shall provide the
6 employee notice of the action and shall furnish to the employee in writing the reasons
7 for the action. The appointing authority shall provide the employee an opportunity
8 to respond to the reasons for the discharge.

9 **SECTION 366.** 230.35 (1s) of the statutes is amended to read:

10 230.35 (1s) Annual leave of absence with pay for instructional staff employed
11 by the board of regents of the University of Wisconsin System who provide services
12 for a charter school established by contract under s. 118.40 (2r) (cm) shall be
13 determined by the governing board of the charter school established by contract
14 under s. 118.40 (2r) (cm), as approved by the chancellor of the University of
15 Wisconsin-Parkside and subject to the terms of any collective bargaining agreement
16 under subch. V of ch. 111 covering the instructional staff.

17 **SECTION 367.** 230.35 (2d) (e) of the statutes is amended to read:

18 230.35 (2d) (e) For employees who are included in a collective bargaining unit
19 for which a representative is recognized or certified under subch. V ~~or VI~~ of ch. 111,
20 this subsection shall apply unless otherwise provided in a collective bargaining
21 agreement.

22 **SECTION 368.** 230.35 (3) (e) 6. of the statutes is amended to read:

23 230.35 (3) (e) 6. For employees who are included in a collective bargaining unit
24 for which a representative is recognized or certified under subch. V ~~or VI~~ of ch. 111,

1 this paragraph shall apply unless otherwise provided in a collective bargaining
2 agreement.

3 **SECTION 369.** 230.88 (2) (b) of the statutes is amended to read:

4 230.88 (2) (b) No collective bargaining agreement supersedes the rights of an
5 employee under this subchapter. However, nothing in this subchapter affects any
6 right of an employee to pursue a grievance procedure under a collective bargaining
7 agreement under subch. V or ~~VI~~ of ch. 111, and if the division of equal rights
8 determines that a grievance arising under such a collective bargaining agreement
9 involves the same parties and matters as a complaint under s. 230.85, it shall order
10 the arbitrator's final award on the merits conclusive as to the rights of the parties
11 to the complaint, on those matters determined in the arbitration which were at issue
12 and upon which the determination necessarily depended.

13 **SECTION 370.** 233.02 (1) (h) of the statutes is repealed.

14 **SECTION 371.** 233.02 (8) of the statutes is amended to read:

15 233.02 (8) The members of the board of directors shall annually elect a
16 chairperson and may elect other officers as they consider appropriate. Eight voting
17 members of the board of directors constitute a quorum for the purpose of conducting
18 the business and exercising the powers of the authority, notwithstanding the
19 existence of any vacancy. The members of the board of directors specified under sub.
20 (1) (c) and (g) may not be the chairperson of the board of directors for purposes of 1995
21 Wisconsin Act 27, section 9159 (2). The board of directors may take action upon a vote
22 of a majority of the members present, unless the bylaws of the authority require a
23 larger number.

24 **SECTION 372.** 233.03 (7) of the statutes is amended to read:

1 233.03 (7) Subject to s. 233.10 and ch. 40 and 1995 Wisconsin Act 27, section
2 9159 (4) ~~and the duty to engage in collective bargaining with employees in a collective~~
3 ~~bargaining unit for which a representative is recognized or certified under subch. I~~
4 ~~of ch. 111, employ any agent, employee or special advisor that the authority finds~~
5 ~~necessary and fix his or her compensation and provide any employee benefits,~~
6 ~~including an employee pension plan.~~

7 **SECTION 373.** 233.04 (2) of the statutes is amended to read:

8 233.04 (2) Subject to ~~subs. (4) to (4r)~~ and s. 233.10, develop and implement a
9 personnel structure and other employment policies for employees of the authority.

10 **SECTION 374.** 233.04 (4) of the statutes is repealed.

11 **SECTION 375.** 233.04 (4m) of the statutes is repealed.

12 **SECTION 376.** 233.04 (4r) of the statutes is repealed.

13 **SECTION 377.** 233.10 (1) of the statutes is amended to read:

14 233.10 (1) Subject to ~~s. 233.04 (4) to (4r)~~ and 1995 Wisconsin Act 27, section
15 ~~9159 (2) and (4), the~~ The authority shall employ such employees as it may require
16 and shall determine the qualifications and duties of its employees. Appointments
17 to and promotions in the authority shall be made according to merit and fitness.

18 **SECTION 378.** 233.10 (2) (intro.) of the statutes is amended to read:

19 233.10 (2) (intro.) Subject to subs. (3), ~~(3m)~~, (3r) and (3t) and ch. 40 ~~and the duty~~
20 ~~to engage in collective bargaining with employees in a collective bargaining unit for~~
21 ~~which a representative is recognized or certified under subch. I of ch. 111, the~~
22 authority shall establish any of the following:

23 **SECTION 379.** 233.10 (3) (a) (intro.) of the statutes is amended to read:

24 233.10 (3) (a) (intro.) In this subsection and ~~subs. (3m)~~ and sub. (4), “carry-over
25 employee” means an employee of the authority who satisfies all of the following:

1 **SECTION 380.** 233.10 (3) (b) of the statutes is repealed.

2 **SECTION 381.** 233.10 (3) (c) (intro.) of the statutes is amended to read:

3 233.10 **(3)** (c) (intro.) If an employee of the authority is a carry-over employee
4 ~~and is an employee to whom par. (b) does not apply~~, the authority shall, when setting
5 the terms of the carry-over employee's employment during the period beginning on
6 June 29, 1996, and ending on June 30, 1997, do all of the following:

7 **SECTION 382.** 233.10 (3) (d) of the statutes is amended to read:

8 233.10 **(3)** (d) If an employee of the authority is not a carry-over employee and
9 ~~is an employee to whom par. (b) does not apply~~, the authority shall, from June 29,
10 1996, to June 30, 1997, provide that employee the same rights, benefits and
11 compensation provided to a carry-over employee under par. (c) who holds a position
12 at the authority with similar duties.

13 **SECTION 383.** 233.10 (3m) of the statutes is repealed.

14 **SECTION 384.** 281.75 (4) (b) 3. of the statutes, as affected by 2011 Wisconsin Act
15 (January 2011 Special Session Senate Bill 6), is amended to read:

16 281.75 **(4)** (b) 3. An authority created under subch. II of ch. 114 or ch. 52, 231,
17 233, 234, 237, or 238.

18 **SECTION 385.** 285.59 (1) (b) of the statutes, as affected by 2011 Wisconsin Act
19 (January 2011 Special Session Senate Bill 6), is amended to read:

20 285.59 **(1)** (b) "State agency" means any office, department, agency, institution
21 of higher education, association, society or other body in state government created
22 or authorized to be created by the constitution or any law which is entitled to expend
23 moneys appropriated by law, including the legislature and the courts, the Wisconsin
24 Housing and Economic Development Authority, the Bradley Center Sports and
25 Entertainment Corporation, the University of Wisconsin Hospitals and Clinics

1 Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace
2 Authority, ~~the Wisconsin Quality Home Care Authority~~, the Wisconsin Economic
3 Development Corporation, and the Wisconsin Health and Educational Facilities
4 Authority.

5 **SECTION 386.** 704.31 (3) of the statutes is amended to read:

6 704.31 (3) This section does not apply to a lease to which a local professional
7 baseball park district created under subch. III of ch. 229, ~~the Wisconsin Quality~~
8 ~~Home Care Authority~~, or the Fox River Navigational System Authority is a party.

9 **SECTION 387.** 851.71 (4) of the statutes is amended to read:

10 851.71 (4) In counties having a population of 500,000 or more, the appointment
11 under subs. (1) and (2) shall be made as provided in those subsections but the judges
12 shall not remove the register in probate and deputy registers, except through charges
13 for dismissal made and sustained under s. 63.10 ~~or an applicable collective~~
14 ~~bargaining agreement.~~

15 **SECTION 388.** 978.12 (1) (c) of the statutes is amended to read:

16 978.12 (1) (c) *Assistant district attorneys.* Assistant district attorneys shall be
17 employed outside the classified service. For purposes of salary administration, the
18 director of the office of state employment relations shall establish one or more
19 classifications for assistant district attorneys in accordance with the classification
20 or classifications allocated to assistant attorneys general. Except as provided in s.
21 111.93 (3) (b), the salaries of assistant district attorneys shall be established and
22 adjusted in accordance with the state compensation plan for assistant attorneys
23 general whose positions are allocated to the classification or classifications
24 established by the director of the office of state employment relations.

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

1 (1) EVALUATION OF STAFFING NEEDS AT THE WISCONSIN EMPLOYMENT RELATIONS
2 COMMISSION. The department of administration shall evaluate the staffing
3 requirements of the Wisconsin employment relations commission and shall submit
4 the report of the evaluation to the joint committee on finance under section 13.10 of
5 the statutes.

6 (2) POSITION INCREASES AND DECREASES.

7 (a) The authorized FTE positions for the department of administration are
8 decreased by 1.0 FED position, funded from the appropriation under section 20.505
9 (1) (pz) of the statutes, for the purpose for which the appropriation is made. The
10 secretary of administration shall identify the position.

11 (b) The authorized FTE positions for the department of administration are
12 decreased by 1.0 PR position, funded from the appropriation under section 20.505 (1)
13 (kr) of the statutes, for the purpose for which the appropriation is made. The
14 secretary of administration shall identify the position.

15 (c) The authorized FTE positions for the department of administration are
16 increased by 1.0 PR position, funded from the appropriation under section 20.505 (1)
17 (ka) of the statutes, to provide for an unclassified division administrator.

18 (d) The authorized FTE positions for the department of administration are
19 increased by 1.0 PR position, funded from the appropriation under section 20.505 (1)
20 (kr) of the statutes, to provide for an unclassified division administrator.

21 (e) The authorized FTE positions for the department of administration are
22 increased by 1.0 PR position, funded from the appropriation under section 20.505 (5)
23 (ka) of the statutes, to provide for an unclassified division administrator.

24 **SECTION 9103. Nonstatutory provisions; Agriculture, Trade and**
25 **Consumer Protection.**

1 (1) POSITION INCREASES AND DECREASES.

2 (a) The authorized FTE positions for the department of agriculture, trade and
3 consumer protection are decreased by 3.0 GPR positions, funded from the
4 appropriation under section 20.115 (8) (a) of the statutes, for the purpose for which
5 the appropriation is made. The secretary of administration shall identify the
6 positions.

7 (b) The authorized FTE positions for the department of agriculture, trade and
8 consumer protection are increased by 3.0 GPR positions, funded from the
9 appropriation under section 20.115 (8) (a) of the statutes, to provide for additional
10 unclassified division administrators.

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

12 (1) POSITION INCREASES AND DECREASES.

13 (a) The authorized FTE positions for the department of children and families
14 are decreased by 1.0 PR position, funded from the appropriation under section 20.437
15 (3) (k) of the statutes, for the purpose for which the appropriation is made. The
16 secretary of administration shall identify the position.

17 (b) The authorized FTE positions for the department of children and families
18 are decreased by 1.85 GPR positions, funded from the appropriation under section
19 20.437 (3) (a) of the statutes, for the purpose for which the appropriation is made.
20 The secretary of administration shall identify the positions.

21 (c) The authorized FTE positions for the department of children and families
22 are decreased by 0.15 FED position, funded from the appropriation under section
23 20.437 (3) (n) of the statutes, for the purpose for which the appropriation is made.
24 The secretary of administration shall identify the position.

1 (d) The authorized FTE positions for the department of children and families
2 are increased by 1.0 PR position, funded from the appropriation under section 20.437
3 (3) (k) of the statutes, to provide for an unclassified division administrator.

4 (e) The authorized FTE positions for the department of children and families
5 are increased by 1.85 GPR positions, funded from the appropriation under section
6 20.437 (3) (a) of the statutes, to provide for additional unclassified division
7 administrators.

8 (f) The authorized FTE positions for the department of children and families
9 are increased by 0.15 FED position, funded from the appropriation under section
10 20.437 (3) (n) of the statutes, to provide for an unclassified division administrator.

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

12 (1) POSITION INCREASES AND DECREASES.

13 (a) The authorized FTE positions for the department of corrections are
14 decreased by 3.0 GPR positions, funded from the appropriation under section 20.410
15 (1) (a) of the statutes, for the purpose for which the appropriation is made. The
16 secretary of administration shall identify the positions.

17 (b) The authorized FTE positions for the department of corrections are
18 increased by 3.0 GPR positions, funded from the appropriation under section 20.410
19 (1) (a) of the statutes, to provide for additional unclassified division administrators.

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

21 (1) STATE EMPLOYEE HEALTH CARE COVERAGE.

22 (a) Notwithstanding section 40.05 (4) (ag) and (c) of the statutes, as affected by
23 this act, beginning with health insurance premiums paid in April 2011, and ending
24 with coverage for December 2011, all of the following shall apply:

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

10 2. Eligible employees covered under section 40.02 (25) (b) 2. of the statutes, as
11 affected by this act, shall pay 50 percent of the amounts required for employees under
12 subdivision 1.

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

17 (b) If an employer is unable to modify payroll procedures in sufficient time to
18 collect employees' increased share of the premium costs for health care coverage
19 under paragraph (a), the employer shall recover all amounts that employees owe for
20 the increased share of premium costs before July 1, 2011.

21 (2) EMPLOYER AND EMPLOYEE REQUIRED CONTRIBUTIONS FOR 2011. Notwithstanding
22 the employer and employee required contributions rates established for 2011 under
23 section 40.05 (1) and (2), 2009 stats., beginning on the first day of the first pay period
24 after March 13, 2011, the employee required contributions under section 40.05 (1) (a)
25 of the statutes, as affected by this act, shall be in effect for the remainder of 2011, and

1 the employer required contributions under section 40.05 (2) of the statutes shall be
2 adjusted to reflect the increases in employee required contributions for the
3 remainder of 2011. If an employer is unable to modify payroll procedures in sufficient
4 time to collect the increased employee required contributions before the first day of
5 the first pay period after March 13, 2011, the employer shall recover all amounts that
6 employees owe before July 1, 2011.

7 (3) **AGREEMENTS TO MODIFY GROUP INSURANCE COVERAGE FOR STATE EMPLOYEES.**

8 Section 40.03 (6) (c) of the statutes shall not apply to any agreements entered into
9 by the group insurance board to modify group insurance coverage for the 2012 and
10 2013 calendar years.

11 (4) **REDUCTIONS IN HEALTH CARE PREMIUM COSTS FOR HEALTH CARE COVERAGE**

12 **DURING 2012 CALENDAR YEAR.** The group insurance board shall design health care
13 coverage plans for the 2012 calendar year that, after adjusting for any inflationary
14 increase in health benefit costs, as determined by the group insurance board, reduces
15 the average premium cost of plans offered in the tier with the lowest employee
16 premium cost under section 40.51 (6) of the statutes by at least 5 percent from the
17 cost of such plans offered during the 2011 calendar year. The group insurance board
18 shall include copayments in the health care coverage plans for the 2012 calendar
19 year and may require health risk assessments for state employees and participation
20 in wellness or disease management programs.

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

22 (1) **POSITION INCREASES AND DECREASES.**

23 (a) The authorized FTE positions for the department of financial institutions
24 are decreased by 2.0 PR positions, funded from the appropriation under section

1 20.144 (1) (g) of the statutes, for the purpose for which the appropriation is made.

2 The secretary of administration shall identify the positions.

3 (b) The authorized FTE positions for the department of financial institutions
4 are increased by 2.0 PR positions, funded from the appropriation under section
5 20.144 (1) (g) of the statutes, to provide for additional unclassified division
6 administrators.

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

8 (1) POSITION INCREASES AND DECREASES.

9 (a) The authorized FTE positions for the department of health services are
10 decreased by 1.0 FED position, funded from the appropriation under section 20.435
11 (8) (pz) of the statutes, for the purpose for which the appropriation is made. The
12 secretary of administration shall identify the position.

13 (b) The authorized FTE positions for the department of health services are
14 decreased by 2.0 GPR positions, funded from the appropriation under section 20.435
15 (8) (a) of the statutes, for the purpose for which the appropriation is made. The
16 secretary of administration shall identify the positions.

17 (c) The authorized FTE positions for the department of health services are
18 increased by 1.0 FED position, funded from the appropriation under section 20.435
19 (8) (pz) of the statutes, to provide for an unclassified division administrator.

20 (d) The authorized FTE positions for the department of health services are
21 increased by 2.0 GPR positions, funded from the appropriation under section 20.435
22 (8) (a) of the statutes, to provide for additional unclassified division administrators.

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

24 (1) POSITION INCREASES AND DECREASES.

1 (a) The authorized FTE positions for the office of the commissioner of insurance
2 are decreased by 2.0 PR positions, funded from the appropriation under section
3 20.145 (1) (g) of the statutes, for the purpose for which the appropriation is made.
4 The secretary of administration shall identify the positions.

5 (b) The authorized FTE positions for the office of the commissioner of insurance
6 are increased by 2.0 PR positions, funded from the appropriation under section
7 20.145 (1) (g) of the statutes, to provide for additional unclassified division
8 administrators.

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

10 (1) POSITION INCREASES AND DECREASES.

11 (a) The authorized FTE positions for the department of justice are decreased
12 by 1.0 GPR position, funded from the appropriation under section 20.455 (1) (a) of
13 the statutes, for the purpose for which the appropriation is made. The secretary of
14 administration shall identify the position.

15 (b) The authorized FTE positions for the department of justice are decreased
16 by 1.0 GPR position, funded from the appropriation under section 20.455 (3) (a) of
17 the statutes, for the purpose for which the appropriation is made. The secretary of
18 administration shall identify the position.

19 (c) The authorized FTE positions for the department of justice are increased
20 by 1.0 GPR position, funded from the appropriation under section 20.455 (1) (a) of
21 the statutes, to provide for an additional unclassified division administrator.

22 (d) The authorized FTE positions for the department of justice are increased
23 by 1.0 GPR positions, funded from the appropriation under section 20.455 (3) (a) of
24 the statutes, to provide for an additional unclassified division administrator.

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

1 (1) UNION REPRESENTATIVE CERTIFICATION VOTE.

2 (a) In this subsection:

3 1. "General municipal employee" has the meaning given in section 111.70 (1)
4 (fm) of the statutes, as created by this act.

5 2. "School district employee" has the meaning given in section 111.70 (1) (ne)
6 of the statutes.

7 (b) Each collective bargaining unit under subchapter IV of chapter 111 of the
8 statutes, as affected by this act, containing general municipal employees who are
9 subject to an extension of their collective bargaining agreement shall have their
10 collective bargaining agreement terminated as soon as legally possible and shall vote
11 to certify or decertify their representatives as provided in section 111.70 (4) (d) 3. b.
12 of the statutes, as created by this act. Notwithstanding the date provided under
13 section 111.70 (4) (d) 3. b. of the statutes, as created by this act, the vote shall be held
14 in April 2011.

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

16 (1) POSITION INCREASES AND DECREASES.

17 (a) The authorized FTE positions for the department of natural resources are
18 decreased by 1.0 SEG position, funded from the appropriation under section 20.370
19 (1) (mu) of the statutes, for the purpose for which the appropriation is made. The
20 secretary of administration shall identify the position.

21 (b) The authorized FTE positions for the department of natural resources are
22 decreased by 2.0 SEG positions, funded from the appropriation under section 20.370
23 (8) (mu) of the statutes, for the purpose for which the appropriation is made. The
24 secretary of administration shall identify the positions.

1 (c) The authorized FTE positions for the department of natural resources are
2 increased by 1.0 SEG position, funded from the appropriation under section 20.370
3 (1) (mu) of the statutes, to provide for an unclassified division administrator.

4 (d) The authorized FTE positions for the department of natural resources are
5 increased by 2.0 SEG positions, funded from the appropriation under section 20.370
6 (8) (mu) of the statutes, to provide for additional unclassified division
7 administrators.

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

9 (1) POSITION INCREASES AND DECREASES.

10 (a) The authorized FTE positions for the public service commission are
11 decreased by 3.0 PR positions, funded from the appropriation under section 20.155
12 (1) (g) of the statutes, for the purpose for which the appropriation is made. The
13 secretary of administration shall identify the positions.

14 (b) The authorized FTE positions for the public service commission are
15 increased by 3.0 PR positions, funded from the appropriation under section 20.155
16 (1) (g) of the statutes, to provide for additional unclassified division administrators.

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

18 (1) POSITION INCREASES AND DECREASES.

19 (a) The authorized FTE positions for the department of regulation and
20 licensing are decreased by 2.0 PR positions, funded from the appropriation under
21 section 20.165 (1) (g) of the statutes, for the purpose for which the appropriation is
22 made. The secretary of administration shall identify the positions.

23 (b) The authorized FTE positions for the department of regulation and
24 licensing are increased by 2.0 PR positions, funded from the appropriation under

1 section 20.165 (1) (g) of the statutes, to provide for additional unclassified division
2 administrators.

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

4 (1) POSITION INCREASES AND DECREASES.

5 (a) The authorized FTE positions for the department of revenue are decreased
6 by 2.55 GPR positions, funded from the appropriation under section 20.566 (3) (a) of
7 the statutes, for the purpose for which the appropriation is made. The secretary of
8 administration shall identify the positions.

9 (b) The authorized FTE positions for the department of revenue are decreased
10 by 0.45 SEG position, funded from the appropriation under section 20.566 (8) (q) of
11 the statutes, for the purpose for which the appropriation is made. The secretary of
12 administration shall identify the position.

13 (c) The authorized FTE positions for the department of revenue are increased
14 by 2.55 GPR positions, funded from the appropriation under section 20.566 (3) (a) of
15 the statutes, to provide for additional unclassified division administrators.

16 (d) The authorized FTE positions for the department of revenue are increased
17 by 0.45 SEG position, funded from the appropriation under section 20.566 (8) (q) of
18 the statutes, to provide for an unclassified division administrator.

19 **SECTION 9143. Nonstatutory provisions; State Employment Relations,**
20 **Office of.**

21 (1) COMPENSATION FOR REPRESENTED STATE EMPLOYEES. Upon termination of any
22 collective bargaining agreement between the state and a labor organization
23 representing employees in a collective bargaining unit under section 111.825 (1) or
24 (2) of the statutes, as affected by this act, the director of the office of state employment
25 relations may continue to administer those provisions of the collective bargaining

1 agreements that the director determines necessary for the orderly administration of
2 the state civil services system until the compensation plan under section 230.12 of
3 the statutes is established for the 2011-13 fiscal biennium.

4 (2) POSITION INCREASES AND DECREASES.

5 (a) The authorized FTE positions for the office of state employment relations
6 are decreased by 1.0 PR position, funded from the appropriation under section 20.545
7 (1) (k) of the statutes, for the purpose for which the appropriation is made. The
8 secretary of administration shall identify the position.

9 (b) The authorized FTE positions for the office of state employment relations
10 are increased by 1.0 PR position, funded from the appropriation under section 20.545
11 (1) (k) of the statutes, to provide for an unclassified division administrator.

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

13 (1) POSITION INCREASES AND DECREASES.

14 (a) The authorized FTE positions for the department of tourism are decreased
15 by 1.0 GPR position, funded from the appropriation under section 20.380 (1) (a) of
16 the statutes, for the purpose for which the appropriation is made. The secretary of
17 administration shall identify the position.

18 (b) The authorized FTE positions for the department of tourism are increased
19 by 1.0 GPR position, funded from the appropriation under section 20.380 (1) (a) of
20 the statutes, to provide for an unclassified division administrator.

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

22 (1) POSITION INCREASES AND DECREASES.

23 (a) The authorized FTE positions for the department of transportation are
24 decreased by 3.0 SEG positions, funded from the appropriation under section 20.395

1 (4) (aq) of the statutes, for the purpose for which the appropriation is made. The
2 secretary of administration shall identify the positions.

3 (b) The authorized FTE positions for the department of transportation are
4 increased by 3.0 SEG positions, funded from the appropriation under section 20.395

5 (4) (aq) of the statutes, to provide for additional unclassified division administrators.

6 **SECTION 9151. Nonstatutory provisions; University of Wisconsin**
7 **Hospitals and Clinics Board.**

8 (1) TERMINATION OF CONTRACTUAL SERVICES AGREEMENT. On the effective date of
9 this subsection any contractual services agreement between the University of
10 Wisconsin Hospitals and Clinics Board and the University of Wisconsin Hospitals
11 and Clinics Authority under section 233.04 (4) of the statutes is terminated.

12 (2) TRANSFER OF EMPLOYEES TO UNIVERSITY OF WISCONSIN HOSPITALS AND CLINICS
13 AUTHORITY. On the effective date of this subsection, all employees of the University
14 of Wisconsin Hospitals and Clinics Board are transferred to the University of
15 Wisconsin Hospitals and Clinics Authority. The University of Wisconsin Hospitals
16 and Clinics Authority shall adhere to the terms of any collective bargaining
17 agreement covering the employees that is in force on the effective date of this
18 subsection, including specifically terms relating to employer payment of any
19 employee required contributions under the Wisconsin Retirement System and
20 employer payment of any health insurance premiums on behalf of employees. Upon
21 termination of the collective bargaining agreement, the University of Wisconsin
22 Hospitals and Clinics Authority shall establish the compensation and benefits of the
23 employees under section 233.10 (2) of the statutes.

24 **SECTION 9154. Nonstatutory provisions; Workforce Development.**

25 (1) POSITION INCREASES AND DECREASES.

1 (a) The authorized FTE positions for the department of workforce development
2 are decreased by 2.0 PR positions, funded from the appropriation under section
3 20.445 (1) (kc) of the statutes, for the purpose for which the appropriation is made.
4 The secretary of administration shall identify the positions.

5 (b) The authorized FTE positions for the department of workforce development
6 are increased by 2.0 PR positions, funded from the appropriation under section
7 20.445 (1) (kc) of the statutes, to provide for additional unclassified division
8 administrators.

9 **SECTION 9155. Nonstatutory provisions; Other.**

10 (1) UNION REPRESENTATIVE CERTIFICATION VOTE.

11 (a) In this subsection, "general employee" has the meaning given in section
12 111.81 (9g) of the statutes, as created by this act.

13 (b) Each collective bargaining unit under subchapter V of chapter 111 of the
14 statutes, as affected by this act, containing general employees shall vote to certify or
15 decertify their representatives as provided in section 111.83 (3) (b) of the statutes,
16 as created by this act. Notwithstanding the date provided under section 111.83 (3)
17 (b) of the statutes, as created by this act, the vote shall be held in April 2011.

18 (2) WISCONSIN QUALITY HOME CARE AUTHORITY ASSETS, LIABILITIES, PERSONAL
19 PROPERTY, AND CONTRACTS.

20 (a) On the effective date of this paragraph, the assets and liabilities of the
21 Wisconsin Quality Home Care Authority shall become the assets and liabilities of the
22 department of health services.

23 (b) On the effective date of this paragraph, all tangible personal property,
24 including records, of the Wisconsin Quality Home Care Authority is transferred to
25 the department of health services.

1 (c) All contracts entered into by the Wisconsin Quality Home Care Authority
2 in effect on the effective date of this paragraph remain in effect and are transferred
3 to the department of health services. The department of health services shall carry
4 out any obligations under such a contract until the contract is modified or rescinded
5 by the department of health services to the extent allowed under the contract.

6 **SECTION 9208. Fiscal changes; Children and Families.**

7 (1) INCOME AUGMENTATION LAPSE.

8 (a) Notwithstanding section 20.001 (3) (c) of the statutes, there is lapsed to the
9 general fund from the appropriation account to the department of children and
10 families under section 20.437 (1) (kx) of the statutes, as affected by the acts of 2011,
11 \$2,011,200 in the second fiscal year of the fiscal biennium in which this subsection
12 takes effect.

13 (b) Notwithstanding 2007 Wisconsin Act 20, section 9201 (1c) (a), the secretary
14 of administration shall apply the lapse under paragraph (a) to the lapse requirement
15 for the 2009-11 fiscal biennium under 2007 Wisconsin Act 20, section 9201 (1c) (a).

16 **SECTION 9219. Fiscal changes; Governor.**

17 (1) LAPSES TO GENERAL FUND RELATING TO EMPLOYER SAVINGS IN FRINGE BENEFIT
18 COSTS DURING THE 2009-11 FISCAL BIENNIUM. Notwithstanding section 20.001 (3) (a) to
19 (c) of the statutes, before July 1, 2011, the governor shall take actions to ensure that
20 from general purpose revenue appropriations to the office of the governor under
21 section 20.525 of the statutes an amount equal to \$37,500 is lapsed from sum certain
22 appropriation accounts or is subtracted from the expenditure estimates for any other
23 type of appropriations, or both.

24 **SECTION 9221. Fiscal changes; Health Services.**

25 (1) INCOME AUGMENTATION LAPSE.

1 (a) Notwithstanding section 20.001 (3) (c) of the statutes, there is lapsed to the
2 general fund from the appropriation account to the department of health services
3 under section 20.435 (8) (mb) of the statutes, as affected by the acts of 2011,
4 \$4,500,000 in the second fiscal year of the fiscal biennium in which this subsection
5 takes effect.

6 (b) Notwithstanding 2007 Wisconsin Act 20, section 9201 (1c) (a), the secretary
7 of administration shall apply the lapse under paragraph (a) to the lapse requirement
8 for the 2009-11 fiscal biennium under 2007 Wisconsin Act 20, section 9201 (1c) (a).

9 (2) COMMUNITY AIDS APPROPRIATION. In the schedule under section 20.005 (3) of
10 the statutes for the appropriation to the department of health services under section
11 20.435 (7) (b) of the statutes, as affected by the acts of 2011, the dollar amount is
12 decreased by \$3,100,000 for the second fiscal year of the fiscal biennium in which this
13 subsection takes effect for the purposes for which the appropriation is made.

14 **SECTION 9227. Fiscal changes; Joint Committee on Finance.**

15 (1) FEDERAL PROGRAM SUPPLEMENT. In the schedule under section 20.005 (3) of
16 the statutes for the appropriation to the joint committee on finance under section
17 20.865 (4) (m) of the statutes, as affected by the acts of 2011, the dollar amount is
18 decreased by \$37,000,000 for the second fiscal year of the fiscal biennium in which
19 this subsection takes effect for supplementing federal earned income tax credit
20 payments.

21 (2) GENERAL PURPOSE REVENUE FUNDS GENERAL PROGRAM SUPPLEMENTATION. In the
22 schedule under section 20.005 (3) of the statutes for the appropriation to the joint
23 committee on finance under section 20.865 (4) (a) of the statutes, as affected by the
24 acts of 2011, the dollar amount is decreased by \$4,590,400 for the second fiscal year

1 of the fiscal biennium in which this subsection takes effect to reduce expenditures
2 for the purpose for which the appropriation is made.

3 **SECTION 9230. Fiscal changes; Legislature.**

4 (1) LAPSES TO GENERAL FUND RELATING TO EMPLOYER SAVINGS IN FRINGE BENEFIT
5 COSTS DURING THE 2009-11 FISCAL BIENNIUM.

6 (a) Notwithstanding section 20.001 (3) (a) to (c) of the statutes, before July 1,
7 2011, the cochairpersons of the joint committee on legislative organization shall take
8 actions to ensure that from general purpose revenue appropriations to the
9 legislature under section 20.765 of the statutes an amount equal to \$717,700 is
10 lapsed from sum certain appropriation accounts or is subtracted from the
11 expenditure estimates for any other type of appropriations, or both.

12 (b) The amount lapsed under paragraph (a) shall be in addition to the amounts
13 that are required to be lapsed or transferred to the general fund under 2009
14 Wisconsin Act 28, section 3416f.

15 **SECTION 9245. Fiscal changes; Supreme Court.**

16 (1) LAPSES TO GENERAL FUND RELATING TO EMPLOYER SAVINGS IN FRINGE BENEFIT
17 COSTS DURING THE 2009-11 FISCAL BIENNIUM. Notwithstanding section 20.001 (3) (a) to
18 (c) of the statutes, before July 1, 2011, the chief justice of the supreme court shall take
19 actions to ensure that from general purpose revenue appropriations to the judicial
20 branch of government under subchapter VII of chapter 20 of the statutes an amount
21 equal to \$1,153,400 is lapsed from sum certain appropriation accounts or is
22 subtracted from the expenditure estimates for any other type of appropriations, or
23 both.

24 **SECTION 9255. Fiscal changes; Other.**

1 (1) LAPSES TO GENERAL FUND RELATING TO EMPLOYER SAVINGS IN FRINGE BENEFIT
2 COSTS DURING THE 2009-11 FISCAL BIENNIUM.

3 (a) In this subsection, "state agency" means any office, department, or
4 independent agency in the executive branch of state government.

5 (b) Notwithstanding section 20.001 (3) (a) to (c) of the statutes, before July 1,
6 2011, the secretary of administration shall lapse to the general fund, from the
7 unencumbered balances of general purpose revenue and program revenue
8 appropriations to state agencies, other than sum sufficient appropriations and
9 appropriations of federal revenues, an amount equal to \$27,891,400.

10 (c) The amount lapsed under paragraph (b) shall be in addition to the amounts
11 that are required to be lapsed or transferred to the general fund under 2009
12 Wisconsin Act 28, section 3416d.

13 (d) The secretary of administration may not lapse moneys under paragraph (b)
14 if the lapse would violate a condition imposed by the federal government on the
15 expenditure of the moneys or if the lapse would violate the federal or state
16 constitution. The secretary also may not lapse any amount from program revenue
17 appropriations under section 20.285 of the statutes.

18 **SECTION 9315. Initial applicability; Employee Trust Funds.**

19 (1) HEALTH CARE COVERAGE PREMIUMS. The treatment of sections 40.02 (25) (b)
20 2., 40.05 (4) (ag), (ar), and (c), 40.51 (7), and 40.52 (3) of the statutes and SECTION 9115
21 (1) of this act first apply to employees who are covered by a collective bargaining
22 agreement that contains provisions inconsistent with those sections on the day on
23 which the agreement expires or is terminated, extended, modified, or renewed,
24 whichever occurs first.

1 (2) PAYMENT OF EMPLOYEE REQUIRED CONTRIBUTIONS. The treatment of sections
2 13.111 (2), 40.02 (27), 40.05 (1) (a) (intro.), 1., 2., 3., and 4. and (b), (2m), and (2n),
3 40.32 (1), 59.875, 62.623, and 66.0518 of the statutes and SECTION 9115 (2) of this act
4 first apply to employees who are covered by a collective bargaining agreement that
5 contains provisions inconsistent with those sections on the day on which the
6 agreement expires or is terminated, extended, modified, or renewed, whichever
7 occurs first.

8 (3) CALCULATION OF ANNUITIES UNDER THE WISCONSIN RETIREMENT SYSTEM.

9 (a) Except as provided in paragraph (b), for elected officials, as defined in
10 section 40.02 (24) of the statutes, who are participating employees in the Wisconsin
11 retirement system, the treatment of section 40.23 (2m) (e) 2. of the statutes first
12 applies to creditable service that is performed on the first day of a term of office that
13 begins after the effective date of this paragraph.

14 (b) For supreme court justices, court of appeals judges, and circuit court judges,
15 who are participating employees in the Wisconsin retirement system, the treatment
16 of section 40.23 (2m) (e) 2. of the statutes first applies to creditable service that is
17 performed on the day on which the next supreme court justice, court of appeals judge,
18 or circuit court judge assumes office after the effective date of this paragraph.

19 **SECTION 9332. Initial applicability; Local Government.**

20 (1) COLLECTIVE BARGAINING; MUNICIPAL EMPLOYEES. The treatment of sections
21 20.425 (1) (i), 46.2895 (8) (a) 1., 49.825 (3) (b) 4., 49.826 (3) (b) 4., 66.0506, 66.0508,
22 109.03 (1) (b), 111.70 (1) (a), (b), (cm), (f), (fm), (j), (mm), (n), and (nm), (2), (3) (a) 3.,
23 4., 5., 6., 7., and 9. and (b) 6., (3g), (3m), (3p), (4) (intro.), (c) (title), 1., 2., 3., and 4.,
24 (cm) (title), 1., 2., 3., 4., 5., 6., 7., 7g., 7r., 8., 8m., and 9., (d) 2. a., (L), (m), (mb), (mc)
25 (intro.) and 4., (n), and (o), (6), (7), (7m) (b), (c) 1. a. and 3., (e), and (f), and (8) (a),

1 111.71 (2), (4), and (5), 111.77 (intro.) and (8) (a), 118.22 (4), 118.223, 118.23 (5),
2 118.245, 118.42 (3) (a) 4. and (5), 119.04 (1), 120.12 (4m) and (15), 120.18 (1) (gm), and
3 851.71 (4) of the statutes, the amendment of section 111.70 (4) (d) 3. of the statutes,
4 and the creation of section 111.70 (4) (d) 3. b. of the statutes first apply to employees
5 who are covered by a collective bargaining agreement under subchapter IV of chapter
6 111 of the statutes that contains provisions inconsistent with those sections on the
7 day on which the agreement expires or is terminated, extended, modified, or
8 renewed, whichever occurs first.

9 (2) GRIEVANCE PROCEDURE; COLLECTIVE BARGAINING. The treatment of section
10 66.0509 (1m) of the statutes first applies on the first day of the 4th month beginning
11 after the effective date of this subsection.

12 **SECTION 9355. Initial applicability; Other.**

13 (1) COLLECTIVE BARGAINING; STATE EMPLOYEES, UNIVERSITY OF WISCONSIN
14 EMPLOYEES, AND EMPLOYEES OF AUTHORITIES.

15 (a) The treatment of sections 16.705 (3), 20.921 (1) (a) 2. and (b), 73.03 (68),
16 111.80, 111.81 (1), (3h), (3n), (7) (g), (gm), (h), and (i), (9), (9g), (9k), (12) (intro.), (12m),
17 (15r), and (16), 111.815 (1) and (2), 111.82, 111.825 (1) (intro.) and (g), (1m), (2g), (3),
18 (4), (4m), and (5), 111.83 (1), (4), (5m), and (7), 111.84 (1) (b), (d), and (f), (2) (c), and
19 (3), 111.845, 111.85 (1), (2), (4), and (5), 111.90 (2), 111.905, 111.91 (1) (a), (am), (b),
20 (c), (cg), (cm), (d), and (e), (2) (intro.) and (gu), (2c), (3), and (3q), 111.92 (1) (a) and (b)
21 and (2m), 118.40 (2r) (b) 3. a., 146.59, 230.10 (1), 230.34 (1) (ar), 230.35 (1s), and
22 978.12 (1) (c) of the statutes, the renumbering of sections 111.825 (6) and 111.83 (3)
23 of the statutes, the renumbering and amendment of sections 111.92 (3) and 111.93
24 (3) of the statutes, and the creation of sections 111.825 (6) (b), 111.83 (3) (b), 111.92
25 (3) (b), and 111.93 (3) (b) of the statutes first apply to employees who are covered by

1 a collective bargaining agreement under subchapter V of chapter 111 of the statutes
2 that contains provisions inconsistent with those sections on the day on which the
3 agreement expires or is terminated, extended, modified, or renewed, whichever
4 occurs first.

5 (b) The treatment of sections 7.33 (4), 13.111 (2), 15.07 (1) (a) 6., 15.96, 16.50
6 (3) (e), 16.705 (3), 19.82 (1), 19.85 (3), 19.86, 20.425 (1) (a) and (i), 20.545 (1) (k) and
7 (km), 20.865 (1) (ci), (cm), (ic), (im), (si), and (sm), 20.917 (3) (b), 20.921 (1) (a) 2. and
8 (b), 20.923 (6) (intro.), 20.928 (1), 36.09 (1) (j), 36.25 (13g) (c), 40.02 (25) (b) 8., 40.05
9 (4) (ar), (b), and (bw), (4g) (a) 4., (5) (intro.) and (b) 4., and (6) (a), 40.62 (2), 40.95 (1)
10 (a) 2., 111.02 (1), (2), (3), (6) (am), (7) (a) (intro.), 1., 2., 3., and 4. and (b) 1., (7m), (9m),
11 and (10m), 111.05 (2), (3g), (5), (6), and (7), 111.06 (1) (c) 1., (d), (i), and (m) and (2)
12 (i), 111.075, 111.115 (title), (1) (intro.), (a), and (b), and (2), 111.17 (intro.), (1) and (2),
13 230.01 (3), 230.046 (10) (a), 230.12 (3) (e) 1., 230.35 (2d) (e) and (3) (e) 6., 230.88 (2)
14 (b), and 233.02 (1) (h) and (8), 233.03 (7), 233.04 (2) and (4r), 233.10 (1), (2) (intro.),
15 (3) (a) (intro.), (b), (c) (intro.), and (d), and (3m) and subchapter VI of chapter 111 of
16 the statutes first applies to employees who are covered by a collective bargaining
17 agreement under subchapter I or VI of chapter 111 of the statutes that contains
18 provisions inconsistent with those sections on the day on which the agreement
19 expires or is terminated, extended, modified, or renewed, whichever occurs first.

20 **SECTION 9421. Effective dates; Health Services.**

21 (1q) MEDICAL ASSISTANCE PROGRAM CHANGES. The treatment of sections 49.45 (8)

22 (b) (by SECTION 115d), (8) (c) (by SECTION 116d), (8r) (by SECTION 117d), (8v) (by
23 SECTION 118d), (18) (ac) (by SECTION 119d), (18) (ag) (intro.) (by SECTION 120d), (18)
24 (b) (intro.) (by SECTION 121d), (18) (d) (by SECTION 122d), (23) (a) (by SECTION 123d),
25 (23) (b) (by SECTION 124d), (24g) (c) (by SECTION 125d), (24r) (a) (by SECTION 126d),

< All changes from 3-10-11 CCC >

1 (24r) (b) (by SECTION ¹³⁰127d), (25g) (c) (by SECTION ¹³²128d), (27) (by SECTION ¹³⁴129d), and
2 (39) (b) 1. (by SECTION ¹³⁶130d), 49.46 (2) (a) (intro.) (by SECTION ¹⁴⁰132d) and (2) (b) (intro.)
3 (by SECTION ¹⁴²133d), 49.465 (2) (intro.) (by SECTION ¹⁴⁴134d), 49.47 (4) (a) (intro.) (by
4 SECTION ¹⁴⁶135d) and (6) (a) (intro.) (by SECTION ¹⁵²139d), 49.472 (3) (intro.) (by SECTION
5 ¹⁵⁶141d) and (4) (b) (intro.) (by SECTION ¹⁵⁸142d), 49.473 (2) (intro.) (by SECTION ¹⁶⁰143d) and
6 (5) (by SECTION ¹⁶²144d) of the statutes and the repeal of sections 49.45 (2m), (3) (n), and
7 (6m) (n), 49.46 (1) (n), 49.47 (5) (c), and 49.471 (13) of the statutes take effect on
8 January 1, 2015.

9 (END)

<All changes from 3-10-11 ccc