

Senate Bill 55

Date published:
July 19, 1967

CHAPTER 75, LAWS OF 1967

AN ACT to provide for the functional reorganization of the executive branch of Wisconsin state government by the orderly transfer of all functions now assigned by law to the 91 separate departments of the executive branch into a streamlined new structure of constitutional offices, operating departments, and independent institutions and agencies, and to make appropriations.

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

SECTION 1. DECLARATION OF POLICY. (1) **THREE BRANCHES OF GOVERNMENT.** The "republican form of government" guaranteed by the U.S. Constitution contemplates the separation of powers within state government among the legislative, the executive and the judicial branches of the government. The legislative branch has the broad objective of determining policies and programs and review of program performance for programs previously authorized, the executive branch carries out the programs and policies, and the judicial branch has the responsibility for adjudicating any conflicts which might arise from the interpretation or application of the laws. It is a traditional concept of American government that the 3 branches are to function separately, without intermingling of authority, except as specifically provided by law. However, the complexity of modern life has required the delegation of substantial rule-making and quasi-judicial authority to administrative regulatory agencies of the state government. Some of these regulatory agencies, engaged primarily in the supervision of private business activities, are intended to be relatively independent from executive control.

(2) **GOALS OF EXECUTIVE BRANCH ORGANIZATION.** (a) As the chief administrative officer of the state, the governor should be provided with the administrative facilities and the authority to carry out the functions of his office efficiently and effectively within the policy limits established by the legislature.

(b) The administrative agencies which comprise the executive branch should be consolidated into a reasonable number of departments to be consistent with executive capacity to administer effectively at all levels.

(c) The integration into departments of the agencies in the executive branch should be on a functional basis, so that programs can be co-ordinated.

(d) Each agency in the executive branch should be assigned a name commensurate with the scope of its program responsibilities, and should be integrated into one of the departments of the executive branch as closely as the conflicting goals of administrative integration and responsiveness to the legislature will permit.

(e) Structural reorganization should be a continuing process through careful executive and legislative appraisal of the placement of proposed new programs and the co-ordination of existing programs in response to changing emphasis or public needs.

SECTION 2. STRUCTURE OF THE EXECUTIVE BRANCH. The constitutional offices, administrative departments and independent agencies which comprise the executive branch of Wisconsin state government are by this act structured as follows:

(1) **SEPARATE CONSTITUTIONAL OFFICES.** The governor, lieutenant governor, secretary of state and state treasurer continue to exercise, except as further provided in this act, the powers, duties and functions assigned to

them by law. Each shall head a staff to be termed the "office" of the respective constitutional officer, but the office of the governor shall be known as the "executive office."

(2) ADMINISTRATIVE DEPARTMENTS. The major administrative agencies of the executive branch are classified as "departments."

(a) The department of justice is headed by the attorney general. The department of public instruction is headed by the state superintendent of public instruction. The department of military affairs is headed by the adjutant general, selected as provided by law. For these departments, the named officer shall exercise the powers of head of department.

(b) The departments of administration, of local affairs and development, of regulation and licensing, of revenue and of transportation are each headed by a secretary who exercises the powers of head of department. The secretaries are nominated by the governor, and with the advice and consent of the senate appointed, to serve at the pleasure of the governor, except that the secretary of regulation and licensing shall serve for a 6-year term expiring on March 1 of an odd-numbered year.

(c) The department of industry, labor and human relations is headed by a 3-man, full-time commission.

(d) The departments of agriculture, of employe trust funds, of health and social services, of natural resources and of veterans affairs are each headed by a part-time, policy-making board. For these departments, the respective policy-making board shall appoint a secretary to exercise the administrative powers of head of department under the direction of the board. These secretaries serve at the pleasure of their respective boards, but the secretary of veterans affairs shall be the present director and shall continue to be appointed as is now provided by law.

(3) INDEPENDENT AGENCIES. The office of the commissioner of banking, the employment relations commission, the co-ordinating committee for higher education, the higher educational aids board, the grain and warehouse commission, the state historical society of Wisconsin, the office of the commissioner of insurance, the investment board, the public service commission, the office of the commissioner of savings and loan, the office of the commissioner of securities, the board of regents of state universities, the board of regents of the university of Wisconsin, and the state board of vocational, technical and adult education are established or continued by this act as independent agencies and have, except as further provided in this act, the powers, duties and functions vested in them by law or vested in them by this act.

(4) COMMISSIONS. The members of all full-time 3-member commissions are nominated by the governor, and with the advice and consent of the senate appointed, to serve staggered 6-year terms expiring on March 1 of the odd-numbered years, but the incumbent members of commissions continued by this act shall serve for the full period of the terms for which they were appointed. At the time of making new nominations to such full-time 3-member commissions, the governor shall designate a member or nominee of each such commission to serve as the commission's chairman for a 2-year term expiring on March 1 of the odd-numbered year.

(5) ADVISORY BODIES. All advisory bodies created by law and in existence on the effective date of this act are continued as advisory bodies to the respective agencies, as affected by this act, to which they are by law attached, but all such advisory bodies are renamed as provided in SECTION 5 (6) and (7). In addition, all advisory groups created under authority vested in a department or the head of a department are specifically continued and attached to the department which assumes the functions and responsibilities of the appointing authority on the effective date of this act.

(6) AGENCIES OUTSIDE THE SCOPE OF THIS ACT. The following agencies, though sometimes considered agencies in the executive branch of Wisconsin state government, are not included in the transfers under this act:

(a) The Wisconsin Great Lakes compact commission under section 30.22 of the statutes, the Minnesota-Wisconsin boundary area commission under section 14.752 (1) of the statutes, and the Mississippi river parkway planning committee under section 14.755 of the statutes, because they are component parts of interstate agencies rather than independent agencies of Wisconsin state government. However, staff services for the Wisconsin Great Lakes compact commission will be furnished under SECTION 25 (7) and the Mississippi river parkway planning committee is renamed the Mississippi river parkway planning commission.

(b) The board of state bar commissioners, under section 256.28 (5) of the statutes, because it is a part of the judicial branch of Wisconsin state government.

(c) The transit right of way authority, under section 66.941 of the statutes, because it is by the statute creating it identified as a "political subdivision" rather than a department of Wisconsin state government.

(d) The reorganization committee, under section 15.70 of the statutes, because it is a temporary agency.

(e) The state building commission, under section 13.48 of the statutes, because it is a part of the legislative branch of Wisconsin state government.

SECTION 3. INTERNAL STRUCTURE OF DEPARTMENTS. The principal administrative unit of the executive branch is a "department" or an "independent agency." Each such unit shall bear a title beginning with the words "State of Wisconsin" and continuing with "department of" or with the name of the independent agency.

(1) DEPARTMENTS. A department may be headed by a constitutional officer, a secretary, a 3-man full-time commission, or a part-time policy-making board. For their internal structure, all departments shall adhere to the following nomenclature:

(a) The principal administrative subunit of the department is the "division." Each division shall be headed by an "administrator."

(b) The principal administrative subunit of the division is the "bureau." Each bureau shall be headed by a "director."

(c) If further subdivision is necessary, bureaus may be divided into subunits which shall be known as "sections" and which shall be headed by "chiefs"; and sections may be divided into subunits which shall be known as "units" and which shall be headed by "supervisors."

(2) INDEPENDENT AGENCIES. Independent agencies, including the independent regulatory agencies, are encouraged to review their internal structure and to adhere as much as possible to the nomenclature provided in sub. (1).

SECTION 4. CONTINUING REORGANIZATION. (1) OBJECTIVES AND GOALS. (a) The organization of state government shall assure its responsiveness to popular control. It is the goal of reorganization to improve legislative policy-making capability and to improve the administrative capability of the executive to carry out these policies.

(b) The organization of state government shall facilitate communication between citizens and government. It is the goal of reorganization through co-ordination of related programs in function-oriented departments to improve public understanding of government programs and policies and to improve the relationships between citizens and administrative agencies.

(c) The organization of state government shall assure efficient and effective administration of the policies established by the legislature. Reor-

ganization should promote efficiency by improving the management and coordination of state services and by eliminating overlapping activities.

(2) **AUTHORITY OF HEADS OF DEPARTMENT.** (a) The head of each department or independent agency shall, subject to the approval of the governor or, where applicable, the co-ordinating committee for higher education, establish the internal organization of the department or agency and allocate and reallocate duties and functions to promote economic and efficient administration and operation of the department or agency. The head of each department or independent agency shall likewise recommend such changes in the membership structure of the policy-making or advisory bodies attached to the department or independent agency as will better reflect the programs and activities of the department or independent agency.

(b) No substantive function vested by law in any officer, department, division within a department, or independent agency, shall be removed under this subsection from the jurisdiction of such officer, department, division within a department, or independent agency, but each head of a department or independent agency shall consult with the governor or, where applicable, the co-ordinating committee for higher education, and shall under sub. (4) recommend to the legislative joint committee on finance, for introduction by the joint committee on finance, such bills affecting or transferring functions assigned to the department or independent agency or to an officer or division within the department or independent agency as will promote economic and efficient administration.

(3) **PREPARATION OF STATUTORY CHANGES.** (a) The legislative reference bureau shall prepare bills, for introduction by the legislative joint committee on finance in an adjourned session of the 1967 legislature, to revise the statutes so as to reflect the changes made by this act.

(b) At such time as all statutory changes contemplated by this act have gone into effect, the revisor of statutes shall prepare a bill to repeal this act.

(4) **JOINT FINANCE COMMITTEE TO IMPLEMENT.** The members of the legislative joint committee on finance, under section 13.09 of the statutes, shall meet regularly to co-operate in the drafting of legislation under subs. (2) (b) and (3) (a). Any member of the legislative joint committee on finance shall, for each day he attends a meeting of the joint committee on finance under this section, receive actual and necessary expenses.

SECTION 5. DEFINITIONS. (1) "Department" means the principal administrative agency within the executive branch of Wisconsin state government. The independent agencies enumerated in SECTION 2 (8) of this act are not "departments" within the meaning of this definition.

(2) "Division," "bureau," "section" and "unit" means the subunits of a department, whether specifically created by law or created by the head of the department for the more economic and efficient administration and operation of the programs assigned to the department.

(3) "Head of the department" means the constitutional officer, 3-man commission secretary, or part-time policy board, in charge of a department created or continued by this act. It means, also, the governing board or officer of each independent agency created or continued by this act.

(4) "Commission" means:

(a) A 3-man full-time governing body in charge of a department or division within a department; or

(b) A quasi-judicial body or independent regulatory agency; or

(c) A Wisconsin group created for participation in a continuing interstate body.

(5) "Board" means a part-time body functioning as the policy-making unit for an agency. "Examining board" means a part-time body which sets standards of professional competence and conduct for the profession under

its supervision, prepares and grades the examinations of prospective new practitioners, issues licenses, investigates complaints of alleged unprofessional conduct and performs other functions assigned to it by law.

(6) "Council" means a part-time body appointed to function on a continuing basis for the study, and recommendation of solutions and policy alternatives, of the problems arising in a specified functional area of state government.

(7) "Committee" means a part-time body appointed to study a specific problem, recommend a solution or policy alternative with respect to that problem, and intended to terminate on the completion of its assignment.

SECTION 6. METHOD OF CONSOLIDATION. The provisions set out in SECTION 29 (1) apply to all agencies of the executive branch, including those enumerated in sub. (1). The provisions set out in SECTION 7 (4) apply to all agencies of the executive branch including the department of regulation and licensing. The types of transfers used to consolidate the existing agencies into the departments created or continued by this act, and independent agencies continued by this act, are described in subs. (3) to (8).

(1) **AGENCIES NOT AFFECTED BY THIS ACT.** The executive office of the governor, the offices of the lieutenant governor, secretary of state and state treasurer, and the following agencies of the executive branch of Wisconsin state government are, except as further provided in this section, not affected by the reorganization provisions of this act but may, as shown in further sections of this act, be renamed or assume additional responsibilities through transfers from other agencies.

- (a) Administration, department of.
- (b) Agriculture, state department of.
- (c) Attorney general.
- (d) Banking department, state.
- (e) Employment relations board, Wisconsin.
- (f) Executive office of the governor, except as provided in SECTION 23 (1) and (2).
- (fm) Grain and warehouse commission.
- (g) Higher education, co-ordinating committee for, except as provided in SECTION 17m (2).
- (gm) Higher educational aids, state commission for.
- (h) Historical society of Wisconsin, state.
- (i) Industrial commission.
- (j) Insurance department, except as provided in SECTION 20 (1)
- (a).
 - (k) Investment board, state of Wisconsin.
 - (L) Lieutenant governor.
 - (m) Public instruction, state superintendent of.
 - (n) Public service commission of Wisconsin.
 - (o) Savings and loan department.
 - (p) Secretary of state, except as provided in SECTIONS 27 (3) (a) and (b) and 29 (2).
 - (q) Securities, department of.
 - (r) State colleges, board of regents of.
 - (s) State treasurer.
 - (t) Taxation, state department of, except as provided in SECTION 20 (1) (b).
 - (u) University of Wisconsin, board of regents of.
 - (v) Veterans affairs, department of.
 - (w) Vocational, technical and adult education, state board of, except as provided in SECTION 16m (4).

(2) **AGENCIES ABOLISHED.** (a) *Resource development advisory committee.* The resource development advisory committee, under section 109.07 of the statutes, is abolished.

(b) *Surplus property commission.* The Wisconsin federal surplus property development commission, under section 15.995 of the statutes, is abolished.

(c) *Turnpike commission.* The Wisconsin turnpike commission, under section 15.96 of the statutes, is abolished.

(3) **TYPE 1 TRANSFER.** A type 1 transfer is the transferring intact of an existing agency, or of an existing agency with certain programs, activities or identifiable subunits transferred out, so that the agency becomes a distinct unit of a department or independent agency established or continued by this act, or of a specified division thereof. Any agency attached to a department or independent agency by a type 1 transfer shall exercise its powers, duties and functions prescribed by law, including rule-making, licensing and regulation, and operational planning within the agency's area of program responsibility, independently of the head of the department or independent agency, but budgeting, program co-ordination and related management functions shall be performed under the direction and supervision of the head of the department or independent agency.

Item
Veto

~~For any agency assigned a type 1 transfer the head of such agency, rather than the head of the department or independent agency to which the agency is attached, shall be the appointing authority. Authority to appoint to boards or commissions assigned this type of transfer shall rest with the appointing authority so empowered prior to enactment of this section.~~

(4) **TYPE 1A TRANSFER.** A type 1A transfer is the grouping with the department of regulation and licensing of an existing examining board or agency, which has as its single function or one of its functions the setting of standards for and regulation of an occupation or profession and examination, licensing or certifying of practitioners of such occupation or profession and which receives revenues from fees collected as a result of its licensing or certifying activities. For any examining board or agency assigned a type 1A transfer the routine housekeeping functions of payroll, procurement, and office maintenance shall be assigned to the secretary of the department of regulation and licensing. Any examining board or agency assigned a type 1A transfer shall independently exercise its powers, duties and functions prescribed by law including rule-making, licensing, certifying and regulation. Each examining board or agency given a type 1A transfer shall continue to have supervision and control of those funds received by it in connection with its licensing, certifying and related activities, and of the budgeting of such funds. For any examining board or agency assigned a type 1A transfer the examining board or agency, rather than the secretary of the department of regulation and licensing, shall be the appointing authority. Authority to appoint examining boards or agencies assigned this type of transfer shall rest with the appointing authority so empowered prior to the enactment of this section.

(5) **TYPE 2 TRANSFER.** A type 2 transfer is the administrative merging of an existing agency or of an existing agency with certain programs, activities or identifiable subunits transferred out, into a department established or continued by this act, or into a subdivision thereof. If an agency assigned a type 2 transfer was headed by a board or commission, such board or commission is abolished; the powers and duties previously vested specifically in such board or commission are vested in the head of the department, created or continued by this act, to which the agency is assigned. Any agency assigned a type 2 transfer shall have all its statutory powers including operational planning, duties and functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds transferred to the department to which it is

assigned. The transfer of funds shall include all segregated funds in such manner that the relation between program and revenue source as provided by law is retained and so that appropriations for programs and subprograms are not altered.

(6) **TYPE 3 TRANSFER.** A type 3 transfer is the merging of a program or activity of an existing agency, or of an identifiable subunit within an existing agency, into a department established by this act. Any program or activity assigned a type 3 transfer shall have all statutory powers, duties, records, personnel, property, unexpended balances of appropriations, allocations or other funds transferred to the agency to which it is assigned. The transfer of funds shall include all segregated funds in such manner that the relation between program and revenue source as provided by law is retained and so that appropriations for programs and subprograms are not altered.

(7) **TYPE 4 TRANSFER.** A type 4 transfer is the termination of an existing agency, and all its statutory powers, duties and functions shall be absorbed by the department or division within a department to which they are transferred. All personnel positions affected by a type 4 transfer are abolished, and all unencumbered balances of appropriations affected by a type 4 transfer revert to the fund from which appropriated.

(8) **TYPE 5 TRANSFER.** A type 5 transfer is the termination of an identifiable activity or subunit within an existing agency, and the statutory powers, duties and functions assigned to that unit shall be absorbed by the department, division or independent agency to which they are assigned. All personnel positions affected by a type 5 transfer are abolished, and all unencumbered balances of appropriations affected by a type 5 transfer revert to the fund from which appropriated.

SECTION 7. HEADS OF DEPARTMENTS; POWERS AND DUTIES. Each head of a department, including each constitutional officer in charge of a department, shall:

(1) **SUPERVISION.** Plan, direct, co-ordinate and execute the functions vested in his department by a transfer other than a type 1 transfer. Any agency assigned a type 1 transfer shall exercise its powers, duties and functions prescribed by law, including rule-making, licensing and regulation, and operational planning within its area of program responsibility, independently of the head of the department.

(2) **BUDGET.** Biennially compile a comprehensive program budget which reflects all fiscal matters related to the operation of his department and each program, subprogram and activity therein.

(3) **ADVISORY BODIES.** Create such advisory bodies as the operation of his department requires.

(4) **BIENNIAL REPORT.** Submit a report in November of each even-numbered year to the governor and the legislature on the operation of his department during the 2-year period concluded on the preceding June 30, and projecting the goals and objectives of the department as developed for the program budget report. This requirement supersedes all existing statutory requirements for the submission of annual or biennial operating reports by agencies of the executive branch.

SECTION 8. UNCLASSIFIED POSITIONS. (1) **DEPUTY TO SECRETARY.** Each secretary shall select a deputy to hold the position of deputy at the pleasure of the secretary. The deputy shall exercise the secretary's powers, duties and functions in the secretary's absence, and shall perform such other duties as the secretary prescribes. The deputy shall either be selected from the classified service employees within the department, or he shall be the executive assistant appointed under sub. (2).

(2) EXECUTIVE ASSISTANT. Each secretary may appoint, outside the classified service, an executive assistant to serve at his pleasure. At the discretion of the secretary, the executive assistant shall serve as the deputy under sub. (1) or shall perform such other duties as the secretary prescribes.

(3) EXEMPT POSITIONS CONTINUED. In all agencies which are continued by this act or which are assigned a type 1 or type 1A transfer, the full-time civil service positions exempt from the classified service on or before the effective date of this act shall remain exempt from the classified service after the effective date of this act and continue to be filled as provided by law, and new positions of comparable responsibility created after the effective date of this act shall be treated similarly, except that in the departments headed by secretaries, the administrators of all new divisions created after the effective date of this act shall serve under the classified service.

SECTION 9. CLASSIFIED POSITIONS. All managerial personnel up to and including the position of director at the head of each bureau, unless exempt under SECTION 8 (3), shall serve under the classified service.

SECTION 10. COMMITTEE TO STUDY ADMINISTRATIVE REVIEW PROCEDURES. Unless the legislature, by joint resolution, provides for a different method of appointment, the joint legislative council shall appoint a committee on administrative review procedures. The committee created under this authority shall expire on the date of the sine die adjournment of the 1969 legislature. The committee shall study the composition, membership, term of appointment, appointing authority, scope of administrative review, procedures and any other details, required to establish an administrative review commission which, if the committee recommends its establishment, should be operative by January 1, 1970, and in that case the committee shall prepare a bill for introduction in the 1969 legislature.

SECTION 11. ADMINISTRATION. The department of administration, under the direction and supervision of the secretary of administration, assumes the following additional responsibilities:

(2) CLAIMS BOARD. The claims commission, under section 15.94 of the statutes, is renamed the claims board and by a type 1 transfer attached to the department of administration.

(a) The commission for the relief of innocent persons, under section 285.05 of the statutes, is assigned a type 4 transfer to the claims board.

(b) The judgment debtor relief commission, under sections 285.06 and 285.11 of the statutes, is assigned a type 4 transfer to the claims board.

(3) PERSONNEL BOARD. The state personnel board, under section 16.03 of the statutes, is renamed the personnel board and by a type 1 transfer attached to the department of administration.

(4) PUBLIC RECORDS BOARD. The committee on public records, under section 16.80 of the statutes, is renamed the public records board and by a type 1 transfer attached to the department of administration.

(5) STATE GOVERNMENT PLANNING. The comprehensive state government planning responsibility of the department of resource development and so much of the department's personnel and appropriation as was previously assigned to that responsibility, are transferred by a type 3 transfer to the department of administration.

(6) BOARD OF TAX APPEALS. The Wisconsin board of tax appeals, under section 73.01 of the statutes, is renamed the tax appeals commission and by a type 1 transfer attached to the department of administration.

SECTION 12. AGRICULTURE. The state department of agriculture, under section 93.02 of the statutes, is renamed the department of agriculture and continued. The department remains under the direction and supervision of the state board of agriculture, renamed the board of agriculture.

SECTION 13. EMPLOYE TRUST FUNDS. There is created a department of employe trust funds under the direction and supervision of the employe trust funds board. This department shall maintain at least a branch office in Milwaukee. The separate employe trust funds shall not be commingled by virtue of this act, but the moneys in each segregated employe trust fund shall continue to be administered on a segregated basis.

(1) **EMPLOYE TRUST FUNDS BOARD.** There is created an employe trust funds board of 7 members. Three members shall be members of the board of trustees of the Wisconsin retirement fund, appointed by the board of trustees. Two members shall be members of the board of trustees of the state teachers retirement system, appointed by the board of trustees. One member shall be a member of the Milwaukee teachers annuity and retirement fund, appointed by the board of trustees. One member shall be a member of the group insurance board, appointed by the group insurance board.

(a) The employe trust funds board shall designate one of the administrators under sub. (2) or (3) to serve as the secretary of employe trust funds, and designate the other administrator to serve as the secretary's deputy.

(2) **MUNICIPAL AND STATE GOVERNMENT.** There is created a division of municipal and state government in the department of employe trust funds. This division shall be under the direction and supervision of the board of trustees of the Wisconsin retirement fund, constituted as provided by section 66.911 (2) of the statutes. The board of trustees of the Wisconsin retirement fund shall appoint the administrator of the division of municipal and state government under the classified service.

(a) The Wisconsin retirement fund, under sections 66.90 to 66.918 of the statutes, is assigned a type 1 transfer to the division of municipal and state government.

(b) The group insurance board, under section 66.919 of the statutes, is assigned a type 1 transfer to the division of municipal and state government.

(c) The conservation wardens pension fund, under section 23.14 of the statutes, is assigned a type 1 transfer to the division of municipal and state government.

(d) The public employes social security fund, under section 66.99 of the statutes, is assigned a type 2 transfer to the division of municipal and state government.

(3) **TEACHERS.** There is created a division of teachers in the department of employe trust funds. This division shall be under the direction and supervision of the board of trustees of the state teachers retirement fund constituted and appointed as provided by law. The board of trustees of the state teachers retirement fund shall appoint the administrator of the division of teachers under the classified service.

(a) The state teachers retirement fund, under chapter 42 of the statutes, is assigned a type 1 transfer to the division of teachers.

(b) The Milwaukee teachers annuity and retirement fund, under section 38.24 of the statutes, is assigned a type 1 transfer to the division of teachers.

SECTION 14. EMPLOYMENT RELATIONS COMMISSION. The Wisconsin employment relations board, under subchapters I, III, IV and V

of chapter 111 of the statutes, is renamed the employment relations commission and continued as an independent agency.

SECTION 15. EXECUTIVE OFFICE. The executive office of the governor, except the bureau of civil defense under section 22.01 (3) and the division of state economic development under section 15.65 of the statutes, is renamed the executive office and continued as an independent constitutional office.

SECTION 16. GRAIN AND WAREHOUSE COMMISSION. The grain and warehouse commission under chapter 126 of the statutes is continued as an independent agency.

SECTION 16m. HEALTH AND SOCIAL SERVICES. There is created a department of health and social services under the direction and supervision of the health and social services board.

(1) **HEALTH AND SOCIAL SERVICES BOARD.** There is created a health and social services board of 9 members, nominated by the governor, and with the advice and consent of the senate appointed, to serve 6-year terms expiring on May 1 of the odd-numbered years, except that of the members first appointed 3 shall be selected to serve 2-year terms, 3 to serve 4-year terms, and 3 to serve full 6-year terms. Thereafter all appointments shall be for the balance of an unexpired term or for a full 6-year term.

(2) **HEALTH.** The agency known as the state board of health, under section 140.01 of the statutes, except as further provided in this introductory paragraph, is renamed the division of health and assigned a type 1 transfer to the department of health and social services. The state board of health is renamed the "council on health" and continued as an advisory body to advise the health and social services board and to advise the division of health. The powers, duties and functions of the state board of health including rule-making, licensing, certification and inspection are vested in the state health officer who shall be appointed by the head of the department with the approval of the council on health. The state health officer shall serve as the administrator of the division of health. With the approval of the council on health, the state health officer shall appoint such advisory and examining bodies as are provided by law, and shall promulgate rules. The head of the department of health and social services may allocate and reallocate functions now vested in the division of health within that division or transfer such functions to other divisions within the department. Each examining committee presently under the state board of health and becoming, pursuant to this act, a part of the division of health shall continue to independently exercise the powers, duties and functions presently exercised by it. Each such examining committee shall continue to have supervision and control of those funds received by it to the same extent as prior to passage of this act. The following activities of the public health services program are excluded from the transfer under this paragraph: 1) the migrant labor camps subactivity of the licensing, regulation and survey services activity of the environmental sanitation subprogram; and 2) the air pollution control subactivity of the occupational health surveys activity of the environmental sanitation subprogram.

(3) **WELFARE.** The state department of public welfare, under section 46.011 of the statutes, except the conservation youth camps program, is assigned a type 2 transfer to the department of health and social services.

(4) **VOCATIONAL REHABILITATION.** The vocational rehabilitation program of the state board of vocational, technical and adult education, under section 41.71 of the statutes, is transferred by a type 3 transfer to the department of health and social services.

(5) AGING, STATE COMMISSION ON. The agency known as the state commission on aging, under section 14.95 of the statutes, is renamed the council on aging and by a type 1 transfer attached to the department of health and social services.

(6) INSTITUTION STANDARDS, JOINT COMMITTEE ON. The joint committee on institution standards, under section 46.165 of the statutes, is assigned a type 4 transfer to the department of health and social services.

(7) HEALTH AND WELFARE; INTERAGENCY COMMITTEE. The interagency committee on health and welfare, under section 15.97 of the statutes, is assigned a type 4 transfer to the department of health and social services.

(8) MENTAL HEALTH ADVISORY COMMITTEE. The mental health advisory committee, under section 46.52 of the statutes, is assigned a type 4 transfer to the department of health and social services, except that the mental health advisory committee is continued as an advisory body to the department of health and social services under the name "council on mental health".

(9) DEAF, WISCONSIN ASSOCIATION OF THE. The program of administering the appropriation to the Wisconsin association of the deaf, under section 20.300 (1) of the statutes, is transferred by a type 5 transfer to the department of health and social services.

SECTION 17. HIGHER EDUCATION. The co-ordinating committee for higher education is continued as an independent agency and assumes the following additional responsibilities:

(3) EDUCATIONAL BROADCASTING DIVISION. The agency known as the state radio council, under section 43.60 of the statutes, is renamed the educational broadcasting division and by a type 1 transfer attached to the co-ordinating committee for higher education. This division shall be under the direction and supervision of the state radio council, hereby renamed the educational broadcasting board.

SECTION 17m. HIGHER EDUCATIONAL AIDS BOARD. The agency known as the state commission for higher educational aids, under section 39.023 of the statutes, is renamed the higher educational aids board and continued as an independent agency. The board assumes the following additional responsibilities:

(1) EDUCATIONAL APPROVAL COUNCIL. The educational approval council, under section 15.98 of the statutes, is assigned a type 2 transfer to the higher educational aids board.

(2) STATE SCHOLARSHIP COMMITTEE. The state scholarship committee, established under section 36.165 of the statutes, is assigned a type 2 transfer to the higher educational aids board.

SECTION 18. HISTORICAL SOCIETY. The state historical society of Wisconsin is continued as an independent agency and assumes the following additional responsibilities:

(1) ARCHEOLOGICAL SOCIETY. The program of administering the appropriation to the Wisconsin archeological society, under section 20.150 of the statutes, is assigned a type 5 transfer to the state historical society of Wisconsin.

(2) HISTORICAL MARKERS COUNCIL. The historical markers commission, under section 44.15 of the statutes, is renamed the historical markers council and by a type 1 transfer attached to the state historical society of Wisconsin.

SECTION 19. INVESTMENT BOARD. The state of Wisconsin investment board is, for purposes of identification in the statutes, renamed the investment board and continued as an independent agency.

SECTION 20. JUSTICE. The agency headed by the attorney general is renamed the department of justice. The department remains under the direction and supervision of the attorney general. The department assumes the following additional responsibilities:

(1) **CRIMINAL INVESTIGATION.** The division of criminal investigation in the department of justice assumes the following additional responsibilities:

(a) The arson investigation program of the agency known as the commissioner of insurance, under sections 200.03 (11) and 200.19 to 200.25 of the statutes, is transferred by a type 3 transfer to the division of criminal investigation in the department of justice.

(b) The criminal investigatory functions of the beverage and cigarette tax division of the state department of taxation and so much of the division's personnel and appropriation as was previously assigned to those functions are transferred by a type 3 transfer to the division of criminal investigation in the department of justice.

(2) **CRIME LABORATORY.** The state crime laboratory, under chapter 165 of the statutes, is assigned a type 2 transfer to become the crime laboratory division in the department of justice. The state crime laboratory board is renamed the investigation council and retained as an advisory council to the head of the department of justice.

SECTION 21. INDUSTRY, LABOR AND HUMAN RELATIONS. The agency known as the industrial commission, created by section 101.02 of the statutes, is renamed the department of industry, labor and human relations. This department remains under the direction and supervision of the industrial commission, hereby renamed the industry, labor and human relations commission. The department of industry, labor and human relations is assigned the following additional responsibilities:

(1) **MIGRANT LABOR CAMPS.** The migrant labor camps subactivity of the licensing, regulation and services activity of the environmental sanitation subprogram, of the public health services program of the state board of health, is transferred by a type 3 transfer to the department of industry, labor and human relations.

(2) **EQUAL RIGHTS.** The agency known as the governor's commission on human rights, under section 15.85 of the statutes, is assigned a type 1 transfer to become the division of equal rights in the department of industry, labor and human relations.

(a) The governor's commission on human rights is renamed the equal rights council. The council retains all the functions of the former governor's commission on human rights with regard to educating the public in matters relating to equal rights and, in addition, assumes the responsibilities of the fair employment advisory committee under section 111.34 of the statutes and of the housing advisory committee created by the former industrial commission under its general authority pursuant to section 101.60 of the statutes. The equal rights council shall function as an advisory council to the head of the department of industry, labor and human relations, and shall advise the administrator of the division of equal rights; but any quasi-judicial responsibilities vested by law in the governor's commission on human rights are transferred to the industry, labor and human relations commission.

(b) The equal opportunities division, under section 101.60 of the statutes, is assigned a type 3 transfer to the equal rights division.

SECTION 22. LIEUTENANT GOVERNOR. The lieutenant governor's office is continued as an independent constitutional office.

SECTION 23. LOCAL AFFAIRS AND DEVELOPMENT. There is created a department of local affairs and development under the direction

and supervision of the secretary of local affairs and development. This department may assist local government in carrying out their functions for all types of local government; shall provide assistance, at their request, in determining methods of increased efficiency in management therein; shall advise local governments of the results of studies made by legislative interim study committees; shall co-operate with local government in seeking solutions to local fiscal problems and provide assistance in state and federal aids.

(1) The bureau of civil defense in the executive office, under section 22.01 (3) of the statutes, is renamed the division of emergency government and is transferred by a type 3 transfer to the department of local affairs and development. The administrator of this division continues to be appointed by the governor outside the classified service.

(2) The division of state economic development in the executive office, under section 15.65 of the statutes, is transferred by a type 3 transfer to the department of local affairs and development.

(2m) The Wisconsin Olympic sports commission, under section 15.997 of the statutes, is renamed the Olympic sports board and by a type 1 transfer attached to the department of local affairs and development.

(3) The Wisconsin exposition department, under section 27.30 of the statutes, is assigned a type 2 transfer to the department of local affairs and development, except that the board of directors of the Wisconsin exposition department is renamed the exposition council and retained to serve in an advisory capacity to the secretary of local affairs and development.

(5) The local and regional planning subprogram of the planning and recreation program of the department of resource development, and so much of the department's appropriation and personnel as were previously assigned to that function, is transferred by a type 3 transfer to the department of local affairs and development.

SECTION 24. MILITARY AFFAIRS. There is created a department of military affairs under the direction and supervision of the adjutant general.

(1) **ARMORY BOARD.** The Wisconsin state armory board, under section 21.615 of the statutes, is renamed the armory board and by a type 1 transfer attached to the department of military affairs.

(2) **NATIONAL GUARD.** The administration of the Wisconsin national guard, under chapter 21 of the statutes, is assigned a type 1 transfer to the department of military affairs.

SECTION 25. NATURAL RESOURCES. There is created a department of natural resources under the direction and supervision of the natural resources board.

(1) **NATURAL RESOURCES BOARD.** There is created a natural resources board of 7 members, nominated by the governor, and with the advice and consent of the senate appointed, to serve 6-year terms expiring on May 1 of the odd-numbered years, except that of the members first appointed 3 members shall be selected to serve 2-year terms, 2 to serve 4-year terms, and 2 to serve full 6-year terms. Thereafter all appointments shall be for the balance of an unexpired term or a full 6-year term. Of the members first nominated by the governor, 4 members shall be selected from among the incumbent members of the conservation commission and 3 members shall be selected from among the incumbent members of the resource development board. At least 3 members of the board shall be from the territory north of a line running east and west through the south limits of the city of Stevens Point and at least 3 members of

the board shall be from the territory south of a line running east and west through the south limits of the city of Stevens Point.

(a) The state geographic board, under section 23.25 of the statutes, is assigned a type 4 transfer to the natural resources board.

(c) The natural resources board shall review the budget requests of any department or independent agency as they affect the natural resources policies of this state, and submit its recommendations to the governor.

(d) The board of natural resources shall:

1. Make a continuing study of the natural resources problems of this state and recommend to the governor and the legislature over-all policies of natural resources management for the guidance of all state agencies, and within the framework of such policies review for all state agencies their proposed new programs involving natural resources.

2. Make a continuing study of the structure, organization, and management, of natural resource programs administration in this state and report its recommendations as to possible management efficiencies and further integration and consolidation of the natural resource programs to the governor and the legislature by March 1 of each odd-numbered year.

3. Co-ordinate the planning of state agencies whose activities have a direct impact on the natural resources of this state, and for this purpose the board of natural resources may direct the natural resources council of state agencies to prepare reports and outline policy alternatives with regard to specific programs.

(2) LAND RESOURCES. The agency known as the board of commissioners of the public lands, created by article X, section 7 of the constitution, is renamed the division of land resources and by a type 1 transfer attached to the department of natural resources. This division shall be under the direction and supervision of the board of commissioners of the public lands.

(3) BOARDS AND COUNCILS ATTACHED TO DEPARTMENT. Each of the following boards and councils, renamed as shown, is by a type 1 transfer attached to the department of natural resources:

(a) Natural beauty council, previously named the Wisconsin council on natural beauty, under section 109.13 of the statutes.

(b) Natural resources council of state agencies, previously named the natural resources committee of state agencies, under section 23.26 of the statutes. The membership of the natural resources council of state agencies shall be reconstituted to consist of 15 members representing 13 officers, departments or independent institutions and agencies as follows, and each member shall be designated by the respective named officer or head of the department or independent institution or agency: the governor, the attorney general, the public service commission, the board of regents of state universities, the departments of administration, of agriculture, of local affairs and development, of public instruction and of transportation, and the divisions of health, of conservation and of resource development shall each designate one member. The university of Wisconsin shall designate 3 members to represent, respectively, the cooperative extension services, the geological and natural history survey and the water resources center.

(d) Recreation council, previously named the state recreation committee, under section 15.60 of the statutes.

(e) Scientific areas preservation council, previously named the state board for the preservation of scientific areas, under section 23.27 of the statutes.

(4) CONSERVATION. The conservation department, under section 23.09 of the statutes, is renamed the division of conservation and by a

type 1 transfer attached to the department of natural resources. The head of the department of natural resources may allocate and reallocate functions now vested in the division of conservation within that division or transfer such functions to other divisions within the department with the approval of the conservation commission. On July 1, 1968, the status of this transfer shall change from type 1 to type 2. All advisory groups created under section 29.174 (4) are specifically retained and attached to the head of the division of conservation and, after the change of transfer status, to the board of natural resources.

(4m) ARTIFICIAL LAKE CREATION. The artificial lake creation function of the state soil and water conservation committee, under section 92.18 of the statutes, is transferred by a type 3 transfer to the department of natural resources.

(5) RESOURCE DEVELOPMENT. The department of resource development, under section 144.023 of the statutes, except 1) the comprehensive state government planning responsibility and 2) the local and regional planning subprogram of the planning and recreation program, is renamed the division of resource development and by a type 1 transfer attached to the department of natural resources. The head of the department of natural resources may allocate and reallocate functions now vested in the division of resource development within that division or transfer such functions to other divisions within the department with the approval of the resource development board. On July 1, 1968, the status of this transfer shall change from type 1 to type 2.

(a) The air pollution control subactivity, of the occupational health surveys activity of the environmental sanitation subprogram of the public health services program of the state board of health, is transferred by a type 3 transfer to the division of resource development in the department of natural resources.

(6) CONSERVATION YOUTH CAMPS. The conservation youth camps program of the state department of public welfare, under section 46.70 of the statutes, is transferred by a type 3 transfer to the department of natural resources.

(7) GREAT LAKES COMPACT COMMISSION. The department of natural resources shall provide all staff services necessary to accomplish the purposes of section 30.22 of the statutes, relating to the Wisconsin Great Lakes compact commission.

(8) RULE-MAKING POWER. The rule-making power vested by law in the conservation commission and the resource development board is transferred to the natural resources board and is modified to the extent that, beginning with the effective date of this act, no rule affecting water quality under section 144.025 (2) (b) of the statutes shall be promulgated unless [the] rule proposed for adoption by the natural resources board has first been approved by the administrator of the division of conservation and by the administrator of the division of resource development. In the event that either the administrator of the division of conservation or the administrator of the division of resource development should not approve a proposed rule, the natural resources board may adopt a rule only after a public hearing at which formal statements of the views of division administrators are presented.

(9) PUBLIC INTERVENOR. The attorney general shall designate an assistant attorney general on his staff as public intervenor. Written notices of all proceedings under chapters 30, 31 and 144 of the statutes shall be given [to] the public intervenor and to the administrators of the divisions of conservation and of resource development by the agency head responsible for such proceedings. A copy of such notice shall also be given

to the scientific areas preservation council. The public intervenor shall formally intervene in such proceedings when requested to do so by either the administrator of the division of conservation or the administrator of the division of resource development. The public intervenor may, on his own initiative or upon request of any committee of the legislature, formally intervene in all such proceedings where such intervention is needed for the protection of "public rights" in water and other natural resources, as provided in chapters 30 and 31 of the statutes and defined by the supreme court. Personnel of the department of natural resources shall upon the request of the public intervenor make such investigations, studies and reports as he may request in connection with such proceedings, either before or after formal intervention. Personnel of state agencies shall at his request provide information, serve as witnesses in such proceedings and otherwise co-operate in the carrying out of his intervention functions. Formal intervention shall be by filing a statement to that effect with the examiner or other person immediately in charge of the proceeding. Thereupon the public intervenor shall be deemed a party in interest with full power to present evidence, subpoena and cross examine witnesses, submit proof, file briefs or do any other acts appropriate for a party to the proceedings. He shall also be empowered to appeal from administrative rulings to the courts and in all administrative proceedings and judicial review proceedings he shall be identified as "public intervenor". This section does not preclude or prevent any division of the department of natural resources, or any other department or independent agency from appearing by its staff as a party in such proceedings.

SECTION 26. PUBLIC INSTRUCTION. The agency headed by the state superintendent of public instruction is renamed the department of public instruction. The department remains under the direction and supervision of the state superintendent.

SECTION 27. REGULATION AND LICENSING. There is created a department of regulation and licensing under the direction and supervision of the secretary of regulation and licensing. The provisions regarding the powers of heads of departments, under SECTION 7 of this act, do not apply to the department of regulation and licensing.

(1) Each of the following examining boards, renamed as shown, is with all its powers, duties and functions, except such routine clerical functions as can be administratively centralized for improved economy and efficiency, by a type 1A transfer attached to the department of regulation and licensing. The routine clerical functions of these examining boards, and so much of their personnel and appropriations as were previously assigned to routine clerical functions, shall be merged directly into the department of regulation and licensing. The examining boards affected by this subsection are:

(a) Accounting examining board, previously named the Wisconsin state board of accountancy, under chapter 135 of the statutes.

(b) Examining board of architects and professional engineers, previously named the registration board of architects and professional engineers, under sections 101.31 and 101.315 of the statutes.

(c) Athletic examining board, previously named the athletic (boxing and wrestling) commission, under chapter 169 of the statutes.

(d) Basic sciences examining board, previously named the board of examiners in the basic sciences, under section 147.03 of the statutes.

(e) Chiropractic examining board, previously named the state board of examiners in chiropractic, under sections 147.23 to 147.26 of the statutes.

(f) Dentistry examining board, previously named the state board of dental examiners, under chapter 152 of the statutes.

(g) 1. Medical examining board, previously named the Wisconsin state board of medical examiners, under sections 147.13 to 147.19 of the statutes.

2. The medical grievance committee, under section 147.195 of the statutes, is assigned a type 4 transfer to the medical examining board.

(h) Optometry examining board, previously named the Wisconsin board of examiners in optometry, under chapter 153 of the statutes.

(i) Pharmacy examining board, previously named the state board of pharmacy, under chapter 151 of the statutes.

(j) Pharmacy internship board, previously named the pharmacy internship commission, under section 151.015 of the statutes.

(k) Real estate examining board, previously named the Wisconsin real estate commission, under chapter 136 of the statutes.

(L) Veterinary examining board, previously named the board of veterinary examiners, under chapter 150 of the statutes.

(m) Watchmaking examining board, previously named the Wisconsin board of examiners in watchmaking, under chapter 125 of the statutes.

(2) The state department of nurses, under chapter 149 of the statutes, is renamed the division of nurses and by a type 1A transfer attached to the department of regulation and licensing:

(3) The administration of the following licenses, under the statutes shown, is transferred by a type 5 transfer and assigned to the department of regulation and licensing:

(a) Private detectives, under section 175.07 of the statutes, previously administered by the secretary of state.

(b) Professional fund raisers and solicitors, under section 175.13 of the statutes, previously administered by the secretary of state.

(c) Peddlers, under sections 129.01 to 129.04 of the statutes, previously administered by the motor vehicle department.

(d) Transient merchants, under section 129.05 of the statutes, previously administered by the motor vehicle department.

(e) Public showmen, under section 129.14 of the statutes, previously administered by the motor vehicle department.

SECTION 28. REGULATORY AGENCIES CONTINUED. (1) The independent regulatory agencies enumerated in this section are renamed as shown and continued as independent regulatory agencies, but the head of any independent regulatory agency shall be known as "commissioner of . . .".

(2) **BANKING.** The state banking department, under chapter 220 of the statutes, is renamed the office of the commissioner of banking. The office is continued as an independent regulatory agency.

(3) **PUBLIC SERVICE.** The agency known as the public service commission, under section 195.01 of the statutes, is continued as an independent regulatory agency.

(4) **SAVINGS AND LOAN.** The savings and loan department, under chapter 215 of the statutes, is renamed the office of the commissioner of savings and loan. The office is continued as an independent regulatory agency.

(5) **SECURITIES.** The department of securities, under chapter 189 of the statutes, is renamed the office of the commissioner of securities, headed by the commissioner of securities. The office is continued as an independent regulatory agency.

(6) **INSURANCE.** The agency headed by the commissioner of insurance, under section 200.01, except the arson investigation program under sections 200.03 (11) and 200.19 to 200.25 of the statutes, is renamed the

office of the commissioner of insurance. The office is continued as an independent regulatory agency.

SECTION 29. REVENUE. The state department of taxation, except the criminal investigatory functions of the beverage and cigarette tax division, is renamed the department of revenue. The department of revenue is under the direction and supervision of the commissioner of taxation, renamed the secretary of revenue. The department assumes the following additional responsibilities:

(1) The department of revenue shall, on the certification of the program agencies that all requirements of the applicable laws have been complied with, perform the mechanical operation of the distribution of all moneys which the state distributes to political subdivisions.

(2) The program of the secretary of state relating to collections on loans to school districts, under sections 25.08 and 25.09 of the statutes, is transferred by a type 3 transfer to the department of revenue.

SECTION 30. SECRETARY OF STATE. The secretary of state's office, except 1) the licensing of private detectives function under section 175.07 of the statutes, 2) the licensing of professional fund raisers and solicitors function under section 175.13 of the statutes, and 3) the program relating to collections on loans to school districts under sections 25.08 and 25.09 of the statutes, is continued as an independent constitutional office. The office assumes the following additional responsibility:

(1) **BOARD OF STATE CANVASSERS.** The board of state canvassers, under section 6.69 of the statutes, is by a type 1 transfer attached to the office of the secretary of state.

SECTION 31. STATE TREASURER. The state treasurer's office is continued as an independent constitutional office.

SECTION 32. STATE UNIVERSITIES. The board of regents of state colleges is renamed the board of regents of state universities and continued as an independent agency.

SECTION 33. TRANSPORTATION. There is created a department of transportation under the direction and supervision of the secretary of transportation.

(1) **COUNCIL ON TRAFFIC LAW ENFORCEMENT.** The governor's council on traffic law enforcement, under section 15.87 of the statutes, is renamed the council on traffic law enforcement and by a type 1 transfer attached to the department of transportation.

(2) **HIGHWAYS.** The agency known as the state highway commission, under chapter 84 of the statutes, is renamed the division of highways and by a type 1 transfer attached to the department of transportation. This division shall be under the direction and supervision of the state highway commission, renamed the highway commission. The secretary of the department of transportation may allocate and reallocate functions now vested in the highway division within that division, or transfer such functions to other divisions within the department.

(3) **MOTOR VEHICLES.** The motor vehicle department, under chapter 110 of the statutes, except the department's activities relating to the licensing of peddlers, transient merchants and public showmen, is renamed the division of motor vehicles and by a type 1 transfer attached to the department of transportation. The secretary of the department of transportation may allocate and reallocate functions now vested in the division of motor vehicles within that division, or transfer such functions to other divisions within the department.

(4) **AERONAUTICS.** The agency known as the state aeronautics commission, under chapter 114 of the statutes, is renamed the division of

aeronautics and assigned a type 2 transfer to the department of transportation, except that the state aeronautics commission is continued as an advisory body to the department of transportation under the name "council on aeronautics".

SECTION 34. UNIVERSITY OF WISCONSIN. The agency known as the board of regents of the university of Wisconsin, under chapter 36 of the statutes, is continued as an independent agency. The university assumes the following additional responsibility:

(1) **SOIL CONSERVATION BOARD.** The agency known as the state soil and water conservation committee, under section 92.04 of the statutes, is renamed the soil conservation board and, with the exception of the artificial lake creation subprogram of its soil and water conservation program, by a type 1 transfer attached to the university of Wisconsin.

SECTION 35. VETERANS AFFAIRS. The department of veterans affairs assumes the following additional responsibility:

(1) **VETERANS MEMORIAL COUNCIL.** The Wisconsin veterans memorial commission, under section 44.15 of the statutes, is renamed the veterans memorial council and by a type 1 transfer attached to the department of veterans affairs.

SECTION 36. VOCATIONAL, TECHNICAL AND ADULT EDUCATION. The agency known as the state board of vocational, technical and adult education, under section 41.13, except the vocational rehabilitation program under section 41.71 of the statutes, is renamed the board of vocational, technical and adult education and continued as an independent agency.

SECTION 37. APPROPRIATIONS CREATED; TRANSFER OF FUNDS. (1) **COMMITTEE ON ADMINISTRATIVE REVIEW PROCEDURES.** Immediately upon passage and publication of this act, there is appropriated to the committee on administrative review procedures \$2,000 for general program operations.

(2) **DEPARTMENTAL APPROPRIATIONS.** (a) There is created a general program operations appropriation for each department or independent agency created by this act.

(b) On July 1, 1967, so much of the appropriations to the several state agencies and programs as was budgeted for the functions of budgeting, program co-ordination and related management functions shall be transferred to the general program operations appropriation of the department or independent agency to which the agency or program is transferred by this act.

SECTION 38. SUPPLEMENTARY APPROPRIATIONS. (1) **LEGISLATIVE REFERENCE BUREAU.** The appropriation to the legislative reference bureau, under section 20.530 (4) (a) of the statutes, as affected by the laws of 1967, is increased by \$46,563 to continue the drafting staff of the legislative reference bureau at its authorized sessional strength for 6 months in order to provide the drafting services necessary under SECTION 4 (3) (a) and (4).

(2) **DEPARTMENTS.** The general program operations appropriation to each department created by this act, as affected by the laws of 1967, is increased by \$10,000 for each year of the 1967-69 biennium for the purpose of paying the salaries of the head-of-department positions created by this act, their appointees under SECTION 8 (2) and necessary clerical staff.

SECTION 39. TRANSITIONAL PROVISIONS. (1) **EMPLOYEES CONTINUED.** All current employees of the administrative agencies in the executive branch of Wisconsin state government on the effective date of this act shall, unless their positions are specifically abolished by this act, be

continued in their positions under the new organizational plan until such time as the heads of the departments, with the approval of the governor, through internal reorganization eliminate or reassign certain positions, but in that case any employe whose position has been eliminated shall be laid off and given preference in the filling of positions in accordance with subchapter II of chapter 16 of the statutes and the rules of the personnel board.

(2) **CURRENT EMPLOYEES UNDER CIVIL SERVICE.** Any current employes of the administrative agencies in the executive branch of Wisconsin state government, other than teachers and other persons subject to section 42.20 of the statutes, who are outside the classified service on the effective date of this act may, unless their positions are specifically abolished by this act or exempted by SECTION 8 (3) of this act, be placed under the classified service in the appropriate class and pay scale then existing or subsequently established by the personnel board.

(3) **MATTERS PENDING.** Any matter pending before any administrative agency of the executive branch of Wisconsin state government on the effective date of this act shall be assumed by the proper department or independent agency which will exercise the power, duty or function relating to this matter after the effective date of this act.

(4) **MEMBERS OF BOARDS.** All members of appointive bodies continued by this act shall continue as members of such bodies for the terms of their original appointments.

(5) **MERIT INCREASES.** Employe merit increases effective July 1, 1967, shall be determined by the heads of departments as they exist on June 30, 1967.

SECTION 40. EFFECTIVE DATE. This act shall take effect on July 1, 1967, or on the first day of the month following passage and publication, whichever is later, and beginning with said date all departments, independent agencies, officers and employes in the executive branch of Wisconsin state government shall operate within the structural framework created by this act.

Approved July 12, 1967.