



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-0576/1 2
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DOA:.....Caucutt – Department of Employment Relations merger into the
Department of Administration

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

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inserts

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

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

STATE EMPLOYMENT

This bill eliminates DER and transfers its powers and duties to DOA. Currently, DER is charged with administering the state civil service system, establishing and maintaining the state's classification system, crafting the compensation plan for most nonrepresented state employees for submission to the Joint Committee on Employment Relations, establishing procedures for recruitment, selection, appointment, and promotion for classified positions in the state civil service, developing and maintaining the career executive service, and administering the hazardous employment program. The bill also authorizes an additional unclassified division administrator position in DOA.

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

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

1 **SECTION 1.** 13.121 (4) of the statutes is amended to read:

2 13.121 (4) **INSURANCE.** For the purpose of premium determinations under s.
3 40.05 (4) and (5) each member of the legislature shall accrue sick leave at a rate
4 equivalent to a percentage of time worked recommended for such positions by the
5 secretary of ~~employment relations~~ administration and approved by the joint
6 committee on employment relations in the same manner as compensation for such
7 positions is determined under s. 20.923. This percentage of time worked shall be
8 applied to the sick leave accrual rate established under s. 230.35 (2). The approved
9 percentage shall be incorporated into the compensation plan under s. 230.12 (1).

10 **SECTION 2.** 13.123 (1) (a) 1. of the statutes is amended to read:

11 13.123 (1) (a) 1. Any member of the legislature who has signified, by affidavit
12 filed with the department of administration, the necessity of establishing a
13 temporary residence at the state capital for the period of any regular or special
14 legislative session shall be entitled to an allowance for expenses incurred for food and
15 lodging for each day that he or she is in Madison on legislative business, but not
16 including any Saturday or Sunday unless the legislator is in actual attendance on
17 such day at a session of the legislature or a meeting of a standing committee of which
18 the legislator is a member. The amount of the allowance for each biennial session
19 shall be 90% of the per diem rate for travel for federal government business within
20 the city of Madison, as established by the federal general services administration.
21 For the purpose of determining the amount of the allowance, the secretary of
22 ~~employment relations~~ administration shall certify to the chief clerk of each house the
23 federal per diem rate in effect on December 1, or the first business day thereafter if
24 December 1 is not a business day, in each even-numbered year. Each legislator shall
25 file an affidavit with the chief clerk of his or her house certifying the specific dollar

1 amount within the authorized allowance the member wishes to receive. Such
2 affidavit, when filed, shall remain in effect for the biennial session.

3 **SECTION 3.** 13.20 (2) of the statutes is amended to read:

4 13.20 (2) PAY RANGES; DURATION OF EMPLOYMENT. All legislative employees shall
5 be paid in accordance with the compensation and classification plan for employees
6 in the classified civil service within ranges approved by the joint committee on
7 legislative organization. The secretary of ~~employment relations~~ administration
8 shall make recommendations concerning a compensation and classification schedule
9 for legislative employees if requested to do so by the joint committee on legislative
10 organization or by the committee on organization of either house. If the joint
11 committee does not approve pay ranges for legislative employees, the committee on
12 organization of either house may approve pay ranges for its employees.
13 Appointments shall be made for the legislative session, unless earlier terminated by
14 the appointing officer.

15 **SECTION 4.** 13.48 (2) (j) of the statutes is amended to read:

16 13.48 (2) (j) No later than the first day of the 7th month after the effective date
17 of each biennial budget act, the secretary of ~~employment relations~~ administration
18 shall report to the building commission, in writing, regarding the desirability of
19 including plans for day care facility space in the plans for any construction or major
20 remodeling project, enumerated in the state building program in the biennial budget
21 act, for any state office building. Based upon the report of the secretary of
22 ~~employment relations~~ administration, the building commission may direct that
23 plans for day care facility space be included in the plans for that construction or
24 major remodeling project.

25 **SECTION 5.** 13.51 (2) (b) of the statutes is amended to read:

1 13.51 (2) (b) The secretary of ~~employment relations~~ administration or the
2 secretary's designee.

3 **SECTION 6.** 15.16 (1) (intro.) of the statutes is amended to read:

4 15.16 (1) EMPLOYEE TRUST FUNDS BOARD. (intro.) The employee trust funds
5 board shall consist of the governor or the governor's designee on the group insurance
6 board, the secretary of ~~employment relations~~ administration or the secretary's
7 designee and 11 persons appointed or elected for 4-year terms as follows:

8 **SECTION 7.** 15.165 (2) of the statutes is amended to read:

9 15.165 (2) GROUP INSURANCE BOARD. There is created in the department of
10 employee trust funds a group insurance board. The board shall consist of the
11 governor, the attorney general, the secretary of administration, ~~the secretary of~~
12 ~~employment relations~~ and the commissioner of insurance or their designees, and 5
13 persons appointed for 2-year terms, of whom one shall be an insured participant in
14 the Wisconsin retirement system who is not a teacher, one shall be an insured
15 participant in the Wisconsin retirement system who is a teacher, one shall be an
16 insured participant in the Wisconsin retirement system who is a retired employee,
17 and one shall be an insured employee of a local unit of government.

18 **SECTION 8.** 15.17 of the statutes is repealed.

19 **SECTION 9.** 15.173 of the statutes is repealed.

20 **SECTION 10.** 15.175 (title) of the statutes is repealed.

21 **SECTION 11.** 15.175 (1) of the statutes is renumbered 15.105 (25m) and
22 amended to read:

23 15.105 (25m) STATE EMPLOYEES SUGGESTION BOARD. There is created in the
24 department of ~~employment relations~~ administration a state employees suggestion

1 board consisting of 3 persons, at least one of whom shall be a state officer or employee,
2 appointed for 4-year terms.

3 **SECTION 12.** 15.177 (title) of the statutes is repealed.

4 **SECTION 13.** 15.177 (1) of the statutes is renumbered 15.105 (16m), and 15.105
5 (16m) (a), as renumbered, is amended to read:

6 15.105 (16m) (a) There is created in the department of ~~employment relations~~
7 administration a council on affirmative action consisting of 15 members appointed
8 for 3-year terms. A majority of the members shall be public members and a majority
9 of the members shall be minority persons, women and persons with a disability
10 appointed with consideration to the appropriate representation of each group.

11 **SECTION 14.** 16.004 (7) (a) of the statutes is amended to read:

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

25 **SECTION 15.** 16.40 (18) of the statutes is amended to read:

1 16.40 (18) REQUIRE AGENCIES TO PROVIDE COPIES. Require each state agency, at
2 the time that the agency submits a request to the department for an increased
3 appropriation to be provided in an executive budget bill which is necessitated by the
4 compensation plan under s. 230.12 or a collective bargaining agreement approved
5 under s. 111.92, to provide a copy of the request to ~~the secretary of employment~~
6 ~~relations and the joint committee on employment relations.~~

7 **SECTION 16.** 16.415 (1) of the statutes is amended to read:

8 16.415 (1) Neither the secretary nor any other fiscal officer of this state may
9 draw, sign, or issue, or authorize the drawing, signing, or issuing of any warrant on
10 the treasurer or other disbursing officer of the state to pay any compensation to any
11 person in the classified service of the state unless an estimate, payroll, or account for
12 such compensation, containing the names of every person to be paid, bears the
13 certificate of the appointing authority that each person named in the estimate,
14 payroll or account has been appointed, employed, or subject to any other personnel
15 transaction in accordance with, and that the pay for the person has been established
16 in accordance with, the law, compensation plan, or applicable collective bargaining
17 agreement, and applicable rules of the ~~secretary of employment relations and the~~
18 ~~administrator of the division of merit recruitment and selection in the department~~
19 ~~of employment relations~~ department then in effect.

20 **SECTION 17.** 16.415 (3) of the statutes is amended to read:

21 16.415 (3) Any sums paid contrary to this section may be recovered from any
22 appointing authority making such appointments in contravention of law or of the
23 rules promulgated pursuant thereto, or from any appointing authority signing or
24 countersigning or authorizing the signing or countersigning of any warrant for the
25 payment of the same, or from the sureties on the official bond of any such appointing

1 authority, in an action in the circuit court for any county within the state, maintained
2 by the secretary of ~~employment relations~~ administration, or by a citizen resident
3 therein, who is assessed for, and liable to pay, or within one year before the
4 commencement of the action has paid, a state, city or county tax within this state.
5 All moneys recovered in any action brought under this section when collected, shall
6 be paid into the state treasury except that if a citizen taxpayer is plaintiff in any such
7 action he or she shall be entitled to receive for personal use the taxable cost of such
8 action and 5% of the amount recovered as attorney fees.

9 **SECTION 18.** 16.50 (3) of the statutes is amended to read:

10 16.50 (3) LIMITATION ON INCREASE OF FORCE AND SALARIES. No department, except
11 the legislature or the courts, may increase the pay of any employee, expend money
12 or incur any obligation except in accordance with the estimate that is submitted to
13 the secretary as provided in sub. (1) and approved by the secretary or the governor.
14 No change in the number of full-time equivalent positions authorized through the
15 biennial budget process or other legislative act may be made without the approval
16 of the joint committee on finance, except for position changes made by the governor
17 under s. 16.505 (1) (c) or (2), by the University of Wisconsin Hospitals and Clinics
18 Board under s. 16.505 (2n) or by the board of regents of the University of Wisconsin
19 System under s. 16.505 (2m) or (2p). The secretary may withhold, in total or in part,
20 the funding for any position, as defined in s. 230.03 (11), as well as the funding for
21 part-time or limited term employees until such time as the secretary determines
22 that the filling of the position or the expending of funds is consistent with s. 16.505
23 and with the intent of the legislature as established by law or in budget
24 determinations, or the intent of the joint committee on finance in creating or
25 abolishing positions under s. 13.10, the intent of the governor in creating or

1 abolishing positions under s. 16.505 (1) (c) or (2) or the intent of the board of regents
2 of the University of Wisconsin System in creating or abolishing positions under s.
3 16.505 (2m) or (2p). Until the release of funding occurs, recruitment or certification
4 for the position may not be undertaken. The secretary shall submit a quarterly
5 report to the joint committee on finance of any position changes made by the governor
6 under s. 16.505 (1) (c). No pay increase may be approved unless it is at the rate or
7 within the pay ranges prescribed in the compensation plan or as provided in a
8 collective bargaining agreement under subch. V of ch. 111. ~~At the request of the~~
9 ~~secretary of employment relations, the~~ The secretary of administration may
10 authorize the temporary creation of pool or surplus positions under any source of
11 funds if the secretary of employment relations determines that temporary positions
12 are necessary to maintain adequate staffing levels for high turnover classifications,
13 in anticipation of attrition, to fill positions for which recruitment is difficult. Surplus
14 or pool positions authorized by the secretary shall be reported quarterly to the joint
15 committee on finance in conjunction with the report required under s. 16.54 (8).

16 **SECTION 19.** 16.705 (3) (intro.) of the statutes is amended to read:

17 16.705 (3) (intro.) ~~Contracts for contractual services shall be submitted by the~~
18 ~~department for the review and approval of the~~ The secretary of employment relations
19 prior to award, under conditions established by rule of the department. ~~The~~
20 ~~secretary of employment relations, shall review such contracts~~ for contractual
21 services in order to ensure that agencies:

22 **SECTION 20.** 19.45 (11) (a) of the statutes is amended to read:

23 19.45 (11) (a) ~~The administrator of the division of merit recruitment and~~
24 ~~selection in the department of employment relations~~ secretary of administration
25 shall, with the board's advice, promulgate rules to implement a code of ethics for

1 classified and unclassified state employees except state public officials subject to this
2 subchapter, unclassified personnel in the University of Wisconsin System and
3 officers and employees of the judicial branch.

4 **SECTION 21.** 20.512 (intro.) of the statutes is repealed.

5 **SECTION 22.** 20.512 (1) (title) of the statutes is repealed.

6 **SECTION 23.** 20.512 (1) (a) of the statutes is renumbered 20.505 (1) (ac), and
7 20.505 (1) (ac) (title), as renumbered, is amended to read:

8 20.505 (1) (ac) (title) *General program operations; administration of civil*
9 *service system.*

10 **SECTION 24.** 20.512 (1) (i) of the statutes is renumbered 20.505 (1) (ic).

11 **SECTION 25.** 20.512 (1) (j) of the statutes is repealed.

12 **SECTION 26.** 20.512 (1) (jm) of the statutes is renumbered 20.505 (1) (jc).

13 **SECTION 27.** 20.512 (1) (k) of the statutes is renumbered 20.505 (1) (kd).

14 **SECTION 28.** 20.512 (1) (ka) of the statutes is renumbered 20.505 (1) (ke).

15 **SECTION 29.** 20.512 (1) (km) of the statutes is renumbered 20.505 (1) (kL).

16 **SECTION 30.** 20.512 (1) (m) of the statutes is repealed.

17 **SECTION 31.** 20.512 (1) (pz) of the statutes is renumbered 20.505 (1) (px).

18 **SECTION 32.** 20.512 (2) (title) of the statutes is repealed.

19 **SECTION 33.** 20.512 (2) (a) of the statutes is renumbered 20.505 (1) (ar), and
20 20.505 (1) (ar) (title), as renumbered, is amended to read:

21 20.505 (1) (ar) (title) *General program operations; council on affirmative*
22 *action.*

23 **SECTION 34.** 20.512 (2) (j) of the statutes is repealed.

24 **SECTION 35.** 20.512 (2) (m) of the statutes is repealed.

25 **SECTION 36.** 20.901 (1) (b) of the statutes is amended to read:

1 20.901 (1) (b) Notwithstanding ss. 230.047 and 230.29, in the case of an
2 emergency which is the result of natural or human causes, state agencies may
3 cooperate to maintain required state services through the temporary interchange of
4 employees. The interchange of employees may be of 2 types: where an appointing
5 authority declares an emergency in writing to the governor; or where the governor
6 or his or her designee declares an emergency. If an appointing authority declares an
7 emergency, the interchange of employees is voluntary on the part of those employees
8 designated by the sending state agency as available for interchange. If the governor
9 or his or her designee declares an emergency, the governor may require a temporary
10 interchange of employees. An emergency which is declared by an appointing
11 authority may not exceed 72 hours unless an extension is approved by the governor
12 or his or her designee. An employee who is assigned temporary interchange duties
13 may be required to perform work which is not normally performed by the employee
14 or described in his or her position classification. An interchange employee shall be
15 paid at the rate of pay for the employee's permanent job unless otherwise authorized
16 by the secretary of ~~employment relations~~ administration. State agencies receiving
17 employees on interchanges shall keep appropriate records and reimburse the
18 sending state agencies for authorized salaries and expenses. The secretary of
19 ~~employment relations~~ administration may institute temporary pay administration
20 policies as required to facilitate the handling of such declared emergencies.

21 **SECTION 37.** 20.916 (2) of the statutes is amended to read:

22 20.916 (2) REIMBURSEMENT OF JOB APPLICANTS. Subject to rules of the secretary
23 of the ~~department of employment relations~~ administration, reimbursement may be
24 made to applicants for all or part of actual and necessary travel expenses incurred
25 in connection with oral examination and employment interviews.

1 **SECTION 38.** 20.916 (4) (a) of the statutes is amended to read:

2 20.916 (4) (a) If any state agency determines that the duties of any employee
3 require the use of an automobile, it may authorize such employee to use a personal
4 automobile in the employee's work for the state, and reimburse the employee for such
5 at a rate which is set biennially by the department of ~~employment relations~~
6 administration under sub. (8) subject to the approval of the joint committee on
7 employment relations.

8 **SECTION 39.** 20.916 (4m) (b) of the statutes is amended to read:

9 20.916 (4m) (b) Except as otherwise provided in this paragraph, if any state
10 agency determines that an employee's duties require the use of a motor vehicle, and
11 use of a personal motor vehicle is authorized by the agency under similar
12 circumstances, the agency shall authorize the employee to use a personal motorcycle
13 for the employee's duties and shall reimburse the employee for the use of the
14 motorcycle at rates determined biennially by the secretary of ~~employment relations~~
15 administration under sub. (8), subject to the approval of the joint committee on
16 employment relations. No state agency may authorize an employee to use or
17 reimburse an employee for the use of a personal motorcycle under this paragraph if
18 more than one individual is transported on the motorcycle. All allowances for the use
19 of a motorcycle shall be paid upon approval and certification of the amounts payable
20 by the head of the state agency for which the employee performs duties to the
21 department of administration.

22 **SECTION 40.** 20.916 (5) (a) of the statutes is amended to read:

23 20.916 (5) (a) Whenever any state agency determines that the duties of any
24 member or employee require the use of an airplane, it may authorize him or her to
25 charter such airplane with or without a pilot; and it may authorize any member or

1 employee to use his or her personal airplane and reimburse him or her for such use
2 at a rate set biennially by the department of ~~employment relations~~ administration
3 under sub. (8), subject to the approval of the joint committee on employment
4 relations. Such reimbursement shall be made upon the certification of the amount
5 by the head of the state agency to the department of administration.

6 **SECTION 41.** 20.916 (8) (a) of the statutes is amended to read:

7 20.916 (8) (a) The secretary of ~~employment relations~~ administration shall
8 recommend to the joint committee on employment relations uniform travel schedule
9 amounts for travel by state officers and employees whose compensation is
10 established under s. 20.923 or 230.12. Such amounts shall include maximum
11 permitted amounts for meal and lodging costs, special allowance expenses under
12 sub. (9) (d), and portage tips, except as authorized under s. 16.53 (12) (c). In lieu
13 of the maximum permitted amounts for expenses under sub. (9) (b), (c), and (d), the
14 secretary may recommend to the committee a per diem amount and method of
15 reimbursement for any or all expenses under sub. (9) (b), (c), and (d).

16 **SECTION 42.** 20.916 (9) (f) 1. of the statutes is amended to read:

17 20.916 (9) (f) 1. Scheduled air travel. Reimbursement for air travel shall be
18 limited to the lowest appropriate airfare, as determined by the secretary of
19 ~~employment relations~~ administration. An employee may be reimbursed for air travel
20 at a rate other than the lowest appropriate airfare only if the employee submits a
21 written explanation of the reasonableness of the expense.

22 **SECTION 43.** 20.917 (1) (c) of the statutes is amended to read:

23 20.917 (1) (c) Reimbursement for moving expenses may be granted to a person
24 reporting to his or her first place of employment or reporting upon reemployment
25 after leaving the civil service, if reimbursement is recommended by the appointing

1 authority and approved in writing by the secretary of ~~employment relations~~
2 administration prior to the time when the move is made.

3 **SECTION 44.** 20.917 (2) (a) of the statutes is amended to read:

4 20.917 (2) (a) The secretary of ~~employment relations~~ administration shall
5 recommend a maximum dollar amount which may be permitted for reimbursement
6 of any employee moving costs under sub. (1) (a) to (c), subject to the limitations
7 prescribed in par. (b). This amount shall be submitted for the approval of the joint
8 committee on employment relations in the manner provided in s. 20.916 (8), and
9 upon approval shall become a part of the compensation plan under s. 230.12 (1).

10 **SECTION 45.** 20.917 (3) (a) 1. of the statutes is amended to read:

11 20.917 (3) (a) 1. Lodging allowances shall be in accordance with the schedule
12 established by the secretary of ~~employment relations~~ administration, but may not
13 exceed the rate established under s. 13.123 (1) (a) 1.

14 **SECTION 46.** 20.917 (3) (a) 2. of the statutes is amended to read:

15 20.917 (3) (a) 2. Lodging allowance payments are subject to prior approval in
16 writing by the secretary of ~~employment relations~~ administration.

17 **SECTION 47.** 20.917 (5) (b) of the statutes is amended to read:

18 20.917 (5) (b) Payments under this subsection are in addition to any payments
19 made under sub. (1). Payments under this subsection may be made only with the
20 prior written approval of the secretary of ~~employment relations~~ administration.

21 **SECTION 48.** 20.917 (6) of the statutes is amended to read:

22 20.917 (6) The secretary of ~~employment relations~~ administration may, in
23 writing, delegate to an appointing authority the authority to approve
24 reimbursement for moving expenses under sub. (1) (c), a temporary lodging
25 allowance under sub. (3) (a) 2. or expenses under sub. (5) (b).

1 **SECTION 49.** 20.923 (4) (intro.) of the statutes is amended to read:

2 20.923 (4) STATE AGENCY POSITIONS. (intro.) State agency heads, the
3 ~~administrator of the division of merit recruitment and selection in the department~~
4 ~~of employment relations and~~ commission chairpersons, and members shall be
5 identified and limited in number in accordance with the standardized nomenclature
6 contained in this subsection, and shall be assigned to the executive salary groups
7 listed in pars. (a) to (i). Except for positions specified in ~~par. (e) 3m.~~ and sub. (12),
8 all unclassified division administrator positions enumerated under s. 230.08 (2) (e)
9 shall be assigned, when approved by the joint committee on employment relations,
10 by the secretary of ~~employment relations~~ administration to one of 10 executive salary
11 groups. The joint committee on employment relations, by majority vote of the full
12 committee, may amend recommendations for initial position assignments and
13 changes in assignments to the executive salary groups submitted by the secretary
14 of ~~employment relations~~ administration. All division administrator assignments
15 and amendments to assignments of administrator positions approved by the
16 committee shall become part of the compensation plan. Whenever a new unclassified
17 division administrator position is created, the appointing authority may set the
18 salary for the position until the joint committee on employment relations approves
19 assignment of the position to an executive salary group. If the committee approves
20 assignment of the position to an executive salary group having a salary range
21 minimum or maximum inconsistent with the salary paid to the incumbent at the
22 time of such approval, the incumbent's salary shall be adjusted by the appointing
23 authority to conform with the committee's action, effective on the date of that action.
24 Positions are assigned as follows:

25 **SECTION 50.** 20.923 (4) (c) 3m. of the statutes is repealed.

1 **SECTION 51.** 20.923 (4) (g) 1m. of the statutes is repealed.

2 **SECTION 52.** 20.923 (4g) (intro.) of the statutes is amended to read:

3 20.923 (4g) UNIVERSITY OF WISCONSIN SYSTEM SENIOR EXECUTIVE POSITIONS.
4 (intro.) A compensation plan consisting of 9 university senior executive salary
5 groups is established for certain administrative positions at the University of
6 Wisconsin System. The salary ranges and adjustments to the salary ranges for the
7 university senior executive salary groups 1 and 2 shall be contained in the
8 recommendations of the secretary of ~~employment relations~~ administration under s.
9 230.12 (3) (e). The salary ranges and adjustments to the salary ranges for university
10 senior executive salary groups 3 to 9 shall be determined by the board of regents of
11 the University of Wisconsin System based on an analysis of salaries paid for similar
12 positions at comparable universities in other states. The board of regents shall set
13 the salaries for these positions within the ranges to which the positions are assigned
14 to reflect the hierarchical structure of the system, to recognize merit, to permit
15 orderly salary progression and to recognize competitive factors. The salary of any
16 incumbent in the positions identified in pars. (ae) to (f) may not exceed the maximum
17 of the salary range for the group to which the position is assigned. The positions are
18 assigned as follows:

19 **SECTION 53.** 20.923 (7) (intro.) of the statutes is amended to read:

20 20.923 (7) WISCONSIN TECHNICAL COLLEGE SYSTEM SENIOR EXECUTIVE POSITIONS.
21 (intro.) The salary range for the director and the executive assistant of the Wisconsin
22 Technical College System shall be contained in the recommendations of the secretary
23 of ~~employment relations~~ administration under s. 230.12 (3) (e). The board of the
24 Wisconsin Technical College System shall set the salaries for these positions within
25 the range to which the positions are assigned to recognize merit, to permit orderly

1 salary progression, and to recognize competitive factors. The salary of any
2 incumbent in the positions identified in pars. (a) and (b) may not exceed the
3 maximum of the salary range for the group to which the position is assigned. The
4 positions are assigned as follows:

5 **SECTION 54.** 36.09 (1) (i) of the statutes is amended to read:

6 36.09 (1) (i) Upon recommendation of the president and the ~~administrator of~~
7 ~~the division of merit recruitment and selection in the department of employment~~
8 ~~relations~~ secretary of administration, the board and the secretary of ~~employment~~
9 ~~relations~~ administration shall jointly adopt general policies governing the
10 designation of positions to be exempt from the classified service as academic staff as
11 defined in s. 36.15 (1) (a) and (b). No position in the classified service may be
12 designated as an academic staff position under the general policies unless the
13 secretary of ~~employment relations~~ administration approves the designation.

14 **SECTION 55.** 36.09 (1) (j) of the statutes is amended to read:

15 36.09 (1) (j) Except where such matters are a subject of bargaining with a
16 certified representative of a collective bargaining unit under s. 111.91, the board
17 shall establish salaries for persons not in the classified staff prior to July 1 of each
18 year for the next fiscal year, and shall designate the effective dates for payment of
19 the new salaries. In the first year of the biennium, payments of the salaries
20 established for the preceding year shall be continued until the biennial budget bill
21 is enacted. If the budget is enacted after July 1, payments shall be made following
22 enactment of the budget to satisfy the obligations incurred on the effective dates, as
23 designated by the board, for the new salaries, subject only to the appropriation of
24 funds by the legislature and s. 20.928 (3). This paragraph does not limit the
25 authority of the board to establish salaries for new appointments. The board may

1 not increase the salaries of employees specified in ss. 20.923 (5) and (6) (m) and
2 230.08 (2) (d) under this paragraph unless the salary increase conforms to the
3 proposal as approved under s. 230.12 (3) (e) or the board authorizes the salary
4 increase to correct salary inequities under par. (h), to fund job reclassifications or
5 promotions, or to recognize competitive factors. The board may not increase the
6 salary of any position identified in s. 20.923 (4g) under this paragraph unless the
7 salary increase conforms to the proposal as approved under s. 230.12 (3) (e) or the
8 board authorizes the salary increase to correct a salary inequity or to recognize
9 competitive factors. The board may not increase the salary of any position identified
10 in s. 20.923 (4g) (ae) and (am) to correct a salary inequity that results from the
11 appointment of a person to a position identified in s. 20.923 (4g) (ae) and (am) unless
12 the increase is approved by the department of ~~employment relations~~ administration.
13 The granting of salary increases to recognize competitive factors does not obligate
14 inclusion of the annualized amount of the increases in the appropriations under s.
15 20.285 (1) for subsequent fiscal bienniums. No later than October 1 of each year, the
16 board shall report to the joint committee on finance and the ~~departments~~ department
17 of administration ~~and employment relations~~ concerning the amounts of any salary
18 increases granted to recognize competitive factors, and the institutions at which they
19 are granted, for the 12-month period ending on the preceding June 30.

20 **SECTION 56.** 36.27 (1) (am) 2. of the statutes is amended to read:

21 36.27 (1) (am) 2. The approved recommendations of the secretary of
22 ~~employment relations~~ administration for compensation and fringe benefits for
23 classified staff, for unclassified employees specified in s. 230.12 (1) (a) 1. b., and for
24 unclassified employees specified in s. 230.12 (3) (e). If these recommendations have
25 not been approved by the joint committee on employment relations by the time the

1 board sets academic fees, the board may raise academic fees for resident
2 undergraduate students by an amount sufficient to fund the recommendations of the
3 secretary of ~~employment relations~~ administration for compensation and fringe
4 benefits for classified staff and for unclassified employees specified in s. 230.12 (1)
5 (a) 1. b. and the board's recommendations for unclassified employees specified in s.
6 230.12 (3) (e). If the secretary of ~~employment relations~~ administration has not made
7 recommendations by the time the board sets academic fees, the board may raise
8 academic fees for resident undergraduate students by an amount sufficient to fund
9 the board's estimate of compensation and fringe benefits for classified staff and for
10 unclassified employees specified in s. 230.12 (1) (a) 1. b. and the board's
11 recommendations for unclassified employees specified in s. 230.12 (3) (e). If the
12 board sets academic fees based upon the board's estimate and the board's
13 unapproved recommendations, and the recommendations of the board and the
14 secretary of ~~employment relations~~ administration as finally approved by the joint
15 committee on employment relations call for a lower rate of compensation and fringe
16 benefits than the board's estimate and unapproved recommendations, the board
17 shall lower academic student fees for resident undergraduate students for the next
18 academic year by an amount equal to the difference between the academic fees
19 charged and an amount sufficient to fund the approved recommendations. If the
20 board sets academic fees based upon the board's estimate and unapproved
21 recommendations, and the recommendations of the board and the secretary of
22 ~~employment relations~~ administration as finally approved by the joint committee on
23 employment relations call for a higher rate of compensation and fringe benefits than
24 the board's estimate and unapproved recommendations, the board may raise
25 academic student fees for resident undergraduate students for the next academic

1 year by an amount equal to the difference between the academic fees charged and
2 an amount sufficient to fund the approved recommendations.

3 **SECTION 57.** 40.05 (1) (b) of the statutes is amended to read:

4 40.05 (1) (b) In lieu of employee payment, the employer may pay all or part of
5 the contributions required by par. (a), but all the payments shall be available for
6 benefit purposes to the same extent as required contributions deducted from
7 earnings of the participating employees. Action to assume employee contributions
8 as provided under this paragraph shall be taken at the time and in the form
9 determined by the governing body of the participating employer. The state shall pay
10 under this paragraph for employees who are covered by a collective bargaining
11 agreement under subch. V of ch. 111 and for employees whose fringe benefits are
12 determined under s. 230.12 an amount equal to 4% of the earnings paid by the state
13 unless otherwise provided in a collective bargaining agreement under subch. V of ch.
14 111 or unless otherwise determined under s. 230.12. The University of Wisconsin
15 Hospitals and Clinics Authority shall pay under this paragraph for employees who
16 are covered by a collective bargaining agreement under subch. I of ch. 111 and for
17 employees whose fringe benefits are determined under s. 233.10 an amount equal to
18 4% of the earnings paid by the authority unless otherwise provided in a collective
19 bargaining agreement under subch. I of ch. 111 or unless otherwise determined
20 under s. 233.10. The state shall pay under this paragraph for employees who are not
21 covered by a collective bargaining agreement under subch. V of ch. 111 and for
22 employees whose fringe benefits are not determined under s. 230.12 an amount equal
23 to 4% of the earnings paid by the state unless a different amount is recommended by
24 the secretary of ~~employment relations~~ administration and approved by the joint
25 committee on employment relations in the manner provided for approval of changes

1 in the compensation plan under s. 230.12 (3). The University of Wisconsin Hospitals
2 and Clinics Authority shall pay under this paragraph for its employees who are not
3 covered by a collective bargaining agreement under subch. I of ch. 111 an amount
4 equal to 4% of the earnings paid by the authority unless a different amount is
5 established by the board of directors of the authority under s. 233.10.

6 **SECTION 58.** 40.05 (4) (ar) of the statutes is amended to read:

7 40.05 (4) (ar) The employer shall pay under par. (a) for employees who are not
8 covered by a collective bargaining agreement under subch. I or V of ch. 111 and for
9 employees whose health insurance premium contribution rates are not determined
10 under s. 230.12 or 233.10 an amount equal to the amount specified in par. (ag) unless
11 a different amount is recommended by the secretary of ~~employment relations~~
12 administration and approved by the joint committee on employment relations in the
13 manner provided for approval of changes in the compensation plan under s. 230.12
14 (3).

15 **SECTION 59.** 40.05 (4g) (a) 4. of the statutes is amended to read:

16 40.05 (4g) (a) 4. Has received a military leave of absence under s. 230.32 (3) (a)
17 or 230.35 (3), under a collective bargaining agreement under subch. V of ch. 111 or
18 under rules promulgated by the secretary of ~~employment relations~~ administration
19 or is eligible for reemployment with the state under s. 45.50 after completion of his
20 or her service in the U.S. armed forces.

21 **SECTION 60.** 40.06 (1) (dm) of the statutes is amended to read:

22 40.06 (1) (dm) Each determination by a department head regarding the
23 classification of a state employee as a protective occupation participant shall be
24 reviewed by the department of ~~employment relations~~ administration. A state
25 employee's name may not be certified to the fund as a protective occupation

1 participant under par. (d) until the department of ~~employment relations~~
2 administration approves the determination.

3 **SECTION 61.** 45.43 (7) (b) of the statutes is amended to read:

4 45.43 (7) (b) The department shall award a grant annually to a county that
5 meets the standards developed under this subsection and employs a county veterans'
6 service officer who, if chosen after August 9, 1989, is chosen from a list of candidates
7 who have taken a civil service examination for the position of county veterans' service
8 officer developed and administered by the ~~division of merit recruitment and selection~~
9 ~~in the department of employment relations~~ administration, or is appointed under a
10 civil service competitive examination procedure under ch. 63 or s. 59.52 (8). The
11 grant shall be \$8,500 for a county with a population of less than 20,000, \$10,000 for
12 a county with a population of 20,000 to 45,499, \$11,500 for a county with a population
13 of 45,500 to 74,999, and \$13,000 for a county with a population of 75,000 or more.
14 The department shall use the most recent Wisconsin official population estimates
15 prepared by the demographic services center when making grants under this
16 paragraph.

17 **SECTION 62.** 46.29 (3) (d) of the statutes is amended to read:

18 46.29 (3) (d) The secretary of ~~employment relations~~ administration.

19 **SECTION 63.** 49.33 (5) of the statutes is amended to read:

20 49.33 (5) PERSONNEL EXAMINATIONS. Statewide examinations to ascertain
21 qualifications of applicants in any county department administering aid to families
22 with dependent children shall be given by the ~~administrator of the division of merit~~
23 ~~recruitment and selection in the department of employment relations~~
24 administration. The department of ~~employment relations~~ administration shall be
25 reimbursed for actual expenditures incurred in the performance of its functions

1 under this section from the appropriations available to the department of health and
2 family services for administrative expenditures.

3 **SECTION 64.** 59.26 (8) (a) of the statutes is amended to read:

4 59.26 (8) (a) In any county with a population of less than 500,000, the board,
5 by ordinance, may fix the number of deputy sheriffs to be appointed in that county
6 at not less than that number required by sub. (1) (a) and (b) and may set the salary
7 of those deputies. The board may provide by ordinance that deputy sheriff positions
8 be filled by appointment by the sheriff from a list of all persons with the 3 highest
9 scores for each position based on a competitive examination. Such competitive
10 examinations may be by a county civil service commission or by ~~the division of merit~~
11 ~~recruitment and selection in the department of employment relations~~
12 administration at the option of the board and it shall so provide by ordinance. The
13 ~~division of merit recruitment and selection in the department of employment~~
14 ~~relations~~ administration shall, upon request of the board, conduct such examination
15 according to the methods used in examinations for the state civil service and shall
16 certify an eligible list of the names of all persons with the 3 highest scores on that
17 examination for each position to the sheriff of that county who shall make an
18 appointment from that list to fill the position within 10 days after he or she receives
19 the eligible list. The county for which such examination is conducted shall pay the
20 cost of that examination. If a civil service commission is decided upon for the
21 selection of deputy sheriffs, then ss. 63.01 to 63.17 shall apply so far as consistent
22 with this subsection, except ss. 63.03, 63.04 and 63.15 and except the provision
23 governing minimum compensation of the commissioners. The ordinance or an
24 amending ordinance may provide for employee grievance procedures and
25 disciplinary actions, for hours of work, for tours of duty according to seniority and for

1 other administrative regulations. Any board provision consistent with this
2 paragraph and existing on July 25, 1951, is validated. If the sheriff fills a deputy
3 sheriff position by promotion, the sheriff shall make the appointment to the position
4 from a list of 3 deputy sheriffs who receive the highest scores in a competitive
5 examination. Such competitive examinations may be by a county civil service
6 commission or by the ~~division of merit recruitment and selection in the department~~
7 ~~of employment relations~~ administration at the option of the board and it shall so
8 provide by ordinance.

9 **SECTION 65.** 70.99 (3) (a) of the statutes is amended to read:

10 70.99 (3) (a) The state department of ~~employment relations~~ administration
11 shall recommend a reasonable salary range for the county assessor for each county
12 based upon pay for comparable work or qualifications in that county. If, by
13 contractual agreement under s. 66.0301, 2 or more counties join to employ one county
14 assessor with the approval of the secretary of revenue, the department of
15 ~~employment relations~~ administration shall recommend a reasonable salary range
16 for the county assessor under the agreement. The department of revenue shall assist
17 the county in establishing the budget for the county assessor's offices, including the
18 number of personnel and their qualifications, based on the anticipated workload.

19 **SECTION 66.** 73.09 (2) of the statutes is amended to read:

20 73.09 (2) DEPARTMENT OF REVENUE ASSESSMENT PERSONNEL. The requirements
21 established for local assessment personnel under sub. (1) shall also apply to
22 department of revenue assessment personnel commencing on January 1, 1981. The
23 department of ~~employment relations~~ administration with the assistance of the
24 department of revenue shall determine the position classifications for which
25 certification shall apply within the department of revenue. The first level of

1 certification shall be obtained within 100 days of the employee's appointment. The
2 department of revenue in consultation with the department of ~~employment relations~~
3 administration shall establish requirements for obtaining higher levels of assessor
4 certification.

5 **SECTION 67.** 73.09 (5) of the statutes is amended to read:

6 73.09 (5) EXAMINATIONS. As provided in subs. (1) and (2), the department of
7 revenue, assisted by the ~~division of merit recruitment and selection in the~~
8 department of ~~employment relations~~ administration, shall prepare and administer
9 examinations for each level of certification. Persons applying for an examination
10 under this subsection shall submit a \$20 examination fee with their application.
11 Certification shall be granted to each person who passes the examination for that
12 level.

13 **SECTION 68.** 111.81 (5) of the statutes is amended to read:

14 111.81 (5) "Department" means the department of ~~employment relations~~
15 administration.

16 **SECTION 69.** 111.815 (3) of the statutes is repealed.

17 **SECTION 70.** 111.86 (2) of the statutes is amended to read:

18 111.86 (2) The department shall charge a state department or agency the
19 employer's share of the cost related to grievance arbitration under sub. (1) for any
20 arbitration that involves one or more employees of the state department or agency.
21 Each state department or agency so charged shall pay the amount that the
22 department charges from the appropriation account or accounts used to pay the
23 salary of the grievant. Funds received under this subsection shall be credited to the
24 appropriation account under s. ~~20.512 (1) (km)~~ 20.505 (1) (kL).

25 **SECTION 71.** 146.59 (3) (b) of the statutes is amended to read:

1 146.59 (3) (b) Any authorization under par. (a) shall comply with all applicable
2 provisions of subch. V of ch. 111 and ch. 230, any delegation of authority by the
3 department of ~~employment relations~~ administration to the board, and any collective
4 bargaining agreement with respect to employees of the board.

5 **SECTION 72.** 227.10 (3) (e) of the statutes is amended to read:

6 227.10 (3) (e) Nothing in this subsection prohibits the ~~administrator of the~~
7 ~~division of merit recruitment and selection in the department of employment~~
8 ~~relations~~ secretary of administration from promulgating rules relating to expanded
9 certification under s. 230.25 (1n).

10 **SECTION 73.** 227.47 (2) of the statutes is amended to read:

11 227.47 (2) Except as otherwise provided in this subsection, a proposed or final
12 decision of the personnel commission, hearing examiner or arbitrator concerning an
13 appeal of the decision of the secretary of ~~employment relations~~ administration made
14 under s. 230.09 (2) (a) or (d) shall not be accompanied by findings of fact or
15 conclusions of law. If within 30 days after the commission issues a decision in such
16 an appeal either party files a petition for judicial review of the decision under s.
17 227.53 and files a written notice with the commission that the party has filed such
18 a petition, the commission shall issue written findings of fact and conclusions of law
19 within 90 days after receipt of the notice. The court shall stay the proceedings
20 pending receipt of the findings and conclusions.

21 **SECTION 74.** 230.01 (2) of the statutes is amended to read:

22 230.01 (2) It is the policy of the state and the responsibility of the secretary ~~and~~
23 ~~the administrator~~ to maintain a system of personnel management which fills
24 positions in the classified service through methods which apply the merit principle,
25 with adequate civil service safeguards. It is the policy of this state to provide for

1 equal employment opportunity by ensuring that all personnel actions including hire,
2 tenure or term, and condition or privilege of employment be based on the ability to
3 perform the duties and responsibilities assigned to the particular position without
4 regard to age, race, creed or religion, color, disability, sex, national origin, ancestry,
5 sexual orientation or political affiliation. It is the policy of this state to take
6 affirmative action which is not in conflict with other provisions of this chapter. It is
7 the policy of the state to ensure its employees opportunities for satisfying careers and
8 fair treatment based on the value of each employee's services. It is the policy of this
9 state to encourage disclosure of information under subch. III and to ensure that any
10 employee employed by a governmental unit is protected from retaliatory action for
11 disclosing information under subch. III. It is the policy of this state to correct pay
12 inequities based on gender or race in the state civil service system.

13 **SECTION 75.** 230.03 (1) of the statutes is repealed.

14 **SECTION 76.** 230.03 (9) of the statutes is amended to read:

15 230.03 (9) "Department" means the department of ~~employment relations~~
16 administration.

17 **SECTION 77.** 230.03 (10) of the statutes is repealed.

18 **SECTION 78.** 230.04 (1) of the statutes is amended to read:

19 230.04 (1) The secretary is charged with the effective administration of this
20 chapter. All powers and duties, necessary to that end, ~~which are not exclusively~~
21 ~~vested by statute in the commission, the administrator or appointing authorities,~~ are
22 reserved to the secretary.

23 **SECTION 79.** 230.04 (3) of the statutes is amended to read:

24 230.04 (3) The secretary may issue enforceable orders on all matters relating
25 to the administration, enforcement and effect of this chapter and the rules prescribed

1 thereunder ~~except on matters relating to the provisions of subch. III or to those~~
2 ~~provisions of subch. II for which responsibility is specifically charged to the~~
3 ~~administrator.~~

4 **SECTION 80.** 230.04 (5) of the statutes is amended to read:

5 230.04 (5) The secretary shall promulgate rules on all matters relating to the
6 administration of the department and the performance of the duties assigned to the
7 secretary, ~~except on matters relating to those provisions of subch. II for which~~
8 ~~responsibility is specifically charged to the administrator.~~

9 **SECTION 81.** 230.04 (7) of the statutes is amended to read:

10 230.04 (7) The secretary shall appoint, under the classified service, the staff
11 necessary for performing the duties of the department, ~~including the staff of the~~
12 ~~division.~~

13 **SECTION 82.** 230.04 (9) (f) of the statutes is amended to read:

14 230.04 (9) (f) Establish an affirmative action subunit reporting directly to the
15 secretary. The affirmative action subunit shall advise and assist the secretary, ~~the~~
16 ~~administrator~~ and agency heads on establishing policies and programs to ensure
17 appropriate affirmative action. The subunit shall advise and assist the secretary in
18 monitoring such programs and shall provide staff to the affirmative action council.

19 **SECTION 83.** 230.05 of the statutes is amended to read:

20 **230.05 Powers and duties of the ~~administrator~~ secretary.** (1) All powers
21 necessary for the effective administration of the duties specified for the
22 ~~administrator~~ secretary under this subchapter are reserved to the ~~administrator~~
23 secretary.

24 (2) (a) Except as provided under par. (b), the ~~administrator~~ secretary may
25 delegate, in writing, any of his or her functions set forth in this subchapter to an

1 appointing authority, within prescribed standards if the ~~administrator~~ secretary
2 finds that the agency has personnel management capabilities to perform such
3 functions effectively and has indicated its approval and willingness to accept such
4 responsibility by written agreement. If the ~~administrator~~ secretary determines that
5 any agency is not performing such delegated function within prescribed standards,
6 the ~~administrator~~ secretary shall withdraw such delegated function. The
7 ~~administrator~~ secretary may order transfer to the ~~division~~ department from the
8 agency to which delegation was made such agency staff and other resources as
9 necessary to perform such functions if increased staff was authorized to that agency
10 as a consequence of such delegation or if the ~~division~~ department reduced staff or
11 shifted staff to new responsibilities as a result of such delegation subject to the
12 approval of the joint committee on finance. Any delegatory action taken under this
13 subsection by any appointing authority may be appealed to the personnel
14 commission under s. 230.44 (1) ~~(a)~~ (b). The ~~administrator~~ secretary shall be a party
15 in such appeal.

16 (b) The ~~administrator~~ secretary is prohibited from delegating any of his or her
17 final responsibility for the monitoring and oversight of the merit recruitment and
18 selection program under this subchapter.

19 (3) The ~~administrator~~ secretary may utilize the services of technical or
20 specialized personnel to assist in implementing and maintaining a sound merit
21 recruitment and selection program. These services may be obtained from persons
22 within or without state service.

23 (4) The ~~administrator~~ secretary may issue enforceable orders on all matters
24 relating to the administration, enforcement and effect of the provisions of this
25 subchapter for which responsibility is specifically charged to the ~~administrator~~

1 secretary and the rules prescribed thereunder. Any action brought against the
2 appointing authority for failure to comply with the order of the ~~administrator~~
3 secretary shall be brought and served within 60 days after the date on which the
4 ~~administrator's~~ secretary's order was issued. Such orders may be appealed to the
5 commission under s. 230.44 (1) ~~(a)~~ (b).

6 (5) The ~~administrator~~ secretary shall promulgate rules for the effective
7 operation of the provisions of this subchapter for which responsibility is specifically
8 charged to the ~~administrator~~ secretary. Notice of the contents of such rules and any
9 modifications thereof shall be given to appointing authorities affected thereby, and
10 such rules and modifications shall also be printed for public distribution.

11 (6) The ~~administrator~~ secretary may seek the prior advice and counsel of
12 agency heads in the formulation of policies and procedures concerning the duties
13 specified for the ~~administrator~~ secretary under this subchapter.

14 (7) The ~~administrator~~ secretary shall use techniques and procedures designed
15 to certify eligible applicants to any vacant permanent position within 45 days after
16 the filing of an appropriate request by an appointing authority.

17 (8) The ~~administrator~~ secretary may provide any personnel services to
18 nonstate governmental units and may charge the nonstate governmental units for
19 providing the services.

20 **SECTION 84.** 230.06 (1) (d) of the statutes is amended to read:

21 230.06 (1) (d) Report promptly to the secretary ~~or the administrator~~ any
22 information the secretary ~~or the administrator~~ requires in connection with any
23 delegated personnel function and with each appointment, promotion, demotion,
24 suspension or separation from the service or other change in employee status.

25 **SECTION 85.** 230.06 (1) (e) of the statutes is amended to read:

1 230.06 (1) (e) When requested by the secretary ~~or the administrator~~, provide
2 reports on employee work performance and any other records or information the
3 secretary ~~or administrator~~ requires to carry out this subchapter.

4 **SECTION 86.** 230.06 (3) of the statutes is amended to read:

5 230.06 (3) All reports and records submitted under sub. (1) shall be prepared
6 and presented at such times and in such manner as the secretary ~~or administrator~~
7 prescribes.

8 **SECTION 87.** 230.08 (2) (c) of the statutes is amended to read:

9 230.08 (2) (c) The director, associate director and state historian of the
10 historical society; and, with the approval of the board of curators and the
11 ~~administrator~~ secretary, such number of specialists as are required by the society for
12 specific research, writing, collecting or editing projects which for a limited period of
13 time not to exceed 2 years, renewable at the discretion of the board of curators and
14 the ~~administrator~~ secretary for an additional 2-year period, require persons with
15 particular training or experience in a specialized phase or field of history, historical
16 research, writing, collecting or editing, and any persons whose entire salary is paid
17 from funds reappropriated to the society by s. 20.245 (1) (g) where competitive
18 examination is impractical.

19 **SECTION 88.** 230.08 (2) (e) 1. of the statutes is amended to read:

20 230.08 (2) (e) 1. Administration — ~~10~~ 11.

21 **SECTION 89.** 230.08 (2) (e) 4. of the statutes is repealed.

22 **SECTION 90.** 230.08 (2) (xe) of the statutes is amended to read:

23 230.08 (2) (xe) The director of Indian gaming in the department of
24 ~~administration~~, and the attorney in the department of ~~administration~~, appointed
25 under s. 569.015 (2).

1 **SECTION 91.** 230.08 (2) (y) of the statutes is amended to read:

2 230.08 (2) (y) The director and staff assistant of the federal–state relations
3 office of the department of administration.

4 **SECTION 92.** 230.08 (4) (c) of the statutes is amended to read:

5 230.08 (4) (c) Any proposal of a board, department or commission, as defined
6 in par. (a) and s. 15.01 (5), or of the historical society, for a change in the number of
7 positions enumerated in sub. (2) (e), before being submitted to the legislature, shall
8 first be submitted by the board, department or commission or by the historical society
9 for a separate review by the ~~department of administration and by the~~ secretary. The
10 ~~department of administration's~~ secretary's review shall include information on the
11 appropriateness of the proposed change with regard to a board's, department's,
12 commission's or society's current or proposed internal organizational structure
13 under s. 15.02 (4). ~~The secretary's review~~ and shall include information on whether
14 the existing classified or existing or proposed unclassified division administrator
15 position involved is or would be assigned to pay range 1–18 or above in schedule 1,
16 or a comparable level, of the compensation plan under s. 230.12. The results of ~~these~~
17 ~~reviews~~ this review shall be provided by the ~~department of administration and by the~~
18 secretary to the joint committee on finance and the joint committee on employment
19 relations at the same time that the board's, department's, commission's or society's
20 proposal is presented to either committee.

21 **SECTION 93.** 230.08 (7) of the statutes is amended to read:

22 230.08 (7) **EXCEPTIONAL EMPLOYMENT SITUATIONS.** The ~~administrator~~ secretary
23 shall provide, by rule, for exceptional methods and kinds of employment to meet the
24 needs of the service during periods of disaster or national emergency, and for other

1 exceptional employment situations such as to employ the mentally disabled, the
2 physically disabled and the disadvantaged.

3 **SECTION 94.** 230.09 (2) (g) of the statutes is amended to read:

4 230.09 (2) (g) When filling a new or vacant position, if the secretary determines
5 that the classification for a position is different than that provided for by the
6 legislature as established by law or in budget determinations, or as authorized by the
7 joint committee on finance under s. 13.10, or as specified by the governor creating
8 positions under s. 16.505 (1) (c) or (2), the University of Wisconsin Hospitals and
9 Clinics Board creating positions under s. 16.505 (2n) or the board of regents of the
10 University of Wisconsin System creating positions under s. 16.505 (2m), or is
11 different than that of the previous incumbent, the secretary shall ~~notify the~~
12 ~~administrator and the secretary of administration.~~ ~~The administrator shall~~
13 ~~withhold action on the selection and certification process for filling the position.~~ ~~The~~
14 ~~secretary of administration shall~~ review the position to determine that sufficient
15 funds exist for the position and that the duties and responsibilities of the proposed
16 position reflect the intent of the legislature as established by law or in budget
17 determinations, the intent of the joint committee on finance acting under s. 13.10,
18 the intent of the governor creating positions under s. 16.505 (1) (c) or (2), the
19 University of Wisconsin Hospitals and Clinics Board creating positions under s.
20 16.505 (2n) or the intent of the board of regents of the University of Wisconsin System
21 creating positions under s. 16.505 (2m). ~~The administrator may not proceed with the~~
22 ~~selection and certification process~~ for the position may not begin until the secretary
23 ~~of administration~~ has authorized the position to be filled.

24 **SECTION 95.** 230.12 (7m) of the statutes is amended to read:

1 230.12 (7m) PAY ADJUSTMENT FILING REQUIREMENTS. Except as provided in the
2 rules of the secretary and in the compensation plan, pay increases shall be made only
3 on the dates prescribed under sub. (8). Appointing authorities shall at such times
4 each year as specified by the secretary file with the ~~secretary and with the~~
5 department of ~~administration~~ a list of employees showing their then existing pay
6 rates and their proposed new pay rates.

7 **SECTION 96.** 230.13 (1) (intro.) of the statutes is amended to read:

8 230.13 (1) (intro.) Except as provided in sub. (3) and s. 103.13, the secretary
9 ~~and the administrator~~ may keep records of the following personnel matters closed to
10 the public:

11 **SECTION 97.** 230.13 (2) of the statutes is amended to read:

12 230.13 (2) Unless the name of an applicant is certified under s. 230.25, the
13 secretary ~~and the administrator~~ shall keep records of the identity of an applicant for
14 a position closed to the public, except as provided in sub. (3).

15 **SECTION 98.** 230.13 (3) of the statutes is amended to read:

16 230.13 (3) The secretary ~~and the administrator~~ shall provide to the department
17 of workforce development or a county child support agency under s. 59.53 (5)
18 information requested under s. 49.22 (2m) that would otherwise be closed to the
19 public under this section. Information provided under this subsection may only
20 include an individual's name and address, an individual's employer and financial
21 information related to an individual.

22 **SECTION 99.** 230.14 (4) of the statutes is amended to read:

23 230.14 (4) The ~~administrator~~ secretary may charge an agency a fee to announce
24 any vacancy to be filled in a classified or unclassified position in that agency. Funds

1 received under this subsection shall be credited to the appropriation account under
2 s. ~~20.512 (1) (ka)~~ 20.505 (1) (ke).

3 **SECTION 100.** 230.147 (3) of the statutes is amended to read:

4 230.147 (3) Notwithstanding subs. (1) and (2), the state fair park board shall
5 make every reasonable effort to employ in permanent full-time equivalent positions
6 persons who, at the time determined under sub. (4), receive aid under s. 49.19 or
7 benefits under s. 49.147 (3) to (5). The state fair park board shall consult with the
8 department of employment relations to assure that its efforts under this subsection
9 comply with ch. 230.

10 **SECTION 101.** 230.15 (1) of the statutes is amended to read:

11 230.15 (1) Subject to the restriction under s. 230.143, appointments to, and
12 promotions in, the classified service shall be made only according to merit and
13 fitness, which shall be ascertained so far as practicable by competitive examination.
14 The ~~administrator~~ secretary may waive competitive examination for appointments
15 made under subs. (1m) and (2) and shall waive competitive examination for
16 appointments made under sub. (2m).

17 **SECTION 102.** 230.15 (1m) (c) of the statutes is amended to read:

18 230.15 (1m) (c) 1. Whenever a position is included in the classified service
19 under par. (a), the ~~administrator~~ secretary may waive the requirement for
20 competitive examination under sub. (1) with respect to the position and certify the
21 incumbent employee for appointment to the position in accordance with subd. 2.

22 2. The ~~administrator~~ secretary may certify an incumbent employee as eligible
23 for appointment under subd. 1. if the ~~administrator~~ secretary determines on the
24 basis of sound personnel management practices that the incumbent is qualified for
25 the position included in the classified service.

1 3. If an employee is appointed after being certified under subd. 2., the
2 ~~administrator~~ secretary shall determine the employee's probationary status under
3 s. 230.28, except that the employee shall receive credit toward his or her
4 probationary period for the time that the employee had been employed in the position
5 immediately prior to appointment.

6 **SECTION 103.** 230.15 (2) of the statutes is amended to read:

7 230.15 (2) If a vacancy occurs in a position in the classified service when
8 peculiar and exceptional qualifications of a scientific, professional, or educational
9 character are required, and if presented with satisfactory evidence that for specified
10 reasons competition in such special cases is impracticable, and that the position can
11 best be filled by the selection of some designated person of high and recognized
12 attainments in such qualities, the ~~administrator~~ secretary may waive competition
13 requirements unless the vacancy is to be filled by promotion.

14 **SECTION 104.** 230.15 (2m) of the statutes is amended to read:

15 230.15 (2m) If a vacancy occurs in a position in the classified service and the
16 ~~administrator~~ secretary is notified by an appointing authority that the position is to
17 be filled by a disabled veteran under s. 230.275, the ~~administrator~~ secretary shall
18 waive all competition requirements for filling the position.

19 **SECTION 105.** 230.16 (1) (a) of the statutes is amended to read:

20 230.16 (1) (a) The ~~administrator~~ secretary shall require persons applying for
21 admission to any examination under this subchapter or under the rules of the
22 ~~administrator~~ department to file an application with the ~~division~~ department a
23 reasonable time prior to the proposed examination.

24 **SECTION 106.** 230.16 (1) (am) of the statutes is amended to read:

1 230.16 (1) (am) The ~~administrator~~ secretary may require in connection with
2 the application such supplementary work history, educational transcripts,
3 statements of physicians or others having knowledge of the applicant, as needed for
4 qualification evaluations.

5 **SECTION 107.** 230.16 (1) (b) of the statutes is amended to read:

6 230.16 (1) (b) The ~~division~~ department shall furnish application forms without
7 charge to all persons requesting them.

8 **SECTION 108.** 230.16 (2) of the statutes is amended to read:

9 230.16 (2) Competitive examinations shall be free and open to all applicants
10 who have fulfilled the preliminary requirements stated in the examination
11 announcement. To assure that all applicants have a fair opportunity to compete,
12 examinations shall be held at such times and places as, in the judgment of the
13 ~~administrator~~ secretary, most nearly meet the convenience of applicants and needs
14 of the service.

15 **SECTION 109.** 230.16 (3) of the statutes is amended to read:

16 230.16 (3) The ~~administrator~~ secretary may appoint boards of examiners of at
17 least 2 persons for the purpose of conducting oral examinations as a part of the
18 examination procedure for certain positions. All board members shall be
19 well-qualified and impartial. All questions asked and answers made in any
20 examination of applicants shall be recorded and made a part of the records of the
21 applicants.

22 **SECTION 110.** 230.16 (4) of the statutes is amended to read:

23 230.16 (4) All examinations, including minimum training and experience
24 requirements, for positions in the classified service shall be job-related in
25 compliance with appropriate validation standards and shall be subject to the

1 approval of the ~~administrator~~ secretary. All relevant experience, whether paid or
2 unpaid, shall satisfy experience requirements.

3 **SECTION 111.** 230.16 (5) of the statutes is amended to read:

4 230.16 (5) In the interest of sound personnel management, consideration of
5 applicants and service to agencies, the ~~administrator~~ secretary may set a standard
6 for proceeding to subsequent steps in an examination, provided that all applicants
7 are fairly treated and due notice has been given. The standard may be at or above
8 the passing point set by the ~~administrator~~ secretary for any portion of the
9 examination. The ~~administrator~~ secretary shall utilize appropriate scientific
10 techniques and procedures in administering the selection process, in rating the
11 results of examinations and in determining the relative ratings of the competitors.

12 **SECTION 112.** 230.16 (6) of the statutes is amended to read:

13 230.16 (6) If any applicant is unable to complete the examination in the form
14 presented to the applicant due to a disability, the ~~division~~ department shall provide
15 a reader, an appropriate place to take the examination or other similar prerequisites
16 to ensure equality of opportunity in the examination.

17 **SECTION 113.** 230.16 (9) of the statutes is amended to read:

18 230.16 (9) The officials in control of state, municipal and county buildings,
19 upon requisition by the ~~administrator~~ secretary, shall furnish without charge
20 adequate rooms and building services for the administration of examinations.

21 **SECTION 114.** 230.16 (11) of the statutes is amended to read:

22 230.16 (11) Records of examinations, including a transcript or recorded tape
23 of oral examinations, given under this subchapter shall be retained for at least one
24 year. Inspection of such records shall be regulated by rules of the ~~administrator~~
25 department.

1 **SECTION 115.** 230.17 (1) of the statutes is amended to read:

2 230.17 (1) The ~~administrator~~ secretary shall provide by rule, the conditions,
3 not otherwise provided by law, under which an applicant may be refused
4 examination or reexamination, or an eligible refused certification. These conditions
5 shall be based on sufficient reason and shall reflect sound technical personnel
6 management practices and those standards of conduct, deportment and character
7 necessary and demanded to the orderly, efficient and just operation of the state
8 service.

9 **SECTION 116.** 230.17 (2) of the statutes is amended to read:

10 230.17 (2) If the ~~administrator~~ secretary refuses to examine an applicant, or
11 after an examination to certify an eligible, as provided in this section, the
12 ~~administrator~~ secretary, if requested by the applicant so rejected within 10 days of
13 the date of receipt of the notice of rejection, shall give the applicant a full and explicit
14 statement of the exact cause of such refusal to examine or to certify. Applicants may
15 appeal to the commission the decision of the ~~administrator~~ secretary to refuse to
16 examine or certify under s. 230.44 (1) (a) (b). Upon request of an applicant or an
17 eligible for a civil service position who has a disability, the department of health and
18 family services shall obtain from the ~~administrator~~ secretary a detailed description
19 of all duties entailed by such position and shall determine and report its findings to
20 the ~~administrator~~ secretary, as to the ability of the applicant, or eligible, to perform
21 the duties of such position. Such findings shall be conclusive as to the qualifications
22 of any applicant, or eligible, so examined. A notice of rejection shall notify an
23 applicant or eligible of his or her rights under this subsection.

24 **SECTION 117.** 230.17 (3) of the statutes is amended to read:

1 230.17 (3) When any position to be filled involves fiduciary responsibility, the
2 appointing authority, where otherwise permitted by law, may require the appointee
3 to furnish bond or other security, and shall notify the ~~administrator~~ secretary of the
4 amount and other details thereof. Any surety company authorized to do business in
5 this state shall be a sufficient security on any such bond.

6 **SECTION 118.** 230.18 of the statutes is amended to read:

7 **230.18 Discrimination prohibited.** No question in any form of application
8 or in any examination may be so framed as to elicit information concerning the
9 partisan political or religious opinions or affiliations of any applicant nor may any
10 inquiry be made concerning such opinions or affiliations and all disclosures thereof
11 shall be discountenanced except that the ~~administrator~~ secretary may evaluate the
12 competence and impartiality of applicants for positions such as clinical chaplain in
13 a state institutional program. No discriminations may be exercised in the
14 recruitment, application, examination or hiring process against or in favor of any
15 person because of the person's political or religious opinions or affiliations or because
16 of age, sex, disability, race, color, sexual orientation, national origin or ancestry
17 except as otherwise provided.

18 **SECTION 119.** 230.19 (1) of the statutes is amended to read:

19 230.19 (1) The ~~administrator~~ secretary shall provide employees with
20 reasonable opportunities for career advancement, within a classified service
21 structure designed to achieve and maintain a highly competent work force, with due
22 consideration given to affirmative action.

23 **SECTION 120.** 230.19 (2) of the statutes is amended to read:

24 230.19 (2) If, in the judgment of the ~~administrator~~ secretary, the group of
25 applicants best able to meet the requirements for vacancies in positions in the

1 classified service are available within the classified service, the vacancies shall be
2 filled by competition limited to persons in the classified service who are not employed
3 under s. 230.26 or 230.27 and persons with the right of restoration resulting from
4 layoff under s. 230.34 (2), unless it is necessary to go outside the classified service to
5 be consistent with an approved affirmative action plan or program. The
6 ~~administrator~~ secretary may also limit competition for promotion to the employees
7 of an agency or an employing unit within an agency if the resulting group of
8 applicants would fairly represent the proportion of members of racial and ethnic,
9 gender or disabled groups in the relevant labor pool for the state.

10 **SECTION 121.** 230.21 (1) of the statutes is amended to read:

11 230.21 (1) Subject to s. 230.275, the ~~administrator~~ secretary may, to meet the
12 needs of the service, establish separate recruitment, examination and certification
13 procedures for filling positions in unskilled labor and service classes.

14 **SECTION 122.** 230.21 (1m) (a) (intro.) of the statutes is amended to read:

15 230.21 (1m) (a) (intro.) If the ~~administrator~~ secretary uses the method of
16 random certification to determine which applicants for an unskilled labor or service
17 position will receive further consideration for the position, the ~~administrator~~
18 secretary shall do all of the following:

19 **SECTION 123.** 230.21 (1m) (b) of the statutes is amended to read:

20 230.21 (1m) (b) If the ~~administrator~~ secretary uses the method of random
21 certification to determine which applicants for an unskilled labor or service position
22 will receive further consideration for the position and the appointing authority does
23 not select a veteran or a person the hiring of whom would serve affirmative action
24 purposes, the appointing authority shall make and retain a written record of the
25 appointing authority's reasons for selecting the person who was appointed. The

1 appointing authority shall make the written records available to the department and
2 annually submit a report to the department summarizing the reasons contained in
3 the written records.

4 **SECTION 124.** 230.21 (2) of the statutes is amended to read:

5 230.21 (2) ~~The administrator~~ secretary may designate classifications in which
6 applicants are in critically short supply and may develop such recruitment,
7 examination and certification processes as will provide agencies with prompt
8 certification when qualified applicants can be found, provided that due notice has
9 been given and proper competitive standards have been maintained.

10 **SECTION 125.** 230.21 (3) of the statutes is amended to read:

11 230.21 (3) ~~The administrator~~ secretary shall designate classifications in prison
12 industries in the department of corrections as critical positions requiring expeditious
13 hiring and shall develop such recruitment, examination and certification processes
14 as will provide the department with prompt certification when qualified applicants
15 can be found, provided that due notice has been given and proper competitive
16 standards have been maintained.

17 **SECTION 126.** 230.213 of the statutes is amended to read:

18 **230.213 Affirmative action procedures for corrections positions.** The
19 ~~administrator~~ secretary may, to meet affirmative action objectives, establish such
20 recruitment, examination and certification procedures for positions in the
21 department of corrections as will enable the department of corrections to increase the
22 number of employees of a specified gender or a specified racial or ethnic group in
23 those positions. The ~~administrator~~ secretary shall design the procedures to obtain
24 a work force in the department of corrections that reflects the relevant labor pool.
25 The ~~administrator~~ secretary may determine the relevant labor pool from the

1 population of the state or of a particular geographic area of the state, whichever is
2 more appropriate for achieving the affirmative action objective.

3 **SECTION 127.** 230.215 (3) (a) of the statutes is amended to read:

4 230.215 (3) (a) An agency may, with the approval of the secretary ~~and with the~~
5 ~~approval of the secretary of administration under s. 16.50~~, restructure budgeted
6 permanent positions as such positions become vacant or if an employee voluntarily
7 requests a job-sharing or permanent part-time employment opportunity. No
8 employee occupying a full-time permanent position may be involuntarily
9 terminated, demoted, transferred or reassigned in order to restructure that position
10 for permanent part-time employment and no such employee may be required to
11 accept a permanent part-time position as a condition of continued employment.

12 **SECTION 128.** 230.22 (3) of the statutes is amended to read:

13 230.22 (3) Subject to s. 230.275, the ~~administrator~~ secretary may establish
14 separate recruitment, evaluation and certification procedures for certain entry
15 professional positions. Vacancies in entry professional positions may be limited to
16 persons with a degree from an institution of higher education, as defined in s. 108.02
17 (18), or a degree under an associate degree program, as defined in s. 38.01 (1).

18 **SECTION 129.** 230.22 (4) of the statutes is amended to read:

19 230.22 (4) The ~~administrator~~ secretary may provide for cooperative programs
20 leading to eligibility for permanent appointment in order to enable institutions of
21 higher education and agencies to attract and train the highest caliber of
22 undergraduate or graduate students for government employment.

23 **SECTION 130.** 230.24 (1) of the statutes is amended to read:

24 230.24 (1) The secretary may by rule develop a career executive program that
25 emphasizes excellence in administrative skills in order to provide agencies with a

1 pool of highly qualified executive candidates, to provide outstanding administrative
2 employees a broad opportunity for career advancement and to provide for the
3 mobility of such employees among the agencies and units of state government for the
4 most advantageous use of their managerial and administrative skills. To accomplish
5 the purpose of this program, the ~~administrator~~ secretary may provide policies and
6 standards for recruitment, examination, probation, employment register control,
7 certification, transfer, promotion and reemployment, and the secretary may provide
8 policies and standards for classification and salary administration, separate from
9 procedures established for other employment. The secretary shall determine the
10 positions which may be filled from career executive employment registers.

11 **SECTION 131.** 230.24 (1m) of the statutes is amended to read:

12 230.24 (1m) The policy established by the ~~administrator~~ secretary under sub.
13 (1) that deals with probation shall provide the option of extending the probationary
14 period for individuals with disabilities, as defined in s. 111.32 (8), who are employees
15 in a manner consistent with s. 230.28 (1) (bm).

16 **SECTION 132.** 230.25 (1) of the statutes is amended to read:

17 230.25 (1) Appointing authorities shall give written notice to the ~~administrator~~
18 secretary of any vacancy to be filled in any position in the classified service. The
19 ~~administrator~~ secretary shall certify, under this subchapter and the rules of the
20 ~~administrator~~ department, from the register of eligibles appropriate for the kind and
21 type of employment, the grade and class in which the position is classified, any
22 number of names at the head thereof. In determining the number of names to certify,
23 the ~~administrator~~ secretary shall use statistical methods and personnel
24 management principles that are designed to maximize the number of certified names
25 that are appropriate for filling the specific position vacancy. Up to 2 persons

1 considered for appointment 3 times and not selected may be removed from the
2 register for each 3 appointments made. Certification under this subsection shall be
3 made before granting any preference under s. 230.16 (7).

4 **SECTION 133.** 230.25 (1g) of the statutes is amended to read:

5 230.25 (1g) For every position to be filled by promotion from a promotional
6 register, the ~~administrator~~ secretary shall, after certifying names under sub. (1),
7 additionally certify the name of the highest ranked disabled veteran whose disability
8 is at least 70%.

9 **SECTION 134.** 230.25 (1n) (a) (intro.) of the statutes is amended to read:

10 230.25 (1n) (a) (intro.) After certifying names under subs. (1), (1g) and (1m),
11 the ~~administrator~~ secretary may engage in expanded certification by doing one or
12 more of the following:

13 **SECTION 135.** 230.25 (1n) (b) of the statutes is amended to read:

14 230.25 (1n) (b) The ~~administrator~~ secretary may certify names under par. (a)
15 1. or 2. only if an agency requests expanded certification in order to comply with an
16 approved affirmative action plan or program. The ~~administrator~~ secretary may
17 certify names under par. (a) 3. only if an agency requests expanded certification in
18 order to hire persons with a disability.

19 **SECTION 136.** 230.25 (2) of the statutes is amended to read:

20 230.25 (2) (a) When certifying names to appointing authorities under this
21 section, the ~~administrator~~ secretary shall specify whether the certification includes
22 qualifying veterans or persons the hiring of whom would serve affirmative action
23 purposes, without divulging the names of those individuals. The ~~administrator~~
24 secretary shall not disclose any applicant's test score, with or without the addition
25 of veterans preference points under s. 230.16 (7), to the appointing authority.

1 (b) Unless otherwise provided in this subchapter or the rules of the
2 ~~administrator~~ department, appointments shall be made by appointing authorities
3 to all positions in the classified service from among those certified to them in
4 accordance with this section. Appointments shall be made within 60 days after the
5 date of certification unless an exception is made by the ~~administrator~~ secretary. If
6 an appointing authority does not make an appointment within 60 days after
7 certification, he or she shall immediately report in writing to the ~~administrator~~
8 secretary the reasons therefor. If the ~~administrator~~ secretary determines that the
9 failure to make an appointment is not justified under the merit system, the
10 ~~administrator~~ secretary shall issue an order directing that an appointment be made.

11 **SECTION 137.** 230.25 (3) of the statutes is amended to read:

12 230.25 (3) (a) Subject to par. (b), the term of eligibility on original entrance and
13 promotional registers is 6 months and thereafter the register expires but may be
14 reactivated by the ~~administrator~~ secretary for up to 3 years from the date of the
15 establishment of the register. Except as provided in ss. 230.28 and 230.34, the
16 eligibility of individuals for reinstatement is 5 years and the eligibility of individuals
17 for restoration is 3 years.

18 (b) The ~~administrator~~ secretary may allow a register to expire after 3 months,
19 but only after considering the impact of such an action on the policy of this state to
20 provide for equal employment opportunity and to take affirmative action, as
21 specified in s. 230.01 (2).

22 **SECTION 138.** 230.25 (4) of the statutes is amended to read:

23 230.25 (4) (a) The ~~administrator~~ secretary may establish a new and separate
24 register for a specific position or class only when in the ~~administrator's~~ secretary's

1 judgment there is no appropriate existing register from which appointments may be
2 made.

3 (b) The ~~administrator~~ secretary may establish separate registers for various
4 geographic areas of the state if the needs of the service so require, provided proper
5 publicity has been given of the intent to establish such registers.

6 **SECTION 139.** 230.25 (5) of the statutes is amended to read:

7 230.25 (5) Notwithstanding sub. (2) (a), if an appointing authority elects to
8 appoint a disabled veteran to a vacant position on a noncompetitive basis under s.
9 230.275 and the appointing authority has requested a certification for the position,
10 the ~~administrator~~ secretary shall provide the appointing authority the names of all
11 disabled veterans certified for appointment to the position and who satisfy the
12 condition specified in s. 230.275 (1) (a) and the names of all such disabled veterans
13 who are on any other employment register that is identified by the appointing
14 authority.

15 **SECTION 140.** 230.26 (1) of the statutes is amended to read:

16 230.26 (1) The ~~administrator~~ secretary may provide by rule for selection and
17 appointment for limited term appointments, which are provisional appointments or
18 appointments for less than 1,044 hours per year.

19 **SECTION 141.** 230.26 (1m) (b) of the statutes is amended to read:

20 230.26 (1m) (b) The ~~administrator~~ secretary may waive the prohibition under
21 par. (a) if the appointed person's permanent work site is located outside this state.

22 **SECTION 142.** 230.26 (2) of the statutes is amended to read:

23 230.26 (2) If there are urgent reasons for filling a vacancy in any position in
24 the classified service and the ~~administrator~~ secretary is unable to certify to the
25 appointing authority, upon requisition by the latter, a list of persons eligible for

1 appointment from an appropriate employment register, the appointing authority
2 may nominate a person to the ~~administrator~~ secretary for noncompetitive
3 examination. If the nominee is certified by the ~~administrator~~ secretary as qualified,
4 the nominee may be appointed provisionally to fill the vacancy until an appointment
5 can be made from a register established after announcement of competition for the
6 position, except that no provisional appointment may be continued for more than 45
7 working days after the date of certification from the register. Successive
8 appointments may not be made under this subsection. This subsection does not
9 apply to a person appointed to a vacant position in the classified service under s.
10 230.275.

11 **SECTION 143.** 230.26 (5) of the statutes is amended to read:

12 230.26 (5) If the ~~administrator~~ secretary determines that an agency is not in
13 compliance with the requirements of, or rules related to, sub. (1), (1m) or (2)
14 regarding a particular employee, the ~~administrator~~ secretary shall direct the
15 appointing authority to terminate the employee.

16 **SECTION 144.** 230.27 (1m) (b) of the statutes is amended to read:

17 230.27 (1m) (b) The ~~administrator~~ secretary may waive the prohibition under
18 par. (a) if there is a critical need for employees in a specific classification or position
19 or a critical shortage of residents of this state possessing the skills or qualifications
20 required for a position.

21 **SECTION 145.** 230.27 (2) of the statutes is amended to read:

22 230.27 (2) Subject to s. 230.275, the ~~administrator~~ secretary may provide by
23 rule for the selection and appointment of a person to a project position.

24 **SECTION 146.** 230.275 (1) (intro.) of the statutes is amended to read:

1 230.275 (1) (intro.) Whenever a vacancy occurs in a position in the classified
2 service that is determined by the ~~administrator~~ secretary to be a nonprofessional
3 position or in an entry professional position under s. 230.22, the appointing authority
4 may appoint a disabled veteran on a noncompetitive basis if all of the following occur:

5 **SECTION 147.** 230.275 (1) (d) of the statutes is amended to read:

6 230.275 (1) (d) The appointing authority notifies the ~~administrator~~ secretary
7 in writing that the position is to be filled with a disabled veteran on a noncompetitive
8 basis.

9 **SECTION 148.** 230.28 (1) (a) of the statutes is amended to read:

10 230.28 (1) (a) All original and all promotional appointments to permanent,
11 sessional and seasonal positions, with the exception of those positions designated as
12 supervisor or management under s. 111.81, in the classified service shall be for a
13 probationary period of 6 months, but the ~~administrator~~ secretary at the request of
14 the appointing authority and in accordance with the rules related thereto may
15 extend any such period for a maximum of 3 additional months. Dismissal may be
16 made at any time during such periods. Upon such dismissal, the appointing
17 authority shall report to the ~~administrator~~ secretary and to the employee removed,
18 the dismissal and the reason therefor. The ~~administrator~~ secretary may remove an
19 employee during the employee's probationary period if the ~~administrator~~ secretary
20 finds, after giving notice and an opportunity to be heard, that such employee was
21 appointed as a result of fraud or error.

22 **SECTION 149.** 230.28 (1) (b) of the statutes is amended to read:

23 230.28 (1) (b) The ~~administrator~~ secretary may authorize a longer
24 probationary period not to exceed 2 years for any administrative, technical or
25 professional position, in order to provide the appointing authority assurance that the

1 employee has had adequate exposure to the various responsibilities which are a part
2 of the position or classification.

3 **SECTION 150.** 230.28 (1) (bm) (intro.) of the statutes is amended to read:

4 230.28 (1) (bm) (intro.) At the request of an appointing authority and an
5 employee, the ~~administrator~~ secretary may authorize, at any time before the
6 completion of the probationary period, an extended probationary period of up to one
7 additional year for an individual with a disability, as defined in s. 111.32 (8), who is
8 the employee to allow the employee to do any of the following:

9 **SECTION 151.** 230.28 (1) (c) of the statutes is amended to read:

10 230.28 (1) (c) Upon request by the appointing authority, the ~~administrator~~
11 secretary may waive any portion of the lengthened probationary period but in no case
12 before a 6-month probationary period has been served.

13 **SECTION 152.** 230.28 (3) of the statutes is amended to read:

14 230.28 (3) If an employee is removed from a position during the probationary
15 period, and the ~~administrator~~ secretary determines that the person is suitable for
16 appointment to another position, the person's name may be restored to the list from
17 which it was certified.

18 **SECTION 153.** 230.28 (4) of the statutes is amended to read:

19 230.28 (4) A person reinstated in an employing unit other than one in which
20 the person previously served in permanent status in the class in which the person
21 is being reinstated, or an employee who transfers from one employing unit to another
22 or an employee who moves to a different employing unit in conjunction with a
23 voluntary demotion, may be required by the appointing authority to serve a
24 probationary period. Provisions for the duration of such probationary period shall
25 be provided in the rules of the ~~administrator~~ department.

1 **SECTION 154.** 230.29 (1) of the statutes is amended to read:

2 230.29 (1) Subject to sub. (2), a transfer may be made from one position to
3 another only if specifically authorized by the ~~administrator~~ secretary.

4 **SECTION 155.** 230.30 of the statutes is amended to read:

5 **230.30 Employing units; establishment and revision.** (1) Each agency
6 shall constitute an employing unit for purposes of personnel transactions, except
7 where appropriate functional, organizational or geographic breakdowns exist within
8 the agency and except as provided in sub. (2). These breakdowns may constitute a
9 separate employing unit for one or more types of personnel transactions under an
10 overall employing unit plan if requested by the appointing authority of that agency
11 and approved by the ~~administrator~~ secretary. If the ~~administrator~~ secretary
12 determines, after conferring with the appointing authority of the employing agency,
13 that an employing unit is or has become inappropriate to carry out sound personnel
14 management practices due to factors including, but not limited to, the size or isolated
15 location of portions of the employing unit, the ~~administrator~~ secretary may revise the
16 employing unit structure of the agency to effect the remedy required.

17 (2) The division of gaming in the department of ~~administration~~ shall constitute
18 a separate employing unit for purposes of personnel transactions.

19 **SECTION 156.** 230.31 (1) (b) of the statutes is amended to read:

20 230.31 (1) (b) For a 3-year period from the date of separation, if on layoff status,
21 the person shall be placed, in inverse order of layoff, on an appropriate mandatory
22 restoration register for the unit used for layoff and on a restoration register for the
23 agency from which the person was laid off. Use of such registers shall be subject to
24 the rules of the ~~administrator~~ department.

25 **SECTION 157.** 230.31 (2) of the statutes is amended to read:

1 230.31 (2) The ~~administrator~~ secretary may also provide for the reinstatement
2 of persons who have served in seasonal and sessional employment and for persons
3 who separate from a position while serving a probationary period.

4 **SECTION 158.** 230.32 (4) of the statutes is amended to read:

5 230.32 (4) Any person appointed to fill the position of an employee on such
6 military or civilian leave shall be designated as a substitute or replacement employee
7 and upon the return and reemployment of the original employee the substitute
8 employee shall be transferred to a similar position with the same employing agency
9 if one is available, or if not, he or she shall be eligible for reinstatement or have the
10 right of restoration in accordance with this subchapter and the rules of the
11 ~~administrator~~ department. The status of any person who is appointed to fill the place
12 of an employee on military or civilian leave under this section shall be governed by
13 the rules of the ~~administrator~~ department pursuant thereto.

14 **SECTION 159.** 230.32 (5) of the statutes is amended to read:

15 230.32 (5) The restoration of classified former employees of the state shall be
16 governed by this section and by the rules of the ~~administrator~~ department.

17 **SECTION 160.** 230.34 (2) (b) of the statutes is amended to read:

18 230.34 (2) (b) The ~~administrator~~ secretary shall promulgate rules governing
19 layoffs and appeals therefrom and alternative procedures in lieu of layoff to include
20 voluntary and involuntary demotion and the exercise of a displacing right to a
21 comparable or lower class, as well as the subsequent employee right of restoration
22 or eligibility for reinstatement.

23 **SECTION 161.** 230.34 (2m) of the statutes is amended to read:

24 230.34 (2m) Employees in positions funded by nonstate funds made available
25 contingent on special employee eligibility requirements such as length of prior

1 unemployment, specific occupational disadvantages or need for remedial work
2 experience, shall be exempt from inclusion with the employees whose positions are
3 in classes considered for layoff under sub. (2). In the case of reduction in force in such
4 nonstate funded positions, layoffs and layoff procedures established pursuant to the
5 rules of the ~~administrator~~ department may be limited to employees whose positions
6 are dependent upon specific funding contingencies.

7 **SECTION 162.** 230.34 (3) of the statutes is amended to read:

8 230.34 (3) The appointing authority shall confer with the ~~administrator~~
9 secretary relative to a proposed layoff a reasonable time before the effective date
10 thereof in order to assure compliance with the rules.

11 **SECTION 163.** 230.40 (6) of the statutes is repealed.

12 **SECTION 164.** 230.44 (1) (a) of the statutes is repealed.

13 **SECTION 165.** 230.44 (1) (b) of the statutes is renumbered 230.44 (1) (b) 1.

14 **SECTION 166.** 230.44 (1) (b) 2. of the statutes is created to read:

15 230.44 (1) (b) 2. Appeal of a personnel decision under this subchapter made by
16 the secretary or by an appointing authority under authority delegated by the
17 secretary under s. 230.05 (2).

18 **SECTION 167.** 230.44 (1) (dm) of the statutes is amended to read:

19 230.44 (1) (dm) *Noncompetitive appointment of certain disabled veterans.* A
20 personnel action under s. 230.275 by an appointing authority that is alleged to be
21 illegal or an abuse of discretion. The ~~administrator and the~~ department may not be
22 a party to any such appeal.

23 **SECTION 168.** 230.45 (1) (h) of the statutes is amended to read:

24 230.45 (1) (h) Keep minutes of its own proceedings and other official actions.
25 All such records shall, subject to reasonable rules, be open to public inspection.

1 Records of the secretary ~~or the administrator~~ which are confidential shall be kept
2 confidential by the commission.

3 **SECTION 169.** 230.45 (1) (i) of the statutes is amended to read:

4 230.45 (1) (i) Adopt rules necessary to carry out this section. Notice of the
5 contents of such rules and amendments thereto shall be given promptly to the
6 secretary, ~~the administrator~~ and appointing authorities affected thereby.

7 **SECTION 170.** 230.45 (3) of the statutes is amended to read:

8 230.45 (3) The commission shall promulgate rules establishing a schedule of
9 filing fees to be paid by any person who files an appeal under sub. (1) (c) or (e) or s.
10 230.44 (1) ~~(a) or (b)~~ with the commission on or after the effective date of the rules
11 promulgated under this subsection. Fees paid under this subsection shall be
12 deposited in the general fund as general purpose revenue – earned.

13 **SECTION 171.** 233.10 (3) (c) 4. of the statutes is amended to read:

14 233.10 (3) (c) 4. Grant to the carry-over employee military leave, treatment of
15 military leave, jury service leave and voting leave in accordance with s. 230.35 (3)
16 and (4) (e) and, to the extent applicable, rules of the department of ~~employment~~
17 relations administration governing such leaves for employees in the classified
18 service as of the last day of the employee's employment as a state employee if the
19 employee was entitled to those benefits on that day.

20 **SECTION 172.** 233.10 (4) of the statutes is amended to read:

21 233.10 (4) Notwithstanding the requirement that an employee be a state
22 employee, a carry-over employee of the authority who was employed in a position in
23 the classified service immediately prior to beginning employment with the authority
24 shall, from June 29, 1996, to June 30, 1997, have the same transfer rights under s.

1 230.29 and the rules of the department of ~~employment relations~~ administration
2 governing transfers as a person who holds a position in the classified service.

3 **SECTION 173.** 301.16 (1o) (b) of the statutes is amended to read:

4 301.16 (1o) (b) In the selection of classified service employees of the institution
5 specified in par. (a), the appointing authority shall, whenever possible, use the
6 expanded certification program under rules of the ~~administrator of the division of~~
7 ~~merit recruitment and selection in the~~ department of ~~employment relations~~
8 administration to ensure that employees of the institution reflect the general
9 population of either the county in which the institution is located or the most
10 populous county contiguous to the county in which the institution is located,
11 whichever population is greater. The ~~administrator of the division of merit~~
12 ~~recruitment and selection in the department of employment relations~~ secretary of
13 administration shall provide guidelines for the administration of this selection
14 procedure.

15 **SECTION 174.** 895.65 (2) of the statutes is amended to read:

16 895.65 (2) An employee may bring an action in circuit court against his or her
17 employer or employer's agent, including this state, if the employer or employer's
18 agent retaliates, by engaging in a disciplinary action, against the employee because
19 the employee exercised his or her rights under the first amendment to the U.S.
20 constitution or article I, section 3, of the Wisconsin constitution by lawfully disclosing
21 information or because the employer or employer's agent believes the employee so
22 exercised his or her rights. The employee shall bring the action within 2 years after
23 the action allegedly occurred or after the employee learned of the action, whichever
24 occurs last. No employee may bring an action against the department of ~~employment~~
25 ~~relations~~ administration as an employer's agent.

1 **SECTION 175.** 938.538 (6m) (b) of the statutes is amended to read:

2 938.538 (6m) (b) In the selection of classified service employees for a secured
3 correctional facility authorized under 1993 Wisconsin Act 377, section 9108 (1) (a),
4 the appointing authority shall make every effort to use the expanded certification
5 program under s. 230.25 (1n) or rules of the ~~administrator of the division of merit~~
6 ~~recruitment and selection in the department of employment relations~~
7 administration to ensure that the percentage of employees who are minority group
8 members approximates the percentage of the juveniles placed at that secured
9 correctional facility who are minority group members. The ~~administrator of the~~
10 ~~division of merit recruitment and selection in the department of employment~~
11 ~~relations~~ secretary of administration shall provide guidelines for the administration
12 of this selection procedure.

13 **SECTION 176.** 978.12 (1) (c) of the statutes is amended to read:

14 978.12 (1) (c) *Assistant district attorneys.* Assistant district attorneys shall be
15 employed outside the classified service. For purposes of salary administration, the
16 secretary of ~~employment relations~~ administration shall establish one or more
17 classifications for assistant district attorneys in accordance with the classification
18 or classifications allocated to assistant attorneys general. Except as provided in s.
19 111.93 (3), the salaries of assistant district attorneys shall be established and
20 adjusted in accordance with the state compensation plan for assistant attorneys
21 general whose positions are allocated to the classification or classifications
22 established by the secretary of ~~employment relations~~ administration.

23 **SECTION 9118. Nonstatutory provisions; employment relations**
24 **department.**

create auto-rev "B"

1 (b) TRANSFER OF FUNCTIONS OF THE DEPARTMENT OF EMPLOYMENT RELATIONS TO THE
2 DEPARTMENT OF ADMINISTRATION.

3 (a) *Assets and liabilities.* On the effective date of this paragraph, all assets and
4 liabilities of the department of employment relations shall become the assets and
5 liabilities of the department of administration.

6 (b) *Tangible personal property.* On the effective date of this paragraph, all
7 tangible personal property, including records, of the department of employment
8 relations is transferred to the department of administration.

9 (c) *Contracts.* All contracts entered into by the department of employment
10 relations that are in effect on the effective date of this paragraph remain in effect and
11 are transferred to the department of administration. The department of
12 administration shall carry out any obligations under such a contract until the
13 contract is modified or rescinded by the department of administration to the extent
14 allowed under the contract.

56-14

15 (d) *Rules and orders.* All rules promulgated by the department of employment
16 relations that are in effect on the effective date of this paragraph remain in effect
17 until their specified expiration dates or until amended or repealed by the department
18 of administration. All orders issued by the department of employment relations that
19 are in effect on the effective date of this paragraph remain in effect until their
20 specified expiration dates or until modified or rescinded by the department of
21 administration.

22 (e) *Pending matters.* Any matter pending with the department of employment
23 relations on the effective date of this paragraph is transferred to the department of
24 administration and all materials submitted to or actions taken by the department

1 of employment relations with respect to the pending matter are considered as having
2 been submitted to or taken by the department of administration.

3

(END)

Insert

57-3

immediately before the transfer

in the department of administration

Insert 56-14:

(d) *Employee transfers and status.* On the effective date of this paragraph, all incumbent employees holding classified positions in the department of employment relations are transferred to the department of administration. Employees transferred under this paragraph have all ^{the} rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes that they enjoyed in the department of employment relations. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class may be required to serve a probationary period.

Insert 57-3:

SECTION 9418. Effective dates; employment relations department.

(1) ABOLITION OF THE DEPARTMENT OF EMPLOYMENT RELATIONS. The treatment of sections 13.121 (4), 13.123 (1) (a) 1., 13.20 (2), 13.48 (2) (j), 13.51 (2) (b), 15.16 (1) (intro.), 15.165 (2), 15.17, 15.173, 15.175 (title) and (1), 15.177 (title) and (1), 16.004 (7) (a), 16.40 (18), 16.415 (1) and (3), 16.50 (3), 16.705 (3) (intro.), 19.45 (11) (a), ~~20.901~~ ^{20.901}, 20.512 (intro.), (1) (title), (a), (i), (j), (jm), (k), (ka), (km), (m), and (pz), and (2) (title), (a), (j), and (m), 20.916 (2), (4) (a), (4m) (b), (5) (a), (8) (a), and (9) (f) 1., 20.917 (1) (c), (2) (a), (3) (a) 1. and 2., (5) (b), and (6), 20.923 (4) (intro.) ^{and (4)} (c) 3m, and (g) 1m., (4g) (intro.), and (7) (intro.), 36.09 (1) (i) and (j), 36.27 (1) (am) 2., 40.05 (1) (b), (4) (ar), and (4g) (a) 4., 40.06 (1) (dm), 45.43 (7) (b), 46.29 (3) (d), 49.33 (5), 59.26 (8) (a), 70.99 (3) (a), 73.09 (2) and (5), 111.81 (5), 111.815 (3), 111.86 (2), 146.59 (3) (b), 227.10 (3) (e), 227.47 (2), 230.01 (2), 230.03 (1), (9), and (10), 230.04 (1), (3), (5), (7), and (9) (f), 230.05, 230.06 (1) (d) and (e) and (3), 230.08 (2) (c), (e) 1. and 4., (xe), and

20.901 (1)(b)

✓ (y), (4) ✓ (c), and (7), 230.09 (2) ✓ (g), 230.12 (7m), 230.13 (1) (intro.), 230.13 (2) and (3), *
 230.14 (4), 230.147 (3), 230.15 (1), (1m) (c), (2), and (2m), 230.16 (1) (a), (am), and (b),
 ✓ (2), (3), (4), (5), (6), (9), and (11), 230.17 (1), (2), and (3), 230.18, 230.19 (1) and (2),
 230.21 (1), (1m) (a) (intro.) and (b), (2), and (3), 230.213, 230.215 (3) (a), 230.22 (3)
 and (4), 230.24 (1) and (1m), 230.25 (1), (1g), (1n) (a) (intro.) and (b), (2), (3), (4), and
 (5), 230.26 (1), (1m) (b), (2), and (5), 230.27 (1m) (b) and (2), 230.275 (1) (intro.) and *
 (d), 230.28 (1) (a), (b) (bm) (intro.) and (c), 230.28 (3) and (4), 230.29 (1), 230.30, *
 230.31 (1) (b) and (2), 230.32 (4) and (5), 230.34 (2) (b), (2m), and (3), 230.40 (6), 230.44
 (1) (a) ~~and b and c~~ and (dm), 230.45 (1) (h) and (i) and (3), 233.10 (3) (c) 4. and (4), *
 301.16 (1o) (b), 895.65 (2), 938.538 (6m) (b) and 978.12 (1) (c) of the statutes takes *
 effect on first day of the ~~3rd~~ ^{4th} month beginning after publication.

STET: keep these commas

↑ the renumbering of
 section 230.44 (1) (b)
 of the statutes ↑
 the creation of
 section 230.44 (1) (b) 2.
 of the
 statutes ↑

and ^(CS) section
 9118 (1) of this
 act

use auto-reb "B"
 (see p. 56 of bill)

Champagne, Rick

From: Kranz, Jonathan
Sent: Tuesday, January 28, 2003 8:39 PM
To: Champagne, Rick
Subject: RE:

Rick,

We are requesting the following changes to the DER consolidation into DOA draft:

A. Merit Recruitment and Selection

- ✓ 1) Retain the Division of Merit Recruitment and Selection as a statutory division in DOA
 - ✓ 2) Retain the Unclassified Division Administrator of Merit Recruitment and Selection as a five year fixed-term position (at the current ESG level)
 - ✓ 3) Create the following mechanism for appointing the Administrator of Merit Recruitment and Selection
 - a) Create a search and screening committee composed of the Attorney General, UWS President, DWD Secretary, DOC Secretary, and the DHFS Secretary (each of these individuals may designate someone else to serve in their place)
 - b) This committee's function will be to implement all aspects of the recruitment process up to the point where they forward 3 names to the Governor (the committee's job ends at that point except as noted below)
 - c) The governor must either appoint one of the three names forwarded by the committee or reject all candidates and request that the committee initiate another recruitment process (and forward three additional names)
 - d) The governor will determine the starting salary in accordance with the compensation plan.
- ✓ The intent of the above is similar to the process in place between the mid 70's and the mid 90's. Please let us know if we missed any key points.

B. Other Changes

- 1) No new GPR appropriations are needed in DOA to accommodate the consolidation - DER will be merged into the 1a appropriation. Please delete the GPR appropriation you created in the original draft and verify that the chapter 20 language is appropriate for absorbing DER.
- ✓ 2) A total of 3 unclassified appointed positions will be added to DOA as a result of the consolidation (including the 5 year fixed-term merit recruitment and selection administrator). Note that the other two won't necessarily be division administrators but I assume that this does not matter in terms of drafting.

Please contact me if you desire any additional information. Your assistance is greatly appreciated.

Jon Kranz
Analyst
State Budget Office
(608) 266-8777

-----Original Message-----

From: Champagne, Rick
Sent: Friday, January 24, 2003 11:36 AM
To: Kranz, Jonathan
Subject:

<< File: 03-0576/2 >>

Rick Champagne
Senior Staff Counsel
Legal Section
Wisconsin Legislative Reference Bureau
100 N. Hamilton St.
P.O. Box 2037

Appropriations

<u>Program 1 - Employment Relations</u>		<u>Source</u>	<u>SLA</u>	<u>Type</u>	
✓ Merge	(1)(a) - General program operations	GPR	S	A	
✓ New	(1)(i) - Services to non-state government units	PR	S	A	
✓ Delete	(1)(j) - Gift and donations	PR	S	C	
✓ New	(1)(jm) - Employee development and training services	PR	S	A	
Merge	(1)(k) - Funds received from other state agencies	PR	S	C	(1)(ka)
Merge	(1)(ka) - Publications	PR-S	S	A	
New	(1)(km) - Collective bargaining grievance arbitrations	PR-S	S	A	
Delete	(1)(m) - Federal grants and contracts	PR-F	S	C *	
Delete	(1)(pz) - Indirect cost reimbursements	PR-F	S	C *	
<u>Program 2 - Affirmative Action Council</u>					
Delete	(2)(a) - Affirmative action council	GPR	S	A *	
Delete	(2)(j) - Gift and donations	PR	S	C *	
Delete	(2)(m) - Federal grants and contracts	PR-F	S	C *	

505
(1)(ke)

	<u>Unclassified Positions</u>	<u>B-1 Salary Level</u>	<u>FTE</u>	
Delete	Secretary	\$92,293	1.00	
Delete	Deputy Secretary	\$88,618	1.00	
Delete	Executive Assistant	\$82,754	1.00	vacant
Delete	Division Admin - AA	\$58,312	1.00	
Delete	Division Admin - CB/LR	\$84,088	1.00	
Hold	Merit Recruit Admin	\$82,184	1.00	vacant
	Total	\$488,249	6.00	

Champagne, Rick

From: Kranz, Jonathan
Sent: Thursday, January 30, 2003 6:42 PM
To: Champagne, Rick
Cc: Caucutt, Dan
Subject: DER Consolidation draft

Rick,

Here are some last minute changes and clarifications (straight from the new DER secretary):

- 1) The council on affirmative action should remain. It should be advisory to the secretary of DOA.
- 2) The language describing the non-division administrator unclassified position should be something along the lines of " ...to advise and assist the secretary on matters related to affirmative action, equal employment opportunity, diversity, and other state employment relation matters."
- 3) The search and screen committee for the Merit Recruitment and Selection Division administrator position should be composed of the following: Chief Justice of the Supreme Court, the Assembly Speaker, the Senate President, and two governor appointees one of which must be from outside of state government. The non-governor appointees may designate another individual to serve on their behalf.

I assume you must be having fun - I know I am. Thanks again for all of your assistance.

Jon Kranz
SBO
6-8777

Champagne, Rick

From: Kranz, Jonathan
Sent: Friday, January 31, 2003 1:01 PM
To: Champagne, Rick
Cc: Caucutt, Dan
Subject: DER To DOA Effective Date

Importance: High

Rick,

This supercedes our phone conversation today. I just talked to Dan and he decided that the effective date for the elimination of DER and the transfer of functions/assets into DOA should be 7/1/03. This will make it the same date as the elimination of the personnel commission and avoid any confusion regarding the chapter 20 appropriations.

Please contact me if you desire any additional information.