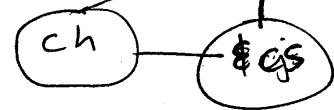




State of Wisconsin  
2003 - 2004 LEGISLATURE

LRBb0155/1  
JTK:cah/pg



LFB:.....Rhodes – Office of Human Resources Management

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

*word search  
secretary  
monitors ✓  
s cover ch. 230 ✓*

*inserts*

At the locations indicated, amend the bill as follows:

1. Page 50, line 21: delete “secretary of employment relations administration” and substitute “secretary of employment relations director of the office of state human resources management”.
2. Page 51, line 12: delete the material beginning with “secretary” and ending with “administration” on line 13 and substitute “secretary of employment relations director of the office of state human resources management”.
3. Page 54, line 2: delete “secretary of employment relations administration” and substitute “secretary of employment relations director of the office of state human resources management”.

4. Page 55, line 2: delete “~~secretary of employment relations administration~~” and substitute “~~secretary of employment relations~~ director of the office of state human resources management”.

5. Page 55, line 6: delete the material beginning with “~~secretary~~” and ending with “~~administration~~” on line 7 and substitute “~~secretary of employment relations~~ director of the office of state human resources management”.

6. Page 56, line 9: delete lines 9 to 10 and substitute:

“13.51 (2) (b) The ~~secretary of employment relations~~ director of the office of state human resources management or the ~~secretary’s~~ director’s designee.”.

7. Page 71, line 24: delete the material beginning with that line and ending with page 72, line 17.

8. Page 72, line 17: after that line insert:

“SECTION 87s. 15.105 (title) of the statutes is amended to read:

**15.105 (title) Same; attached boards, commissions, and office offices.”.**

9. Page 74, line 12: after that line insert:

“SECTION 97d. 15.105 (28) of the statutes is created to read:

15.105 (28) OFFICE OF STATE HUMAN RESOURCES MANAGEMENT. (a) *Creation.*  
There is created an office of state human resources management which is attached to the department of administration under s. 15.03 under the direction and supervision of a director. The director shall be nominated by the governor and with the advice and consent of the senate appointed to serve at the pleasure of the governor.

(b) *Same; specified divisions.* 1. ‘Division of merit recruitment and selection.’  
There is created in the office of state human resources management a division of

merit recruitment and selection. The administrator of the division of merit recruitment and selection shall be nominated by the governor, and with the advice and consent of the senate appointed for a 5-year term, under the unclassified service from a register of at least 5 names certified to the governor by the director of the office of state human resources management. The director of the office of state human resources management shall prepare and conduct an examination for the position of administrator according to the requirements for classified positions under subch. II of ch. 230. The administrator of the division may be renominated by the governor, and with the advice and consent of the senate reappointed.

2. 'Division of compensation and labor relations.' There is created in the office of state human resources management a division of compensation and labor relations. The administrator of the division shall be appointed by the director of the office of state human resources management outside the classified service.

(c) *Same; attached board.* 1. 'State employees suggestion board.' There is created in the office of state human resources management a state employees suggestion board consisting of 3 persons, at least one of whom shall be a state officer or employee, appointed for 4-year terms.

(d) *Same; council.* 1. 'Council on affirmative action.' a. There is created in the office of state human resources management a council on affirmative action consisting of 15 members appointed for 3-year terms. A majority of members shall be public members and a majority of members shall be minority persons, women, or persons with disabilities, appointed with consideration to the appropriate representation of each group.

b. The president of the senate, the speaker of the assembly, the minority leader of the senate, and the minority leader of the assembly each shall appoint one member and the remaining members shall be appointed by the governor.”.

**10.** Page 75, line 8: delete “~~secretary of employment relations administration~~” and substitute “~~secretary of employment relations~~ director of the office of state human resources management”.

**11.** Page 75, line 14: after “~~relations~~” insert “the director of the office of state human resources management,”.

**12.** Page 75, line 22: delete “(title)”.

**13.** Page 75, line 23: delete the material beginning with that line and ending with page 76, line 4.

**14.** Page 76, line 5: delete “(title)”.

**15.** Page 76, line 6: delete lines 6 to 12.

**16.** Page 79, line 25: delete the material beginning with “governor;” and ending with “~~relations~~” on page 80, line 1, and substitute “governor, the legislature and the ~~department of employment relations~~ office of state human resources management”.

**17.** Page 87, line 9: delete “~~the~~” and substitute “the”.

**18.** Page 87, line 10: delete “~~and~~” and substitute “the director of the office of state human resources management and”.

**19.** Page 88, line 22: delete “~~department~~” and substitute “department”.

**20.** Page 88, line 23: after “~~relations~~” insert “office of state human resources management”.

**21.** Page 89, line 11: delete “department” and substitute “office of state human resources management”.

**22.** Page 89, line 19: delete “secretary of employment relations administration” and substitute “secretary of employment relations director of the office of state human resources management”.

**23.** Page 91, line 13: delete the material beginning with “At” and ending with “administration” on line 14 and substitute “At the request of the ~~secretary of employment relations~~ director of the office of state human resources management, the secretary of administration”.

**24.** Page 91, line 16: delete “secretary of employment relations” and substitute “secretary of employment relations director”.

**25.** Page 110, line 23: delete the material beginning with “secretary” and ending with “department.” on line 24 and substitute “~~secretary of employment relations~~ director of the office of state human resources management, prior to award, under conditions established by rule of the department.”.

**26.** Page 140, line 2: delete “department of employment relations administration” and substitute “~~department of employment relations~~ office of state human resources management”.

**27.** Page 393, line 1: delete lines 1 to 7.

**28.** Page 405, line 5: delete “20.505” and substitute “20.545”.

**29.** Page 405, line 6: delete that line and substitute:

“SECTION 624d. 20.512 (1) (j) of the statutes is renumbered 20.545 (1) (j) and amended to read:

20.545 (1) (j) *Gifts and donations.* All moneys received from gifts, grants, bequests and devises other than for the council on affirmative action, to carry out the purposes for which made and received.”.

**30.** Page 405, line 7: delete “20.505” and substitute “20.545”.

**31.** Page 405, line 8: delete “20.505” and substitute “20.545”.

**32.** Page 405, line 9: delete “20.505” and substitute “20.545”.

**33.** Page 405, line 10: delete “20.505” and substitute “20.545”.

**34.** Page 405, line 11: delete that line and substitute:

“SECTION 629d. 20.512 (1) (m) of the statutes is renumbered 20.545 (1) (m) and amended to read:

20.545 (1) (m) *Federal grants and contracts.* All moneys received from the federal government other than for the council on affirmative action to carry out the purposes for which ~~made~~ received.”.

**35.** Page 405, line 12: delete that line and substitute:

“SECTION 630d. 20.512 (1) (pz) of the statutes is renumbered 20.545 (1) (pz) and amended to read:

20.545 (1) (pz) *Indirect cost reimbursements.* All moneys received from the federal government other than for the council on affirmative action as reimbursement of indirect costs of grants and contracts for the purposes authorized in s. 16.54 (9) (b).”.

**36.** Page 405, line 13: delete that line and substitute:

“SECTION 631e. 20.512 (2) (title) and (a) of the statutes are renumbered 20.545 (2) (title) and (a).

**SECTION 631m.** 20.512 (2) (j) of the statutes is renumbered 20.545 (2) (j) and amended to read:

20.545 (2) (j) *Gifts and donations.* All moneys received from gifts, grants, bequests and devises made to the council on affirmative action, to carry out the purposes for which made and received.

**SECTION 631s.** 20.512 (2) (m) of the statutes is renumbered 20.545 (2) (m) and amended to read:

20.545 (2) (m) *Federal grants and contracts.* All moneys received from the federal government for the council on affirmative action to carry out the purposes for which made received.”.

**37.** Page 408, line 3: after that line insert:

“**SECTION 646m.** 20.545 of the statutes is created to read:

**20.545 Office of state human resources management.** There is appropriated to the office of state human resources management for the following programs:

(1) STATE EMPLOYMENT RELATIONS. (a) *General program operations.* The amounts in the schedule to administer the employment relations functions and the civil service system under subch. V of ch. 111 and ch. 230, to pay awards under s. 230.48 and to defray the expenses of the state employees suggestion board.”.

**38.** Page 418, line 12: delete “secretary of employment relations administration” and substitute “secretary of employment relations director of the office of state human resources management”.

**39.** Page 418, line 14: delete the material beginning with “secretary” and ending with “administration” on line 15 and substitute “~~secretary of employment relations~~ director of the office of state human resources management”.

**40.** Page 423, line 24: delete the material beginning with “secretary” and ending with “administration” on line 25 and substitute “~~secretary of the department of employment relations~~ director of the office of state human resources management”.

**41.** Page 425, line 5: delete “~~department of employment relations administration~~” and substitute “~~department of employment relations~~ office of state human resources management”.

**42.** Page 425, line 10: delete “~~secretary of employment relations administration~~” and substitute “~~secretary of employment relations~~ director of the office of state human resources management”.

**43.** Page 425, line 21: delete the material beginning with “secretary” and ending with “administration” on line 22 and substitute “~~secretary of employment relations~~ director of the office of state human resources management”.

**44.** Page 426, line 4: delete the material beginning with “secretary” and ending with “administration” on line 5 and substitute “~~secretary of employment relations~~ director of the office of state human resources management”.

**45.** Page 426, line 7: delete “~~secretary of employment relations administration~~” and substitute “~~secretary of employment relations~~ director of the office of state human resources management”.



**46.** Page 426, line 15: delete “~~secretary of employment relations administration~~” and substitute “~~secretary of employment relations~~ director of the office of state human resources management”.

**47.** Page 426, line 19: delete “~~secretary of employment relations administration~~” and substitute “~~secretary of employment relations~~ director of the office of state human resources management”.

**48.** Page 426, line 23: delete “~~secretary of employment relations administration~~” and substitute “~~secretary of employment relations~~ director of the office of state human resources management”.

**49.** Page 427, line 1: delete “~~secretary of employment relations administration~~” and substitute “~~secretary of employment relations~~ director of the office of state human resources management”.

**50.** Page 427, line 12: delete the material beginning with “department” and ending with “administration” on line 13 and substitute “~~department of employment relations~~ office of state human resources management”.

**51.** Page 427, line 19: delete “~~secretary of employment relations administration~~” and substitute “~~secretary of employment relations~~ director of the office of state human resources management”.

**52.** Page 427, line 23: delete “~~secretary of employment relations administration~~” and substitute “~~secretary of employment relations~~ director of the office of state human resources management”.

**53.** Page 428, line 10: delete lines 10 to 12.

**54.** Page 428, line 25: after that line insert:

“SECTION 729m. 20.923 (4) (f) 1. of the statutes is created to read:

20.923 (4) (f) 1. Administration, department of; office of state human resources management: director.”.

**55.** Page 429, line 9: delete “secretary of ~~employment relations administration~~” and substitute “secretary of employment relations director of the office of state human resources management”.

**56.** Page 429, line 23: delete the material beginning with that line and ending with page 430, line 2.

**57.** Page 430, line 6: delete the material beginning with “secretary” and ending with “administration” on line 7 and substitute “secretary of employment relations director of the office of state human resources management”.

**58.** Page 473, line 5: delete the material beginning with “department” and ending with “administration” on line 7 and substitute “department of employment relations office of state human resources management, the board and the ~~secretary of employment relations~~ director of the office”.

**59.** Page 473, line 10: delete the material beginning with “secretary” and ending with “administration” on line 11 and substitute “secretary of employment relations director of the office of state human resources management”.

**60.** Page 474, line 10: delete “department of ~~employment relations administration~~” and substitute “department of employment relations office of state human resources management”.

**61.** Page 474, line 14: delete the material beginning with “department” and ending with “relations” on line 15 and substitute “secretary of administration and employment relations director of the office of state human resources management”.

**62.** Page 475, line 17: delete the material beginning with “secretary” and ending with “administration” on line 18 and substitute “secretary of employment relations director of the office of state human resources management”.

**63.** Page 475, line 24: delete “secretary of employment relations administration” and substitute “secretary of employment relations director of the office of state human resources management”.

**64.** Page 476, line 2: delete “secretary of employment relations administration” and substitute “secretary of employment relations director of the office of state human resources management”.

**65.** Page 476, line 10: delete “secretary of employment relations administration” and substitute “secretary of employment relations director of the office of state human resources management”.

**66.** Page 476, line 17: delete the material beginning with “secretary” and ending with “administration” on line 18 and substitute “secretary of employment relations director of the office of state human resources management”.

**67.** Page 495, line 25: delete “secretary of employment relations administration” and substitute “secretary of employment relations director of the office of state human resources management”.

**68.** Page 497, line 22: delete the material beginning with “secretary” and ending with “administration” on line 23 and substitute “~~secretary of employment relations~~ director of the office of state human resources management”.

**69.** Page 501, line 15: delete “~~secretary of employment relations administration~~” and substitute “~~secretary of employment relations~~ director of the office of state human resources management”.

**70.** Page 501, line 21: delete “~~department of employment relations administration~~” and substitute “~~department of employment relations~~ office of state human resources management”.

**71.** Page 501, line 23: delete the material beginning with “department” and ending with “administration” on line 24 and substitute “~~department of employment relations~~ office of state human resources management”.

**72.** Page 525, line 16: delete the material beginning with “~~division~~” and ending with “administration” on line 17 and substitute “division of merit recruitment and selection in the ~~department of employment relations~~ office of state human resources management”.

**73.** Page 542, line 12: delete “~~secretary of employment relations administration~~” and substitute “~~secretary of employment relations~~ director of the office of state human resources management”.

**74.** Page 631, line 21: delete the material beginning with “department” and ending with “administration shall” on line 22 and substitute “~~department of employment relations. The department of employment relations~~ office of state”.

human resources management. The office of state human resources management shall”.

**75.** Page 660, line 1: delete the material beginning with “department” and ending with “administration” on line 2 and substitute “~~department of employment relations~~ office of state human resources management”.

**76.** Page 660, line 3: delete the material beginning with “department” and ending with “administration” on line 4 and substitute “~~department of employment relations~~ office of state human resources management”.

**77.** Page 660, line 21: delete the material beginning with “department” and ending with “administration” on line 22 and substitute “~~department of employment relations~~ office of state human resources management”.

**78.** Page 677, line 21: delete “state department of ~~employment relations~~ administration” and substitute “~~state department of employment relations~~ office of state human resources management”.

**79.** Page 677, line 25: delete the material beginning with “department” and ending with “administration” on page 678, line 1, and substitute “~~department of employment relations~~ office of state human resources management”.

**80.** Page 711, line 2: delete “department of ~~employment relations~~ administration” and substitute “~~department of employment relations~~ office of state human resources management”.

**81.** Page 711, line 6: delete the material beginning with “the department” and ending with “administration” on line 7 and substitute “~~the department of employment relations~~ office of state human resources management”.

**82.** Page 711, line 12: delete “department of employment relations administration” and substitute “department of employment relations office of state human resources management”.

**83.** Page 816, line 4: delete lines 4 to 6 and substitute:

“SECTION 1987m. 111.81 (5) of the statutes is repealed.”.

**84.** Page 816, line 9: after that line insert:

“SECTION 1988m. 111.81 (14) of the statutes is created to read:

111.81 (14) “Office” means the office of state human resources management.

SECTION 1988s. 111.815 of the statutes is amended to read:

**111.815 Duties of state. (1)** In the furtherance of this subchapter, the state shall be considered as a single employer and employment relations policies and practices throughout the state service shall be as consistent as practicable. The ~~department~~ office shall negotiate and administer collective bargaining agreements. To coordinate the employer position in the negotiation of agreements, the ~~department~~ office shall maintain close liaison with the legislature relative to the negotiation of agreements and the fiscal ramifications of those agreements. Except with respect to the collective bargaining units specified in s. 111.825 (1m) and (2) (f), the ~~department~~ office is responsible for the employer functions of the executive branch under this subchapter, and shall coordinate its collective bargaining activities with operating state agencies on matters of agency concern. The legislative branch shall act upon those portions of tentative agreements negotiated by the ~~department~~ office that require legislative action. With respect to the collective bargaining units specified in s. 111.825 (1m), the University of Wisconsin Hospitals and Clinics Board is responsible for the employer functions under this subchapter.

With respect to the collective bargaining unit specified in s. 111.825 (2) (f), the governing board of the charter school established by contract under s. 118.40 (2r) (cm) is responsible for the employer functions under this subchapter.

(2) In the furtherance of the policy under s. 111.80 (4), the ~~secretary of the department shall establish a collective bargaining capability within the department outside of the division of merit recruitment and selection and~~ division of compensation and labor relations of the office shall, together with the appointing authorities or their representatives, represent the state in its responsibility as an employer under this subchapter except with respect to negotiations in the collective bargaining units specified in s. 111.825 (1m) and (2) (f). The ~~secretary of the department~~ director of the office shall establish and maintain, wherever practicable, consistent employment relations policies and practices throughout the state service.

(3) With regard to collective bargaining activities involving employees who are assistant district attorneys, the ~~secretary of the department~~ director of the office shall maintain close liaison with the department of administration.”.

**85.** Page 816, line 10: delete that line and substitute:

“**SECTION 1989m.** 111.83 (3) of the statutes is amended to read:

111.83 (3) Whenever a question arises concerning the representation of employees in a collective bargaining unit the commission shall determine the representative thereof by taking a secret ballot of the employees and certifying in writing the results thereof to the interested parties and to the ~~secretary of the department~~ director of the office. There shall be included on any ballot for the election of representatives the names of all labor organizations having an interest in representing the employees participating in the election as indicated in petitions

filed with the commission. The name of any existing representative shall be included on the ballot without the necessity of filing a petition. The commission may exclude from the ballot one who, at the time of the election, stands deprived of his or her rights under this subchapter by reason of a prior adjudication of his or her having engaged in an unfair labor practice. The ballot shall be so prepared as to permit a vote against representation by anyone named on the ballot. The commission's certification of the results of any election is conclusive as to the findings included therein unless reviewed under s. 111.07 (8)."

**86.** Page 816, line 12: delete "The department" and substitute "The department office".

**87.** Page 816, line 16: delete "department" and substitute "department office".

**88.** Page 816, line 18: delete "20.505" and substitute "20.545".

**89.** Page 816, line 18: after that line insert:

"**SECTION 1990m.** 111.89 (1) of the statutes is amended to read:

111.89 (1) Upon establishing that a strike is in progress, the employer may either seek an injunction or file an unfair labor practice charge with the commission under s. 111.84 (2) (e) or both. It is the responsibility of the department office or any other entity that is responsible for employer functions under s. 111.815 (1) to decide whether to seek an injunction or file an unfair labor practice charge. The existence of an administrative remedy does not constitute grounds for denial of injunctive relief."

**90.** Page 816, line 23: after that line insert:

"**SECTION 1992e.** 111.91 (4) of the statutes is amended to read:



111.91 (4) ~~The secretary of the department~~ director of the office or any other entity that is responsible for employer functions under s. 111.815 (1), in connection with the development of tentative collective bargaining agreements to be submitted under s. 111.92 (1) (a), shall endeavor to obtain tentative agreements with each recognized or certified labor organization representing employees or supervisors of employees specified in s. 111.81 (7) (a) and with each certified labor organization representing employees specified in s. 111.81 (7) (b) to (e) which do not contain any provision for the payment to any employee of a cumulative or noncumulative amount of compensation in recognition of or based on the period of time an employee has been employed by the state.

**SECTION 1992m.** 111.915 of the statutes is amended to read:

**111.915 Labor proposals.** ~~The secretary of the department~~ director of the office and any other entity that is responsible for employer functions under s. 111.815 (1) shall notify and consult with the joint committee on employment relations, in such form and detail as the committee requests, regarding substantial changes in wages, employee benefits, personnel management, and program policy contract provisions to be included in any contract proposal to be offered to any labor organization by the state or to be agreed to by the state before such proposal is actually offered or accepted.

**SECTION 1992s.** 111.92 (1) (a) of the statutes is amended to read:

111.92 (1) (a) Any tentative agreement reached between the ~~department~~ office or any other entity that is responsible for employer functions under s. 111.815 (1), acting for the state, and any labor organization representing a collective bargaining unit specified in s. 111.825 (1) or (2) (a) to (e) shall, after official ratification by the labor organization, be submitted by the ~~department~~ office or other entity to the joint

committee on employment relations, which shall hold a public hearing before determining its approval or disapproval. If the committee approves the tentative agreement, it shall introduce in a bill or companion bills, to be put on the calendar or referred to the appropriate scheduling committee of each house, that portion of the tentative agreement which requires legislative action for implementation, such as salary and wage adjustments, changes in fringe benefits, and any proposed amendments, deletions or additions to existing law. Such bill or companion bills are not subject to ss. 13.093 (1), 13.50 (6) (a) and (b) and 16.47 (2). The committee may, however, submit suitable portions of the tentative agreement to appropriate legislative committees for advisory recommendations on the proposed terms. The committee shall accompany the introduction of such proposed legislation with a message that informs the legislature of the committee's concurrence with the matters under consideration and which recommends the passage of such legislation without change. If the joint committee on employment relations does not approve the tentative agreement, it shall be returned to the parties for renegotiation. If the legislature does not adopt without change that portion of the tentative agreement introduced by the joint committee on employment relations, the tentative agreement shall be returned to the parties for renegotiation.”.

**91.** Page 832, line 15: delete “department of ~~employment relations administration~~” and substitute “department of employment relations office of state human resources management”.

**92.** Page 927, line 25: delete the material beginning with “department” and ending with “administration” on page 928, line 1, and substitute “~~department of employment relations~~ office of state human resources management”.

**93.** Page 930, line 7: delete the material beginning with “secretary” and ending with “administration” on line 8 and substitute “~~secretary of employment relations~~ director of the office of state human resources management”.

**94.** Page 931, line 23: after that line insert:

FWS  
19A



**SECTION 2384m.** 230.02 of the statutes is amended to read:

**230.02 Liberal construction of statutes.** Statutes applicable to the department office shall be construed liberally in aid of the purposes declared in s. 230.01.”.

**95.** Page 932, line 3: delete lines 3 to 5 and substitute:

“**SECTION 2386e.** 230.03 (9) of the statutes is repealed.

**SECTION 2386m.** 230.03 (9e) of the statutes is created to read:

230.03 (9e) “Director” means the director of the office.

**SECTION 2386s.** 230.03 (10) of the statutes is amended to read:

230.03 (10) “Division” means the division of merit recruitment and selection in the department office.”.

**96.** Page 932, line 8: after that line insert:

“**SECTION 2387e.** 230.03 (10r) of the statutes is amended to read:

230.03 (10r) “Job group” means a set of classifications combined by the department office on the basis of similarity in responsibility, pay range and nature of work.

**SECTION 2387m.** 230.03 (10w) of the statutes is created to read:

230.03 (10w) “Office” means the office of state human resources management.

FWS  
19B

**SECTION 2387s.** 230.03 (13) of the statutes is repealed.



**97.** Page 932, line 10: on lines 10 and 13, delete “secretary” and substitute “secretary director”.

**98.** Page 932, line 15: on lines 15, 17, 19, 21 and 22, delete “secretary” and substitute “secretary director”.

**99.** Page 932, line 23: delete “department” and substitute “department office”.

**100.** Page 932, line 25: delete “department” and substitute “department office”.

**101.** Page 933, line 4: delete “secretary” and substitute “secretary director”.

**102.** Page 933, line 4: after that line insert:

SECTION 2389m. 230.04 (5) of the statutes is amended to read:

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

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**103.** Page 933, line 5: after that line insert:

SECTION 2390m. 230.046 (10) (intro.) of the statutes is amended to read:

230.046 (10) ~~DEPARTMENT FUNCTIONS~~ FUNCTIONS OF THE OFFICE. (intro.) The department office may do all of the following:

**104.** Page 934, line 15: delete lines 15 to 25 and substitute:

SECTION 2404m. 230.08 (2) (ya) of the statutes is created to read:

230.08 (2) (ya) The director of the office of state human resources management in the department of administration.”.

**105.** Page 935, line 5: delete lines 5 to 20 and substitute:

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20A

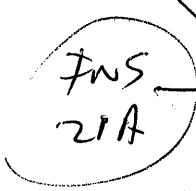
JWS  
20B

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20C

JWS  
20D

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

**106.** Page 935, line 21: delete the material beginning with that line and ending with page 936, line 23, and substitute:

 **SECTION 2408b.** 230.09 (2) (g) of the statutes is amended to read:

230.09 (2) (g) When filling a new or vacant position, if the ~~secretary~~ director determines that the classification for a position is different than that provided for by the legislature as established by law or in budget determinations, or as authorized by the joint committee on finance under s. 13.10, or as specified by the governor

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

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22A → **107.** Page 937, line 2: delete “secretary” and substitute “secretary director”.

**108.** Page 937, line 4: delete the material beginning with “secretary” and ending with “administration” on line 5 and substitute “secretary director and with the department secretary of administration”.

✓  
FWS  
22B → **109.** Page 937, line 11: delete “20.505” and substitute “20.545”.

**110.** Page 937, line 18: delete “department of employment relations” and substitute “department of employment relations office”.

**111.** Page 937, line 19: after that line insert:

ANS  
23A

SECTION 2412e. 230.16 (7m) (b) (intro.) of the statutes is amended to read:  
230.16 (7m) (b) (intro.) The ~~department~~ office shall accept an application after its due date from a veteran if all of the following apply:

SECTION 2412m. 230.16 (7m) (c) of the statutes is amended to read:

230.16 (7m) (c) Within 30 days after acceptance of an application under par. (b), the ~~department~~ office shall give the applicant an examination.

SECTION 2412s. 230.21 (1m) (b) of the statutes is amended to read:

230.21 (1m) (b) If the administrator uses the method of random certification to determine which applicants for an unskilled labor or service position will receive further consideration for the position and the appointing authority does not select a veteran or a person the hiring of whom would serve affirmative action purposes, the appointing authority shall make and retain a written record of the appointing authority's reasons for selecting the person who was appointed. The appointing authority shall make the written records available to the ~~department~~ office and annually submit a report to the ~~department~~ office summarizing the reasons contained in the written records.”

**112.** Page 937, line 21: delete the material beginning with “secretary” and ending with “16.50” on line 22 and substitute “secretary director and with the approval of the secretary of administration under s. 16.50”.

**113.** Page 938, line 3: after that line insert:

ANS  
23B

SECTION 2413f. 230.25 (1p) of the statutes is amended to read:  
230.25 (1p) If an appointing authority appoints a person certified under this section and the person is not a veteran, the spouse of a veteran or a person the hiring of whom would serve affirmative action purposes, the appointing authority shall

make and retain a written record of the appointing authority's reasons for selecting the person who was appointed. The appointing authority shall make the written records available to the department office and annually submit a report to the department office summarizing the reasons contained in the written records. The department office shall annually prepare a report summarizing, for each agency, the reasons contained in the records prepared by appointing authorities under this subsection.

**SECTION 2413r.** 230.27 (2k) of the statutes is amended to read:

**230.27 (2k)** If an appointing authority selects, for a project position, a person who is not a veteran or is not a person the hiring of whom would serve affirmative action purposes, the appointing authority shall make and retain a written record of the appointing authority's reasons for selecting the person who was appointed. The appointing authority shall make the written records available to the department office and annually submit a report to the department office summarizing the reasons contained in the written records. The department office shall annually prepare a report summarizing, for each agency, the information submitted by appointing authorities under this subsection.

*JWS*  
*24A*

**114.** Page 938, line 25: after that line insert:

*JWS*  
*24B*

**"SECTION 2417m.** 230.44 (1) (dm) of the statutes is amended to read:

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

*JWS*  
*24C*

**115.** Page 940, line 7: delete "secretary" and substitute "director".

*JWS*  
*24D*



**116.** Page 940, line 10: delete “secretary” and substitute “director”.

**117.** Page 940, line 11: after that line insert:

“SECTION 2427g. 230.46 of the statutes is amended to read:

**230.46 Duties of council on affirmative action.** The council on affirmative action in the department office shall serve in a direct advisory capacity to the ~~secretary~~ <sup>director</sup> and as part of that relationship shall evaluate the progress of affirmative action programs throughout the civil service system, seek compliance with state and federal regulations and recommend improvements in the state’s affirmative action efforts as an employer. In carrying out its responsibilities, the council may recommend legislation, consult with agency personnel and other interested persons, conduct hearings and take other appropriate action to promote affirmative action. The council shall report at least once per year to the governor and the legislature.

**SECTION 2427r.** 230.48 (2) of the statutes is amended to read:

230.48 (2) PERSONNEL, FACILITIES AND EQUIPMENT. The ~~department~~ office shall appoint, under the classified service, a secretary and such other employees as are necessary to carry out the duties of the state employees suggestion board, and shall provide such facilities and equipment as that board requires for the proper performance of its work. The state employees suggestion board may request and shall receive from any state department any assistance that it requires.”.

**118.** Page 945, line 24: delete the material beginning with “department” and ending with “administration” on line 25 and substitute “department of employment relations office of state human resources management”.

**119.** Page 946, line 8: delete “department of ~~employment relations administration~~” and substitute “department of employment relations office of state human resources management”.

**120.** Page 960, line 4: delete the material beginning with “department” and ending with “administration” on line 5 and substitute “~~department of employment relations~~ office of state human resources management”.

**121.** Page 1027, line 13: delete the material beginning with “department” and ending with “administration” on line 14 and substitute “~~department of employment relations~~ office of state human resources management”.

**122.** Page 1029, line 9: delete the material beginning with “department” and ending with “administration” on line 10 and substitute “~~department of employment relations~~ office of state human resources management”.

**123.** Page 1029, line 13: delete the material beginning with “department” and ending with “administration” on line 14 and substitute “~~department of employment relations~~ office of state human resources management”.

**124.** Page 1049, line 13: delete the material beginning with “secretary” and ending with “administration” on line 14 and substitute “~~secretary of employment relations~~ office of state human resources management”.

**125.** Page 1049, line 20: delete the material beginning with “secretary” and ending with “administration” on line 21 and substitute “~~secretary of employment relations~~ office of state human resources management”.

**126.** Page 1068, line 18: delete the material beginning with that line and ending with page 1070, line 2, and substitute:

“(1b) OFFICE OF STATE HUMAN RESOURCES MANAGEMENT.

(a) *Assets and liabilities.* On the effective date of this paragraph, all assets and liabilities of the department of employment relations shall become the assets and liabilities of the office of state human resources management.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of employment relations is transferred to the office of state human resources management.

(c) *Contracts.* All contracts entered into by the department of employment relations that are in effect on the effective date of this paragraph remain in effect and are transferred to the office of state human resources management. The office of state human resources management shall carry out any obligations under such a contract until the contract is modified or rescinded by the office of state human resources management to the extent allowed under the contract.

(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 office of state human resources management. Employees transferred under this paragraph have all of the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the office of state human resources management that they enjoyed in the department of employment relations immediately before the transfer. 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.

(e) *Rules and orders.* All rules promulgated by the department of employment relations that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until amended or repealed by the office of

state human resources management. All orders issued by the department of employment relations that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until modified or rescinded by the office of state human resources management.

(f) *Pending matters.* Any matter pending with the department of employment relations on the effective date of this paragraph is transferred to the office of state human resources management and all materials submitted to or actions taken by the department of employment relations with respect to the pending matter are considered as having been submitted to or taken by the office of state human resources management.”.

**127.** Page 1130, line 13: delete the material beginning with that line and ending with page 1131, line 4, and substitute:

“(1b) CREATION OF OFFICE OF STATE HUMAN RELATIONS MANAGEMENT. The treatment of sections 13.121 (4), 13.123 (1) (a) 1., 13.20 (2), 13.48 (2) (j), 13.51 (2) (b), 15.105 (title) and (28), 15.16 (1) (intro.), 15.165 (2), 15.17, 15.173, 15.175, 15.177, 16.004 (7) (a), 16.40 (18), 16.415 (1) (by SECTION 169), 16.415 (3), 16.50 (3), 16.705 (3) (intro.), 19.45 (11) (a), 20.512 (intro.), (1) (title), (a), (j), (jm), (k), (ka), (km), (m), and (pz), and (2) (title), (a), (j), and (m), 20.545, 20.901 (1) (b), 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.), (f) 1., 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), 49.78 (5), as renumbered, 59.26 (8) (a), 70.99 (3) (a), 73.09 (2) and (5), 111.81 (5) and (14), 111.815, 111.83 (3), 111.86 (2), 111.89 (1), 111.91 (4), 111.915, 111.92 (1) (a), 146.59 (3) (b), 227.10 (3) (e), 227.47 (2), 230.02, 230.03 (9), (9e), (10), (10r), (10w), and 230.01(2),

(intro.) and

(+He), (2), (3), (4), (5), (8), (9), (F), (9m), (9r) (b) (intro.), (10) (a), (b), (11), (12), (13) (intro.), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26), (27), (28), (29), (30), (31), (32), (33), (34), (35), (36), (37), (38), (39), (40), (41), (42), (43), (44), (45), (46), (47), (48), (49), (50), (51), (52), (53), (54), (55), (56), (57), (58), (59), (60), (61), (62), (63), (64), (65), (66), (67), (68), (69), (70), (71), (72), (73), (74), (75), (76), (77), (78), (79), (80), (81), (82), (83), (84), (85), (86), (87), (88), (89), (90), (91), (92), (93), (94), (95), (96), (97), (98), (99), (100), (101), (102), (103), (104), (105), (106), (107), (108), (109), (110), (111), (112), (113), (114), (115), (116), (117), (118), (119), (120), (121), (122), (123), (124), (125), (126), (127), (128), (129), (130), (131), (132), (133), (134), (135), (136), (137), (138), (139), (140), (141), (142), (143), (144), (145), (146), (147), (148), (149), (150), (151), (152), 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(b), and 978.12 (1) (c) of the statutes, the renumbering of section 20.512 (1) (i) of the statutes, and SECTION 9118 (1b) of this act take effect on the 30th day beginning after publication.

(i) (intro.)

(END)  
(5) (c), (7), (8), (9), and

230.047 (8), 230.048 (c), (d), (e), (f), (g), and (L) and (3)

230.15 (1m) (b) (intro.)

(a), (am), (b), (c), (d), and

230.32 (3), 230.33 (2),  
230.34 (1) (c) and (4),  
230.35 (1) (d), (2), (2r) (b),  
(3) (d) and (e), and  
(5) (b), 230.37 (1),  
230.43 (5),

(1) (a) 3, (c) 2, and (d)  
(3) (a), (ad), (b), (c),  
and (e) 1, and 2, (4) (a),  
and (b), (5) (c),

(e) 2, e,  
and 5.

2003-2004 DRAFTING INSERT  
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secretary ✓  
same ch. 230 ✓

INS 19A

✓ → 2384e  
SECTION 27. 230.01 (2) of the statutes is amended to read:

230.01 (2) It is the policy of the state and the responsibility of the ~~secretary~~<sup>director</sup> and the administrator to maintain a system of personnel management which fills positions in the classified service through methods which apply the merit principle, with adequate civil service safeguards. It is the policy of this state to provide for equal employment opportunity by ensuring that all personnel actions including hire, tenure or term, and condition or privilege of employment be based on the ability to perform the duties and responsibilities assigned to the particular position without regard to age, race, creed or religion, color, disability, sex, national origin, ancestry, sexual orientation or political affiliation. It is the policy of this state to take affirmative action which is not in conflict with other provisions of this chapter. It is the policy of the state to ensure its employees opportunities for satisfying careers and fair treatment based on the value of each employee's services. It is the policy of this state to encourage disclosure of information under subch. III and to ensure that any employee employed by a governmental unit is protected from retaliatory action for disclosing information under subch. III. It is the policy of this state to correct pay inequities based on gender or race in the state civil service system.

History: 1977 c. 196; 1981 c. 112; 1983 a. 409; 1985 a. 29, 1987 a. 32; 1999 a. 87.

INS 19B

✓ 2387W  
SECTION 27. 230.04 (title) of the statutes is amended to read:

**230.04 (title) Powers and duties of the secretary.**

↓ director (B) (2) (C)

History: 1977 c. 196 ss. 48, 63, 101, 130 (11); 1977 c. 418, 447; 1981 c. 20; 1983 a. 27, 409; 1987 a. 27, 32, 140, 403; 1989 a. 31, 124; 1991 a. 101, 269, 288, 315; 1995 a. 289; 1997 a. 27; 1999 a. 87.

INS 20A

→ <sup>cc</sup> <sup>2389d</sup> SECTION ~~22~~ 230.04 (2) of the statutes is amended to read:

230.04 (2) The ~~secretary~~ <sup>director</sup> may utilize the services of technical or specialized personnel to assist in implementing and maintaining a sound personnel management program. These services may be obtained from persons inside or outside of state service.

<sup>2389h</sup> SECTION ~~22~~ 230.04 (3) of the statutes is amended to read:

(3) The ~~secretary~~ <sup>director</sup> may issue enforceable orders on all matters relating to the administration, enforcement and effect of this chapter and the rules prescribed thereunder except on matters relating to the provisions of subch. III or to those provisions of subch. II for which responsibility is specifically charged to the administrator.

<sup>2389p</sup> SECTION ~~22~~ 230.04 (4) of the statutes is amended to read:

230.04 (4) The ~~secretary~~ <sup>director</sup> shall establish and maintain a collective bargaining capability under s. 111.815 (2).

History: 1977 c. 196 ss. 48, 63, 101, 130 (11); 1977 c. 418, 447; 1981 c. 20; 1983 a. 27, 409; 1987 a. 27, 32, 140, 403; 1989 a. 31, 124; 1991 a. 101, 269, 288, 315; 1995 a. 289; 1997 a. 27; 1999 a. 87.

INS 20B

→ <sup>cc</sup> <sup>2390b</sup> SECTION ~~22~~ 230.04 (8) of the statutes is amended to read:

230.04 (8) The ~~secretary~~ <sup>director</sup> shall establish an employee performance evaluation program under s. 230.37 (1).

History: 1977 c. 196 ss. 48, 63, 101, 130 (11); 1977 c. 418, 447; 1981 c. 20; 1983 a. 27, 409; 1987 a. 27, 32, 140, 403; 1989 a. 31, 124; 1991 a. 101, 269, 288, 315; 1995 a. 289; 1997 a. 27; 1999 a. 87.

2390c

**SECTION 23. 230.04 (9) (intro.)** of the statutes is amended to read:

230.04 (9) (intro.) The ~~secretary~~ <sup>director</sup> shall do all of the following:

History: 1977 c. 196 ss. 48, 63, 101, 130 (11); 1977 c. 418, 447; 1981 c. 20; 1983 a. 27, 409; 1987 a. 27, 32, 140, 403; 1989 a. 31, 124; 1991 a. 101, 269, 288, 315; 1995 a. 289; 1997 a. 27; 1999 a. 87.

**SECTION 23. 230.04 (9) (f)** of the statutes is amended to read:

2390d

230.04 (9) (f) Establish an affirmative action subunit reporting directly to the ~~secretary~~ <sup>director</sup>. The affirmative action subunit shall advise and assist the ~~secretary~~ <sup>director</sup>, the administrator and agency heads on establishing policies and programs to ensure appropriate affirmative action. The subunit shall advise and assist the ~~secretary~~ <sup>director</sup> in monitoring such programs and shall provide staff to the affirmative action council.

History: 1977 c. 196 ss. 48, 63, 101, 130 (11); 1977 c. 418, 447; 1981 c. 20; 1983 a. 27, 409; 1987 a. 27, 32, 140, 403; 1989 a. 31, 124; 1991 a. 101, 269, 288, 315; 1995 a. 289; 1997 a. 27; 1999 a. 87.

**SECTION 23. 230.04 (9m)** of the statutes is amended to read:

2390e

230.04 (9m) The ~~secretary~~ <sup>director</sup> shall conduct periodic reviews and evaluations of the written records of hiring decisions made by appointing authorities under ss. 230.21 (1m), 230.25 (1p) and 230.27 (2k).

History: 1977 c. 196 ss. 48, 63, 101, 130 (11); 1977 c. 418, 447; 1981 c. 20; 1983 a. 27, 409; 1987 a. 27, 32, 140, 403; 1989 a. 31, 124; 1991 a. 101, 269, 288, 315; 1995 a. 289; 1997 a. 27; 1999 a. 87.

**SECTION 23. 230.04 (9r) (b) (intro.)** of the statutes is amended to read:

2390f

230.04 (9r) (b) (intro.) The ~~secretary~~ <sup>director</sup> shall keep a record of all of the following:

History: 1977 c. 196 ss. 48, 63, 101, 130 (11); 1977 c. 418, 447; 1981 c. 20; 1983 a. 27, 409; 1987 a. 27, 32, 140, 403; 1989 a. 31, 124; 1991 a. 101, 269, 288, 315; 1995 a. 289; 1997 a. 27; 1999 a. 87.

**SECTION 23. 230.04 (10) (a)** of the statutes is amended to read:

2390g

230.04 (10) (a) The ~~secretary~~ <sup>director</sup> may require all agencies and their officers to comply with the ~~secretary's~~ <sup>director's</sup> request to furnish current information pertaining to authorized positions, payroll and related items regarding civil service and employment relations functions.

History: 1977 c. 196 ss. 48, 63, 101, 130 (11); 1977 c. 418, 447; 1981 c. 20; 1983 a. 27, 409; 1987 a. 27, 32, 140, 403; 1989 a. 31, 124; 1991 a. 101, 269, 288, 315; 1995 a. 289; 1997 a. 27; 1999 a. 87.

**SECTION 23. 230.04 (10) (b)** of the statutes is amended to read:

2390h

230.04 (10) (b) The ~~secretary~~ <sup>director</sup> shall request from each agency and each agency shall furnish to the ~~secretary~~ <sup>director</sup> relevant racial, ethnic, gender and disability



information on every new employee hired by the agency including limited term, project, seasonal and sessional employees. The ~~secretary~~<sup>director</sup> shall maintain the data to permit a periodic review of the agency's affirmative action plan accomplishments.

History: 1977 c. 196 ss. 48, 63, 101, 130 (11); 1977 c. 418, 447; 1981 c. 20; 1983 a. 27, 409; 1987 a. 27, 32, 140, 403; 1989 a. 31, 124; 1991 a. 101, 269, 288, 315; 1995 a. 289; 1997 a. 27; 1999 a. 87.

SECTION ~~7~~<sup>2390i ✓</sup>. 230.04 (10) (c) of the statutes is amended to read:

230.04 (10) (c) The ~~secretary~~<sup>director</sup> shall request from each agency and each agency shall furnish to the ~~secretary~~<sup>director</sup> relevant information regarding the prior military service, if any, of every new employee hired by the agency including limited term, project, seasonal and sessional employees. The ~~secretary~~<sup>director</sup> shall maintain the data to permit a periodic review of the progress being made to provide employment opportunities in civil service for veterans and disabled veterans.

History: 1977 c. 196 ss. 48, 63, 101, 130 (11); 1977 c. 418, 447; 1981 c. 20; 1983 a. 27, 409; 1987 a. 27, 32, 140, 403; 1989 a. 31, 124; 1991 a. 101, 269, 288, 315; 1995 a. 289; 1997 a. 27; 1999 a. 87.

SECTION ~~7~~<sup>(2390j) ✓</sup>. 230.04 (11) of the statutes is amended to read:

230.04 (11) The ~~secretary~~<sup>director</sup> may provide by rule for an understudy program to assure continuity in selected positions.

History: 1977 c. 196 ss. 48, 63, 101, 130 (11); 1977 c. 418, 447; 1981 c. 20; 1983 a. 27, 409; 1987 a. 27, 32, 140, 403; 1989 a. 31, 124; 1991 a. 101, 269, 288, 315; 1995 a. 289; 1997 a. 27; 1999 a. 87.

SECTION ~~7~~<sup>2390k ✓</sup>. 230.04 (12) of the statutes is amended to read:

230.04 (12) The ~~secretary~~<sup>director</sup> shall keep in the office an official roster of all permanent classified employees which shall include classification titles, pay and employment status changes and appropriate dates thereof.

History: 1977 c. 196 ss. 48, 63, 101, 130 (11); 1977 c. 418, 447; 1981 c. 20; 1983 a. 27, 409; 1987 a. 27, 32, 140, 403; 1989 a. 31, 124; 1991 a. 101, 269, 288, 315; 1995 a. 289; 1997 a. 27; 1999 a. 87.

SECTION ~~7~~<sup>2390L ✓</sup>. 230.04 (13) (intro.) of the statutes is amended to read:

230.04 (13) (intro.) The ~~secretary~~<sup>director</sup> shall do all of the following:

History: 1977 c. 196 ss. 48, 63, 101, 130 (11); 1977 c. 418, 447; 1981 c. 20; 1983 a. 27, 409; 1987 a. 27, 32, 140, 403; 1989 a. 31, 124; 1991 a. 101, 269, 288, 315; 1995 a. 289; 1997 a. 27; 1999 a. 87.

SECTION ~~7~~<sup>2390M ✓</sup>. 230.04 (14) of the statutes is amended to read:

director

230.04 (14) The ~~secretary~~<sup>director</sup> shall establish, by rule, the scope and minimum requirements of a state employee grievance procedure relating to conditions of employment.

**History:** 1977 c. 196 ss. 48, 63, 101, 130 (11); 1977 c. 418, 447; 1981 c. 20; 1983 a. 27, 409; 1987 a. 27, 32, 140, 403; 1989 a. 31, 124; 1991 a. 101, 269, 288, 315; 1995 a. 289; 1997 a. 27; 1999 a. 87.

**SECTION** ~~??~~<sup>2390n ✓</sup>. 230.04 (15) of the statutes is amended to read:

director

230.04 (15) The ~~secretary~~<sup>director</sup> shall review and either approve or disapprove each determination by an agency head regarding the classification of a state employee as a protective occupation participant for purposes of the Wisconsin retirement system.

**History:** 1977 c. 196 ss. 48, 63, 101, 130 (11); 1977 c. 418, 447; 1981 c. 20; 1983 a. 27, 409; 1987 a. 27, 32, 140, 403; 1989 a. 31, 124; 1991 a. 101, 269, 288, 315; 1995 a. 289; 1997 a. 27; 1999 a. 87.

**SECTION** ~~??~~<sup>2390p ✓</sup>. 230.046 (5) (c) of the statutes is amended to read:

230.046 (5) (c) An agreement has been entered into by the trainee and the appointing authority relative to employment with the state, together with such other terms and conditions as may be necessary under the rules of the ~~secretary~~<sup>director</sup> whenever on-the-job trainees are employed; and

**History:** 1971 c. 100 s. 23; 1971 c. 270 ss. 56, 91; Stats. 1971 s. 16.33; 1975 c. 39 s. 732 (1); 1977 c. 29; 1977 c. 196 ss. 60, 103, 130 (4), (6m), (11), 131; Stats. 1977 s. 230.046; 1979 c. 221; 1981 c. 20; 1985 a. 29; 1989 a. 31; 1993 a. 112; 1999 a. 9.

**SECTION** ~~??~~<sup>2390g ✓</sup>. 230.046 (7) of the statutes is amended to read:

director

230.046 (7) ESTABLISH INTERNSHIPS. The ~~secretary~~<sup>director</sup> shall establish in the classified service in-service training internships designed to give rigorous training in public service administration for periods not to exceed 3 years under the direct supervision of experienced administrators.

**History:** 1971 c. 100 s. 23; 1971 c. 270 ss. 56, 91; Stats. 1971 s. 16.33; 1975 c. 39 s. 732 (1); 1977 c. 29; 1977 c. 196 ss. 60, 103, 130 (4), (6m), (11), 131; Stats. 1977 s. 230.046; 1979 c. 221; 1981 c. 20; 1985 a. 29; 1989 a. 31; 1993 a. 112; 1999 a. 9.

**SECTION** ~~??~~<sup>2390r ✓</sup>. 230.046 (8) of the statutes is amended to read:

230.046 (8) COOPERATE FOR SCHOLARSHIP LOANS. To stimulate the interest of qualified students of exceptional merit in government career service, the ~~secretary~~<sup>director</sup> shall cooperate with the board of regents of the University of Wisconsin System in

providing opportunities for recipients of public service scholarship loans to secure employment under the internship plan.

History: 1971 c. 100 s. 23; 1971 c. 270 ss. 56, 91; Stats. 1971 s. 16.33; 1975 c. 39 s. 732 (1); 1977 c. 29; 1977 c. 196 ss. 60, 103, 130 (4), (6m), (11), 131; Stats. 1977 s. 230.046; 1979 c. 221; 1981 c. 20; 1985 a. 29; 1989 a. 31; 1993 a. 112; 1999 a. 9.

SECTION ~~??~~ 23905 ✓ 230.046 (9) of the statutes is amended to read:

230.046 (9) TUITION REFUND PROGRAM. The ~~secretary~~ <sup>director</sup> may establish by rule in the classified service a tuition refund program to supplement departmental training, to encourage employee job-related development and, upon satisfactory completion of training under this program to refund to the employee, an amount not to exceed the cost of tuition and necessary fees.

History: 1971 c. 100 s. 23; 1971 c. 270 ss. 56, 91; Stats. 1971 s. 16.33; 1975 c. 39 s. 732 (1); 1977 c. 29; 1977 c. 196 ss. 60, 103, 130 (4), (6m), (11), 131; Stats. 1977 s. 230.046; 1979 c. 221; 1981 c. 20; 1985 a. 29; 1989 a. 31; 1993 a. 112; 1999 a. 9.

INS 20C

2390W ✓ SECTION ~~??~~ 230.047 (8) of the statutes is amended to read:

230.047 (8) ADMINISTRATION. The ~~secretary~~ <sup>director</sup> shall promulgate rules for the operation and implementation of this section. The rules shall prescribe the duration, terms and conditions of such interchange. 230

History: 1971 c. 270 ss. 63, 77; Stats. 1971 s. 16.24; 1975 c. 147 s. 54; 1977 c. 196 s. 55; Stats. 1977 s. 230.047; 1979 c. 89, 221; 1983 a. 27, 189; 1991 a. 75.

INS 20D

22 1. Page 933, line 2: after that line insert:

2391C → SECTION ~~??~~ 230.06 (1) (c) of the statutes is amended to read:

230.06 (1) (c) Provide the ~~secretary~~ <sup>director</sup> with current information relative to the assignment of duties to permanent classified positions in his or her agency.

History: 1971 c. 270; 1973 c. 333; 1977 c. 196 ss. 28, 106, 130 (5); 1981 c. 20; 1983 a. 27 ss. 1605g, 2200 (15); 1987 a. 32; 1991 a. 288, 315.

2391A9 SECTION ~~??~~ 230.06 (1) (d) of the statutes is amended to read:

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

History: 1971 c. 270; 1973 c. 333; 1977 c. 196 ss. 28, 106, 130 (5); 1981 c. 20; 1983 a. 27 ss. 1605g, 2200 (15); 1987 a. 32; 1991 a. 288, 315.

SECTION 23. 230.06 (1) (e) of the statutes is amended to read:

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

History: 1971 c. 270; 1973 c. 333; 1977 c. 196 ss. 28, 106, 130 (5); 1981 c. 20; 1983 a. 27 ss. 1605g, 2200 (15); 1987 a. 32; 1991 a. 288, 315.

SECTION 23. 230.06 (1) (f) of the statutes is amended to read:

230.06 (1) (f) Provide the ~~secretary~~ <sup>director</sup> with the civil service information required under s. 16.004 (7).

History: 1971 c. 270; 1973 c. 333; 1977 c. 196 ss. 28, 106, 130 (5); 1981 c. 20; 1983 a. 27 ss. 1605g, 2200 (15); 1987 a. 32; 1991 a. 288, 315.

SECTION 23. 230.06 (1) (g) of the statutes is amended to read:

230.06 (1) (g) Prepare an affirmative action plan which complies with the standards established by the ~~secretary~~ <sup>director</sup> under s. 230.04 (9) (a) and which sets goals and outlines steps for incorporating affirmative action and principles supporting affirmative action into the procedures and policies of his or her agency.

History: 1971 c. 270; 1973 c. 333; 1977 c. 196 ss. 28, 106, 130 (5); 1981 c. 20; 1983 a. 27 ss. 1605g, 2200 (15); 1987 a. 32; 1991 a. 288, 315.

SECTION 23. 230.06 (1) (L) of the statutes is amended to read:

230.06 (1) (L) Provide information about the employment of each severely disabled employee for the ~~secretary's~~ <sup>director's</sup> report under s. 230.04 (9r) within 30 days after the disabled employee is appointed, and at other times at the request of the ~~secretary~~ <sup>director</sup>.

History: 1971 c. 270; 1973 c. 333; 1977 c. 196 ss. 28, 106, 130 (5); 1981 c. 20; 1983 a. 27 ss. 1605g, 2200 (15); 1987 a. 32; 1991 a. 288, 315.

SECTION 23. 230.06 (3) of the statutes is amended to read:

2391x

230.06 (3) All reports and records submitted under sub. (1) shall be prepared and presented at such times and in such manner as the ~~secretary~~<sup>Director</sup> or administrator prescribes.

2407b  
⊙  
↑

INS 21A

→ ✓ SECTION 2407b. 230.08 (8) of the statutes is amended to read:

230.08 (8) AUDITING OF PAYROLLS. The ~~secretary~~<sup>Director</sup> shall audit the payrolls of the classified and unclassified service, as necessary, to carry out this subchapter.

History: 1971 c. 40, 270; 1973 c. 333, 335; 1977 c. 29, 187; 1977 c. 196 ss. 34, 108, 130 (5); 1977 c. 272, 418, 449; Stats. 1977 s. 230.08; 1979 c. 34, 189, 221, 356, 361; 1981 c. 20, 347, 374; 1983 a. 27 ss. 1605o to 1609am, 2200 (15); 1983 a. 189 s. 329 (27); 1983 a. 371, 378; 1985 a. 29; 1987 a. 27, 119, 204, 354, 399, 403; 1989 a. 31, 107, 119, 122, 169, 208, 219, 336; 1991 a. 39, 250, 269; 1993 a. 16, 349, 399; 1995 a. 27 ss. 6245 to 6277m, 9126 (19), 9130 (4); 1995 a. 216; 1997 a. 3, 27, 179, 194, 237; 1999 a. 9, 42, 87, 186; 2001 a. 16, 19, 109.  
History: 1971 c. 270; 1973 c. 333; 1977 c. 196 ss. 28, 106, 130 (5); 1981 c. 20; 1983 a. 27 ss. 1605g, 2200 (15); 1987 a. 32; 1991 a. 288, 315.

~~2. Page 7, line 2. after that line insert.~~

SECTION 2407d. 230.09 (1) (intro.) of the statutes is amended to read:

230.09 (1) (intro.) The ~~secretary~~<sup>Director</sup> shall ascertain and record the duties, responsibilities and authorities of, and establish grade levels and classifications for, all positions in the classified service. Each classification so established shall include all positions which are comparable with respect to authority, responsibility and nature of work required. Each classification shall be established to include as many positions as are reasonable and practicable. In addition, each class shall:

History: 1971 c. 270 ss. 16, 26; 1977 c. 196 ss. 32, 109, 130 (5); 1977 c. 272, 273, 418; 1981 c. 20; 1983 a. 27 ss. 1609b to 1610, 2200 (15); 1985 a. 29, 120; 1987 a. 27, 403; 1989 a. 39; 1991 a. 315; 1995 a. 27.

SECTION 2407f. 230.09 (2) (a) of the statutes is amended to read:

230.09 (2) (a) After consultation with the appointing authorities, the ~~secretary~~<sup>Director</sup> shall allocate each position in the classified service to an appropriate class on the basis of its duties, authority, responsibilities or other factors recognized in the job

evaluation process. The ~~secretary~~ <sup>director</sup> may reclassify or reallocate positions on the same basis.

History: 1971 c. 270 ss. 16, 26; 1977 c. 196 ss. 32, 109, 130 (5); 1977 c. 272, 273, 418; 1981 c. 20; 1983 a. 27 ss. 1609b to 1610, 2200 (15); 1985 a. 29, 120; 1987 a. 27, 403; 1989 a. 39; 1991 a. 315; 1995 a. 27

SECTION ~~7?~~ <sup>2407h</sup> 230.09 (2) (am) of the statutes is amended to read:

230.09 (2) (am) The ~~secretary~~ <sup>director</sup> shall maintain and improve the classification plan to meet the needs of the service, using methods and techniques which may include personnel management surveys, individual position reviews, occupational group classification surveys, or other appropriate methods of position review. Such reviews may be initiated by the ~~secretary~~ <sup>director</sup> after taking into consideration the recommendations of the appointing authority, or at his or her own discretion. The ~~secretary~~ <sup>director</sup> shall establish, modify or abolish classifications as the needs of the service require.

History: 1971 c. 270 ss. 16, 26; 1977 c. 196 ss. 32, 109, 130 (5); 1977 c. 272, 273, 418; 1981 c. 20; 1983 a. 27 ss. 1609b to 1610, 2200 (15); 1985 a. 29, 120; 1987 a. 27, 403; 1989 a. 39; 1991 a. 315; 1995 a. 27

SECTION ~~7?~~ <sup>2407j</sup> 230.09 (2) (b) of the statutes is amended to read:

230.09 (2) (b) To accommodate and effectuate the continuing changes in the classification plan as a result of the classification survey program and otherwise, the ~~secretary~~ <sup>director</sup> shall, upon initial establishment of a classification, assign that class to the appropriate pay rate or range, and may, upon subsequent review, reassign classes to different pay rates or ranges. The ~~secretary~~ <sup>director</sup> shall assign each class to a pay range according to the skill, effort, responsibility and working conditions required for the class, without regard to whether the class is occupied primarily by members of a certain gender or racial group. The ~~secretary~~ <sup>director</sup> shall give notice to appointing authorities to permit them to make recommendations before final action is taken on any such assignment or reassignment of classes.

History: 1971 c. 270 ss. 16, 26; 1977 c. 196 ss. 32, 109, 130 (5); 1977 c. 272, 273, 418; 1981 c. 20; 1983 a. 27 ss. 1609b to 1610, 2200 (15); 1985 a. 29, 120; 1987 a. 27, 403; 1989 a. 39; 1991 a. 315; 1995 a. 27

SECTION ~~7?~~ <sup>2407L</sup> 230.09 (2) (c) of the statutes is amended to read:

230.09 (2) (c) If anticipated changes in program or organization will significantly affect the assignment of duties or responsibilities to positions, the appointing authority shall, whenever practicable, confer with the ~~secretary~~ <sup>director</sup> within a reasonable time prior to the reorganization or changes in program to formulate methods to fill positions which are newly established or modified to the extent that reclassification of the position is appropriate. In all cases, appointing authorities shall give written notice to the ~~secretary~~ <sup>director</sup> and employee of changes in the assignment of duties or responsibilities to a position when the changes in assignment may affect the classification of the position.

*2407n*  
History: 1971 c. 270 ss. 16, 26; 1977 c. 196 ss. 32, 109, 130 (5); 1977 c. 272, 273, 418; 1981 c. 20; 1983 a. 27 ss. 1609b to 1610, 2200 (15); 1985 a. 29, 120; 1987 a. 27, 403; 1989 a. 39; 1991 a. 315; 1995 a. 27.

SECTION ~~??~~ 230.09 (2) (d) of the statutes is amended to read:

230.09 (2) (d) If after review of a filled position the ~~secretary~~ <sup>director</sup> reclassifies or reallocates the position, the ~~secretary~~ <sup>director</sup> shall determine whether the incumbent shall be regraded or whether the position shall be opened to other applicants.

History: 1971 c. 270 ss. 16, 26; 1977 c. 196 ss. 32, 109, 130 (5); 1977 c. 272, 273, 418; 1981 c. 20; 1983 a. 27 ss. 1609b to 1610, 2200 (15); 1985 a. 29, 120; 1987 a. 27, 403; 1989 a. 39; 1991 a. 315; 1995 a. 27.

*2408d* INS 22A

SECTION ~~??~~ 230.09 (3) of the statutes is amended to read:

230.09 (3) The ~~secretary~~ <sup>director</sup> shall establish separate classifications for career executive positions under s. 230.24 and rules governing the salary administration of positions in such classifications.

History: 1971 c. 270 ss. 16, 26; 1977 c. 196 ss. 32, 109, 130 (5); 1977 c. 272, 273, 418; 1981 c. 20; 1983 a. 27 ss. 1609b to 1610, 2200 (15); 1985 a. 29, 120; 1987 a. 27, 403; 1989 a. 39; 1991 a. 315; 1995 a. 27.

*2408f*  
SECTION ~~??~~ 230.12 (1) (a) 3. of the statutes is amended to read:

230.12 (1) (a) 3. Provisions for administration of the compensation plan and salary transactions shall be provided, as determined by the ~~secretary~~ <sup>director</sup>, in either the rules of the ~~secretary~~ <sup>director</sup> for the compensation plan.

**History:** 1971 c. 55, 125, 215; 1971 c. 270 ss. 20, 27, 28, 30 to 32; 1971 c. 336; Stats. 1971 s. 16.086; 1973 c. 12, 51, 90; 1975 c. 28, 39, 199, 224; 1977 c. 29, 44; 1977 c. 196 ss. 36, 130 (3), (5), (11), 131; 1977 c. 272, 418, 449; Stats. 1977 s. 230.12; 1979 c. 221; 1981 c. 20 s. 2202 (33) (b); 1981 c. 153; 1983 a. 27 ss. 1611am to 1612am, 2200 (15); 1983 a. 140; 1985 a. 29, 34, 42, 119, 332; 1987 a. 33, 83, 340, 399, 403; 1989 a. 39, 56, 117, 119, 124, 153, 336, 359; 1991 a. 269; 1995 a. 37, 88; 1997 a. 14, 237; 1999 a. 42, 102; 2001 a. 16, 29, 35.

**SECTION 2408j.** 230.12 (1) (c) 2. of the statutes is amended to read:

230.12 (1) (c) 2. The ~~secretary~~ <sup>director</sup> may establish a plan of extra compensation for work performed during selected hours at an hourly rate or rates subject to approval of the joint committee on employment relations. Eligibility for such extra compensation shall be as provided in the compensation plan.

**History:** 1971 c. 55, 125, 215; 1971 c. 270 ss. 20, 27, 28, 30 to 32; 1971 c. 336; Stats. 1971 s. 16.086; 1973 c. 12, 51, 90; 1975 c. 28, 39, 199, 224; 1977 c. 29, 44; 1977 c. 196 ss. 36, 130 (3), (5), (11), 131; 1977 c. 272, 418, 449; Stats. 1977 s. 230.12; 1979 c. 221; 1981 c. 20 s. 2202 (33) (b); 1981 c. 153; 1983 a. 27 ss. 1611am to 1612am, 2200 (15); 1983 a. 140; 1985 a. 29, 34, 42, 119, 332; 1987 a. 33, 83, 340, 399, 403; 1989 a. 39, 56, 117, 119, 124, 153, 336, 359; 1991 a. 269; 1995 a. 37, 88; 1997 a. 14, 237; 1999 a. 42, 102; 2001 a. 16, 29, 35.

**SECTION 2408j.** 230.12 (1) (d) of the statutes is amended to read:

230.12 (1) (d) *Uniforms and safety equipment.* The ~~secretary~~ <sup>director</sup> with approval of the joint committee on employment relations, may establish a schedule of payments to employees for uniforms or protective clothing and equipment required to perform their duties.

**History:** 1971 c. 55, 125, 215; 1971 c. 270 ss. 20, 27, 28, 30 to 32; 1971 c. 336; Stats. 1971 s. 16.086; 1973 c. 12, 51, 90; 1975 c. 28, 39, 199, 224; 1977 c. 29, 44; 1977 c. 196 ss. 36, 130 (3), (5), (11), 131; 1977 c. 272, 418, 449; Stats. 1977 s. 230.12; 1979 c. 221; 1981 c. 20 s. 2202 (33) (b); 1981 c. 153; 1983 a. 27 ss. 1611am to 1612am, 2200 (15); 1983 a. 140; 1985 a. 29, 34, 42, 119, 332; 1987 a. 33, 83, 340, 399, 403; 1989 a. 39, 56, 117, 119, 124, 153, 336, 359; 1991 a. 269; 1995 a. 37, 88; 1997 a. 14, 237; 1999 a. 42, 102; 2001 a. 16, 29, 35.

**SECTION 2408L.** 230.12 (3) (a) of the statutes is amended to read:

230.12 (3) (a) *Submission to the joint committee on employment relations.* The ~~secretary~~ <sup>director</sup> shall submit to the joint committee on employment relations a proposal for any required changes in the compensation plan which may include across the board pay adjustments for positions in the classified service. The proposal shall include the amounts and methods for within range pay progression, for pay transactions, and for performance awards. The proposal shall be based upon experience in recruiting for the service, the principle of providing pay equity regardless of gender or race, data



collected as to rates of pay for comparable work in other public services and in commercial and industrial establishments, recommendations of agencies and any special studies carried on as to the need for any changes in the compensation plan to cover each year of the biennium. The proposal shall also take proper account of prevailing pay rates, costs and standards of living and the state's employment policies.

**History:** 1971 c. 55, 125, 215; 1971 c. 270 ss. 20, 27, 28, 30 to 32; 1971 c. 336; Stats. 1971 s. 16.086; 1973 c. 12, 51, 90; 1975 c. 28, 39, 199, 224; 1977 c. 29, 44; 1977 c. 196 ss. 36, 130 (3), (5), (11), 131; 1977 c. 272, 418, 449; Stats. 1977 s. 230.12; 1979 c. 221; 1981 c. 20 s. 2202 (33) (b); 1981 c. 153; 1983 a. 27 ss. 1611am to 1612am, 2200 (15); 1983 a. 140; 1985 a. 29, 34, 42, 119, 332; 1987 a. 33, 83, 340, 399, 403; 1989 a. 39, 56, 117, 119, 124, 153, 336, 359; 1991 a. 269; 1995 a. 37, 88; 1997 a. 14, 237; 1999 a. 42, 102; 2001 a. 16, 29, 35.

**SECTION 2408n. 230.12 (3) (ad)** of the statutes is amended to read:

230.12 (3) (ad) *Timing of proposed changes.* Notwithstanding any other statute, the ~~secretary~~ <sup>director</sup> may delay timing for announcement or implementation of any ~~strike~~ recommended changes in the compensation plan under this section until after some or all of the collective bargaining agreements under subch. V of ch. 111 for that biennium are negotiated. Any such action taken under this paragraph is not appealable under s. 230.44.

**History:** 1971 c. 55, 125, 215; 1971 c. 270 ss. 20, 27, 28, 30 to 32; 1971 c. 336; Stats. 1971 s. 16.086; 1973 c. 12, 51, 90; 1975 c. 28, 39, 199, 224; 1977 c. 29, 44; 1977 c. 196 ss. 36, 130 (3), (5), (11), 131; 1977 c. 272, 418, 449; Stats. 1977 s. 230.12; 1979 c. 221; 1981 c. 20 s. 2202 (33) (b); 1981 c. 153; 1983 a. 27 ss. 1611am to 1612am, 2200 (15); 1983 a. 140; 1985 a. 29, 34, 42, 119, 332; 1987 a. 33, 83, 340, 399, 403; 1989 a. 39, 56, 117, 119, 124, 153, 336, 359; 1991 a. 269; 1995 a. 37, 88; 1997 a. 14, 237; 1999 a. 42, 102; 2001 a. 16, 29, 35.

**SECTION 2408p. 230.12 (3) (b)** of the statutes is amended to read:

230.12 (3) (b) *Public hearing on the proposal; adoption of plan.* The ~~secretary~~ <sup>director</sup> shall submit the proposal for any required changes in the compensation plan to the joint committee on employment relations. The committee shall hold a public hearing on the proposal. The proposal, as may be modified by the joint committee on employment relations together with the unchanged provisions of the current compensation plan, shall, for the ensuing fiscal year or until a new or modified plan is adopted under this subsection, constitute the state's compensation plan for positions in the classified service. Any modification of the ~~secretary's~~ <sup>director's</sup> proposed

changes in the compensation plan by the joint committee on employment relations may be disapproved by the governor within 10 calendar days. A vote of 6 members of the joint committee on employment relations is required to set aside any such disapproval of the governor.

**History:** 1971 c. 55, 125, 215; 1971 c. 270 ss. 20, 27, 28, 30 to 32; 1971 c. 336; Stats. 1971 s. 16.086; 1973 c. 12, 51, 90; 1975 c. 28, 39, 199, 224; 1977 c. 29, 44; 1977 c. 196 ss. 36, 130 (3), (5), (11), 131; 1977 c. 272, 418, 449; Stats. 1977 s. 230.12; 1979 c. 221; 1981 c. 20 s. 2202 (33) (b); 1981 c. 153; 1983 a. 27 ss. 1611am to 1612am, 2200 (15); 1983 a. 140; 1985 a. 29, 34, 42, 119, 332; 1987 a. 33, 83, 340, 399, 403; 1989 a. 39, 56, 117, 119, 124, 153, 336, 359; 1991 a. 269; 1995 a. 37, 88; 1997 a. 14, 237; 1999 a. 42, 102; 2001 a. 16, 29, 35.

**SECTION 2408r. 230.12 (3) (c) of the statutes is amended to read:**

230.12 (3) (c) *Interim adjustments.* Subject to pars. (a) and (b), the ~~secretary~~ <sup>director</sup>

may propose amendments to one or more parts of the compensation plan at such times as the needs of the service require.

**History:** 1971 c. 55, 125, 215; 1971 c. 270 ss. 20, 27, 28, 30 to 32; 1971 c. 336; Stats. 1971 s. 16.086; 1973 c. 12, 51, 90; 1975 c. 28, 39, 199, 224; 1977 c. 29, 44; 1977 c. 196 ss. 36, 130 (3), (5), (11), 131; 1977 c. 272, 418, 449; Stats. 1977 s. 230.12; 1979 c. 221; 1981 c. 20 s. 2202 (33) (b); 1981 c. 153; 1983 a. 27 ss. 1611am to 1612am, 2200 (15); 1983 a. 140; 1985 a. 29, 34, 42, 119, 332; 1987 a. 33, 83, 340, 399, 403; 1989 a. 39, 56, 117, 119, 124, 153, 336, 359; 1991 a. 269; 1995 a. 37, 88; 1997 a. 14, 237; 1999 a. 42, 102; 2001 a. 16, 29, 35.

**SECTION 2408t. 230.12 (3) (e) 1. of the statutes is amended to read:**

230.12 (3) (e) 1. The ~~secretary~~ <sup>director</sup> after receiving recommendations from the board

of regents, shall submit to the joint committee on employment relations a proposal for adjusting compensation and employee benefits for employees under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d) who are not included in a collective bargaining unit under subch. V of ch. 111 for which a representative is certified. The proposal shall include the salary ranges and adjustments to the salary ranges for the university senior executive salary groups 1 and 2 established under s. 20.923 (4g). The proposal shall be based upon the competitive ability of the board of regents to recruit and retain qualified faculty and academic staff, data collected as to rates of pay for comparable work in other public services, universities and commercial and industrial establishments, recommendations of the board of regents and any special studies carried on as to the need for any changes in compensation and employee benefits to cover each year of the biennium. The proposal shall also take proper

account of prevailing pay rates, costs and standards of living and the state's employment policies. The proposal for such pay adjustments may contain recommendations for across-the-board pay adjustments, merit or other adjustments and employee benefit improvements. Paragraph (b) and sub. (1) (bf) shall apply to the process for approval of all pay adjustments for such employees under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d). The proposal as approved by the joint committee on employment relations and the governor shall be based upon a percentage of the budgeted salary base for such employees under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d). The amount included in the proposal for merit and adjustments other than across-the-board pay adjustments is available for discretionary use by the board of regents.

**History:** 1971 c. 55, 125, 215; 1971 c. 270 ss. 20, 27, 28, 30 to 32; 1971 c. 336; Stats. 1971 s. 16.086; 1973 c. 12, 51, 90; 1975 c. 28, 39, 199, 224; 1977 c. 29, 44; 1977 c. 196 ss. 36, 130 (3), (5), (11), 131; 1977 c. 272, 418, 449; Stats. 1977 s. 230.12; 1979 c. 221; 1981 c. 20 s. 2202 (33) (b); 1981 c. 153; 1983 a. 27 ss. 1611am to 1612am, 2200 (15); 1983 a. 140; 1985 a. 29, 34, 42, 119, 332; 1987 a. 33, 83, 340, 399, 403; 1989 a. 39, 56, 117, 119, 124, 153, 336, 359; 1991 a. 269; 1995 a. 37, 88; 1997 a. 14, 237; 1999 a. 42, 102; 2001 a. 16, 29, 35.

**SECTION 2408u** ~~230.12~~ (3) (e) 2. of the statutes is amended to read:

230.12 (3) (e) 2. The ~~secretary~~ <sup>director</sup> after receiving recommendations from the board of the Technical College System, shall submit to the joint committee on employment relations a proposal for adjusting compensation and employee benefits for employees under s. 20.923 (7). The proposal shall include the salary ranges and adjustments to the salary ranges for the general senior executive salary groups established under s. 20.923 (7). Paragraph (b) and sub. (1) (bf) shall apply to the process for approval of all pay adjustments for such employees. The proposal as approved by the joint committee on employment relations and the governor shall be based upon a percentage of the budgeted salary base for such employees under s. 20.923 (7).

**History:** 1971 c. 55, 125, 215; 1971 c. 270 ss. 20, 27, 28, 30 to 32; 1971 c. 336; Stats. 1971 s. 16.086; 1973 c. 12, 51, 90; 1975 c. 28, 39, 199, 224; 1977 c. 29, 44; 1977 c. 196 ss. 36, 130 (3), (5), (11), 131; 1977 c. 272, 418, 449; Stats. 1977 s. 230.12; 1979 c. 221; 1981 c. 20 s. 2202 (33) (b); 1981 c. 153; 1983 a. 27 ss. 1611am to 1612am, 2200 (15); 1983 a. 140; 1985 a. 29, 34, 42, 119, 332; 1987 a. 33, 83, 340, 399, 403; 1989 a. 39, 56, 117, 119, 124, 153, 336, 359; 1991 a. 269; 1995 a. 37, 88; 1997 a. 14, 237; 1999 a. 42, 102; 2001 a. 16, 29, 35.

**SECTION 2408v** 230.12 (4) (a) of the statutes is amended to read:

230.12 (4) (a) When an approved compensation plan or an amendment thereto becomes effective, required individual pay adjustments shall be made in accordance with determinations made by the ~~secretary~~<sup>director</sup> to implement the approved plan.


History: 1971 c. 55, 125, 215; 1971 c. 270 ss. 20, 27, 28, 30 to 32; 1971 c. 336; Stats. 1971 s. 16.086; 1973 c. 12, 51, 90; 1975 c. 28, 39, 199, 224; 1977 c. 29, 44; 1977 c. 196 ss. 36, 130 (3), (5), (11), 131; 1977 c. 272, 418, 449; Stats. 1977 s. 230.12; 1979 c. 221; 1981 c. 20 s. 2202 (33) (b); 1981 c. 153; 1983 a. 27 ss. 1611am to 1612am, 2200 (15); 1983 a. 140; 1985 a. 29, 34, 42, 119, 332; 1987 a. 33, 83, 340, 399, 403; 1989 a. 39, 56, 117, 119, 124, 153, 336, 359; 1991 a. 269; 1995 a. 37, 88; 1997 a. 14, 237; 1999 a. 42, 102; 2001 a. 16, 29, 35.

SECTION ~~¶~~<sup>2408w</sup>. 230.12 (4) (b) of the statutes is amended to read:

230.12 (4) (b) The ~~secretary~~<sup>director</sup> may, without prior approval of the joint committee on employment relations, determine the circumstances under which it is appropriate for an appointing authority to grant, and authorize an appointing authority to grant, a general wage or parity adjustment, or appropriate portion thereof, previously approved by the committee under this section to employees who did not receive the adjustment on the effective date of the adjustment set forth in the plan. No general wage or parity adjustment may become effective for any employee prior to the effective date of the individual employee transaction, but the ~~secretary~~<sup>director</sup> may authorize an appointing authority to grant a lump sum payment to an employee to reflect any wage or parity adjustment that the employee did not receive during the period between the effective date of the adjustment set forth in the plan and the effective date of the individual employee transaction.

History: 1971 c. 55, 125, 215; 1971 c. 270 ss. 20, 27, 28, 30 to 32; 1971 c. 336; Stats. 1971 s. 16.086; 1973 c. 12, 51, 90; 1975 c. 28, 39, 199, 224; 1977 c. 29, 44; 1977 c. 196 ss. 36, 130 (3), (5), (11), 131; 1977 c. 272, 418, 449; Stats. 1977 s. 230.12; 1979 c. 221; 1981 c. 20 s. 2202 (33) (b); 1981 c. 153; 1983 a. 27 ss. 1611am to 1612am, 2200 (15); 1983 a. 140; 1985 a. 29, 34, 42, 119, 332; 1987 a. 33, 83, 340, 399, 403; 1989 a. 39, 56, 117, 119, 124, 153, 336, 359; 1991 a. 269; 1995 a. 37, 88; 1997 a. 14, 237; 1999 a. 42, 102; 2001 a. 16, 29, 35.

SECTION ~~¶~~<sup>2408x</sup>. 230.12 (5) (c) of the statutes is amended to read:

230.12 (5) (c) *Increase limits.* Unless otherwise defined in the pay schedule the total amount for all such within range increases shall not exceed the amount for such increases specified and approved by the joint committee on employment relations in its action on the ~~secretary's~~<sup>director's</sup> proposal for such increases. 

History: 1971 c. 55, 125, 215; 1971 c. 270 ss. 20, 27, 28, 30 to 32; 1971 c. 336; Stats. 1971 s. 16.086; 1973 c. 12, 51, 90; 1975 c. 28, 39, 199, 224; 1977 c. 29, 44; 1977 c. 196 ss. 36, 130 (3), (5), (11), 131; 1977 c. 272, 418, 449; Stats. 1977 s. 230.12; 1979 c. 221; 1981 c. 20 s. 2202 (33) (b); 1981 c. 153; 1983 a. 27 ss. 1611am to 1612am, 2200

(15); 1983 a. 140; 1985 a. 29, 34, 42, 119, 332; 1987 a. 33, 83, 340, 399, 403; 1989 a. 39, 56, 117, 119, 124, 153, 336, 359; 1991 a. 269; 1995 a. 37, 88; 1997 a. 14, 237; 1999 a. 42, 102; 2001 a. 16, 29, 35.

INS 22B

3. Page 937, line 6: after that line insert:

2409d  
"SECTION ~~??~~. 230.12 (9) of the statutes is amended to read:

230.12 (9) HEALTH INSURANCE PREMIUM CREDITS. The ~~secretary~~<sup>director</sup> may recommend to the joint committee on employment relations a program, administered by the department of employee trust funds, that provides health insurance premium credits to employees whose compensation is established under this section or s. 20.923 (2) or (3). The health insurance premium credits shall be used for the purchase of health insurance for a retired employee, or the retired employee's surviving insured dependents, and shall be based on the employee's years of continuous service, accumulated unused sick leave and any other factor recommended by the ~~secretary~~<sup>director</sup>. The approval process for the program is the same as that provided under sub. (3) (b) and the program shall be incorporated into the compensation plan under sub. (1).

History: 1971 c. 55, 125, 215; 1971 c. 270 ss. 20, 27, 28, 30 to 32; 1971 c. 336; Stats. 1971 s. 16.086; 1973 c. 12, 51, 90; 1975 c. 28, 39, 199, 224; 1977 c. 29, 44; 1977 c. 196 ss. 36, 130 (3), (5), (11), 131; 1977 c. 272, 418, 449; Stats. 1977 s. 230.12; 1979 c. 221; 1981 c. 20 s. 2202 (3) (b); 1981 c. 153; 1983 a. 27 ss. 1611am to 1612am, 2200 (15); 1983 a. 140; 1985 a. 29, 34, 42, 119, 332; 1987 a. 33, 83, 340, 399, 403; 1989 a. 39, 56, 117, 119, 124, 153, 336, 359; 1991 a. 269; 1995 a. 37, 88; 1997 a. 14, 237; 1999 a. 42, 102; 2001 a. 16, 29, 35.

SECTION ~~??~~. 230.13 (1) (intro.) of the statutes is amended to read:

230.13 (1) (intro.) Except as provided in sub. (3) and s. 103.13, the ~~secretary~~<sup>director</sup> and the administrator may keep records of the following personnel matters closed to the public:

History: 1971 c. 270; 1977 c. 196 s. 37; Stats. 1977 s. 230.13; 1979 c. 339; 1989 a. 31; 1991 a. 269, 317; 1997 a. 191.

SECTION ~~??~~. 230.13 (2) of the statutes is amended to read:

2409p

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

History: 1971 c. 270; 1977 c. 196 s. 37; Stats. 1977 s. 230.13; 1979 c. 339; 1989 a. 31; 1991 a. 269, 317; 1997 a. 191.

~~SECTION 7.~~ <sup>2409+</sup> 230.13 (3) of the statutes is amended to read:

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

History: 1971 c. 270; 1977 c. 196 s. 37; Stats. 1977 s. 230.13; 1979 c. 339; 1989 a. 31; 1991 a. 269, 317; 1997 a. 191. ✓

INS 23A

→ <sup>2412b</sup> ~~SECTION 7.~~ <sup>cc</sup> 230.15 (1m) (b) (intro.) of the statutes is amended to read:

230.15 (1m) (b) (intro.) Whenever a position is included in the classified service under par. (a), the ~~secretary~~ <sup>director</sup> shall determine all of the following:

History: 1971 c. 270 ss. 23, 46; Stats. 1971 s. 16.11; 1973 c. 90; 1977 c. 196 ss. 39, 131; Stats. 1977 s. 230.15; 1981 c. 140; 1983 a. 27; 1989 a. 31; 1993 a. 12; 1997 a. 307; 2001 a. 16. ✓

INS 23B

~~4. Page 7, line 7: after that line insert:~~

→ <sup>2413b</sup> ~~SECTION 7.~~ <sup>cc</sup> 230.215 (3) (b) of the statutes is amended to read:

230.215 (3) (b) If the ~~secretary~~ <sup>director</sup> upon review of the report submitted under sub. (4), determines that an agency's past or proposed actions relating to permanent part-time employment opportunities do not adequately reflect the policy under sub.

(1) (e), the ~~secretary~~ <sup>director</sup> may recommend procedures designed to enable the agency to effect such policy.

History: 1977 c. 196; 1979 c. 175 s. 53; 1979 c. 221; 1987 a. 140.

SECTION ~~22~~ <sup>2413d</sup>. 230.215 (4) of the statutes is amended to read:

230.215 (4) REPORTS. Each agency, in complying with s. 15.04 (1) (d), shall include a report on the progress or failure of the plans of such agency in achieving the policies stated under sub. (1) and shall submit a copy of such report to the ~~secretary~~ <sup>director</sup>.

History: 1977 c. 196; 1979 c. 175 s. 53; 1979 c. 221; 1987 a. 140.

SECTION ~~22~~ <sup>2413f</sup>. 230.22 (1) of the statutes is amended to read:

230.22 (1) The ~~secretary~~ <sup>strike</sup> ~~may~~ <sup>director</sup> ~~establish~~ <sup>← score</sup> by rule an entry professional class program for use in a wide range of entry professional positions.

History: 1971 c. 270; 1977 c. 196 ss. 46, 113, 130 (5); Stats. 1977 s. 230.22; 1983 a. 27 ss. 1612c to 1612e, 2200 (15); 1991 a. 39; 1997 a. 307.

SECTION ~~22~~ <sup>2413h</sup>. 230.22 (2) of the statutes is amended to read:

230.22 (2) In connection with this program the ~~secretary~~ <sup>strike</sup> ~~may~~ <sup>director</sup> establish separate classifications and corresponding pay provisions to provide agencies an entry professional program, through which they can compete on campuses and in the labor market for the best available applicants.

History: 1971 c. 270; 1977 c. 196 ss. 46, 113, 130 (5); Stats. 1977 s. 230.22; 1983 a. 27 ss. 1612c to 1612e, 2200 (15); 1991 a. 39; 1997 a. 307.

SECTION ~~22~~ <sup>2413i</sup>. 230.24 (1) of the statutes is amended to read:

230.24 (1) The ~~secretary~~ <sup>director</sup> may by rule develop a career executive program that emphasizes excellence in administrative skills in order to provide agencies with a pool of highly qualified executive candidates, to provide outstanding administrative employees a broad opportunity for career advancement and to provide for the mobility of such employees among the agencies and units of state government for the most advantageous use of their managerial and administrative skills. To accomplish the purpose of this program, the administrator may provide policies and standards

for recruitment, examination, probation, employment register control, certification, transfer, promotion and reemployment, and the ~~secretary~~<sup>director</sup> may provide policies and standards for classification and salary administration, separate from procedures established for other employment. The ~~secretary~~<sup>director</sup> shall determine the positions which may be filled from career executive employment registers.

History: 1971 c. 270; 1977 c. 196 ss. 49, 114, 130 (3), (5); 1979 c. 42; 1983 a. 27, 192; 1987 a. 32; 1989 a. 144; 1997 a. 112.

INS 24A

<sup>24135</sup>  
SECTION ~~24~~. 230.32 (3) of the statutes is amended to read:

230.32 (3) (a) Any classified employee who leaves state service and enters the armed forces of the United States shall, under this section, be granted written military leave of absence by the appointing authority. Notice of such leave from state service and the terms of any such leave shall be given in writing by the appointing authority to the ~~secretary~~<sup>director</sup> for purposes of record.

(b) Any classified employee who leaves state service for civilian employment in response to a specific request or order of the federal government or any of its agencies in connection with manpower redistribution and utilization shall, under this section, make written application to the appointing authority for civilian leave of absence presenting such specific request or order of the federal government as supporting evidence. Such civilian leave shall be allowed by the appointing authority and its terms, which shall conform to the rules of the ~~secretary~~<sup>director</sup> shall be in writing. Notice of such leave from state service shall be made in writing by the appointing authority to the ~~secretary~~<sup>director</sup> for purposes of record.



(c) All such military or civilian leaves of absence as heretofore may have been granted are validated and shall be deemed to be sufficient and effective hereunder.

Such leaves shall be recorded with the ~~secretary~~ <sup>director</sup>.

History: 1971 c. 270 ss. 73, 74; Stats. 1971 s. 16.26; 1977 c. 196 ss. 56, 130 (5); 1977 c. 273; 1977 c. 418 s. 924 (13m); Stats. 1977 s. 230.32; 1981 c. 96 s. 67; 1981 c. 140; 1983 a. 27 s. 2200 (15); 2001 a. 26.

SECTION ~~230.33~~ <sup>24137</sup> (2) of the statutes is amended to read:

230.33 (2) A person appointed to an unclassified position by an appointing authority other than an appointing authority described under sub. (1), to a department other than the one in which the person was a classified employee may be granted a leave of absence without pay at the option of the person's former appointing authority in accordance with the leave of absence provisions in the rules of the ~~secretary~~ <sup>strike director</sup>. An employee granted a leave of absence shall have the same restoration rights and reinstatement privileges as under sub. (1m). If not granted a leave of absence, the employee shall be entitled only to the reinstatement privileges under sub. (1m). ✓

History: 1971 c. 270 s. 69; Stats. 1971 s. 16.27; 1973 c. 12; 1975 c. 189, 421; 1977 c. 196 ss. 56, 130 (5); 1977 c. 273; Stats. 1977 s. 230.33; 1983 a. 27 s. 2200 (15); 1991 a. 269; 1997 a. 307; 1999 a. 102. ✓

INS 24B

5. Page <sup>938</sup> 1, line <sup>18</sup> 8: after that line insert:

"SECTION ~~230.34~~ <sup>2416b</sup> (1) (c) of the statutes is amended to read:

230.34 (1) (c) The ~~secretary~~ <sup>strike director</sup> shall establish guidelines for uniform application of this authority among the various agencies.

History: 1971 c. 270 ss. 61, 76; Stats. 1971 s. 16.28; 1975 c. 189, 200; 1977 c. 196 ss. 56, 130 (3), (5); 1977 c. 273; Stats. 1977 s. 230.34; 1979 c. 221; 1981 c. 140; 1983 a. 27 s. 2200 (15); 1989 a. 31; 1999 a. 102.

SECTION ~~230.34~~ <sup>2416d</sup> (4) of the statutes is amended to read:

230.34 (4) Resignations shall be regulated by the rules of the ~~secretary~~ <sup>director</sup>.

History: 1971 c. 270 ss. 61, 76; Stats. 1971 s. 16.28; 1975 c. 189, 200; 1977 c. 196 ss. 56, 130 (3), (5); 1977 c. 273; Stats. 1977 s. 230.34; 1979 c. 221; 1981 c. 140; 1983 a. 27 s. 2200 (15); 1989 a. 31; 1999 a. 102.

SECTION ~~230.35~~ <sup>2416f</sup> (1) (d) of the statutes is amended to read:

230.35 (1) (d) Annual leaves of absence shall not be cumulative except under sub. (1p) and except that unused annual leave shall, subject to the rules of the ~~secretary~~ <sup>director</sup>, be used in the year following the one in which it was earned, but no employee shall lose any unused annual leave because the employee's work responsibilities prevented the usage of the unused annual leave during the first 6 months of the year following the year in which it was earned.

History: 1971 c. 91, 125, 183, 211, 226; 1971 c. 270 ss. 70, 71, 83, 104; Stats. 1971 s. 16.30; 1973 c. 51, 243; 1975 c. 28, 39, 41; 1975 c. 147 s. 54; 1975 c. 189, 199, 421, 422; 1977 c. 44; 1977 c. 187 s. 135; 1977 c. 196 ss. 56, 118, 130 (3), (5), (12), 131; 1977 c. 273; 1977 c. 418 ss. 726, 727, 924 (13m); Stats. 1977 s. 230.35; 1979 c. 34, 89; 1979 c. 110 s. 60 (11); 1979 c. 221; 1981 c. 20, 96, 140; 1983 a. 27 s. 2200 (15); 1983 a. 30 ss. 4 to 11, 14; 1983 a. 71, 140; 1983 a. 192 ss. 220, 221, 304; 1985 a. 119; 1987 a. 63, 287, 340, 399, 403; 1989 a. 56 s. 259; 1991 a. 39; 1993 a. 12, 47; 1995 a. 37, 178; 1997 a. 118, 307; 1999 a. 42, 85, 101, 125; 2001 a. 16, 109.

**SECTION 27. 230.35 (2) of the statutes is amended to read:**

230.35 (2) Leave of absence with pay owing to sickness and leave of absence without pay, other than annual leave and leave under s. 103.10, shall be regulated by rules of the ~~secretary~~ <sup>director</sup>, except that unused sick leave shall accumulate from year to year. After July 1, 1973, employees appointed to career executive positions under the program established under s. 230.24 or positions designated in s. 19.42 (10) (L) or 20.923 (4), (7), (8), and (9) or authorized under s. 230.08 (2) (e) shall have any unused sick leave credits restored if they are reemployed in a career executive position or in a position under s. 19.42 (10) (L) or 20.923 (4), (7), (8), and (9) or authorized under s. 230.08 (2) (e), regardless of the duration of their absence. Restoration of unused sick leave credits if reemployment is to a position other than those specified above shall be in accordance with rules of the ~~secretary~~ <sup>director</sup>.

History: 1971 c. 91, 125, 183, 211, 226; 1971 c. 270 ss. 70, 71, 83, 104; Stats. 1971 s. 16.30; 1973 c. 51, 243; 1975 c. 28, 39, 41; 1975 c. 147 s. 54; 1975 c. 189, 199, 421, 422; 1977 c. 44; 1977 c. 187 s. 135; 1977 c. 196 ss. 56, 118, 130 (3), (5), (12), 131; 1977 c. 273; 1977 c. 418 ss. 726, 727, 924 (13m); Stats. 1977 s. 230.35; 1979 c. 34, 89; 1979 c. 110 s. 60 (11); 1979 c. 221; 1981 c. 20, 96, 140; 1983 a. 27 s. 2200 (15); 1983 a. 30 ss. 4 to 11, 14; 1983 a. 71, 140; 1983 a. 192 ss. 220, 221, 304; 1985 a. 119; 1987 a. 63, 287, 340, 399, 403; 1989 a. 56 s. 259; 1991 a. 39; 1993 a. 12, 47; 1995 a. 37, 178; 1997 a. 118, 307; 1999 a. 42, 85, 101, 125; 2001 a. 16, 109.

**SECTION 27. 230.35 (2r) (b) of the statutes is amended to read:**

230.35 (2r) (b) The ~~secretary~~ <sup>director</sup> may establish, by rule, a catastrophic leave program that permits employees to donate certain types and amounts of leave credits to other employees who have been absent from pay status because of a catastrophic

need for which there is no paid leave benefits or replacement income available. The ~~secretary~~ <sup>director</sup> shall determine the types and amounts of leave credits that may be donated.

History: 1971 c. 91, 125, 183, 211, 226; 1971 c. 270 ss. 70, 71, 83, 104; Stats. 1971 s. 16.30; 1973 c. 51, 243; 1975 c. 28, 39, 41; 1975 c. 147 s. 54; 1975 c. 189, 199, 421, 422; 1977 c. 44; 1977 c. 187 s. 135; 1977 c. 196 ss. 56, 118, 130 (3), (5), (12), 131; 1977 c. 273; 1977 c. 418 ss. 726, 727, 924 (13m); Stats. 1977 s. 230.35; 1979 c. 34, 89; 1979 c. 110 s. 60 (11); 1979 c. 221; 1981 c. 20, 96, 140; 1983 a. 27 s. 2200 (15); 1983 a. 30 ss. 4 to 11, 14; 1983 a. 71, 140; 1983 a. 192 ss. 220, 221, 304; 1985 a. 119; 1987 a. 63, 287, 340, 399, 403; 1989 a. 56 s. 259; 1991 a. 39; 1993 a. 12, 47; 1995 a. 37, 178; 1997 a. 118, 307; 1999 a. 42, 85, 101, 125; 2001 a. 16, 109.

SECTION ~~7~~. 230.35 (3) (d) of the statutes is amended to read:

230.35 (3) (d) Employees of the state are entitled to reasonable paid leaves of absence to compete in promotional examinations and interviews. The ~~secretary~~ <sup>director</sup> shall promulgate rules governing the lengths of time allowable for such leaves, their frequency and the provisions for their use.

History: 1971 c. 91, 125, 183, 211, 226; 1971 c. 270 ss. 70, 71, 83, 104; Stats. 1971 s. 16.30; 1973 c. 51, 243; 1975 c. 28, 39, 41; 1975 c. 147 s. 54; 1975 c. 189, 199, 421, 422; 1977 c. 44; 1977 c. 187 s. 135; 1977 c. 196 ss. 56, 118, 130 (3), (5), (12), 131; 1977 c. 273; 1977 c. 418 ss. 726, 727, 924 (13m); Stats. 1977 s. 230.35; 1979 c. 34, 89; 1979 c. 110 s. 60 (11); 1979 c. 221; 1981 c. 20, 96, 140; 1983 a. 27 s. 2200 (15); 1983 a. 30 ss. 4 to 11, 14; 1983 a. 71, 140; 1983 a. 192 ss. 220, 221, 304; 1985 a. 119; 1987 a. 63, 287, 340, 399, 403; 1989 a. 56 s. 259; 1991 a. 39; 1993 a. 12, 47; 1995 a. 37, 178; 1997 a. 118, 307; 1999 a. 42, 85, 101, 125; 2001 a. 16, 109.

SECTION ~~7~~. 230.35 (3) (e) 2. e. of the statutes is amended to read:

230.35 (3) (e) 2. e. The leave of absence conforms with any rules of the ~~secretary~~ <sup>director</sup> regarding leaves of absence to provide specialized disaster relief services.

History: 1971 c. 91, 125, 183, 211, 226; 1971 c. 270 ss. 70, 71, 83, 104; Stats. 1971 s. 16.30; 1973 c. 51, 243; 1975 c. 28, 39, 41; 1975 c. 147 s. 54; 1975 c. 189, 199, 421, 422; 1977 c. 44; 1977 c. 187 s. 135; 1977 c. 196 ss. 56, 118, 130 (3), (5), (12), 131; 1977 c. 273; 1977 c. 418 ss. 726, 727, 924 (13m); Stats. 1977 s. 230.35; 1979 c. 34, 89; 1979 c. 110 s. 60 (11); 1979 c. 221; 1981 c. 20, 96, 140; 1983 a. 27 s. 2200 (15); 1983 a. 30 ss. 4 to 11, 14; 1983 a. 71, 140; 1983 a. 192 ss. 220, 221, 304; 1985 a. 119; 1987 a. 63, 287, 340, 399, 403; 1989 a. 56 s. 259; 1991 a. 39; 1993 a. 12, 47; 1995 a. 37, 178; 1997 a. 118, 307; 1999 a. 42, 85, 101, 125; 2001 a. 16, 109.

SECTION ~~7~~. 230.35 (3) (e) 5. of the statutes is amended to read:

230.35 (3) (e) 5. The ~~secretary~~ <sup>director</sup> may promulgate any rules necessary to implement this paragraph.

History: 1971 c. 91, 125, 183, 211, 226; 1971 c. 270 ss. 70, 71, 83, 104; Stats. 1971 s. 16.30; 1973 c. 51, 243; 1975 c. 28, 39, 41; 1975 c. 147 s. 54; 1975 c. 189, 199, 421, 422; 1977 c. 44; 1977 c. 187 s. 135; 1977 c. 196 ss. 56, 118, 130 (3), (5), (12), 131; 1977 c. 273; 1977 c. 418 ss. 726, 727, 924 (13m); Stats. 1977 s. 230.35; 1979 c. 34, 89; 1979 c. 110 s. 60 (11); 1979 c. 221; 1981 c. 20, 96, 140; 1983 a. 27 s. 2200 (15); 1983 a. 30 ss. 4 to 11, 14; 1983 a. 71, 140; 1983 a. 192 ss. 220, 221, 304; 1985 a. 119; 1987 a. 63, 287, 340, 399, 403; 1989 a. 56 s. 259; 1991 a. 39; 1993 a. 12, 47; 1995 a. 37, 178; 1997 a. 118, 307; 1999 a. 42, 85, 101, 125; 2001 a. 16, 109.

SECTION ~~7~~. 230.35 (5) (b) of the statutes is amended to read:

230.35 (5) (b) The standard basis of employment shall be divided into 5 work days of 8 hours each except as provided under s. 230.215 (5), and except that when the conditions of employment cannot be satisfied by adhering to this division or when the public would not be inconvenienced, deviations may be permitted upon

recommendation of the appointing authority and subsequent approval by the ~~secretary~~ <sup>director</sup>

History: 1971 c. 91, 125, 183, 211, 226; 1971 c. 270 ss. 70, 71, 83, 104; Stats. 1971 s. 16.30; 1973 c. 51, 243; 1975 c. 28, 39, 41; 1975 c. 147 s. 54; 1975 c. 189, 199, 421, 422; 1977 c. 44; 1977 c. 187 s. 135; 1977 c. 196 ss. 56, 118, 130 (3), (5), (12), 131; 1977 c. 273; 1977 c. 418 ss. 726, 727, 924 (13m); Stats. 1977 s. 230.35; 1979 c. 34, 89; 1979 c. 110 s. 60 (11); 1979 c. 221; 1981 c. 20, 96, 140; 1983 a. 27 s. 2200 (15); 1983 a. 30 ss. 4 to 11, 14; 1983 a. 71, 140; 1983 a. 192 ss. 220, 221, 304; 1985 a. 119; 1987 a. 63, 287, 340, 399, 403; 1989 a. 56 s. 259; 1991 a. 39; 1993 a. 12, 47; 1995 a. 37, 178; 1997 a. 118, 307; 1999 a. 42, 85, 101, 125; 2001 a. 16, 109.

**SECTION 2416R. 230.37 (1) of the statutes is amended to read:**

230.37 (1) In cooperation with appointing authorities the ~~secretary~~ <sup>director</sup> shall establish an employee performance evaluation program to provide a continuing record of employee development and, when applicable, to serve as a basis for pertinent personnel actions. Similar evaluations shall be conducted during the probationary period but may not infringe upon the authority of the appointing authority to retain or dismiss employees during the probationary period.

History: 1971 c. 270 ss. 66, 81; Stats. 1971 s. 16.32; 1977 c. 196 ss. 59, 130 (4); 1977 c. 273; Stats. 1977 s. 230.37; 1987 a. 140.

**SECTION 2416T. 230.43 (5) of the statutes is amended to read:**

230.43 (5) TAXPAYERS' SUITS. The right of any taxpayer to bring any action to restrain the payment of compensation to any person appointed to or holding any office or place of employment in violation of this subchapter shall not be limited or denied by reason of the fact that the office or place of employment has been classified as, or determined to be, not subject to competitive examination; however, any judgment or injunction in any such action shall be prospective only, and shall not affect payments already made or due to such persons by the proper disbursing officers, in accordance with the rules of the ~~secretary~~ <sup>director</sup> in force at the time of such payments.

History: 1971 c. 270 ss. 64, 75, 84 to 86; Stats. 1971 s. 16.38; 1977 c. 196 ss. 64, 130 (5); 1977 c. 273; Stats. 1977 s. 230.43; 1979 c. 221; 1981 c. 140; 1983 a. 27 s. 2200 (15).

**SECTION 2416V. 230.44 (1) (b) of the statutes is amended to read:**

230.44 (1) (b) *Decision made or delegated by* ~~secretary~~ <sup>director</sup> Appeal of a personnel decision under s. 230.09 (2) (a) or (d) or 230.13 (1) made by the ~~secretary~~ <sup>director</sup> or by an

appointing authority under authority delegated by the ~~secretary~~<sup>director</sup> under s. 230.04 (1m)."/> /

History: 1977 c. 196; 1979 c. 221; 1981 c. 140; 1983 a. 27; 1989 a. 31; 1991 a. 269; 1993 a. 16; 1995 a. 27; 1997 a. 307; 1999 a. 102.

INS 24C

SECTION ~~230.44~~<sup>2417s</sup> (4) (bm) of the statutes is amended to read:

230.44 (4) (bm) Upon request of an employee who files an appeal of the decision of the ~~secretary~~<sup>director</sup> made under s. 230.09 (2) (a) or (d), the appeal shall be heard by a commissioner or attorney employed by the commission serving as arbitrator under rules promulgated for this purpose by the commission. In such an arbitration, the arbitrator shall orally render a decision at the conclusion of the hearing affirming, modifying or rejecting the decision of the ~~secretary~~<sup>director</sup>. The decision of the arbitrator is final and is not subject to review by the commission. An arbitrator's decision may not be cited as precedent in any other proceeding before the commission or before any court. The arbitrator shall promptly file his or her decision with the commission. The decision of the arbitrator shall stand as the decision of the commission. The decision of the commission is subject to review under ss. 227.53 to 227.57 only on the ground that the decision was procured by corruption, fraud or undue means or that the arbitrator or the commission exceeded the arbitrator's or the commission's power. The record of a proceeding under this paragraph shall be transcribed as provided in s. 227.44 (8). ✓ ⊙ ←

History: 1977 c. 196; 1979 c. 221; 1981 c. 140; 1983 a. 27; 1989 a. 31; 1991 a. 269; 1993 a. 16; 1995 a. 27; 1997 a. 307; 1999 a. 102.

INS 24D

6. Page 8, line 8: after that line insert:

939 9  
"SECTION ~~230.45~~<sup>2422g</sup> (1) (h) of the statutes is amended to read:

230.45 (1) (h) Keep minutes of its own proceedings and other official actions. All such records shall, subject to reasonable rules, be open to public inspection. Records of the ~~secretary~~ <sup>Director</sup> or the administrator which are confidential shall be kept confidential by the commission.

History: 1977 c. 196; 1979 c. 221; 1981 c. 334 s. 25 (2); 1981 c. 360; 1983 a. 27, 398, 409; 1987 a. 140, 331; 1987 a. 403 s. 256; 1989 a. 56 s. 259; 1991 a. 39; 1993 a. 16; 1995 a. 27; 1997 a. 131, 216; 1999 a. 176; 2001 a. 26, 38.

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

230.45 (1) (i) Adopt rules necessary to carry out this section. Notice of the contents of such rules and amendments thereto shall be given promptly to the ~~secretary~~ <sup>Director</sup>, the administrator and appointing authorities affected thereby.”

History: 1977 c. 196; 1979 c. 221; 1981 c. 334 s. 25 (2); 1981 c. 360; 1983 a. 27, 398, 409; 1987 a. 140, 331; 1987 a. 403 s. 256; 1989 a. 56 s. 259; 1991 a. 39; 1993 a. 16; 1995 a. 27; 1997 a. 131, 216; 1999 a. 176; 2001 a. 26, 38.

✓



**Legislative Fiscal Bureau**

One East Main, Suite 301 o Madison, WI 53703 o (608) 266-3847 • Fax: (608) 267-6873

**Date: May**

**DELIVER TO: Jeff Kuesel**

**Addressee Fax #: 4-6948**

**Addressee Phone #:**

**# of Pages, Including Cover: 3**

**Sender's Initials:**

**From: Terry Rhodes**

**Jeff: Attached is the adopted motion. Sorry I somehow got you the wrong one. Call if questions.**

1,440,900  
- 1,138,200  
-----  
302,700

addl annual

TAA

Representative Kaufert  
Senator Darling

EMPLOYMENT RELATIONS

Base Budget Reductions and Elimination of Agency; Appointment of DMRS Administrator  
[LFB Papers #316 and #317]

← C. L. L...

Motion:

In lieu of the Governor's recommendations, provide as follows: (1) delete from the Department of Employment Relations budget 19.50 FTE and \$1,440,900 GPR in 2003-04 and in 2004-05 and restore \$25,500 PR in 2003-04 and 2004-05 and 0.50 FTE; (2) eliminate the Department and instead statutorily create a new, separate Office of State Human Resources Management, headed by a Director [ESG 6] in the unclassified service to be appointed by the Governor, subject to Senate confirmation; (3) attach the new Office to DOA under s. 15.03 for limited administrative purposes; (4) place the employment relations functions under Subchapter V of Chapter 111 and Chapter 230 of the statutes under the responsibility of the Director of the Office; (5) transfer the remaining staff and budget of DER to the new Office; (6) create new statutory appropriations for the Office as a separate entity and transfer remaining GPR and PR funding amounts under DER to these new appropriations; (7) create three statutory divisions within the Office: a Division of Merit Recruitment and Selection, a Division of Compensation and Labor Relations, and a Division of Affirmative Action; (8) provide statutory authority for three unclassified division administrator positions for the new Office and for an unclassified executive assistant position; (9) retain the statutory duties for the Division of Merit Recruitment and Selection and the Administrator as under current law, including the current law provisions for the appointment of the DMRS administrator; (10) provide that the administrator positions for the Divisions of Compensation and Labor Relations and Affirmative Action be unclassified positions appointed by the Director; (10) provide session law authority for Director of the new Office to convert during the 2003-05 biennium one of the classified positions transferred to the new Office to become the unclassified executive assistant position; and (11) include standard employee and program transfer provisions and rights.

Kaufert / Darling

OK 16-0

NO

(D...)

Note:

This motion would eliminate the Department of Employment Relations as a separate department, similar to the Governor's recommendation. However, it would place the current employment relations functions of DER in a new statutory entity, an Office of State Human Resources Management, which would be attached to DOA for administrative support purposes. It would statutorily provide for 3 divisions within the Office: a Division of Affirmative Action; a



Division of Merit Recruitment and Selection; and a Division of Compensation and Labor Relations. All the current separate responsibilities of the Division of Merit Recruitment and Selection would remain with that Division. The current responsibilities assigned the Division of Affirmative Action would continue with that Division of the Office. All central office staff support functions would be provided to the new Office by the Department of Administration. Compared to the Governor's proposed savings of \$1,138,200 GPR annually, this motion would result in savings of \$1,440,900 GPR annually or an additional \$302,700 GPR annually. The motion would delete a total of 19.50 GPR positions compared to the 18.60 GPR positions deleted under the Governor's proposal. It would also restore 0.50 PR positions and \$25,500 PR annually.

[Change to Bill: -\$605,400 GPR and -0.90 FTE; and \$51,000 PR and 0.50 FTE]

## Kuesel, Jeffery

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**From:** Rhodes, Terry  
**Sent:** Friday, May 23, 2003 4:46 PM  
**To:** Kuesel, Jeffery  
**Subject:** Corrections/Questions re LRBb0155/1

Jeff: Some of these may be redundant, but in the interests of trying to be comprehensive, the following are changes or questions I have re slash 1 of the dratt:

- ✓ • On page 4 of the amendment, line 6, need to add change to make it "or the director's designee".
- ✓ • Need to create a statutory division of affirmative action.
- ✓ • On page 88 of the bill, line 21, there needs to be a substitution of "director of the office of SHRM" for the deleted "secretary of DER".
- ✓ • On page 5 of the amendment, line 1, the "department" needs to be a substitute and shown as stricken language and the "office of state human resources management needs to be shown as underscored.
- ✓ • On page 5 of the amendment, as we have already discussed, we should have all of the current 20.512 program one appropriations renumbered to be 20.545 program one appropriations. Also, the current 20.512 (1)(k) needs to become a sum certain appropriation [Paper 318]. The current program 2 appropriations under 20.512 would stay repealed.
- ✓ • On page 6 of the amendment, lines 8 thru 23 should be deleted; and on page 7, lines 1 thru 10 should be deleted.
- ✓ • On page 15 of the amendment, lines 4 thru 7, I believe that the director of the office should have the only change should be to change "secretary of DER" to "director of the office"; in otherword the director should be charged with the same responsibilities as the DER secy has now.
- ✓ • On page 16 of the amendment, line 12, the change needs to reflect that page 816, line 18 of the bill will now read "20.545 (1)(km)".
- ✓ • On page 16 of the amendment, lines 17 and 18, the motion does not provide for any change in this area other than substituted "office" for "department". I can see why the current law language may have not been drafted adequately, but SB 44 didn't address that.
- ✓ • On page 22 of the amendment, lines 7 to 13, do we have to change this if we have a statutory division of affirmative action or is it O.K.. Clearly we have to change "secretary" to "director".
- ✓ • On page 26 of the amendment, we already discussed the need to somewhere address the following: (a) authorization of an unclassified executive assistant for the director of the office; (b) assignment of the salary for the exec assistant to ESG 4 (two pay ranges below the director); and (c) providing two (or three, depending on how you view the statutorily enumerated unclassified DMRS administrator position) division administrators statutorily dedicated to the office of state human resources management.
- ✓ • On page 36 of the amendment, line 20, the underlying language in the bill [page 937, line 11] needs to be fixed so that the alpha reference [(1)(kp) is changed back to (1)(ka) as under current law, but becoming an appropriation under 20.545].
- ✓ • On page 45 of the amendment, line 8, perhaps this has to be handled in reconciliation, but other provisions of the bill are eliminating the state personnel commission [the commission refered to here].
- ✓ • On page 47 of the amendment, lines 5 and 8, the "secretary of DER" deletion needs to be matched by a "director of the office of state human resources management creation" doesn't it?
- ✓ • As we already discussed also, there needs to be (as indicated on the right motion I have now faxed to you) a session law provision allowing the Director of the Office to convert, during the course of the 2003-05 biennium but at some time after budget passage, one existing classified position into an unclassified position that will be the executive assistant.

We can discuss any of these that you may have questions about. You can ignore the previous partial e-mail I apparently sent in error.

## Kuesel, Jeffery

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**From:** Rhodes, Terry  
**Sent:** Friday, May 23, 2003 5:53 PM  
**To:** Kuesel, Jeffery  
**Subject:** Additional Comments re LRBb 0155/1

Jeff: Two additional comments:

- On page 424 of the bill, lines 7 and 17, it would seem that we need to include a change to switch "DER" to "office".
- On page 816 of the bill, line 10, it would seem to me that we need to revise that language to have it state something to the effect that "the director of the Office of State Human Resources Management is to maintain close liaison with the Secretary of DOA".

Terry Rhodes  
Legislative Fiscal Bureau