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1           **\*b0146/2.9\* SECTION 2095re.** 153.65 (2) of the statutes is created to read:

2           153.65 (2) Beginning January 1, 2004, unless the entity under contract under  
3           s. 153.05 (2m) (a) otherwise agrees and except as provided in s. 153.46 (6), the entity  
4           has the exclusive right to use and to provide for a fee, upon request from a person,  
5           a data compilation or a special report based on the information concerning hospitals  
6           and ambulatory surgery centers that is collected by the entity or provided by the  
7           department to the entity. Subject to approval by the group specified under s. 153.01  
8           (4j) (b), the entity shall establish reasonable and necessary user fees for the provision  
9           of a compilation or report, payable by the requester, which shall be sufficient to fund  
10          the actual necessary and direct cost of the compilation or report. The entity may  
11          retain all user fees paid under this subsection.

12          **\*b0146/2.9\* SECTION 2095rf.** 153.75 (1) (a) of the statutes is amended to read:

13          153.75 (1) (a) Providing procedures, for information submitted by health care  
14          providers who are not hospitals or ambulatory surgery centers, to ensure the  
15          protection of patient confidentiality under s. 153.50.

16          **\*b0146/2.9\* SECTION 2095rg.** 153.75 (1) (b) of the statutes is amended to read:

17          153.75 (1) (b) Establishing procedures under which health care providers who  
18          are not hospitals or ambulatory surgery centers are permitted to review, verify and  
19          comment on information and include the comments with the information.

20          **\*b0146/2.9\* SECTION 2095rh.** 153.75 (1) (L) of the statutes is repealed.

21          **\*b0146/2.9\* SECTION 2095ri.** 153.75 (1) (m) of the statutes is amended to read:

22          153.75 (1) (m) Specifying the classes of health care providers, other than  
23          hospitals and ambulatory surgery centers, from whom claims data and other health  
24          care information will be collected.

25          **\*b0146/2.9\* SECTION 2095rj.** 153.75 (1) (n) of the statutes is amended to read:

1           153.75 (1) (n) Specifying the uniform data set of health care information, as  
2 adjusted for case mix and severity, to be collected from health care providers other  
3 than hospitals and ambulatory surgery centers.

4           **\*b0146/2.9\* SECTION 2095rk.** 153.75 (1) (p) of the statutes is amended to read:

5           153.75 (1) (p) Specifying the methods for using and disseminating health care  
6 data in order for health care providers other than hospitals and ambulatory surgery  
7 centers to provide health care that is effective and economically efficient and for  
8 consumers and purchasers to make informed decisions in selecting health care plans  
9 and health care providers.

10          **\*b0146/2.9\* SECTION 2095rL.** 153.75 (1) (q) of the statutes is amended to read:

11          153.75 (1) (q) Specifying the information to be provided by the department in  
12 the consumer guide under s. 153.21 (1).

13          **\*b0146/2.9\* SECTION 2095rm.** 153.75 (1) (r) of the statutes is amended to read:

14          153.75 (1) (r) Specifying the standard reports that will be issued by the  
15 department in addition to those required in ~~ss. 153.20 and s.~~ 153.21 (1).

16          **\*b0146/2.9\* SECTION 2095rn.** 153.75 (1) (t) of the statutes is amended to read:

17          153.75 (1) (t) Establishing standards for determining under s. 153.05 (13) (a)  
18 if a requirement under s. 153.05 (1) (a), (5) (a), or (8) (a) is burdensome for a health  
19 care provider other than a hospital or ambulatory surgery center.

20          **\*b0146/2.9\* SECTION 2095rp.** 153.75 (1) (u) of the statutes is amended to read:

21          153.75 (1) (u) Specifying the methods for adjusting health care information  
22 obtained from health care providers other than hospitals and ambulatory surgery  
23 centers for case mix and severity.

24          **\*b0146/2.9\* SECTION 2095rt.** 153.75 (2) (a) of the statutes is amended to read:

1           153.75 (2) (a) Exempting certain classes of health care providers that are not  
2           hospitals or ambulatory surgery centers from providing all or portions of the data  
3           required under this chapter.”.

4           \*~~b0078/1.1~~\* **1109**. Page 842, line 3: delete lines 3 to 14.

5           \*~~b0260/5.13~~\* **1110**. Page 842, line 15: delete the material beginning with  
6           that line and ending with page 843, line 15.

7           \*~~b0350/2.3~~\* **1111**. Page 843, line 24: after that line insert:

8           \*~~b0350/2.3~~\* “**SECTION 2099f**. 165.60 of the statutes is amended to read:

9           **165.60 Law enforcement.** The department of justice is authorized to enforce  
10          ss. 101.123 (2), (5), and (8), 944.30, 944.31, 944.33, 944.34, 945.02 (2), 945.03 (1m),  
11          and 945.04 (1m) and is invested with the powers conferred by law upon sheriffs and  
12          municipal police officers in the performance of those duties. This section does not  
13          deprive or relieve sheriffs, constables, and other local police officers of the power and  
14          duty to enforce those sections, and those officers shall likewise enforce those sections.

15          \*~~b0350/2.3~~\* **SECTION 2099j**. 165.70 (1) (b) of the statutes is amended to read:

16          165.70 (1) (b) ~~Enforce~~ Except as provided in sub. (1m), enforce chs. 945 and 961  
17          and ss. 940.20 (3), 940.201, 941.25 to 941.27, 943.01 (2) (c), 943.011, 943.27, 943.28,  
18          943.30, 944.30, 944.31, 944.32, 944.33, 944.34, 946.65, 947.02 (3) and (4), 948.075,  
19          and 948.08.

20          \*~~b0350/2.3~~\* **SECTION 2099p**. 165.70 (1m) of the statutes is created to read:

21          165.70 (1m) The department may not investigate violations of or otherwise  
22          enforce s. 945.03 (2m) or 945.04 (2m).

23          \*~~b0350/2.3~~\* **SECTION 2099v**. 165.70 (3) of the statutes is amended to read:

1           165.70 (3) It is the intention of this section to give the attorney general  
2 responsibility for devising programs to control crime statewide in nature,  
3 importance or influence, drugs and narcotics abuse, commercial gambling other than  
4 what is described in s. 945.03 (2m) or 945.04 (2m), prostitution, and arson. Nothing  
5 herein shall deprive or relieve local peace officers of the power and duty to enforce  
6 those provisions enumerated in sub. (1).”.

7           **\*b0315/1.12\* 1112.** Page 845, line 19: delete lines 19 to 24.

8           **\*b0315/1.13\* 1113.** Page 846, line 1: delete lines 1 and 2.

9           **\*b0136/1.4\* 1114.** Page 846, line 3: after that line insert:

10           **\*b0136/1.4\* “SECTION 2111g.** 166.03 (2) (a) 7. of the statutes is created to read:

11           166.03 (2) (a) 7. Apply for contracts and receive and expend any moneys or  
12 grant from the federal government related to homeland security. Before the adjutant  
13 general expends any moneys or grant under this subdivision, the adjutant general  
14 shall notify the joint committee on finance in writing of the proposed action. If the  
15 cochairpersons of the committee do not notify the adjutant general that the  
16 committee has scheduled a meeting for the purpose of reviewing the proposed  
17 expenditure within 14 working days after the date of the adjutant general’s  
18 notification, the expenditure may be completed. If, within 14 working days after the  
19 date of the adjutant general’s notification, the cochairpersons of the committee notify  
20 the adjutant general that the committee has scheduled a meeting for the purpose of  
21 reviewing the proposed expenditure, the expenditure may be completed under this  
22 subdivision only upon approval of the committee.

23           **\*b0136/1.4\* SECTION 2111j.** 166.03 (2) (a) 8. of the statutes is created to read:

1           166.03 (2) (a) 8. Administer the federal homeland security programs using the  
2 funds received under s. 20.465 (3) (mg).”.

3           **\*b0123/1.2\* 1115.** Page 846, line 9: after “excess” insert “except that if any  
4 additional costs are incurred in a future calendar year for an injury that occurred in  
5 the calendar year the state shall pay all of those additional costs”.

6           **\*b0123/1.3\* 1116.** Page 846, line 10: delete “~~20.465 (3) (a)~~ 20.865 (1) (a)” and  
7 substitute “20.465 (3) (a)”.

8           **\*b0123/1.4\* 1117.** Page 846, line 11: delete lines 11 and 12 and substitute  
9 “general.”.

10           **\*b0130/3.2\* 1118.** Page 848, line 7: delete lines 7 and 8 and substitute:

11           **\*b0130/3.2\* SECTION 2120b.** 173.40 (title) of the statutes, as created by 2001  
12 Wisconsin Act 16, is amended to read:

13           **173.40 (title) Pet dealers, pet breeders, kennels, and animal shelters.**

14           **\*b0130/3.2\* SECTION 2120bb.** 173.40 (1) (c) of the statutes, as created by 2001  
15 Wisconsin Act 16, is repealed.

16           **\*b0130/3.2\* SECTION 2120bd.** 173.40 (1) (e) of the statutes, as created by 2001  
17 Wisconsin Act 16, is repealed.

18           **\*b0130/3.2\* SECTION 2120bf.** 173.40 (1) (f) of the statutes, as created by 2001  
19 Wisconsin Act 16, is repealed.

20           **\*b0130/3.2\* SECTION 2120bh.** 173.40 (1) (fm) of the statutes, as created by  
21 2001 Wisconsin Act 16, is amended to read:

22           173.40 (1) (fm) “Pet breeder” means a person who sells or offers to sell at least  
23 25 50 dogs or cats for resale as pets in a year, except that “pet breeder” does not  
24 include a pet dealer.

1           **\*b0130/3.2\* SECTION 2120bj.** 173.40 (2) (a) of the statutes, as created by 2001  
2 Wisconsin Act 16, is repealed.

3           **\*b0130/3.2\* SECTION 2120bL.** 173.40 (2) (b) of the statutes, as created by 2001  
4 Wisconsin Act 16, is amended to read:

5           173.40 (2) (b) ~~Except as provided in par. (c), no~~ No person may act as a ~~pet dealer~~  
6 ~~or~~ pet breeder without a license from the department. A person shall obtain a license  
7 under this paragraph for each separate location at which the person conducts  
8 business as a ~~pet dealer or~~ pet breeder.

9           **\*b0130/3.2\* SECTION 2120bn.** 173.40 (2) (c) of the statutes, as created by 2001  
10 Wisconsin Act 16, is repealed.

11           **\*b0130/3.2\* SECTION 2120bp.** 173.40 (2) (d) of the statutes, as created by 2001  
12 Wisconsin Act 16, is amended to read:

13           173.40 (2) (d) Licenses issued under ~~pars. (a) and~~ par. (b) expire on October 31  
14 of each even-numbered year.

15           **\*b0130/3.2\* SECTION 2120br.** 173.40 (2) (e) of the statutes, as created by 2001  
16 Wisconsin Act 16, is amended to read:

17           173.40 (2) (e) A license issued under ~~par. (a) or~~ (b) is not transferable.

18           **\*b0130/3.2\* SECTION 2120bt.** 173.40 (4) (a) of the statutes, as created by 2001  
19 Wisconsin Act 16, is repealed.

20           **\*b0130/3.2\* SECTION 2120bv.** 173.40 (4) (b) of the statutes, as created by 2001  
21 Wisconsin Act 16, is renumbered 173.40 (4) and amended to read:

22           173.40 (4) INSPECTIONS. ~~In addition to the inspections required under par. (a),~~  
23 ~~the~~ The department may enter and inspect a facility for which a person is required  
24 to obtain a license under sub. (2) ~~at any reasonable time~~ when the department has  
25 reason to suspect that human or animal health violations exist or when a person who

1 is not an employee of the department notifies the department of a potential health  
2 hazard or violation.

3 \*b0130/3.2\* **SECTION 2120bw.** 173.40 (5) (a) of the statutes, as created by 2001  
4 Wisconsin Act 16, is amended to read:

5 173.40 (5) (a) Minimum standards for ~~animal shelter and kennel facilities and~~  
6 ~~facilities at which pet-dealers and pet breeders operate.~~”.

7 \*b0119/2.1\* **1119.** Page 848, line 8: after that line insert:

8 \*b0119/2.1\* “**SECTION 2120m.** 177.075 of the statutes is created to read:

9 **177.075 Distributions caused by certain insurance company activities.**

10 (1) Any intangible property distributable in the course of a rehabilitation or  
11 reorganization, conversion, or other transformation of an insurance company is  
12 presumed abandoned if the distribution remains unclaimed for more than 2 years  
13 after the date on which the property is distributable and if all of the following apply:

14 (a) At the time the property is distributable, the holder knows that the  
15 last-known address of the owner, as reflected in the records of the holder, is incorrect  
16 or the holder has mailed the distribution or notice thereof to the owner at the  
17 last-known address of the owner, as reflected in the records of the holder, and the  
18 mailing has been returned to the holder as undeliverable.

19 (b) The holder has not communicated with the owner in writing concerning the  
20 distribution after the date on which the property is distributable.

21 (c) The holder has not communicated with the owner in any other manner  
22 concerning the distribution, as reflected in the records of the holder, after the date  
23 on which the property is distributable.

1           (2) Any intangible property distributable in the course of a rehabilitation or  
2 reorganization, conversion, or other transformation of an insurance company is  
3 presumed abandoned as otherwise provided under this chapter if sub. (1) (a), (b), or  
4 (c) does not apply with respect to the distribution.

5           **\*b0119/2.1\* SECTION 2120p.** 177.10 (1) (intro.) of the statutes is amended to  
6 read:

7           177.10 (1) (intro.) Except as provided in subs. (2) and (5) and s. 177.075 (1), any  
8 stock or other intangible ownership interest in a business association, the existence  
9 of which is evidenced by records available to the association, is presumed abandoned  
10 and, with respect to the interest, the association is the holder, if a dividend,  
11 distribution or other sum payable as a result of the interest has remained unclaimed  
12 by the owner for 5 years and the owner has not done either of the following within  
13 5 years:

14           **\*b0119/2.1\* SECTION 2120s.** 177.17 (4) (b) of the statutes is amended to read:

15           177.17 (4) (b) The holder of an interest under s. 177.10 or a stock or other  
16 intangible ownership interest presumed abandoned under s. 177.075 (1) shall  
17 deliver to the administrator, upon filing the report required under this section, a  
18 duplicate certificate or other evidence of ownership if the holder does not issue  
19 certificates of ownership. Upon delivery of a duplicate certificate to the  
20 administrator, the holder and any transfer agent, registrar or other person acting for  
21 or on behalf of a holder in executing or delivering the duplicate certificate are  
22 relieved of all liability, as provided under s. 177.20, to any person, including any  
23 person acquiring the original certificate or the duplicate of the certificate issued to  
24 the administrator, for any loss or damage caused by the issuance and delivery of the  
25 duplicate certificate to the administrator.”.



1           **\*b0350/2.4\* 1120.** Page 848, line 8: after that line insert:

2           **\*b0350/2.4\* "SECTION 2120m.** 175.38 of the statutes is created to read:

3           **175.38 Enforcement of video gambling law. (1)** In this section, “law  
4 enforcement officer” has the meaning given in s. 165.85 (2) (c) but does not include  
5 a special agent of the department of revenue.

6           **(2)** Notwithstanding s. 945.041, no law enforcement officer may investigate  
7 violations of or otherwise enforce s. 945.03 (2m) or 945.04 (2m).

8           **(3)** No law enforcement officer may investigate violations of or otherwise  
9 enforce s. 945.05 (1m) unless he or she reasonably believes that the video gambling  
10 machine involved may be used in connection with a violation of ch. 945 other than  
11 a violation of s. 945.03 (2m) or 945.04 (2m).”.

12           **\*b0107/1.24\* 1121.** Page 848, line 9: delete lines 9 to 21.

13           **\*b0094/1.1\* 1122.** Page 850, line 3: delete lines 3 and 4 and substitute:

14           “(e) The If the company is a foreign limited liability company, the name and  
15 business address of each member of the foreign limited liability company.”.

16           **\*b0094/1.2\* 1123.** Page 850, line 15: delete the material beginning with “A  
17 domestic” and ending with “year.” on line 19 and substitute “A domestic limited  
18 liability company shall deliver its annual report to the department during the  
19 calendar quarter during which each anniversary of the effective date of the limited  
20 liability company’s articles of organization under s. 183.0111 occurs.”.

21           **\*b0213/3.13\* 1124.** Page 854, line 3: delete lines 3 to 21.

22           **\*b0074/1.1\* 1125.** Page 854, line 22: delete the material beginning with that  
23 line and ending with page 855, line 9.

1           **\*b0107/1.25\* 1126.** Page 855, line 10: delete the material beginning with  
2 that line and ending with page 876, line 17.

3           **\*b0107/1.26\* 1127.** Page 877, line 7: delete the material beginning with that  
4 line and ending with page 892, line 7.

5           **\*b0107/1.27\* 1128.** Page 892, line 8: delete the material beginning with that  
6 line and ending with page 893, line 23, and substitute:

7           **\*b0107/1.27\* "SECTION 2273d.** 195.29 (5) of the statutes is amended to read:  
8           195.29 (5) ELIMINATION OF GRADE CROSSINGS, COSTS. Upon petition of the  
9 department, or of the common council or board of any city, village, town, or county,  
10 alleging that one or more of them have undertaken or propose to undertake to  
11 relocate or improve an existing highway or to construct a new highway in such  
12 manner as to eliminate a highway grade crossing with any railroad or so as to  
13 permanently divert a material portion of the highway traffic from a highway grade  
14 crossing with any railroad, the office shall issue notice of investigation and hearing,  
15 as provided in s. 195.04. If upon such hearing the office finds that the public safety  
16 will be promoted by the highway relocation, improvement, or new construction, the  
17 office shall order the old crossings closed and new crossings opened as are deemed  
18 necessary for public safety. The order shall require the railroad company or  
19 companies to pay to the interested municipality or municipalities such sum as the  
20 office finds to be an equitable portion of the cost of the highway relocation,  
21 improvement, or new construction, if the work is performed by the municipalities;  
22 or to the ~~state treasurer~~ secretary of administration if the work is performed by the  
23 state; or to the proper county treasurer if the work is performed by the county. The

1 sum shall be added to the joint fund available for the improvement and may be  
2 expended in like manner as the other portions of the fund.”.

3 \*b0107/1.28\* **1129.** Page 893, line 24: delete the material beginning with  
4 that line and ending with page 903, line 20.

5 \*b0107/1.29\* **1130.** Page 903, line 21: delete the material beginning with  
6 that line and ending with page 905, line 2, and substitute:

7 \*b0107/1.29\* “**SECTION 2297m.** 195.60 (3) of the statutes is amended to read:  
8 195.60 (3) If any railroad against which a bill has been rendered under sub. (1)  
9 or (2) within 30 days after the rendering of such bill neglects or refuses to pay the  
10 same or fails to file objections to the bill with the office, the office shall transmit to  
11 the ~~state treasurer~~ secretary of administration a certified copy of the bill, together  
12 with notice of neglect or refusal to pay the bill, and on the same day the office shall  
13 mail to the railroad against which the bill has been rendered a copy of the notice  
14 which it has transmitted to the ~~state treasurer~~ secretary of administration. Within  
15 10 days after the receipt of such notice and certified copy of such bill, the ~~state~~  
16 ~~treasurer~~ secretary of administration shall levy the amount stated on such bill to be  
17 due, with interest, by distress and sale of any goods and chattels, including stocks,  
18 securities, bank accounts, evidences of debt, and accounts receivable belonging to  
19 such delinquent railroad. Such levy by distress and sale shall be governed by the  
20 provisions of s. 74.10, 1985 stats., except that it shall be made by the ~~state treasurer~~  
21 secretary of administration and that said goods and chattels anywhere within the  
22 state may be levied upon.”.

23 \*b0107/1.30\* **1131.** Page 905, line 3: delete the material beginning with that  
24 line and ending with page 906, line 2.

1           **\*b0107/1.31\* 1132.** Page 906, line 3: delete the material beginning with that  
2 line and ending with page 908, line 4, and substitute:

3           **\*b0107/1.31\* “SECTION 2302m.** 195.60 (4) (d) of the statutes is amended to  
4 read:

5           195.60 (4) (d) If any bill against which objections have been filed is not paid  
6 within 10 days after notice of a finding that such objections have been overruled and  
7 disallowed by the office has been mailed to the objector, the office shall give notice  
8 of such delinquency to the ~~state treasurer~~ secretary of administration and to the  
9 objector, in the manner provided in sub. (3). The ~~state treasurer~~ secretary of  
10 administration shall then proceed to collect the amount of the bill as provided in sub.  
11 (3). If an amended bill is not paid within 10 days after a copy thereof is mailed to the  
12 objector by registered mail, the office shall notify the ~~state treasurer~~ secretary of  
13 administration and the objector as in the case of delinquency in the payment of an  
14 original bill. The ~~state treasurer~~ secretary of administration shall then proceed to  
15 collect the amount of the bill as provided in the case of an original bill.

16           **\*b0107/1.31\* SECTION 2304m.** 195.60 (5) of the statutes is amended to read:

17           195.60 (5) No suit or proceeding shall be maintained in any court for the  
18 purpose of restraining or in any way delaying the collection or payment of any bill  
19 rendered under subs. (1) and (2). Every railroad against which a bill is rendered shall  
20 pay the amount thereof, and after such payment may in the manner herein provided,  
21 at any time within 2 years from the date the payment was made, sue the state in an  
22 action at law to recover the amount paid with legal interest thereon from the date  
23 of payment, upon the ground that the assessment was excessive, erroneous,  
24 unlawful, or invalid in whole or in part. If it is finally determined in such action that

1 any part of the bill for which payment was made was excessive, erroneous, unlawful,  
2 or invalid, the ~~state treasurer~~ secretary of administration shall make a refund to the  
3 claimant as directed by the court, which shall be charged to the appropriations to the  
4 office.”.

5 **\*b0107/1.32\* 1133.** Page 908, line 5: delete lines 5 to 19.

6 **\*b0306/4.46\* 1134.** Page 909, line 12: delete lines 12 to 25.

7 **\*b0364/3.2\* 1135.** Page 909, line <sup>25</sup> ~~15~~ <sup>after</sup> ~~before~~ that line insert: ✓

8 **\*b0364/3.2\*** “SECTION 2311e. 196.218 (3) (a) 4. of the statutes is amended to  
9 read:

10 196.218 (3) (a) 4. In calculating contribution amounts that must be paid into  
11 the universal service fund by telecommunications utilities that provide local  
12 exchange service, the commission shall determine the portion of the contributions  
13 that ~~are~~ is used for the purposes specified in sub. (5) (a) 5. to ~~7.~~ 11.

14 **\*b0364/3.2\* SECTION 2311m.** 196.218 (3) (e) of the statutes is amended to read:

15 196.218 (3) (e) Except as provided in par. (f) and s. 196.196 (2) (d), a  
16 telecommunications provider or other person may not establish a surcharge on  
17 customers’ bills to collect from customers contributions required under this  
18 subsection.

19 **\*b0364/3.2\* SECTION 2311s.** 196.218 (3) (f) of the statutes is amended to read:

20 196.218 (3) (f) Notwithstanding ss. 196.196 (1) and (5) (d) 2., 196.20 (2m), (5)  
21 and (6), 196.213 and 196.215, a telecommunications utility that provides local  
22 exchange service may make adjustments to local exchange service rates for the  
23 purpose of recovering the portion of its contributions to the universal service fund  
24 that is determined by the commission under par. (a) 4. A telecommunications utility

1 that adjusts local exchange service rates for the purpose of recovering all or any  
2 amount of that portion shall identify on customer bills a single amount that is the  
3 total amount of the adjustment.”.

4 \*b0306/4.47\* **1136.** Page 910, line 1: delete lines 1 to 9 and substitute:

5 \*b0306/4.47\* “SECTION 2311d. 196.218 (3) (a) 3. b. of the statutes is amended  
6 to read:

7 196.218 (3) (a) 3. b. The amounts appropriated under ss. 20.255 (3) (q), ~~20.275~~  
8 ~~(1) (s), (t) and (tm)~~ and (qm), 20.285 (1) (q), and 20.505 (4) (s), (t), (tm), (tu), and (tw).

9 \*b0306/4.47\* SECTION 2312d. 196.218 (4t) of the statutes is amended to read:

10 196.218 (4t) EDUCATIONAL TELECOMMUNICATIONS ACCESS PROGRAM RULES. The  
11 commission, in consultation with the department of administration ~~and the~~  
12 ~~technology for educational achievement in Wisconsin board~~, shall promulgate rules  
13 specifying the telecommunications services eligible for funding through the  
14 educational telecommunications access program under s. ~~44.73~~ 16.997.

15 \*b0306/4.47\* SECTION 2313d. 196.218 (5) (a) 5. of the statutes is amended to  
16 read:

17 196.218 (5) (a) 5. To pay costs incurred under contracts under s. 16.974 to the  
18 extent that these costs are not paid under s. ~~44.73~~ 16.997 (2) (d), except that no  
19 moneys in the universal service fund may be used to pay installation costs that are  
20 necessary for a political subdivision to obtain access to bandwidth under a shared  
21 service agreement under s. ~~44.73~~ 16.997 (2r) (a).

22 \*b0306/4.47\* SECTION 2314d. 196.218 (5) (a) 5. of the statutes, as affected by  
23 2003 Wisconsin Act .... (this act), is amended to read:

1           196.218 (5) (a) 5. To pay costs incurred under contracts under s. ~~16.974~~ 16.971  
2           (13) to (16) to the extent that these costs are not paid under s. 16.997 (2) (d), except  
3           that no moneys in the universal service fund may be used to pay installation costs  
4           that are necessary for a political subdivision to obtain access to bandwidth under a  
5           shared service agreement under s. 16.997 (2r) (a).”.

6           **\*b0306/4.48\* 1137.** Page 910, line 15: delete lines 15 to 19 and substitute:

7           **\*b0306/4.48\*** “SECTION 2316d. 196.218 (5) (a) 7. of the statutes is amended to  
8           read:

9           196.218 (5) (a) 7. To make grants awarded by the ~~technology for educational~~  
10           ~~achievement in Wisconsin board~~ department of administration to school districts  
11           and private schools under s. ~~44.73~~ 16.997 (6). This subdivision does not apply after  
12           ~~June 30, 2002~~ December 31, 2005.”.

13           **\*b0364/3.3\* 1138.** Page 910, line 20: after that line insert:

14           **\*b0364/3.3\*** “SECTION 2317c. 196.218 (5) (a) 11. of the statutes is created to  
15           read:

16           196.218 (5) (a) 11. To provide for state aid to public library systems under s.  
17           43.24.”.

18           **\*b0384/2.1\* 1139.** Page 910, line 20: after that line insert:

19           **\*b0384/2.1\*** “SECTION 2317m. 196.374 (5) of the statutes is created to read:  
20           196.374 (5) The commission may not require any public utility to operate or  
21           otherwise provide for, or impose any assessment on public utility customers for, any  
22           program established by the department of administration under s. 16.957 (2) (b) 1.  
23           This subsection does not apply to contributions that are required under sub. (3).”.

24           **\*b0206/1.21\* 1140.** Page 911, line 1: delete lines 1 to 4.

- 1           **\*b0107/1.33\* 1141.** Page 913, line 11: delete the material beginning with  
2 that line and ending with page 915, line 22.
- 3           **\*b0213/3.14\* 1142.** Page 916, line 20: delete lines 20 to 25.
- 4           **\*b0213/3.15\* 1143.** Page 920, line 3: delete lines 3 to 8.
- 5           **\*b0213/3.16\* 1144.** Page 921, line 7: delete lines 7 to 24.
- 6           **\*b0107/1.34\* 1145.** Page 926, line 21: delete lines 21 to 25.
- 7           **\*b0107/1.35\* 1146.** Page 927, line 1: delete lines 1 to 12.
- 8           **\*b0258/1.20\* 1147.** Page 927, line 14: delete lines 14 to 16.
- 9           **\*b0199/1.35\* 1148.** Page 927, line 17: delete lines 17 and 18.
- 10           **\*b0155/3.96\* 1149.** Page 927, line 25: delete the material beginning with  
11 “department” and ending with “administration” on page 928, line 1, and substitute  
12 “~~department of employment relations~~ office of state human resources management”.
- 13           **\*b0107/1.36\* 1150.** Page 928, line 10: delete lines 10 to 18.
- 14           **\*b0107/1.37\* 1151.** Page 928, line 20: delete lines 20 to 25.
- 15           **\*b0107/1.38\* 1152.** Page 929, line 1: delete lines 1 to 16.
- 16           **\*b0155/3.97\* 1153.** Page 930, line 7: delete the material beginning with  
17 “secretary” and ending with “administration” on line 8 and substitute “~~secretary of~~  
18 ~~employment relations~~ director of the office of state human resources management”.
- 19           **\*b0192/3.30\* 1154.** Page 931, line 1: delete “office of the commissioner of tax  
20 ~~appeals commission~~” and substitute “tax appeals commission”.
- 21           **\*b0192/3.31\* 1155.** Page 931, line 6: delete lines 6 to 8.
- 22           **\*b0192/3.32\* 1156.** Page 931, line 16: delete “office of the commissioner of”.



1           **\*b0192/3.33\* 1157.** Page 931, line 17: delete “~~commission~~” and substitute  
2           “commission”.

3           **\*b0155/3.98\* 1158.** Page 931, line 23: after that line insert:

4           **\*b0155/3.98\* “SECTION 2384e.** 230.01 (2) of the statutes is amended to read:

5           230.01 (2) It is the policy of the state and the responsibility of the secretary  
6           director and the administrator to maintain a system of personnel management  
7           which fills positions in the classified service through methods which apply the merit  
8           principle, with adequate civil service safeguards. It is the policy of this state to  
9           provide for equal employment opportunity by ensuring that all personnel actions  
10          including hire, tenure or term, and condition or privilege of employment be based on  
11          the ability to perform the duties and responsibilities assigned to the particular  
12          position without regard to age, race, creed or religion, color, disability, sex, national  
13          origin, ancestry, sexual orientation or political affiliation. It is the policy of this state  
14          to take affirmative action which is not in conflict with other provisions of this chapter.  
15          It is the policy of the state to ensure its employees opportunities for satisfying careers  
16          and fair treatment based on the value of each employee’s services. It is the policy of  
17          this state to encourage disclosure of information under subch. III and to ensure that  
18          any employee employed by a governmental unit is protected from retaliatory action  
19          for disclosing information under subch. III. It is the policy of this state to correct pay  
20          inequities based on gender or race in the state civil service system.

21          **\*b0155/3.98\* SECTION 2384m.** 230.02 of the statutes is amended to read:

22          **230.02 Liberal construction of statutes.** Statutes applicable to the  
23          department office shall be construed liberally in aid of the purposes declared in s.  
24          230.01.”.

1           **\*b0155/3.99\* 1159.** Page 932, line 3: delete lines 3 to 5 and substitute:

2           **\*b0155/3.99\*** “SECTION 2386e. 230.03 (9) of the statutes is repealed.

3           **\*b0155/3.99\*** SECTION 2386m. 230.03 (9e) of the statutes is created to read:  
4           230.03 (9e) “Director” means the director of the office.

5           **\*b0155/3.99\*** SECTION 2386s. 230.03 (10) of the statutes is amended to read:  
6           230.03 (10) “Division” means the division of merit recruitment and selection  
7           in the department office.”.

8           **\*b0155/3.100\* 1160.** Page 932, line 8: after that line insert:

9           **\*b0155/3.100\*** “SECTION 2387e. 230.03 (10r) of the statutes is amended to  
10          read:

11          230.03 (10r) “Job group” means a set of classifications combined by the  
12          department office on the basis of similarity in responsibility, pay range and nature  
13          of work.

14          **\*b0155/3.100\*** SECTION 2387m. 230.03 (10w) of the statutes is created to read:  
15          230.03 (10w) “Office” means the office of state human resources management.

16          **\*b0155/3.100\*** SECTION 2387s. 230.03 (13) of the statutes is repealed.

17          **\*b0155/3.100\*** SECTION 2387w. 230.04 (title) of the statutes is amended to  
18          read:

19          230.04 (title) **Powers and duties of the secretary director**.”.

20          **\*b0155/3.101\* 1161.** Page 932, line 10: on lines 10 and 13, delete “secretary”  
21          and substitute “secretary director”.

22          **\*b0155/3.102\* 1162.** Page 932, line 15: on lines 15, 17, 19, 21 and 22, delete  
23          “secretary” and substitute “secretary director”.

1           **\*b0155/3.103\* 1163.** Page 932, line 23: delete “department” and substitute  
2           “department office”.

3           **\*b0155/3.104\* 1164.** Page 932, line 25: delete “department” and substitute  
4           “department office”.

5           **\*b0155/3.106\* 1165.** Page 933, line 4: after that line insert:

6           **\*b0155/3.106\*** “SECTION 2389d. 230.04 (2) of the statutes is amended to read:  
7           230.04 (2) The ~~secretary~~ director may utilize the services of technical or  
8           specialized personnel to assist in implementing and maintaining a sound personnel  
9           management program. These services may be obtained from persons inside or  
10          outside of state service.

11          **\*b0155/3.106\* SECTION 2389h.** 230.04 (3) of the statutes is amended to read:  
12          230.04 (3) The ~~secretary~~ director may issue enforceable orders on all matters  
13          relating to the administration, enforcement and effect of this chapter and the rules  
14          prescribed thereunder except on matters relating to the provisions of subch. III or  
15          to those provisions of subch. II for which responsibility is specifically charged to the  
16          administrator.

17          **\*b0155/3.106\* SECTION 2389p.** 230.04 (4) of the statutes is amended to read:  
18          230.04 (4) The ~~secretary~~ director shall establish and maintain a collective  
19          bargaining capability under s. 111.815 (2).

20          **\*b0155/3.106\* SECTION 2389s.** 230.04 (5) of the statutes is amended to read:  
21          230.04 (5) The ~~secretary~~ director shall promulgate rules on all matters relating  
22          to the administration of the department office and the performance of the duties  
23          assigned to the ~~secretary~~ director, except on matters relating to those provisions of  
24          subch. II for which responsibility is specifically charged to the administrator.”.

1           **\*b0155/3.105\* 1166.** Page 933, line 4: delete “secretary” and substitute  
2           “secretary director”.

3           **\*b0155/3.107\* 1167.** Page 933, line 5: after that line insert:

4           **\*b0155/3.107\* “SECTION 2390b.** 230.04 (8) of the statutes is amended to read:  
5           230.04 (8) The secretary director shall establish an employee performance  
6           evaluation program under s. 230.37 (1).

7           **\*b0155/3.107\* SECTION 2390c.** 230.04 (9) (intro.) of the statutes is amended  
8           to read:

9           230.04 (9) (intro.) The secretary director shall do all of the following:

10          **\*b0155/3.107\* SECTION 2390d.** 230.04 (9) (f) of the statutes is renumbered  
11          230.455 and amended to read:

12          **230.455 Division of affirmative action.** ~~Establish an affirmative action~~  
13          ~~subunit reporting directly to the secretary.~~ The division of affirmative action subunit  
14          shall advise and assist the secretary director, the administrator and agency heads  
15          on establishing policies and programs to ensure appropriate affirmative action. The  
16          ~~subunit~~ division of affirmative action shall advise and assist the secretary director  
17          in monitoring such programs and shall provide staff to the council on affirmative  
18          action ~~council~~.

19          **\*b0155/3.107\* SECTION 2390e.** 230.04 (9m) of the statutes is amended to read:

20          230.04 (9m) The secretary director shall conduct periodic reviews and  
21          evaluations of the written records of hiring decisions made by appointing authorities  
22          under ss. 230.21 (1m), 230.25 (1p) and 230.27 (2k).

23          **\*b0155/3.107\* SECTION 2390f.** 230.04 (9r) (b) (intro.) of the statutes is  
24          amended to read:

1           230.04 (9r) (b) (intro.) The secretary director shall keep a record of all of the  
2 following:

3           **\*b0155/3.107\* SECTION 2390g.** 230.04 (10) (a) of the statutes is amended to  
4 read:

5           230.04 (10) (a) The secretary director may require all agencies and their  
6 officers to comply with the secretary's director's request to furnish current  
7 information pertaining to authorized positions, payroll and related items regarding  
8 civil service and employment relations functions.

9           **\*b0155/3.107\* SECTION 2390h.** 230.04 (10) (b) of the statutes is amended to  
10 read:

11           230.04 (10) (b) The secretary director shall request from each agency and each  
12 agency shall furnish to the secretary director relevant racial, ethnic, gender and  
13 disability information on every new employee hired by the agency including limited  
14 term, project, seasonal and sessional employees. The secretary director shall  
15 maintain the data to permit a periodic review of the agency's affirmative action plan  
16 accomplishments.

17           **\*b0155/3.107\* SECTION 2390i.** 230.04 (10) (c) of the statutes is amended to  
18 read:

19           230.04 (10) (c) The secretary director shall request from each agency and each  
20 agency shall furnish to the secretary director relevant information regarding the  
21 prior military service, if any, of every new employee hired by the agency including  
22 limited term, project, seasonal and sessional employees. The secretary director shall  
23 maintain the data to permit a periodic review of the progress being made to provide  
24 employment opportunities in civil service for veterans and disabled veterans.

25           **\*b0155/3.107\* SECTION 2390j.** 230.04 (11) of the statutes is amended to read:

1           230.04 (11) The ~~secretary~~ director may provide by rule for an understudy  
2 program to assure continuity in selected positions.

3           **\*b0155/3.107\* SECTION 2390k.** 230.04 (12) of the statutes is amended to read:

4           230.04 (12) The ~~secretary~~ director shall keep in the office an official roster of  
5 all permanent classified employees which shall include classification titles, pay and  
6 employment status changes and appropriate dates thereof.

7           **\*b0155/3.107\* SECTION 2390L.** 230.04 (13) (intro.) of the statutes is amended  
8 to read:

9           230.04 (13) (intro.) The ~~secretary~~ director shall do all of the following:

10          **\*b0155/3.107\* SECTION 2390m.** 230.04 (14) of the statutes is amended to read:

11          230.04 (14) The ~~secretary~~ director shall establish, by rule, the scope and  
12 minimum requirements of a state employee grievance procedure relating to  
13 conditions of employment.

14          **\*b0155/3.107\* SECTION 2390n.** 230.04 (15) of the statutes is amended to read:

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

19          **\*b0155/3.107\* SECTION 2390nm.** 230.04 (16) of the statutes is created to read:

20          230.04 (16) The director may appoint an executive assistant outside the  
21 classified service.

22          **\*b0155/3.107\* SECTION 2390p.** 230.046 (5) (c) of the statutes is amended to  
23 read:

24          230.046 (5) (c) An agreement has been entered into by the trainee and the  
25 appointing authority relative to employment with the state, together with such other

1 terms and conditions as may be necessary under the rules of the secretary director  
2 whenever on-the-job trainees are employed; and

3 **\*b0155/3.107\* SECTION 2390q.** 230.046 (7) of the statutes is amended to read:

4 230.046 (7) ESTABLISH INTERNSHIPS. The secretary director shall establish in the  
5 classified service in-service training internships designed to give rigorous training  
6 in public service administration for periods not to exceed 3 years under the direct  
7 supervision of experienced administrators.

8 **\*b0155/3.107\* SECTION 2390r.** 230.046 (8) of the statutes is amended to read:

9 230.046 (8) COOPERATE FOR SCHOLARSHIP LOANS. To stimulate the interest of  
10 qualified students of exceptional merit in government career service, the secretary  
11 director shall cooperate with the board of regents of the University of Wisconsin  
12 System in providing opportunities for recipients of public service scholarship loans  
13 to secure employment under the internship plan.

14 **\*b0155/3.107\* SECTION 2390s.** 230.046 (9) of the statutes is amended to read:

15 230.046 (9) TUITION REFUND PROGRAM. The secretary director may establish by  
16 rule in the classified service a tuition refund program to supplement departmental  
17 training, to encourage employee job-related development and, upon satisfactory  
18 completion of training under this program to refund to the employee, an amount not  
19 to exceed the cost of tuition and necessary fees.

20 **\*b0155/3.107\* SECTION 2390t.** 230.046 (10) (intro.) of the statutes is amended

21 to read:

22 230.046 (10) ~~DEPARTMENT FUNCTIONS~~ FUNCTIONS OF THE OFFICE. (intro.) The  
23 department office may do all of the following:

24 **\*b0155/3.107\* SECTION 2390w.** 230.047 (8) of the statutes is amended to read:

1           230.047 (8) ADMINISTRATION. The ~~secretary~~ director shall promulgate rules for  
2 the operation and implementation of this section. The rules shall prescribe the  
3 duration, terms and conditions of such interchange.”.

4           **\*b0155/3.108\* 1168.** Page 933, line 22: after that line insert:

5           **\*b0155/3.108\*** “SECTION 2391c. 230.06 (1) (c) of the statutes is amended to  
6 read:

7           230.06 (1) (c) Provide the ~~secretary~~ director with current information relative  
8 to the assignment of duties to permanent classified positions in his or her agency.

9           **\*b0155/3.108\*** SECTION 2391g. 230.06 (1) (d) of the statutes is amended to  
10 read:

11           230.06 (1) (d) Report promptly to the ~~secretary~~ director or the administrator  
12 any information the ~~secretary~~ director or the administrator requires in connection  
13 with any delegated personnel function and with each appointment, promotion,  
14 demotion, suspension or separation from the service or other change in employee  
15 status.

16           **\*b0155/3.108\*** SECTION 2391h. 230.06 (1) (e) of the statutes is amended to  
17 read:

18           230.06 (1) (e) When requested by the ~~secretary~~ director or the administrator,  
19 provide reports on employee work performance and any other records or information  
20 the ~~secretary~~ director or administrator requires to carry out this subchapter.

21           **\*b0155/3.108\*** SECTION 2391r. 230.06 (1) (f) of the statutes is amended to read:

22           230.06 (1) (f) Provide the ~~secretary~~ director with the civil service information  
23 required under s. 16.004 (7).

24           **\*b0155/3.108\*** SECTION 2391t. 230.06 (1) (g) of the statutes is amended to read:



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

5           **\*b0155/3.108\* SECTION 2391w.** 230.06 (1) (L) of the statutes is amended to  
6 read:

7           230.06 (1) (L) Provide information about the employment of each severely  
8 disabled employee for the secretary's director's report under s. 230.04 (9r) within 30  
9 days after the disabled employee is appointed, and at other times at the request of  
10 the secretary director.

11           **\*b0155/3.108\* SECTION 2391x.** 230.06 (3) of the statutes is amended to read:

12           230.06 (3) All reports and records submitted under sub. (1) shall be prepared  
13 and presented at such times and in such manner as the secretary director or  
14 administrator prescribes.”.

15           **\*b0260/5.14\* 1169.** Page 933, line 25: delete the material beginning with  
16 that line and ending with page 934, line 1.

17           **\*b0205/1.1\* 1170.** Page 934, line 3: after that line insert:

18           **\*b0205/1.1\* “SECTION 2394m.** 230.08 (2) (e) 3e. of the statutes is amended to  
19 read:

20           230.08 (2) (e) 3e. Corrections — 5 4.”.

21           **\*b0389/1.4\* 1171.** Page 934, line 9: after that line insert:

22           **\*b0389/1.4\* “SECTION 2398r.** 230.08 (2) (g) of the statutes is amended to read:  
23           230.08 (2) (g) One stenographer appointed by each elective executive officer,  
24 and one deputy or assistant appointed by each elective executive officer except the

1 attorney general, the secretary of state, and the superintendent of public  
2 instruction.”.

3 \*b0199/1.36\* **1172**. Page 934, line 10: delete that line.

4 \*b0206/1.22\* **1173**. Page 934, line 11: delete lines 11 to 13.

5 \*b0207/1.4\* **1174**. Page 934, line 14: delete that line.

6 \*b0155/3.109\* **1175**. Page 934, line 15: delete lines 15 to 25 and substitute:

7 \*b0155/3.109\* “SECTION 2404m. 230.08 (2) (ya) of the statutes is created to  
8 read:

9 230.08 (2) (ya) The director and executive assistant to the director of the office  
10 of state human resources management in the department of administration.”.

11 \*b0174/6.17\* **1176**. Page 935, line 1: delete lines 1 to 3 and substitute:

12 \*b0174/6.17\* “SECTION 2405d. 230.08 (2) (yr) of the statutes is repealed.”.

13 \*b0155/3.110\* **1177**. Page 935, line 5: delete lines 5 to 20 and substitute:

14 “230.08 (4) (c) Any proposal of a board, department or commission, as defined  
15 in par. (a) and s. 15.01 (5), or of the historical society, for a change in the number of  
16 positions enumerated in sub. (2) (e), before being submitted to the legislature, shall  
17 first be submitted by the board, department or commission or by the historical society  
18 for a separate review by the ~~department~~ secretary of administration and by the  
19 ~~secretary~~ director. The ~~department~~ secretary of administration’s review shall  
20 include information on the appropriateness of the proposed change with regard to a  
21 board’s, department’s, commission’s or society’s current or proposed internal  
22 organizational structure under s. 15.02 (4). The secretary’s director’s review shall  
23 include information on whether the existing classified or existing or proposed  
24 unclassified division administrator position involved is or would be assigned to pay

1 range 1–18 or above in schedule 1, or a comparable level, of the compensation plan  
2 under s. 230.12. The results of these reviews shall be provided by the ~~department~~  
3 secretary of administration and by the ~~secretary~~ director to the joint committee on  
4 finance and the joint committee on employment relations at the same time that the  
5 board's, department's, commission's or society's proposal is presented to either  
6 committee.”.

7 \*b0155/3.111\* **1178.** Page 935, line 21: delete the material beginning with  
8 that line and ending with page 936, line 23, and substitute:

9 \*b0155/3.111\* “**SECTION 2407b.** 230.08 (8) of the statutes is amended to read:  
10 230.08 (8) AUDITING OF PAYROLLS. The ~~secretary~~ director shall audit the payrolls  
11 of the classified and unclassified service, as necessary, to carry out this subchapter.

12 \*b0155/3.111\* **SECTION 2407d.** 230.09 (1) (intro.) of the statutes is amended  
13 to read:

14 230.09 (1) (intro.) The ~~secretary~~ director shall ascertain and record the duties,  
15 responsibilities and authorities of, and establish grade levels and classifications for,  
16 all positions in the classified service. Each classification so established shall include  
17 all positions which are comparable with respect to authority, responsibility and  
18 nature of work required. Each classification shall be established to include as many  
19 positions as are reasonable and practicable. In addition, each class shall:

20 \*b0155/3.111\* **SECTION 2407f.** 230.09 (2) (a) of the statutes is amended to read:  
21 230.09 (2) (a) After consultation with the appointing authorities, the ~~secretary~~  
22 director shall allocate each position in the classified service to an appropriate class  
23 on the basis of its duties, authority, responsibilities or other factors recognized in the

1 job evaluation process. The secretary director may reclassify or reallocate positions  
2 on the same basis.

3 \*b0155/3.111\* SECTION 2407h. 230.09 (2) (am) of the statutes is amended to  
4 read:

5 230.09 (2) (am) The secretary director shall maintain and improve the  
6 classification plan to meet the needs of the service, using methods and techniques  
7 which may include personnel management surveys, individual position reviews,  
8 occupational group classification surveys, or other appropriate methods of position  
9 review. Such reviews may be initiated by the secretary director after taking into  
10 consideration the recommendations of the appointing authority, or at his or her own  
11 discretion. The secretary director shall establish, modify or abolish classifications  
12 as the needs of the service require.

13 \*b0155/3.111\* SECTION 2407j. 230.09 (2) (b) of the statutes is amended to read:

14 230.09 (2) (b) To accommodate and effectuate the continuing changes in the  
15 classification plan as a result of the classification survey program and otherwise, the  
16 secretary director shall, upon initial establishment of a classification, assign that  
17 class to the appropriate pay rate or range, and may, upon subsequent review,  
18 reassign classes to different pay rates or ranges. The secretary director shall assign  
19 each class to a pay range according to the skill, effort, responsibility and working  
20 conditions required for the class, without regard to whether the class is occupied  
21 primarily by members of a certain gender or racial group. The secretary director  
22 shall give notice to appointing authorities to permit them to make recommendations  
23 before final action is taken on any such assignment or reassignment of classes.

24 \*b0155/3.111\* SECTION 2407L. 230.09 (2) (c) of the statutes is amended to  
25 read:

1           230.09 (2) (c) If anticipated changes in program or organization will  
2 significantly affect the assignment of duties or responsibilities to positions, the  
3 appointing authority shall, whenever practicable, confer with the secretary director  
4 within a reasonable time prior to the reorganization or changes in program to  
5 formulate methods to fill positions which are newly established or modified to the  
6 extent that reclassification of the position is appropriate. In all cases, appointing  
7 authorities shall give written notice to the secretary director and employee of  
8 changes in the assignment of duties or responsibilities to a position when the  
9 changes in assignment may affect the classification of the position.

10           **\*b0155/3.111\* SECTION 2407n.** 230.09 (2) (d) of the statutes is amended to  
11 read:

12           230.09 (2) (d) If after review of a filled position the secretary director  
13 reclassifies or reallocates the position, the secretary director shall determine  
14 whether the incumbent shall be regraded or whether the position shall be opened to  
15 other applicants.

16           **\*b0155/3.111\* SECTION 2408b.** 230.09 (2) (g) of the statutes is amended to  
17 read:

18           230.09 (2) (g) When filling a new or vacant position, if the secretary director  
19 determines that the classification for a position is different than that provided for by  
20 the legislature as established by law or in budget determinations, or as authorized  
21 by the joint committee on finance under s. 13.10, or as specified by the governor  
22 creating positions under s. 16.505 (1) (c) or (2), the University of Wisconsin Hospitals  
23 and Clinics Board creating positions under s. 16.505 (2n) or the board of regents of  
24 the University of Wisconsin System creating positions under s. 16.505 (2m), or is  
25 different than that of the previous incumbent, the secretary director shall notify the

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

13 **\*b0155/3.111\* SECTION 2408d.** 230.09 (3) of the statutes is amended to read:

14 230.09 (3) The ~~secretary~~ director shall establish separate classifications for  
15 career executive positions under s. 230.24 and rules governing the salary  
16 administration of positions in such classifications.

17 **\*b0155/3.111\* SECTION 2408f.** 230.12 (1) (a) 3. of the statutes is amended to  
18 read:

19 230.12 (1) (a) 3. Provisions for administration of the compensation plan and  
20 salary transactions shall be provided, as determined by the ~~secretary~~ director, in  
21 either the rules of the ~~secretary~~ director or the compensation plan.

22 **\*b0155/3.111\* SECTION 2408i.** 230.12 (1) (c) 2. of the statutes is amended to  
23 read:

24 230.12 (1) (c) 2. The ~~secretary~~ director may establish a plan of extra  
25 compensation for work performed during selected hours at an hourly rate or rates

1 subject to approval of the joint committee on employment relations. Eligibility for  
2 such extra compensation shall be as provided in the compensation plan.

3 **\*b0155/3.111\* SECTION 2408j.** 230.12 (1) (d) of the statutes is amended to read:

4 230.12 (1) (d) *Uniforms and safety equipment.* The secretary director, with  
5 approval of the joint committee on employment relations, may establish a schedule  
6 of payments to employees for uniforms or protective clothing and equipment  
7 required to perform their duties.

8 **\*b0155/3.111\* SECTION 2408L.** 230.12 (3) (a) of the statutes is amended to  
9 read:

10 230.12 (3) (a) *Submission to the joint committee on employment relations.* The  
11 secretary director shall submit to the joint committee on employment relations a  
12 proposal for any required changes in the compensation plan which may include  
13 across the board pay adjustments for positions in the classified service. The proposal  
14 shall include the amounts and methods for within range pay progression, for pay  
15 transactions, and for performance awards. The proposal shall be based upon  
16 experience in recruiting for the service, the principle of providing pay equity  
17 regardless of gender or race, data collected as to rates of pay for comparable work in  
18 other public services and in commercial and industrial establishments,  
19 recommendations of agencies and any special studies carried on as to the need for  
20 any changes in the compensation plan to cover each year of the biennium. The  
21 proposal shall also take proper account of prevailing pay rates, costs and standards  
22 of living and the state's employment policies.

23 **\*b0155/3.111\* SECTION 2408n.** 230.12 (3) (ad) of the statutes is amended to  
24 read:

1           230.12 (3) (ad) *Timing of proposed changes.* Notwithstanding any other  
2 statute, the secretary director may delay timing for announcement or  
3 implementation of any recommended changes in the compensation plan under this  
4 section until after some or all of the collective bargaining agreements under subch.  
5 V of ch. 111 for that biennium are negotiated. Any such action taken under this  
6 paragraph is not appealable under s. 230.44.

7           **\*b0155/3.111\* SECTION 2408p.** 230.12 (3) (b) of the statutes is amended to  
8 read:

9           230.12 (3) (b) *Public hearing on the proposal; adoption of plan.* The secretary  
10 director shall submit the proposal for any required changes in the compensation plan  
11 to the joint committee on employment relations. The committee shall hold a public  
12 hearing on the proposal. The proposal, as may be modified by the joint committee  
13 on employment relations together with the unchanged provisions of the current  
14 compensation plan, shall, for the ensuing fiscal year or until a new or modified plan  
15 is adopted under this subsection, constitute the state's compensation plan for  
16 positions in the classified service. Any modification of the secretary's director's  
17 proposed changes in the compensation plan by the joint committee on employment  
18 relations may be disapproved by the governor within 10 calendar days. A vote of 6  
19 members of the joint committee on employment relations is required to set aside any  
20 such disapproval of the governor.

21           **\*b0155/3.111\* SECTION 2408r.** 230.12 (3) (c) of the statutes is amended to read:

22           230.12 (3) (c) *Interim adjustments.* Subject to pars. (a) and (b), the secretary  
23 director may propose amendments to one or more parts of the compensation plan at  
24 such times as the needs of the service require.



1           **\*b0155/3.111\* SECTION 2408t.** 230.12 (3) (e) 1. of the statutes is amended to  
2 read:

3           230.12 (3) (e) 1. The ~~secretary~~ director, after receiving recommendations from  
4 the board of regents, shall submit to the joint committee on employment relations a  
5 proposal for adjusting compensation and employee benefits for employees under ss.  
6 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d) who are not included in a collective  
7 bargaining unit under subch. V of ch. 111 for which a representative is certified. The  
8 proposal shall include the salary ranges and adjustments to the salary ranges for the  
9 university senior executive salary groups 1 and 2 established under s. 20.923 (4g).  
10 The proposal shall be based upon the competitive ability of the board of regents to  
11 recruit and retain qualified faculty and academic staff, data collected as to rates of  
12 pay for comparable work in other public services, universities and commercial and  
13 industrial establishments, recommendations of the board of regents and any special  
14 studies carried on as to the need for any changes in compensation and employee  
15 benefits to cover each year of the biennium. The proposal shall also take proper  
16 account of prevailing pay rates, costs and standards of living and the state's  
17 employment policies. The proposal for such pay adjustments may contain  
18 recommendations for across-the-board pay adjustments, merit or other  
19 adjustments and employee benefit improvements. Paragraph (b) and sub. (1) (bf)  
20 shall apply to the process for approval of all pay adjustments for such employees  
21 under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d). The proposal as approved  
22 by the joint committee on employment relations and the governor shall be based  
23 upon a percentage of the budgeted salary base for such employees under ss. 20.923  
24 (4g), (5) and (6) (m) and 230.08 (2) (d). The amount included in the proposal for merit

1 and adjustments other than across-the-board pay adjustments is available for  
2 discretionary use by the board of regents.

3 \*b0155/3.111\* SECTION 2408u. 230.12 (3) (e) 2. of the statutes is amended to  
4 read:

5 230.12 (3) (e) 2. The secretary director, after receiving recommendations from  
6 the board of the Technical College System, shall submit to the joint committee on  
7 employment relations a proposal for adjusting compensation and employee benefits  
8 for employees under s. 20.923 (7). The proposal shall include the salary ranges and  
9 adjustments to the salary ranges for the general senior executive salary groups  
10 established under s. 20.923 (7). Paragraph (b) and sub. (1) (bf) shall apply to the  
11 process for approval of all pay adjustments for such employees. The proposal as  
12 approved by the joint committee on employment relations and the governor shall be  
13 based upon a percentage of the budgeted salary base for such employees under s.  
14 20.923 (7).

15 \*b0155/3.111\* SECTION 2408v. 230.12 (4) (a) of the statutes is amended to read:

16 230.12 (4) (a) When an approved compensation plan or an amendment thereto  
17 becomes effective, required individual pay adjustments shall be made in accordance  
18 with determinations made by the secretary director to implement the approved plan.

19 \*b0155/3.111\* SECTION 2408w. 230.12 (4) (b) of the statutes is amended to  
20 read:

21 230.12 (4) (b) The secretary director may, without prior approval of the joint  
22 committee on employment relations, determine the circumstances under which it is  
23 appropriate for an appointing authority to grant, and authorize an appointing  
24 authority to grant, a general wage or parity adjustment, or appropriate portion  
25 thereof, previously approved by the committee under this section to employees who

1 did not receive the adjustment on the effective date of the adjustment set forth in the  
2 plan. No general wage or parity adjustment may become effective for any employee  
3 prior to the effective date of the individual employee transaction, but the secretary  
4 director may authorize an appointing authority to grant a lump sum payment to an  
5 employee to reflect any wage or parity adjustment that the employee did not receive  
6 during the period between the effective date of the adjustment set forth in the plan  
7 and the effective date of the individual employee transaction.

8 \*b0155/3.111\* **SECTION 2408x.** 230.12 (5) (c) of the statutes is amended to read:

9 230.12 (5) (c) *Increase limits.* Unless otherwise defined in the pay schedule the  
10 total amount for all such within range increases shall not exceed the amount for such  
11 increases specified and approved by the joint committee on employment relations in  
12 its action on the ~~secretary's~~ director's proposal for such increases.”.

13 \*b0155/3.112\* **1179.** Page 937, line 2: delete “secretary” and substitute  
14 “secretary director”.

15 \*b0155/3.113\* **1180.** Page 937, line 4: delete the material beginning with  
16 “secretary” and ending with “administration” on line 5 and substitute “secretary  
17 director and with the ~~department~~ secretary of administration”.

18 \*b0155/3.114\* **1181.** Page 937, line 6: after that line insert:

19 \*b0155/3.114\* “**SECTION 2409d.** 230.12 (9) of the statutes is amended to read:  
20 230.12 (9) **HEALTH INSURANCE PREMIUM CREDITS.** The secretary director may  
21 recommend to the joint committee on employment relations a program,  
22 administered by the department of employee trust funds, that provides health  
23 insurance premium credits to employees whose compensation is established under  
24 this section or s. 20.923 (2) or (3). The health insurance premium credits shall be

1 used for the purchase of health insurance for a retired employee, or the retired  
2 employee's surviving insured dependents, and shall be based on the employee's years  
3 of continuous service, accumulated unused sick leave and any other factor  
4 recommended by the secretary director. The approval process for the program is the  
5 same as that provided under sub. (3) (b) and the program shall be incorporated into  
6 the compensation plan under sub. (1).

7 \*b0155/3.114\* SECTION 2409h. 230.13 (1) (intro.) of the statutes is amended  
8 to read:

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

12 \*b0155/3.114\* SECTION 2409p. 230.13 (2) of the statutes is amended to read:

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

16 \*b0155/3.114\* SECTION 2409t. 230.13 (3) of the statutes is amended to read:

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

23 \*b0390/1.3\* 1182. Page 937, line 6: after that line insert:

24 \*b0390/1.3\* “SECTION 2409g. 230.12 (9) of the statutes is amended to read:

1 230.12 (9) HEALTH INSURANCE PREMIUM CREDITS. The ~~secretary~~<sup>director</sup> may recommend ✓  
 2 to the joint committee on employment relations a program, administered by the  
 3 department of employee trust funds, that provides health insurance premium  
 4 credits to employees whose compensation is established under this section or s.  
 5 20.923 (2) or (3). The health insurance premium credits shall be used for the  
 6 purchase of health insurance for a retired employee, or the retired employee's  
 7 surviving insured dependents, and for an eligible employee under s. 40.02 (25) (b) 6e.,  
 8 or the eligible employee's surviving insured dependents, and shall be based on the  
 9 employee's years of continuous service, accumulated unused sick leave and any other  
 10 factor recommended by the ~~secretary~~<sup>director</sup>. The approval process for the program is the  
 11 same as that provided under sub. (3) (b) and the program shall be incorporated into  
 12 the compensation plan under sub. (1)."

13 ~~\*b0135/2.9\* 1183.~~ Page 937, line 11: delete "(kp)" and substitute "(ki)". ✓

14 \*b0155/3.115\* 1184. Page 937, line 11: delete "20.512 (1) (ka) 20.505 (1) (kp)"  
 15 and substitute "20.512 20.545 (1) (ka)". PLAIN

16 \*b0155/3.116\* 1185. Page 937, line 18: delete "department of employment  
 17 relations" and substitute "department of employment relations office".

18 \*b0155/3.117\* 1186. Page 937, line 19: after that line insert:

19 \*b0155/3.117\* "SECTION 2412b. 230.15 (1m) (b) (intro.) of the statutes is  
 20 amended to read:

21 230.15 (1m) (b) (intro.) Whenever a position is included in the classified service  
 22 under par. (a), the ~~secretary~~ director shall determine all of the following:

23 \*b0155/3.117\* SECTION 2412e. 230.16 (7m) (b) (intro.) of the statutes is  
 24 amended to read:

1           230.16 (7m) (b) (intro.) The ~~department~~ office shall accept an application after  
2 its due date from a veteran if all of the following apply:

3           **\*b0155/3.117\* SECTION 2412m.** 230.16 (7m) (c) of the statutes is amended to  
4 read:

5           230.16 (7m) (c) Within 30 days after acceptance of an application under par.  
6 (b), the ~~department~~ office shall give the applicant an examination.

7           **\*b0155/3.117\* SECTION 2412s.** 230.21 (1m) (b) of the statutes is amended to  
8 read:

9           230.21 (1m) (b) If the administrator uses the method of random certification  
10 to determine which applicants for an unskilled labor or service position will receive  
11 further consideration for the position and the appointing authority does not select  
12 a veteran or a person the hiring of whom would serve affirmative action purposes,  
13 the appointing authority shall make and retain a written record of the appointing  
14 authority's reasons for selecting the person who was appointed. The appointing  
15 authority shall make the written records available to the ~~department~~ office and  
16 annually submit a report to the ~~department~~ office summarizing the reasons  
17 contained in the written records.”.

18           **\*b0155/3.118\* 1187.** Page 937, line 21: delete the material beginning with  
19 “secretary” and ending with “16.50” on line 22 and substitute “secretary director and  
20 with the approval of the secretary of administration under s. 16.50”.

21           **\*b0155/3.119\* 1188.** Page 938, line 3: after that line insert:

22           **\*b0155/3.119\* “SECTION 2413b.** 230.215 (3) (b) of the statutes is amended to  
23 read:

1           230.215 (3) (b) If the secretary director, upon review of the report submitted  
2 under sub. (4), determines that an agency's past or proposed actions relating to  
3 permanent part-time employment opportunities do not adequately reflect the policy  
4 under sub. (1) (e), the secretary director may recommend procedures designed to  
5 enable the agency to effect such policy.

6           **\*b0155/3.119\* SECTION 2413d.** 230.215 (4) of the statutes is amended to read:

7           230.215 (4) REPORTS. Each agency, in complying with s. 15.04 (1) (d), shall  
8 include a report on the progress or failure of the plans of such agency in achieving  
9 the policies stated under sub. (1) and shall submit a copy of such report to the  
10 secretary director.

11           **\*b0155/3.119\* SECTION 2413f.** 230.22 (1) of the statutes is amended to read:

12           230.22 (1) The secretary director may establish by rule an entry professional  
13 class program for use in a wide range of entry professional positions.

14           **\*b0155/3.119\* SECTION 2413h.** 230.22 (2) of the statutes is amended to read:

15           230.22 (2) In connection with this program the secretary director may establish  
16 separate classifications and corresponding pay provisions to provide agencies an  
17 entry professional program, through which they can compete on campuses and in the  
18 labor market for the best available applicants.

19           **\*b0155/3.119\* SECTION 2413i.** 230.24 (1) of the statutes is amended to read:

20           230.24 (1) The secretary director may by rule develop a career executive  
21 program that emphasizes excellence in administrative skills in order to provide  
22 agencies with a pool of highly qualified executive candidates, to provide outstanding  
23 administrative employees a broad opportunity for career advancement and to  
24 provide for the mobility of such employees among the agencies and units of state  
25 government for the most advantageous use of their managerial and administrative

1 skills. To accomplish the purpose of this program, the administrator may provide  
2 policies and standards for recruitment, examination, probation, employment  
3 register control, certification, transfer, promotion and reemployment, and the  
4 ~~secretary~~ director may provide policies and standards for classification and salary  
5 administration, separate from procedures established for other employment. The  
6 ~~secretary~~ director shall determine the positions which may be filled from career  
7 executive employment registers.

8 \*b0155/3.119\* SECTION 2413k. 230.25 (1p) of the statutes is amended to read:

9 230.25 (1p) If an appointing authority appoints a person certified under this  
10 section and the person is not a veteran, the spouse of a veteran or a person the hiring  
11 of whom would serve affirmative action purposes, the appointing authority shall  
12 make and retain a written record of the appointing authority's reasons for selecting  
13 the person who was appointed. The appointing authority shall make the written  
14 records available to the ~~department~~ office and annually submit a report to the  
15 ~~department~~ office summarizing the reasons contained in the written records. The  
16 ~~department~~ office shall annually prepare a report summarizing, for each agency, the  
17 reasons contained in the records prepared by appointing authorities under this  
18 subsection.

19 \*b0155/3.119\* SECTION 2413r. 230.27 (2k) of the statutes is amended to read:

20 230.27 (2k) If an appointing authority selects, for a project position, a person  
21 who is not a veteran or is not a person the hiring of whom would serve affirmative  
22 action purposes, the appointing authority shall make and retain a written record of  
23 the appointing authority's reasons for selecting the person who was appointed. The  
24 appointing authority shall make the written records available to the ~~department~~  
25 office and annually submit a report to the ~~department~~ office summarizing the



1 reasons contained in the written records. The ~~department~~ office shall annually  
2 prepare a report summarizing, for each agency, the information submitted by  
3 appointing authorities under this subsection.

4 **\*b0155/3.119\* SECTION 2413s.** 230.32 (3) of the statutes is amended to read:

5 230.32 (3) (a) Any classified employee who leaves state service and enters the  
6 armed forces of the United States shall, under this section, be granted written  
7 military leave of absence by the appointing authority. Notice of such leave from state  
8 service and the terms of any such leave shall be given in writing by the appointing  
9 authority to the ~~secretary~~ director for purposes of record.

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

19 (c) All such military or civilian leaves of absence as heretofore may have been  
20 granted are validated and shall be deemed to be sufficient and effective hereunder.  
21 Such leaves shall be recorded with the ~~secretary~~ director.

22 **\*b0155/3.119\* SECTION 2413t.** 230.33 (2) of the statutes is amended to read:

23 230.33 (2) A person appointed to an unclassified position by an appointing  
24 authority other than an appointing authority described under sub. (1), to a  
25 department other than the one in which the person was a classified employee may

1 be granted a leave of absence without pay at the option of the person's former  
2 appointing authority in accordance with the leave of absence provisions in the rules  
3 of the ~~secretary~~ director. An employee granted a leave of absence shall have the same  
4 restoration rights and reinstatement privileges as under sub. (1m). If not granted  
5 a leave of absence, the employee shall be entitled only to the reinstatement privileges  
6 under sub. (1m).”.

7 \*b0206/1.23\* **1189**. Page 938, line 4: delete lines 4 to 25.

8 \*b0155/3.120\* **1190**. Page 938, line ~~118~~<sup>25</sup>: after that line insert:

9 \*b0155/3.120\* “SECTION 2416b. 230.34 (1) (c) of the statutes is amended to  
10 read:

11 230.34 (1) (c) The ~~secretary~~ director shall establish guidelines for uniform  
12 application of this authority among the various agencies.

13 \*b0155/3.120\* SECTION 2416d. 230.34 (4) of the statutes is amended to read:

14 230.34 (4) Resignations shall be regulated by the rules of the ~~secretary~~ director.

15 \*b0155/3.120\* SECTION 2416f. 230.35 (1) (d) of the statutes is amended to read:

16 230.35 (1) (d) Annual leaves of absence shall not be cumulative except under  
17 sub. (1p) and except that unused annual leave shall, subject to the rules of the  
18 ~~secretary~~ director, be used in the year following the one in which it was earned, but  
19 no employee shall lose any unused annual leave because the employee's work  
20 responsibilities prevented the usage of the unused annual leave during the first 6  
21 months of the year following the year in which it was earned.

22 \*b0155/3.120\* SECTION 2416h. 230.35 (2) of the statutes is amended to read:

23 230.35 (2) Leave of absence with pay owing to sickness and leave of absence  
24 without pay, other than annual leave and leave under s. 103.10, shall be regulated

1 by rules of the secretary director, except that unused sick leave shall accumulate  
2 from year to year. After July 1, 1973, employees appointed to career executive  
3 positions under the program established under s. 230.24 or positions designated in  
4 s. 19.42 (10) (L) or 20.923 (4), (7), (8), and (9) or authorized under s. 230.08 (2) (e) shall  
5 have any unused sick leave credits restored if they are reemployed in a career  
6 executive position or in a position under s. 19.42 (10) (L) or 20.923 (4), (7), (8), and  
7 (9) or authorized under s. 230.08 (2) (e), regardless of the duration of their absence.  
8 Restoration of unused sick leave credits if reemployment is to a position other than  
9 those specified above shall be in accordance with rules of the secretary director.

10 **\*b0155/3.120\* SECTION 2416j.** 230.35 (2r) (b) of the statutes is amended to  
11 read:

12 230.35 (2r) (b) The secretary director may establish, by rule, a catastrophic  
13 leave program that permits employees to donate certain types and amounts of leave  
14 credits to other employees who have been absent from pay status because of a  
15 catastrophic need for which there is no paid leave benefits or replacement income  
16 available. The secretary director shall determine the types and amounts of leave  
17 credits that may be donated.

18 **\*b0155/3.120\* SECTION 2416L.** 230.35 (3) (d) of the statutes is amended to  
19 read:

20 230.35 (3) (d) Employees of the state are entitled to reasonable paid leaves of  
21 absence to compete in promotional examinations and interviews. The secretary  
22 director shall promulgate rules governing the lengths of time allowable for such  
23 leaves, their frequency and the provisions for their use.

24 **\*b0155/3.120\* SECTION 2416m.** 230.35 (3) (e) 2. e. of the statutes is amended  
25 to read:

1           230.35 (3) (e) 2. e. The leave of absence conforms with any rules of the ~~secretary~~  
2           director regarding leaves of absence to provide specialized disaster relief services.

3           **\*b0155/3.120\* SECTION 2416n.** 230.35 (3) (e) 5. of the statutes is amended to  
4           read:

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

7           **\*b0155/3.120\* SECTION 2416p.** 230.35 (5) (b) of the statutes is amended to  
8           read:

9           230.35 (5) (b) The standard basis of employment shall be divided into 5 work  
10          days of 8 hours each except as provided under s. 230.215 (5), and except that when  
11          the conditions of employment cannot be satisfied by adhering to this division or when  
12          the public would not be inconvenienced, deviations may be permitted upon  
13          recommendation of the appointing authority and subsequent approval by the  
14          ~~secretary~~ director.

15          **\*b0155/3.120\* SECTION 2416r.** 230.37 (1) of the statutes is amended to read:

16          230.37 (1) In cooperation with appointing authorities the ~~secretary~~ director  
17          shall establish an employee performance evaluation program to provide a continuing  
18          record of employee development and, when applicable, to serve as a basis for  
19          pertinent personnel actions. Similar evaluations shall be conducted during the  
20          probationary period but may not infringe upon the authority of the appointing  
21          authority to retain or dismiss employees during the probationary period.

22          **\*b0155/3.120\* SECTION 2416t.** 230.43 (5) of the statutes is amended to read:

23          230.43 (5) TAXPAYERS' SUITS. The right of any taxpayer to bring any action to  
24          restrain the payment of compensation to any person appointed to or holding any  
25          office or place of employment in violation of this subchapter shall not be limited or

1 denied by reason of the fact that the office or place of employment has been classified  
2 as, or determined to be, not subject to competitive examination; however, any  
3 judgment or injunction in any such action shall be prospective only, and shall not  
4 affect payments already made or due to such persons by the proper disbursing  
5 officers, in accordance with the rules of the secretary director in force at the time of  
6 such payments.

7 \*b0155/3.120\* SECTION 2416v. 230.44 (1) (b) of the statutes is amended to  
8 read:

9 230.44 (1) (b) *Decision made or delegated by secretary director*. Appeal of a  
10 personnel decision under s. 230.09 (2) (a) or (d) or 230.13 (1) made by the secretary  
11 director or by an appointing authority under authority delegated by the secretary  
12 director under s. 230.04 (1m).”.

13 \*b0155/3.121\* **1191**. Page 938, line 25: after that line insert:

14 \*b0155/3.121\* “SECTION 2417m. 230.44 (1) (dm) of the statutes is amended to  
15 read:

16 230.44 (1) (dm) *Noncompetitive appointment of certain disabled veterans*. A  
17 personnel action under s. 230.275 by an appointing authority that is alleged to be  
18 illegal or an abuse of discretion. The administrator and the department office may  
19 not be a party to any such appeal.

20 \*b0155/3.121\* SECTION 2417s. 230.44 (4) (bm) of the statutes is amended to  
21 read:

22 230.44 (4) (bm) Upon request of an employee who files an appeal of the decision  
23 of the secretary director made under s. 230.09 (2) (a) or (d), the appeal shall be heard  
24 by a commissioner or attorney employed by the commission serving as arbitrator

1 under rules promulgated for this purpose by the commission. In such an arbitration,  
2 the arbitrator shall orally render a decision at the conclusion of the hearing  
3 affirming, modifying or rejecting the decision of the ~~secretary~~ director. The decision  
4 of the arbitrator is final and is not subject to review by the commission. An  
5 arbitrator's decision may not be cited as precedent in any other proceeding before the  
6 commission or before any court. The arbitrator shall promptly file his or her decision  
7 with the commission. The decision of the arbitrator shall stand as the decision of the  
8 commission. The decision of the commission is subject to review under ss. 227.53 to  
9 227.57 only on the ground that the decision was procured by corruption, fraud or  
10 undue means or that the arbitrator or the commission exceeded the arbitrator's or  
11 the commission's power. The record of a proceeding under this paragraph shall be  
12 transcribed as provided in s. 227.44 (8).”

13 \*b0155/3.122\* **1192.** Page 939, line 9: after that line insert:

14 \*b0155/3.122\* “SECTION 2422g. 230.45 (1) (h) of the statutes is amended to  
15 read:

16 230.45 (1) (h) Keep minutes of its own proceedings and other official actions.  
17 All such records shall, subject to reasonable rules, be open to public inspection.  
18 Records of the ~~secretary~~ director or the administrator which are confidential shall  
19 be kept confidential by the division of equal rights or the commission.

20 \*b0155/3.122\* SECTION 2422r. 230.45 (1) (i) of the statutes is amended to read:

21 230.45 (1) (i) Adopt rules necessary to carry out this section. Notice of the  
22 contents of such rules and amendments thereto shall be given promptly to the  
23 ~~secretary~~ director, the administrator and appointing authorities affected thereby.”

1           **\*b0155/3.123\* 1193.** Page 940, line 7: delete “secretary” and substitute  
2 “director”.

3           **\*b0155/3.124\* 1194.** Page 940, line 10: delete “secretary” and substitute  
4 “director”.

5           **\*b0155/3.125\* 1195.** Page 940, line 11: after that line insert:

6           **\*b0155/3.125\*** “SECTION 2427g. 230.46 of the statutes is amended to read:

7           **230.46 Duties of council on affirmative action.** The council on affirmative  
8 action in the department office shall serve in a direct advisory capacity to the  
9 ~~secretary~~ director and as part of that relationship shall evaluate the progress of  
10 affirmative action programs throughout the civil service system, seek compliance  
11 with state and federal regulations and recommend improvements in the state’s  
12 affirmative action efforts as an employer. In carrying out its responsibilities, the  
13 council may recommend legislation, consult with agency personnel and other  
14 interested persons, conduct hearings and take other appropriate action to promote  
15 affirmative action. The council shall report at least once per year to the governor and  
16 the legislature.

17           **\*b0155/3.125\* SECTION 2427r.** 230.48 (2) of the statutes is amended to read:

18           **230.48 (2) PERSONNEL, FACILITIES AND EQUIPMENT.** The ~~department~~ office shall  
19 appoint, under the classified service, a secretary and such other employees as are  
20 necessary to carry out the duties of the state employees suggestion board, and shall  
21 provide such facilities and equipment as that board requires for the proper  
22 performance of its work. The state employees suggestion board may request and  
23 shall receive from any state department any assistance that it requires.”.

1           **\*b0155/3.126\* 1196.** Page 945, line 24: delete the material beginning with  
2 “department” and ending with “administration” on line 25 and substitute  
3 “department of employment relations office of state human resources management”.

4           **\*b0155/3.127\* 1197.** Page 946, line 8: delete “department of employment  
5 relations administration” and substitute “department of employment relations office  
6 of state human resources management”.

7           **\*b0075/1.1\* 1198.** Page 946, line 10: delete the material beginning with that  
8 line and ending with page 947, line 2.

9           **\*b0144/1.1\* 1199.** Page 951, line 20: after that line insert:

10           **\*b0144/1.1\* “SECTION 2455r.** 255.06 (2) (i) of the statutes is created to read:  
11           255.06 (2) (i) *Multiple sclerosis screening services.* Allocate and expend at least  
12 \$60,000 in each fiscal year as reimbursement for the provision of multiple sclerosis  
13 screening services to women.”.

14           **\*b0145/1.12\* 1200.** Page 951, line 20: after that line insert:

15           **\*b0145/1.12\* “SECTION 2455r.** 255.10 (intro.) of the statutes is amended to  
16 read:

17           **255.10 Thomas T. Melvin youth tobacco prevention and education**  
18 **program.** (intro.) From the moneys distributed under s. 255.15 (3) ~~(a) 2.~~ (b), the  
19 department shall administer the Thomas T. Melvin youth tobacco prevention and  
20 education program, with the primary purpose of reducing the use of cigarettes and  
21 tobacco products by minors. The department shall award grants for the following  
22 purposes:

23           **\*b0145/1.12\* SECTION 2455v.** 255.15 (title) of the statutes is amended to read:

24           **255.15 (title) Statewide tobacco use control program.”.**



1           **\*b0145/1.13\* 1201.** Page 952, line 4: after that line insert:

2           **\*b0145/1.13\*** “SECTION 2459d. 255.15 (1m) (f) of the statutes is amended to  
3 read:

4           255.15 (1m) (f) ~~Develop and prepare an annual plan regarding~~ Continue  
5 implementation of a strategic plan for a statewide tobacco use control program,  
6 including the allocation of funding for a statewide tobacco control program, and  
7 update the plan annually.”.

8           **\*b0145/1.14\* 1202.** Page 952, line 5: delete lines 5 to 11 and substitute:

9           **\*b0145/1.14\*** “SECTION 2459x. 255.15 (2m) of the statutes is created to read:

10           255.15 (2m) TOBACCO CONTROL ADVISORY COMMITTEE. (a) The secretary shall,  
11 under s. 15.04 (1) (c), create a tobacco control advisory committee. The committee  
12 shall consist of not more than 17 members, appointed by the secretary for 3-year  
13 terms, and shall include all of the following:

14           1. At least one representative of a local tobacco prevention coalition.

15           2. At least one youth who represents youth involved in tobacco prevention and  
16 control efforts.

17           3. At least one representative of a population that is disproportionately  
18 impacted by tobacco use.

19           4. At least one representative of a statewide health care provider association  
20 or organization.

21           5. At least one representative of a statewide or regional hospital association or  
22 organization.

23           6. At least one representative of a statewide or regional insurance association  
24 or organization.

1           7. At least one representative of a state or local chamber of commerce or other  
2 business association or organization.

3           8. One senator.

4           9. One representative to the assembly who is of a different political party from  
5 the senator appointed under subd. 8.

6           10. At least 3 representatives of organizations that have the reduction of the  
7 health and economic impacts of tobacco use as their primary organizational  
8 missions.

9           11. The secretary.

10          12. The superintendent of public instruction or his or her designee.

11          13. The attorney general or his or her designee.

12          14. One or more members of organizations or associations specified by the  
13 department.

14          (b) The tobacco control advisory committee shall do all of the following:

15           1. Develop public–private partnerships on tobacco use control issues and  
16 initiatives.

17           2. Ensure regular review and monitoring of the plan under sub. (1m) (f).

18           3. Identify external resources and steps that the department could take to  
19 support implementation of the plan under sub. (1m) (f) or other local tobacco use  
20 prevention and control policy initiatives.

21           4. Ensure coordination with other tobacco control efforts in this state.

22           5. Provide advice and guidance on proposed tobacco use prevention and control  
23 plans and strategies, including those funded under sub. (3).

1           6. Ensure that an external evaluator conducts regular outcome-based  
2 evaluations of tobacco use prevention and control projects and presents the  
3 evaluations to the joint legislative audit committee.

4           7. Develop and distribute an annual report on the impacts of tobacco use in this  
5 state and the progress of tobacco use prevention and control efforts.

6           8. For members specified in par. (a) 1., 4., 5., 6., 7., 10., and 14., commit the  
7 human and material resources of the associations or organizations represented by  
8 those members to efforts toward tobacco use prevention and control to the greatest  
9 extent possible.

10          9. Address the issue of populations most adversely affected by tobacco use.

11          **\*b0145/1.14\* SECTION 2460d.** 255.15 (3) (a) of the statutes is repealed.

12          **\*b0145/1.14\* SECTION 2461d.** 255.15 (3) (b) (intro.) of the statutes is amended  
13 to read:

14           255.15 (3) (b) (intro.) From the appropriation under s. ~~20.436 (1) (e)~~ 20.435 (5)  
15 (fm), the ~~board~~ department may distribute grants for any of the following:

16          **\*b0145/1.14\* SECTION 2461r.** 255.15 (3) (b) 8. of the statutes is amended to  
17 read:

18           255.15 (3) (b) 8. Other tobacco use cessation or prevention programs, including  
19 tobacco research and intervention.”.

20          **\*b0145/1.15\* 1203.** Page 953, line 3: delete lines 3 to 7 and substitute:

21          **\*b0145/1.15\* “SECTION 2464d.** 255.15 (6) of the statutes is repealed.”.

22          **\*b0107/1.39\* 1204.** Page 953, line 8: delete lines 8 to 10.

23          **\*b0126/1.2\* 1205.** Page 953, line 12: substitute “\$55,100,000” for  
24 “\$92,400,000”.

1           **\*b0126/1.3\* 1206.** Page 953, line 16: substitute “\$4,000,000” for  
2           “\$12,000,000”.

3           **\*b0126/1.4\* 1207.** Page 954, line 4: substitute “\$1,615,955,000” for  
4           “\$1,658,025,000”.

5           **\*b0186/2.1\* 1208.** Page 954, line 25: after “inspection” insert “plus the fee  
6           under sub. (1) (c)”.

7           **\*b0186/2.2\* 1209.** Page 954, line 25: substitute “\$400” for “\$450”.

8           **\*b0186/2.3\* 1210.** Page 955, line 2: after “inspection” insert “plus the fee  
9           under sub. (1) (c)”.

10          **\*b0105/3.6\* 1211.** Page 955, line 15: after that line insert:

11          **\*b0105/3.6\*** “SECTION 2474kd. 287.03 (1) (d) of the statutes is repealed.

12          **\*b0105/3.6\*** SECTION 2474kf. 287.19 (2) of the statutes is amended to read:

13           287.19 (2) POWERS. In providing assistance under sub. (1), the department may  
14           provide assistance relating to the marketing of materials recovered from solid waste,  
15           if the provision of that assistance is a responsibility assigned to the department in  
16           a memorandum of understanding, contract or other agreement with the recycling  
17           market development board.

18          **\*b0105/3.6\*** SECTION 2474kq. 287.22 (2) (c) of the statutes is amended to read:

19           287.22 (2) (c) Advise state agencies concerning the promulgation of rules under  
20           ss. 100.29, 100.295, and 101.126 and 560.031.

21          **\*b0105/3.6\*** SECTION 2474L. 287.26 of the statutes is created to read:

22           **287.26 Recycling market development grants.** (1) The department shall  
23           award a grant of \$50,000 in each fiscal year to a private, nonprofit,  
24           industry-supported organization that is described in section 501 (c) (3) of the

1 Internal Revenue Code and that provides waste reduction and recycling assistance  
2 through business-to-business peer exchange. An organization that is awarded a  
3 grant must be instrumental in assisting and encouraging companies and institutions  
4 to reduce their operating costs through improved production and solid waste  
5 management practices and must be in existence on October 29, 1999.

6 (2) The department shall annually contract for the operation of a statewide  
7 materials exchange program with a materials exchange program that received  
8 funding from the recycling market development board in the 1997–99 fiscal  
9 biennium.”.

10 \*b0207/1.5\* **1212.** Page 955, line 16: delete lines 16 to 19 and substitute:

11 \*b0207/1.5\* “SECTION 2475g. 289.64 (6) of the statutes is amended to read:

12 289.64 (6) USE OF SOLID WASTE FACILITY SITING BOARD FEES. The fees collected  
13 under sub. (2) shall be credited to the appropriation under s. 20.370 (2) (eg) for  
14 transfer to the appropriation under s. 20.505 (4) (k) (ei).”.

15 \*b0183/5.10\* **1213.** Page 955, line 19: after that line insert:

16 \*b0183/5.10\* “SECTION 2475r. 292.11 (14) of the statutes is created to read:

17 292.11 (14) FUNDING FROM AGRICHEMICAL MANAGEMENT FUND. If the department  
18 expends funds from the appropriation under s. 20.370 (2) (dv) to take action  
19 authorized under s. 94.73 (2m), the department may request the joint committee on  
20 finance to supplement the appropriation under s. 20.370 (2) (dx) in an amount equal  
21 to the amount expended. If the department proposes to take action authorized under  
22 s. 94.73 (2m), the department may request the joint committee on finance to  
23 supplement the appropriation under s. 20.370 (2) (dx) in an amount equal to the  
24 amount that the department expects to expend to take that action. The joint

1 committee on finance may, from the appropriation under s. 20.865 (4) (u),  
2 supplement the appropriation under s. 20.370 (2) (dx) in an amount equal to the  
3 amount that the department expended or expects to expend to take action under s.  
4 94.73 (2m). Notwithstanding s. 13.101 (3) (a), the committee is not required to find  
5 that an emergency exists.”.

6 \*b0187/1.1\* **1214.** Page 955, line 19: after that line insert:

7 \*b0187/1.1\* “SECTION 2475e. 289.645 (4) (d) of the statutes is created to read:

8 289.645 (4) (d) The recycling fee does not apply to sediments that are  
9 contaminated with PCBs, as defined in s. 299.45 (1) (a), and that are removed from  
10 the bed of a navigable water of this state in connection with a phase of a project to  
11 remedy contamination of the bed of the navigable water if the quantity of the  
12 sediments removed, either in the phase or in combination with other planned phases  
13 of the project, will exceed 200,000 cubic yards.”.

14 \*b0182/1.6\* **1215.** Page 955, line 20: delete the material beginning with that  
15 line and ending with page 957, line 10.

16 \*b0182/1.7\* **1216.** Page 957, line 12: delete that line.

17 \*b0183/5.11\* **1217.** Page 957, line 21: after that line insert:

18 \*b0183/5.11\* “SECTION 2481s. 299.41 of the statutes is renumbered 93.57 and  
19 amended to read:

20 **93.57 Household hazardous waste.** The department shall establish and  
21 administer a grant program to assist municipalities and regional planning  
22 commissions in creating and operating local programs for the collection and disposal  
23 of household hazardous waste.”.

24 \*b0213/3.17\* **1218.** Page 958, line 17: delete lines 17 to 23.

1           **\*b0244/1.3\* 1219.** Page 958, line 23: after that line insert:

2           **\*b0244/1.3\*** “SECTION 2485g. 301.0465 of the statutes is created to read:

3           **301.0465 Halfway houses for nonviolent offenders.** (1) ESTABLISHMENT  
4           AND COST. The department shall request proposals and may contract for the  
5           establishment of 2 25–bed halfway houses for nonviolent offenders, with one to be  
6           located in an urban area and one in a rural area. The department, however, may not  
7           accept a proposal unless its daily cost per inmate under the proposal is less than or  
8           equal to its highest daily cost per inmate under contracts entered into under s.  
9           301.21.

10           (2) FACILITY, INMATE, OFFICER, AND EMPLOYEE STATUS. A halfway house  
11           established under sub. (1) is a state prison under s. 302.01. Inmates confined in a  
12           halfway house under this section are under the care and control of the halfway house,  
13           subject to its rules and discipline, and subject to all laws pertaining to inmates of  
14           other state prisons. Officers and employees of a halfway house are subject to all laws  
15           pertaining to other state prisons.

16           (3) ELIGIBILITY. The department shall determine which prisoners are to be  
17           confined in a halfway house established under sub. (1), but a prisoner is eligible for  
18           this confinement only if all of the following apply:

19           (a) The prisoner is a nonviolent offender to whom one of the following applies:

20           1. He or she is serving no more than the last 6 months of the term of confinement  
21           of a bifurcated sentence.

22           2. He or she was returned to prison under s. 302.113 (9) and there are no more  
23           than 6 months remaining of the time for which he or she is to be incarcerated.

1           3. He or she is serving an indeterminate sentence for a crime other than a  
2 serious felony, as defined in s. 302.11 (1g), and there are no more than 6 months  
3 remaining until his or her mandatory release date under s. 302.11.

4           4. He or she is serving an indeterminate sentence and the parole commission  
5 has authorized his or her release on parole within the next 6 months.

6           5. He or she is serving no more than the last 6 months of an indeterminate  
7 sentence.

8           (b) Upon a petition by the department within the 3 months immediately  
9 preceding the person's placement in the halfway house, the sentencing court entered  
10 an order authorizing the placement.

11           (4) NO DIRECT COMMITMENT BY COURT. A court may not directly commit persons  
12 to a halfway house established under sub. (1).

13           (5) REPORT. The department shall submit a report to the legislature under s.  
14 13.172 (2) and to the governor by January 1, 2007, addressing all of the following:

15           (a) The success of the halfway house program under this section in  
16 reintegrating offenders into the community as compared to other programs for  
17 incarcerated offenders.

18           (b) The cost effectiveness of the program.

19           (c) The administration of the program.

20           (d) The public's opinion of the program.

21           **\*b0244/1.3\* SECTION 2485r.** 301.0465 of the statutes, as created by 2003  
22 Wisconsin Act .... (this act), is repealed.”.

23           **\*b0213/3.18\* 1220.** Page 959, line 6: delete lines 6 to 23.

End of  
E.O.