



1 herein shall deprive or relieve local peace officers of the power and duty to enforce
2 those provisions enumerated in sub. (1).

3 ***-1789/2.1* SECTION 2100.** 165.755 (1) (a) of the statutes is amended to read:

4 165.755 (1) (a) Except as provided in par. (b), a court shall impose a crime
5 laboratories and drug law enforcement assessment of \$5 \$7 if the court imposes a
6 sentence, places a person on probation or imposes a forfeiture for a violation of state
7 law or for a violation of a municipal or county ordinance.

8 ***-0529/4.189* SECTION 2101.** 165.755 (3) of the statutes is amended to read:

9 165.755 (3) Except as provided in sub. (4), after the court determines the
10 amount due under sub. (1) (a), the clerk of the court shall collect and transmit the
11 amount to the county treasurer under s. 59.40 (2) (m). The county treasurer shall
12 then make payment to the ~~state treasurer~~ secretary of administration under s. 59.25
13 (3) (f) 2.

14 ***-0529/4.190* SECTION 2102.** 165.755 (4) of the statutes is amended to read:

15 165.755 (4) If a municipal court imposes a forfeiture, after determining the
16 amount due under sub. (1) (a) the court shall collect and transmit such amount to the
17 treasurer of the county, city, town, or village, and that treasurer shall make payment
18 to the ~~state treasurer~~ secretary of administration as provided in s. 66.0114 (1) (bm).

19 ***-0529/4.191* SECTION 2103.** 165.755 (5) of the statutes is amended to read:

20 165.755 (5) If any deposit of bail is made for a noncriminal offense to which sub.
21 (1) (a) applies, the person making the deposit shall also deposit a sufficient amount
22 to include the assessment prescribed in sub. (1) (a) for forfeited bail. If bail is
23 forfeited, the amount of the assessment under sub. (1) (a) shall be transmitted
24 monthly to the ~~state treasurer~~ secretary of administration under this section. If bail
25 is returned, the assessment shall also be returned.

1 ***-0529/4.192* SECTION 2104.** 165.755 (6) of the statutes is amended to read:

2 165.755 (6) If an inmate in a state prison or a person sentenced to a state prison
3 has not paid the crime laboratories and drug law enforcement assessment under sub.
4 (1) (a), the department shall assess and collect the amount owed from the inmate's
5 wages or other moneys. Any amount collected shall be transmitted to the state
6 ~~treasurer~~ secretary of administration.

7 ***-0529/4.193* SECTION 2105.** 165.755 (7) of the statutes is amended to read:

8 165.755 (7) All moneys collected from crime laboratories and drug law
9 enforcement assessments under this section shall be deposited by the ~~state treasurer~~
10 secretary of administration and used as specified in s. 20.455 (2) (kd) and (Lm).

11 ***-1789/2.2* SECTION 2106.** 165.82 (1) (intro.) of the statutes is amended to

12 read:

13 165.82 (1) (intro.) Notwithstanding s. 19.35 (3), the department of justice shall
14 impose the following fees, plus any surcharge required under sub. (1m), for criminal
15 history searches for purposes unrelated to criminal justice or to s. 175.35:

16 ***-1789/2.3* SECTION 2107.** 165.82 (1) (ar) of the statutes is amended to read:

17 165.82 (1) (ar) For each fingerprint card record check requested by a
18 governmental agency or nonprofit organization, \$10 \$15.

19 ***-1789/2.4* SECTION 2108.** 165.82 (1m) of the statutes is created to read:

20 165.82 (1m) The department of justice shall impose a \$5 surcharge if a person
21 requests a paper copy of the results of a criminal history search requested under sub.
22 (1).

23 ***-1782/1.2* SECTION 2111.** 166.03 (1) (b) 7. of the statutes is repealed.

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

1 166.03 (2) (a) 7. Apply for contracts and receive and expend any moneys or
2 grant from the federal government related to homeland security. Before the adjutant
3 general expends any moneys or grant under this subdivision, the adjutant general
4 shall notify the joint committee on finance in writing of the proposed action. If the
5 cochairpersons of the committee do not notify the adjutant general that the
6 committee has scheduled a meeting for the purpose of reviewing the proposed
7 expenditure within 14 working days after the date of the adjutant general's
8 notification, the expenditure may be completed. If, within 14 working days after the
9 date of the adjutant general's notification, the cochairpersons of the committee notify
10 the adjutant general that the committee has scheduled a meeting for the purpose of
11 reviewing the proposed expenditure, the expenditure may be completed under this
12 subdivision only upon approval of the committee.

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

14 166.03 (2) (a) 8. Administer the federal homeland security programs using the
15 funds received under s. 20.465 (3) (mg).

16 ***-1782/1.3* SECTION 2112.** 166.03 (2) (b) 9. of the statutes is repealed.

17 ***-0350/2.2* SECTION 2113.** 166.03 (8) (f) of the statutes is amended to read:

18 166.03 (8) (f) If the total liability for worker's compensation benefits under par.
19 (d), indemnification under par. (e), and loss from destruction of equipment under sub.
20 (9), incurred in any calendar year exceeds \$1 per capita of the sponsor's population,
21 the state shall reimburse the sponsor for the excess, except that if any additional
22 costs are incurred in a future calendar year for an injury that occurred in the
23 calendar year the state shall pay all of those additional costs. Payment shall be made
24 from the appropriation in s. 20.465 (3) (a) on certificate of the adjutant general.

25 ***-0529/4.194* SECTION 2114.** 167.31 (5) (c) of the statutes is amended to read:

1 167.31 (5) (c) If any deposit is made for an offense to which this subsection
2 applies, the person making the deposit shall also deposit a sufficient amount to
3 include the weapons assessment under this subsection. If the deposit is forfeited, the
4 amount of the weapons assessment shall be transmitted to the ~~state treasurer~~
5 secretary of administration under par. (d). If the deposit is returned, the amount of
6 the weapons assessment shall also be returned.

7 ***-0529/4.195*** SECTION 2115. 167.31 (5) (d) of the statutes is amended to read:

8 167.31 (5) (d) The clerk of the circuit court shall collect and transmit to the
9 county treasurer the weapons assessment as required under s. 59.40 (2) (m). The
10 county treasurer shall then pay the state treasurer as provided in s. 59.25 (3) (f) 2.
11 The ~~state treasurer~~ secretary of administration shall deposit all amounts received
12 under this paragraph in the conservation fund to be appropriated under s. 20.370 (3)
13 (mu).

14 ***-0529/4.196*** SECTION 2116. 169.46 (1) (c) of the statutes is amended to read:

15 169.46 (1) (c) If any deposit is made for an offense to which this subsection
16 applies, the person making the deposit shall also deposit a sufficient amount to
17 include the natural resources assessment prescribed in this subsection. If the
18 deposit is forfeited, the amount of the natural resources assessment shall be
19 transmitted to the ~~state treasurer~~ secretary of administration under par. (d). If the
20 deposit is returned, the natural resources assessment shall also be returned.

21 ***-0529/4.197*** SECTION 2117. 169.46 (1) (d) of the statutes is amended to read:

22 169.46 (1) (d) The clerk of the court shall collect and transmit to the county
23 treasurer the natural resources assessment and other amounts required under s.
24 59.40 (2) (m). The county treasurer shall then make payment to the ~~state treasurer~~
25 secretary of administration as provided in s. 59.25 (3) (f) 2. The ~~state treasurer~~

1 secretary of administration shall deposit the amount of the natural resources
2 assessment in the conservation fund.

3 ***-0529/4.198* SECTION 2118.** 169.46 (2) (c) of the statutes is amended to read:

4 169.46 (2) (c) If any deposit is made for an offense to which this subsection
5 applies, the person making the deposit shall also deposit a sufficient amount to
6 include the natural resources restitution payment prescribed in this subsection. If
7 the deposit is forfeited, the amount of the natural resources restitution payment
8 shall be transmitted to the ~~state treasurer~~ secretary of administration under par. (d).
9 If the deposit is returned, the natural resources restitution payment shall also be
10 returned.

11 ***-0529/4.199* SECTION 2119.** 169.46 (2) (d) of the statutes is amended to read:

12 169.46 (2) (d) The clerk of the court shall collect and transmit to the county
13 treasurer the natural resources restitution payment and other amounts required
14 under s. 59.40 (2) (m). The county treasurer shall then make payment to the ~~state~~
15 ~~treasurer~~ secretary of administration as provided in s. 59.25 (3) (f) 2. The ~~state~~
16 ~~treasurer~~ secretary of administration shall deposit the amount of the natural
17 resources restitution payment in the conservation fund.

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

20 **173.40 (title) ~~Pet dealers, pet breeders, kennels, and animal shelters.~~**

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

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

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

3 ***b0130/3.2* SECTION 2120bh.** 173.40 (1) (fm) of the statutes, as created by
4 2001 Wisconsin Act 16, is amended to read:

5 173.40 (1) (fm) “Pet breeder” means a person who sells or offers to sell at least
6 ~~25~~ 50 dogs or cats for resale as pets in a year, except that “pet breeder” does not
7 include a pet dealer.

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

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

12 173.40 (2) (b) ~~Except as provided in par. (c), no~~ No person may act as a pet dealer
13 ~~or~~ pet breeder without a license from the department. A person shall obtain a license
14 under this paragraph for each separate location at which the person conducts
15 business as a ~~pet dealer or~~ pet breeder.

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

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

20 173.40 (2) (d) Licenses issued under ~~pars. (a) and~~ par. (b) expire on October 31
21 of each even-numbered year.

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

24 173.40 (2) (e) A license issued under ~~par. (a) or~~ (b) is not transferable.

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

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

5 173.40 (4) INSPECTIONS. ~~In addition to the inspections required under par. (a),~~
6 the The department may enter and inspect a facility for which a person is required
7 to obtain a license under sub. (2) at any reasonable time when the department has
8 reason to suspect that human or animal health violations exist or when a person who
9 is not an employee of the department notifies the department of a potential health
10 hazard or violation.

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

13 173.40 (5) (a) Minimum standards for ~~animal shelter and kennel facilities and~~
14 ~~facilities at which pet dealers and pet breeders operate.~~

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

16 **175.38 Enforcement of video gambling law.** (1) In this section, “law
17 enforcement officer” has the meaning given in s. 165.85 (2) (c) but does not include
18 a special agent of the department of revenue.

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

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

25 ***b0119/2.1* SECTION 2120n.** 177.075 of the statutes is created to read:

1 **177.075 Distributions caused by certain insurance company activities.**

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

6 (a) At the time the property is distributable, the holder knows that the
7 last-known address of the owner, as reflected in the records of the holder, is incorrect
8 or the holder has mailed the distribution or notice thereof to the owner at the
9 last-known address of the owner, as reflected in the records of the holder, and the
10 mailing has been returned to the holder as undeliverable.

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

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

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

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

22 177.10 (1) (intro.) Except as provided in subs. (2) and (5) and s. 177.075 (1), any
23 stock or other intangible ownership interest in a business association, the existence
24 of which is evidenced by records available to the association, is presumed abandoned
25 and, with respect to the interest, the association is the holder, if a dividend,

1 distribution or other sum payable as a result of the interest has remained unclaimed
2 by the owner for 5 years and the owner has not done either of the following within
3 5 years:

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

5 177.17 (4) (b) The holder of an interest under s. 177.10 or a stock or other
6 intangible ownership interest presumed abandoned under s. 177.075 (1) shall
7 deliver to the administrator, upon filing the report required under this section, a
8 duplicate certificate or other evidence of ownership if the holder does not issue
9 certificates of ownership. Upon delivery of a duplicate certificate to the
10 administrator, the holder and any transfer agent, registrar or other person acting for
11 or on behalf of a holder in executing or delivering the duplicate certificate are
12 relieved of all liability, as provided under s. 177.20, to any person, including any
13 person acquiring the original certificate or the duplicate of the certificate issued to
14 the administrator, for any loss or damage caused by the issuance and delivery of the
15 duplicate certificate to the administrator.

16 ***-0419/2.1* SECTION 2122.** 183.0105 (2) (c) of the statutes is amended to read:

17 183.0105 (2) (c) ~~In the case of a foreign limited liability company, including~~
18 Including the name of its registered agent and the street address of its registered
19 office, as changed, in its annual report under s. 183.0120. This paragraph also
20 applies to a foreign limited liability company. A change under this paragraph is
21 effective on the date the annual report is filed by ~~the office of the department.~~

22 ***-0419/2.2* SECTION 2123.** 183.0109 (1) (a) 4. of the statutes is amended to
23 read:

24 183.0109 (1) (a) 4. ~~A foreign limited liability company's~~ An annual report under
25 s. 183.0120.

1 ***-0419/2.3*** SECTION 2124. 183.0113 (2) (b) 1m. of the statutes is amended to
2 read:

3 183.0113 (2) (b) 1m. ~~In the case of a foreign limited liability company, the~~ The
4 domestic or foreign limited liability company has, during its most recently completed
5 report year, filed with the department an annual report required by s. 183.0120.

6 ***-0419/2.4*** SECTION 2125. 183.0114 (1) (v) of the statutes is created to read:
7 183.0114 (1) (v) Annual report of a domestic limited liability company, \$25.

8 ***-0419/2.5*** SECTION 2126. 183.0120 (title) of the statutes is amended to read:
9 **183.0120 (title) Annual report for foreign limited liability companies.**

10 ***-0419/2.6*** SECTION 2127. 183.0120 (1) of the statutes is amended to read:

11 183.0120 (1) Each foreign limited liability company registered to transact
12 business in this state and each domestic limited liability company shall file with the
13 department an annual report that includes all of the following information:

14 (a) The name of the domestic or foreign limited liability company and, if a
15 foreign limited liability company, the state or country under whose law it is
16 organized.

17 (b) The address of the domestic or foreign limited liability company's registered
18 office and the name of its registered agent at that office in this state.

19 (c) The address of the domestic or foreign limited liability company's principal
20 office.

21 (d) If management of the domestic or foreign limited liability company is vested
22 in one or more managers, the name and business address of each manager.

23 (e) ~~The~~ If the company is a foreign limited liability company, the name and
24 business address of each member of the foreign limited liability company.

1 (f) A brief description of the nature of the domestic or foreign limited liability
2 company's business.

3 ***-0419/2.7* SECTION 2128.** 183.0120 (2) of the statutes is amended to read:

4 183.0120 (2) Information in the annual report shall be current as of the date
5 on which the annual report is executed on behalf of a the domestic or foreign limited
6 liability company, except that the information required by sub. (1) (e) shall be current
7 as of the close of the domestic or foreign limited liability company's fiscal year
8 immediately before the date by which the annual report is required to be delivered
9 to the department.

10 ***-0419/2.8* SECTION 2129.** 183.0120 (3) of the statutes is amended to read:

11 183.0120 (3) A domestic limited liability company shall deliver its annual
12 report to the department during the calendar quarter during which each
13 anniversary of the effective date of the limited liability company's articles of
14 organization under s. 183.0111 occurs. A foreign limited liability company registered
15 to transact business in this state shall deliver its annual report to the department
16 during the first calendar quarter of each year following the calendar year in which
17 the foreign limited liability company becomes registered to transact business in this
18 state.

19 ***-0419/2.9* SECTION 2130.** 183.0120 (4) of the statutes is amended to read:

20 183.0120 (4) If an annual report does not contain the information required by
21 this section, the department shall promptly notify the reporting domestic or foreign
22 limited liability company in writing and return the report to it for correction.

23 ***-0419/2.10* SECTION 2131.** 183.0901 (3) of the statutes is created to read:

24 183.0901 (3) The department administratively dissolves the limited liability
25 company under s. 183.09025 (2) (c), unless the limited liability company is

1 subsequently reinstated under s. 183.09025 (4) (b) or pursuant to judicial review
2 under ss. 227.52 to 227.58.

3 *~~0419/2.11~~* SECTION 2132. 183.09025 of the statutes is created to read:

4 **183.09025 Administrative dissolution and reinstatement.** (1) GROUNDS
5 FOR ADMINISTRATIVE DISSOLUTION. The department may bring a proceeding under sub.
6 (2) to administratively dissolve any limited liability company that does not deliver
7 to the department the limited liability company's complete annual report within one
8 year after the annual report is due.

9 (2) PROCEDURE FOR ADMINISTRATIVE DISSOLUTION. (a) If the department
10 determines that grounds exist under sub. (1) for dissolving a limited liability
11 company, the department shall mail the limited liability company a notice of the
12 determination. The notice shall be in writing and addressed to the registered office
13 of the limited liability company.

14 (b) Within 60 days after the date on which the notice is received or the date on
15 which the second insertion of the class 2 notice under par. (d) is published, the limited
16 liability company shall correct each ground for dissolution or demonstrate to the
17 reasonable satisfaction of the department that each ground determined by the
18 department does not exist.

19 (c) If a limited liability company fails to satisfy par. (b), the department shall
20 administratively dissolve the limited liability company. The department shall enter
21 a notation in its records to reflect each ground for dissolution and the effective date
22 of dissolution and shall mail the limited liability company a notice of those facts and
23 a certificate of dissolution. The notice and certificate shall be in writing and
24 addressed to the registered office of the limited liability company. The dissolution
25 is subject to judicial review as provided in ss. 227.52 to 227.58.

1 (d) If a notice under par. (a) or (c) is returned to the department as
2 undeliverable, the department shall again mail the notice to the limited liability
3 company as provided under that paragraph. If the notice is again returned to the
4 department as undeliverable, the department shall give the notice by publishing a
5 class 2 notice under ch. 985 in the official state newspaper.

6 **(3) USE OF NAME FOLLOWING ADMINISTRATIVE DISSOLUTION.** A limited liability
7 company's right to the exclusive use of its name terminates on the date of the
8 administrative dissolution under sub. (2) (c).

9 **(4) REINSTATEMENT.** (a) A limited liability company that is administratively
10 dissolved under sub. (2) (c) may apply to the department for reinstatement within
11 30 days after the date on which the limited liability company is dissolved. The
12 application shall include all of the following:

13 1. The name of the limited liability company and the date on which it was
14 administratively dissolved.

15 2. A statement that each ground for dissolution either did not exist or has been
16 cured.

17 3. A statement that the limited liability company's name satisfies s. 183.0103.

18 (b) The department shall cancel the certificate of dissolution and issue a
19 certificate of reinstatement under this paragraph if the department determines that
20 the application contains the information required under par. (a), that the
21 information is correct, and that all fees and penalties owed by the limited liability
22 company to the department under this chapter have been paid. The certificate of
23 reinstatement shall state the department's determination under this paragraph and
24 the effective date of reinstatement. The department shall file the certificate and
25 provide a copy to the limited liability company or its representative.

1 (c) When the reinstatement becomes effective, it shall relate back to and take
2 effect as of the effective date of the administrative dissolution, and the limited
3 liability company may resume carrying on its business as if the administrative
4 dissolution had never occurred.

5 (d) If the department denies a limited liability company's application for
6 reinstatement under par. (a), the department shall serve the limited liability
7 company with a written notice of denial that explains each reason for the denial. The
8 denial is subject to judicial review as provided in ss. 227.52 to 227.58.

9 ***-1431/2.16* SECTION 2133.** 186.098 (12) of the statutes is amended to read:
10 186.098 (12) LOANS TO MEMBERS. A credit union may make loans to members
11 secured by assignment or transfer of stock certificates or other evidence of the
12 borrower's ownership interest in a corporation formed for the cooperative ownership
13 of real estate. Sections 846.10 and 846.101, as they apply to a foreclosure of a
14 mortgage involving a one-family residence, apply to a proceeding to enforce the
15 lender's rights in security given for a loan under this subsection. The office of credit
16 unions shall promulgate joint rules with ~~the division of savings institutions and the~~
17 division of banking that establish procedures for enforcing a lender's rights in
18 security given for a loan under this subsection.

19 ***-0529/4.200* SECTION 2204.** 194.51 of the statutes is amended to read:
20 **194.51 Suit to recover protested tax.** No suit shall be maintained in any
21 court to restrain or delay the collection or payment of the taxes levied in this chapter.
22 The aggrieved taxpayer shall pay the tax as and when due, and, if paid under protest,
23 may at any time within 90 days from the date of such payment, sue the state in an
24 action at law to recover the tax so paid. If it is finally determined that said tax, or
25 any part thereof, was wrongfully collected for any reason, it shall be the duty of the

1 ~~department secretary~~ of administration to issue a warrant on the state treasurer for
2 pay out of the transportation fund the amount of such tax so adjudged to have been
3 wrongfully collected, ~~and the treasurer shall pay the same out of the transportation~~
4 ~~fund~~. A separate suit need not be filed for each separate payment made by any
5 taxpayer, but a recovery may be had in one suit for as many payments as may have
6 been made within any 90-day period preceding the commencement of such an action.
7 Such suits shall be commenced as provided in s. 775.01.

8 *b0107/1.27* SECTION 2273d. 195.29 (5) of the statutes is amended to read:

9 195.29 (5) ELIMINATION OF GRADE CROSSINGS, COSTS. Upon petition of the
10 department, or of the common council or board of any city, village, town, or county,
11 alleging that one or more of them have undertaken or propose to undertake to
12 relocate or improve an existing highway or to construct a new highway in such
13 manner as to eliminate a highway grade crossing with any railroad or so as to
14 permanently divert a material portion of the highway traffic from a highway grade
15 crossing with any railroad, the office shall issue notice of investigation and hearing,
16 as provided in s. 195.04. If upon such hearing the office finds that the public safety
17 will be promoted by the highway relocation, improvement, or new construction, the
18 office shall order the old crossings closed and new crossings opened as are deemed
19 necessary for public safety. The order shall require the railroad company or
20 companies to pay to the interested municipality or municipalities such sum as the
21 office finds to be an equitable portion of the cost of the highway relocation,
22 improvement, or new construction, if the work is performed by the municipalities;
23 or to the ~~state treasurer~~ secretary of administration if the work is performed by the
24 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 *b0107/1.29* SECTION 2297m. 195.60 (3) of the statutes is amended to read:

4 195.60 (3) If any railroad against which a bill has been rendered under sub. (1)
5 or (2) within 30 days after the rendering of such bill neglects or refuses to pay the
6 same or fails to file objections to the bill with the office, the office shall transmit to
7 the ~~state treasurer~~ secretary of administration a certified copy of the bill, together
8 with notice of neglect or refusal to pay the bill, and on the same day the office shall
9 mail to the railroad against which the bill has been rendered a copy of the notice
10 which it has transmitted to the ~~state treasurer~~ secretary of administration. Within
11 10 days after the receipt of such notice and certified copy of such bill, the ~~state~~
12 ~~treasurer~~ secretary of administration shall levy the amount stated on such bill to be
13 due, with interest, by distress and sale of any goods and chattels, including stocks,
14 securities, bank accounts, evidences of debt, and accounts receivable belonging to
15 such delinquent railroad. Such levy by distress and sale shall be governed by the
16 provisions of s. 74.10, 1985 stats., except that it shall be made by the ~~state treasurer~~
17 secretary of administration and that said goods and chattels anywhere within the
18 state may be levied upon.

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

20 195.60 (4) (d) If any bill against which objections have been filed is not paid
21 within 10 days after notice of a finding that such objections have been overruled and
22 disallowed by the office has been mailed to the objector, the office shall give notice
23 of such delinquency to the ~~state treasurer~~ secretary of administration and to the
24 objector, in the manner provided in sub. (3). The ~~state treasurer~~ secretary of
25 administration shall then proceed to collect the amount of the bill as provided in sub.

1 (3). If an amended bill is not paid within 10 days after a copy thereof is mailed to the
2 objector by registered mail, the office shall notify the ~~state treasurer~~ secretary of
3 administration and the objector as in the case of delinquency in the payment of an
4 original bill. The ~~state treasurer~~ secretary of administration shall then proceed to
5 collect the amount of the bill as provided in the case of an original bill.

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

7 195.60 (5) No suit or proceeding shall be maintained in any court for the
8 purpose of restraining or in any way delaying the collection or payment of any bill
9 rendered under subs. (1) and (2). Every railroad against which a bill is rendered shall
10 pay the amount thereof, and after such payment may in the manner herein provided,
11 at any time within 2 years from the date the payment was made, sue the state in an
12 action at law to recover the amount paid with legal interest thereon from the date
13 of payment, upon the ground that the assessment was excessive, erroneous,
14 unlawful, or invalid in whole or in part. If it is finally determined in such action that
15 any part of the bill for which payment was made was excessive, erroneous, unlawful,
16 or invalid, the ~~state treasurer~~ secretary of administration shall make a refund to the
17 claimant as directed by the court, which shall be charged to the appropriations to the
18 office.

19 ***-0529/4.204* SECTION 2310.** 196.199 (3) (d) of the statutes is amended to read:

20 196.199 (3) (d) If, at any time during a proceeding under this subsection, the
21 commission determines, after notice and reasonable opportunity to be heard, that a
22 person has made a filing in violation of par. (c), the commission shall order the person
23 to pay to any party to the proceeding the amount of reasonable expenses incurred by
24 that party because of the filing, including reasonable attorney fees, and the
25 commission may directly assess a forfeiture against the person of not less than \$25

1 nor more than \$5,000. A person against whom the commission assesses a forfeiture
2 under this paragraph shall pay the forfeiture to the commission within 10 days after
3 receipt of notice of the assessment or, if the person petitions for judicial review under
4 ch. 227, within 10 days after receipt of the final decision after exhaustion of judicial
5 review. The commission shall remit all forfeitures paid under this paragraph to the
6 ~~state treasurer~~ secretary of administration for deposit in the school fund. The
7 attorney general may bring an action in the name of the state to collect any forfeiture
8 assessed by the commission under this paragraph that has not been paid as provided
9 in this paragraph. The only contestable issue in such an action is whether or not the
10 forfeiture has been paid.

11 ***b0306/4.47* SECTION 2311d.** 196.218 (3) (a) 3. b. of the statutes is amended
12 to read:

13 196.218 (3) (a) 3. b. The amounts appropriated under ss. 20.255 (3) (q), ~~20.275~~
14 ~~(1) (s), (t) and (tm)~~ and (qm), 20.285 (1) (q), and 20.505 (4) (s), (t), (tm), (tu), and (tw).

15 ***b0364/3.2* SECTION 2311e.** 196.218 (3) (a) 4. of the statutes is amended to
16 read:

17 196.218 (3) (a) 4. In calculating contribution amounts that must be paid into
18 the universal service fund by telecommunications utilities that provide local
19 exchange service, the commission shall determine the portion of the contributions
20 that ~~are~~ is used for the purposes specified in sub. (5) (a) 5. to 7. 11.

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

22 196.218 (3) (e) Except as provided in par. (f) and s. 196.196 (2) (d), a
23 telecommunications provider or other person may not establish a surcharge on
24 customers' bills to collect from customers contributions required under this
25 subsection.

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

2 196.218 (3) (f) Notwithstanding ss. 196.196 (1) and (5) (d) 2., 196.20 (2m), (5)
3 and (6), 196.213 and 196.215, a telecommunications utility that provides local
4 exchange service may make adjustments to local exchange service rates for the
5 purpose of recovering the portion of its contributions to the universal service fund
6 that is determined by the commission under par. (a) 4. A telecommunications utility
7 that adjusts local exchange service rates for the purpose of recovering all or any
8 amount of that portion shall identify on customer bills a single amount that is the
9 total amount of the adjustment.

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

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

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

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

23 ***b0306/4.47* SECTION 2314d.** 196.218 (5) (a) 5. of the statutes, as affected by
24 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 *~~1289/7.112~~* SECTION 2315. 196.218 (5) (a) 6. of the statutes is amended to
7 read:

8 196.218 (5) (a) 6. To pay the department of ~~electronic government~~
9 administration for telecommunications services provided under s. ~~22.05~~ 16.972 (1)
10 to the campuses of the University of Wisconsin System at River Falls, Stout, Superior
11 and Whitewater.

12 *~~b0306/4.48~~* SECTION 2316d. 196.218 (5) (a) 7. of the statutes is amended to
13 read:

14 196.218 (5) (a) 7. To make grants awarded by the ~~technology for educational~~
15 ~~achievement in Wisconsin board~~ department of administration to school districts
16 and private schools under s. ~~44.73~~ 16.997 (6). This subdivision does not apply after
17 ~~June 30, 2002~~ December 31, 2005.

18 *~~0666/9.104~~* SECTION 2317. 196.218 (5) (a) 10. of the statutes is repealed.

19 *~~b0364/3.3~~* SECTION 2317c. 196.218 (5) (a) 11. of the statutes is created to
20 read:

21 196.218 (5) (a) 11. To provide for state aid to public library systems under s.
22 43.24.

23 *~~b0384/2.1~~* SECTION 2317m. 196.374 (5) of the statutes is created to read:

24 196.374 (5) The commission may not require any public utility to operate or
25 otherwise provide for, or impose any assessment on public utility customers for, any

1 program established by the department of administration under s. 16.957 (2) (b) 1.

2 This subsection does not apply to contributions that are required under sub. (3).

3 ***-1634/7.53* SECTION 2318.** 196.491 (2) (e) of the statutes is amended to read:

4 196.491 (2) (e) Any state agency, as defined in s. ~~16.375~~ 560.9810 (1), county,
5 municipality, town or person may submit written comments to the commission on a
6 strategic energy assessment within 90 days after copies of the draft are issued under
7 par. (b).

8 ***-0529/4.205* SECTION 2321.** 196.85 (3) of the statutes is amended to read:

9 196.85 (3) If any public utility, sewerage system, joint local water authority, or
10 power district is billed under sub. (1), (2), or (2e) and fails to pay the bill within 30
11 days or fails to file objections to the bill with the commission, as provided in this
12 subsection, the commission shall transmit to the ~~state treasurer~~ secretary of
13 administration a certified copy of the bill, together with notice of failure to pay the
14 bill, and on the same day the commission shall mail by registered mail to the public
15 utility, sewerage system, joint local water authority, or power district a copy of the
16 notice that it has transmitted to the state treasurer. Within 10 days after receipt of
17 the notice and certified copy of the bill, the ~~state treasurer~~ secretary of
18 administration shall levy the amount stated on the bill to be due, with interest, by
19 distress and sale of any property, including stocks, securities, bank accounts,
20 evidences of debt, and accounts receivable belonging to the delinquent public utility,
21 sewerage system, joint local water authority, or power district. The levy by distress
22 and sale shall be governed by s. 74.10, 1985 stats., except that it shall be made by the
23 ~~state treasurer~~ secretary of administration and that goods and chattels anywhere
24 within the state may be levied upon.

25 ***-0529/4.206* SECTION 2322.** 196.85 (4) (d) of the statutes is amended to read:

1 196.85 (4) (d) If any bill against which objections have been filed is not paid
2 within 10 days after notice of a finding that the objections have been overruled and
3 disallowed by the commission has been mailed to the objector as provided in this
4 subsection, the commission shall give notice of the delinquency to the ~~state treasurer~~
5 secretary of administration and to the objector, in the manner provided in sub. (3).
6 The ~~state treasurer~~ secretary of administration shall then proceed to collect the
7 amount of the delinquent bill as provided in sub. (3). If an amended bill is not paid
8 within 10 days after a copy of the amended bill is mailed to the objector by registered
9 mail, the commission shall notify the ~~state treasurer~~ secretary of administration and
10 the objector as in the case of delinquency in the payment of an original bill. The ~~state~~
11 ~~treasurer~~ secretary of administration shall then proceed to collect the amount of the
12 amended bill as provided in the case of an original bill.

13 *~~0529/4.207~~* SECTION 2323. 196.85 (5) of the statutes is amended to read:

14 196.85 (5) No suit or proceeding may be maintained in any court to restrain or
15 delay the collection or payment of any bill rendered under sub. (1), (2), or (2e). Every
16 public utility, sewerage system, joint local water authority, or power district that is
17 billed shall pay the amount of the bill, and after payment may in the manner
18 provided under this section, at any time within 2 years from the date the payment
19 was made, sue the state to recover the amount paid plus interest from the date of
20 payment, upon the ground that the assessment was excessive, erroneous, unlawful,
21 or invalid in whole or in part. If the court finds that any part of the bill for which
22 payment was made was excessive, erroneous, unlawful, or invalid, the ~~state~~
23 ~~treasurer~~ secretary of administration shall make a refund to the claimant as directed
24 by the court. The refund shall be charged to the appropriations to the commission.

1 *~~1289/7.113~~* SECTION 2324. 196.858 (1) and (2) of the statutes are amended
2 to read:

3 196.858 (1) The commission shall annually assess against local exchange and
4 interexchange telecommunications utilities the total, not to exceed \$5,000,000, of the
5 amounts appropriated under s. ~~20.530~~ 20.505 (1) (ir).

6 (2) The commission shall assess a sum equal to the annual total amount under
7 sub. (1) to local exchange and interexchange telecommunications utilities in
8 proportion to their gross operating revenues during the last calendar year. If total
9 expenditures for telephone relay service exceeded the payment made under this
10 section in the prior year, the commission shall charge the remainder to assessed
11 telecommunications utilities in proportion to their gross operating revenues during
12 the last calendar year. A telecommunications utility shall pay the assessment within
13 30 days after the bill has been mailed to the assessed telecommunication utility. The
14 bill constitutes notice of the assessment and demand of payment. Payments shall
15 be credited to the appropriation account under s. ~~20.530~~ 20.505 (1) (ir).

16 *~~1431/2.17~~* SECTION 2330. 214.01 (1) (im) of the statutes is amended to read:

17 214.01 (1) (im) “Division” means the division of ~~savings institutions~~ banking.

18 *~~1431/2.18~~* SECTION 2331. 214.01 (1) (sr) of the statutes is amended to read:

19 214.01 (1) (sr) “Review board” means the savings ~~bank~~ institutions review
20 board.

21 *~~1431/2.19~~* SECTION 2332. 214.592 of the statutes is amended to read:

22 **214.592 Financially related services tie-ins.** In any transaction conducted
23 by a savings bank, a savings bank holding company, or a subsidiary of either with
24 a customer who is also a customer of any other subsidiary of any of them, the

1 customer shall be given a notice in 12–point boldface type in substantially the
2 following form:

3 NOTICE OF RELATIONSHIP

4 This company, (insert name and address of savings bank, savings bank
5 holding company, or subsidiary), is related to (insert name and address of savings
6 bank, savings bank holding company, or subsidiary) of which you are also a customer.
7 You may not be compelled to buy any product or service from either of the above
8 companies or any other related company in order to participate in this transaction.

9 If you feel that you have been compelled to buy any product or service from
10 either of the above companies or any other related company in order to participate
11 in this transaction, you should contact the management of either of the above
12 companies at either of the above addresses or the division of ~~savings institutions~~
13 banking at (insert address).

14 *–1431/2.20* SECTION 2334. 215.01 (6) of the statutes is amended to read:

15 215.01 (6) “Division” means the division of ~~savings institutions~~ banking.

16 *–1431/2.21* SECTION 2335. 215.01 (22) of the statutes is amended to read:

17 215.01 (22) “Review board” means the savings ~~and loan~~ institutions review
18 board.

19 *–1431/2.22* SECTION 2336. 215.02 (title) of the statutes is repealed and
20 recreated to read:

21 **215.02 (title) Powers of the division.**

22 *–1431/2.23* SECTION 2337. 215.02 (10) (a) 3. of the statutes is amended to
23 read:

24 215.02 (10) (a) 3. An order of removal takes effect on the date issued. A copy
25 of the order shall be served upon the association and upon the officer, director, or

1 employee in the manner provided by law for service of a summons in a court of record
2 or by mailing a copy to the association and officer, director, or employee at their
3 last-known, post-office addresses. Any removal under this subsection has the same
4 effect as if made by the board of directors or the members or stockholders of the
5 association. An officer, director, or employee removed from office or employment
6 under this subsection may not be elected as an officer or director of, or be employed
7 by, an association without the approval of the division and the review board. An
8 order of removal under this subsection is a final ~~order~~ or determination of the review
9 board under s. 215.04 (6) (5).

10 *~~1431/2.24~~* **SECTION 2338.** 215.04 of the statutes is repealed and recreated
11 to read:

12 **215.04 Review board. (1) DUTIES.** The review board shall do all of the
13 following:

- 14 (a) Advise the division on matters related to this chapter.
15 (b) Review the acts, orders, and determinations of the division.
16 (c) Act on any matters pertaining to this chapter that are submitted to it by the
17 division.
18 (d) Perform other review functions relating to this chapter.
19 (e) Conduct hearings and take testimony, and subpoena and swear witnesses
20 at such hearings. The review board shall have the subpoena powers under s. 885.01
21 (4).

22 **(2) APPEARANCES.** An interested party may appear at a proceeding of the review
23 board and may participate in the examination of witnesses and present evidence.

24 **(3) WITNESS FEES.** A person who causes a witness to be subpoenaed shall
25 advance the fees and mileage expense of the witness. Witness fees shall be the same

1 as fees under s. 814.67 (1) (b) and (c). The fees of witnesses who are called by the
2 review board in the interests of the state shall be paid by the state upon presentation
3 of proper vouchers approved by the chairperson of the review board and charged to
4 the appropriation under s. 20.144 (1) (g).

5 (4) REVIEW OF ACTS, ORDERS, OR DETERMINATIONS. Any interested person or a
6 savings association aggrieved by any act, order, or determination of the division,
7 which relates to savings and loan associations, may, within 20 days after receipt or
8 service of a copy of the act, order, or determination, file a written notice requesting
9 the review board's review of the division's act, order, or determination. The review
10 of the division's decision shall be solely to determine if the division acted within the
11 scope of the division's authority and did not act in an arbitrary or capricious manner
12 and to determine if the act, order, or determination of the division is supported by
13 substantial evidence in view of the entire record as submitted. The review of
14 applications for new charters, branch offices, or relocation of offices shall be based
15 exclusively on the record and new evidence may not be taken by the review board.
16 Requests for review under this subsection shall be considered and disposed of as
17 speedily as possible.

18 (5) REVIEW. A determination of the review board is subject to review under ch.
19 227. If an act, order, or determination of the division is reversed or modified by the
20 review board, the division shall be considered to be a person aggrieved and directly
21 affected by the decision under s. 227.53 (1).

22 (6) BOARD MEMBER NOT TO ACT. A member of the review board may not act on
23 any matter involving a savings and loan association or savings and loan holding
24 company of which the member is an officer, director, employee, or agent.

25 *-1431/2.25* SECTION 2339. 215.141 of the statutes is amended to read:

1 215.40 (18) APPEAL BY APPLICANTS AFTER BEING DENIED CERTIFICATE OF AUTHORITY.

2 If the division refuses to grant a certificate of authority to organize an association,
3 and the applicants feel aggrieved thereby, they may appeal to the review board to
4 review the division's determination under s. 215.04 (1) ~~(d)~~ (b) and (4).

5 *~~1431/2.27~~* SECTION 2343. 220.02 (2) (e) and (f) of the statutes are created
6 to read:

7 220.02 (2) (e) Savings banks under ch. 214.

8 (f) Savings and loan associations under ch. 215.

9 *~~1431/2.28~~* SECTION 2344. 220.02 (3) of the statutes is amended to read:

10 220.02 (3) It is the intent of sub. (2) to give the division jurisdiction to enforce
11 and carry out all laws relating to banks or banking in this state, including those
12 relating to state banks, savings banks, savings and loan associations, and trust
13 company banks, and also all laws relating to small loan companies or other loan
14 companies or agencies, finance companies, motor vehicle dealers, adjustment service
15 companies, community currency exchanges, and collection agencies and those
16 relating to sellers of checks under ch. 217, whether doing business as corporations,
17 individuals, or otherwise, but to exclude laws relating to credit unions.

18 *~~1431/2.29~~* SECTION 2346. 221.0303 (2) of the statutes is amended to read:

19 221.0303 (2) OPERATION AND ACQUISITION OF CUSTOMER BANK COMMUNICATIONS
20 TERMINALS. A bank may, directly or indirectly, acquire, place, and operate, or
21 participate in the acquisition, placement, and operation of, at locations other than
22 its main or branch offices, customer bank communications terminals, in accordance
23 with rules established by the division. The rules of the division shall provide that
24 any such customer bank communications terminal shall be available for use, on a
25 nondiscriminatory basis, by any state or national bank and by all customers

1 designated by a bank using the terminal. This subsection does not authorize a bank
2 which has its principal place of business outside this state to conduct banking
3 business in this state. The customer bank communications terminals also shall be
4 available for use, on a nondiscriminatory basis, by any credit union, savings and loan
5 association, or savings bank, if the credit union, savings and loan association, or
6 savings bank requests to share its use, subject to rules jointly established by the
7 division of banking, and the office of credit unions ~~and the division of savings~~
8 ~~institutions~~. The division by order may authorize the installation and operation of
9 a customer bank communications terminal in a mobile facility, after notice and
10 hearing upon the proposed service stops of the mobile facility.

11 *~~1289/7.114~~* SECTION 2347. 221.0320 (3) (a) of the statutes is amended to
12 read:

13 221.0320 (3) (a) In this subsection, “local governmental unit” has the meaning
14 given in s. ~~22.01~~ 16.97 (7).

15 *~~1431/2.30~~* SECTION 2348. 221.0321 (5) of the statutes is amended to read:

16 221.0321 (5) CERTAIN SECURED LOANS. A bank may make loans secured by
17 assignment or transfer of stock certificates or other evidence of the borrower’s
18 ownership interest in a corporation formed for the cooperative ownership of real
19 estate. Sections 846.10 and 846.101, as they apply to a foreclosure of a mortgage
20 involving a one-family residence, apply to a proceeding to enforce the lender’s rights
21 in security given for a loan under this subsection. The division shall promulgate joint
22 rules with the office of credit unions ~~and the division of savings institutions~~ that
23 establish procedures for enforcing a lender’s rights in security given for a loan under
24 this subsection.

1 ***-0529/4.209*** SECTION 2349. 223.02 (1) (intro.) of the statutes is amended to
2 read:

3 223.02 (1) INDEMNITY FUND DEPOSIT. (intro.) Deposit at least \$100,000 with the
4 ~~state treasurer~~ secretary of administration or the ~~state treasurer's~~ secretary's agent
5 in accordance with the following provisions:

6 ***-0529/4.210*** SECTION 2350. 223.02 (1) (b) of the statutes is amended to read:

7 223.02 (1) (b) The ~~state treasurer~~ secretary of administration or the ~~state~~
8 ~~treasurer's~~ secretary's agent shall pay over to the bank trust company the interest,
9 dividends, or other income on deposit or may authorize the bank trust company to
10 collect the interest, dividends, or other income. The ~~state treasurer~~ secretary of
11 administration shall issue a certificate stating that a deposit has been made with the
12 ~~state treasurer~~ secretary of administration or the ~~state treasurer's~~ secretary's agent
13 in the manner provided in this section.

14 ***-0529/4.211*** SECTION 2351. 223.02 (1) (c) of the statutes is amended to read:

15 223.02 (1) (c) The ~~state treasurer~~ secretary of administration or the ~~state~~
16 ~~treasurer's~~ secretary's agent shall hold the deposit as security for the faithful
17 execution of any trust which may be lawfully imposed upon and accepted by the trust
18 company bank. The cash or securities shall remain in the possession of the ~~state~~
19 ~~treasurer~~ secretary of administration or the ~~state treasurer's~~ secretary's agent until
20 otherwise ordered by a court of competent jurisdiction, unless released pursuant to
21 par. (d).

22 ***-0529/4.212*** SECTION 2352. 223.02 (1) (d) of the statutes is amended to read:

23 223.02 (1) (d) The securities and cash deposited by a trust company bank may
24 be released by the ~~state treasurer~~ secretary of administration or the ~~state treasurer's~~
25 secretary's agent and returned to the bank, if the division certifies to the state

1 ~~treasurer~~ secretary of administration that the bank no longer exercises trust powers
2 and that the division is satisfied that there are no outstanding trust liabilities.

3 *~~0529/4.213~~* SECTION 2353. 223.02 (1) (e) of the statutes is amended to read:

4 223.02 (1) (e) The ~~state treasurer~~ secretary of administration may designate
5 a banking corporation, having an authorized capital of \$1,000,000 or more, to act as
6 an agent to hold the cash or securities in safekeeping. The agent shall furnish to the
7 ~~state treasurer~~ secretary of administration a safekeeping receipt for all cash and
8 securities received by it. The agent shall pay the cash and securities to the ~~state~~
9 ~~treasurer~~ secretary of administration on demand without conditions.

10 *~~1431/2.31~~* SECTION 2354. 223.105 (3) (a) of the statutes is amended to read:

11 223.105 (3) (a) To assure compliance with such rules as may be established
12 under s. 220.04 (7), the division of banking, and the office of credit unions ~~and the~~
13 ~~division of savings institutions~~ shall, at least once every 18 months, examine the
14 fiduciary operations of each organization which is under its respective jurisdiction
15 and is subject to examination under sub. (2). If a particular organization subject to
16 examination under sub. (2) is not otherwise under the jurisdiction of one of the
17 foregoing agencies, such examination shall be conducted by the division of banking.

18 *~~1431/2.32~~* SECTION 2355. 223.105 (4) of the statutes is amended to read:

19 223.105 (4) NOTICE OF FIDUCIARY OPERATION. Except for those organizations
20 licensed under ch. 221 or this chapter, any organization engaged in fiduciary
21 operations as defined in this section shall, as required by rule, notify the division of
22 banking, or the office of credit unions ~~or the division of savings institutions~~ of that
23 fact, directing the notice to the agency then exercising regulatory authority over the
24 organization or, if there is none, to the division of banking. Any organization which
25 intends to engage in fiduciary operations shall, prior to engaging in such operations,

1 notify the appropriate agency of this intention. The notifications required under this
2 subsection shall be on forms and contain information required by the rules
3 promulgated by the division of banking.

4 ***-1431/2.33* SECTION 2356.** 223.105 (5) of the statutes is amended to read:

5 223.105 (5) ENFORCEMENT REMEDY. The division of banking ~~or the division of~~
6 ~~savings institutions~~ or office of credit unions shall, upon the failure of such
7 organization to submit notifications or reports required under this section or
8 otherwise to comply with the provisions of this section, or rules established by the
9 division of banking under s. 220.04 (7), upon due notice, order such defaulting
10 organization to cease and desist from engaging in fiduciary activities and may apply
11 to the appropriate court for enforcement of such order.

12 ***-1431/2.34* SECTION 2357.** 223.105 (6) of the statutes is amended to read:

13 223.105 (6) SUNSET. Except for an organization regulated by the office of credit
14 unions ~~or the division of savings institutions~~, a savings bank or savings and loan
15 association regulated by the division of banking, or an organization authorized by
16 the division of banking to operate as a bank or trust company under ch. 221 or this
17 chapter, an organization may not begin activity as a fiduciary operation under this
18 section after May 12, 1992. An organization engaged in fiduciary operations under
19 this section on May 12, 1992, may continue to engage in fiduciary operations after
20 that date.

21 ***-0529/4.214* SECTION 2358.** 223.20 (3) of the statutes is amended to read:

22 223.20 (3) SURRENDER OF TRUST POWERS. If a converted trust company bank has
23 been fully discharged of all trusts committed to it, it may, by amendment to its
24 articles of incorporation, duly adopted by its stockholders and approved by the
25 division, surrender its powers to act in a fiduciary capacity. A trust company bank

1 that surrenders its trust powers under this subsection shall eliminate from its
2 corporate name the word “~~trust;~~” “trust” and may thereupon withdraw from the state
3 ~~treasurer~~ secretary of administration all securities and cash that it has deposited
4 with the ~~state treasurer~~ secretary of administration pursuant to s. 223.02.

5 *~~1634/7.54~~* SECTION 2359. 224.71 (3) (b) 1m. of the statutes is amended to
6 read:

7 224.71 (3) (b) 1m. A community-based organization, as defined in s. ~~16.30~~
8 560.9801 (1), or a housing authority, as defined in s. ~~16.30~~ 560.9801 (2).

9 *~~1634/7.55~~* SECTION 2360. 224.71 (4) (b) 1m. of the statutes is amended to
10 read:

11 224.71 (4) (b) 1m. A community-based organization, as defined in s. ~~16.30~~
12 560.9801 (1), or a housing authority, as defined in s. ~~16.30~~ 560.9801 (2).

13 *~~0529/4.215~~* SECTION 2361. 224.77 (1m) (c) of the statutes is amended to
14 read:

15 224.77 (1m) (c) All forfeitures shall be paid to the division of banking within
16 10 days after receipt of notice of assessment or, if the forfeiture is contested under
17 par. (b), within 10 days after receipt of the final decision after exhaustion of
18 administrative review. The division of banking shall remit all forfeitures paid to the
19 ~~state treasurer~~ secretary of administration for deposit in the school fund.

20 *~~1688/2.27~~* SECTION 2364. 227.01 (13) (zk) of the statutes is repealed.

21 *~~1295/2.30~~* SECTION 2367. 227.03 (7) of the statutes is amended to read:

22 227.03 (7) Except as provided in s. 230.44 (4) (bm), this chapter does not apply
23 to proceedings before the ~~personnel~~ employment relations commission in matters
24 that are arbitrated in accordance with s. 230.44 (4) (bm).

25 *~~0576/8.72~~* SECTION 2368. 227.10 (3) (e) of the statutes is amended to read:

1 227.10 (3) (e) Nothing in this subsection prohibits the administrator of the
2 division of merit recruitment and selection in the ~~department of employment~~
3 relations office of state human resources management from promulgating rules
4 relating to expanded certification under s. 230.25 (1n).

5 *~~1634/7.56~~* SECTION 2369. 227.115 (1) (a) and (b) of the statutes are amended
6 to read:

7 227.115 (1) (a) “Department” means the department of ~~administration~~
8 commerce.

9 (b) “State housing strategy plan” means the plan developed under s. ~~16.31~~
10 560.9802.

11 *~~1634/7.57~~* SECTION 2370. 227.115 (3) (a) 5. of the statutes is amended to
12 read:

13 227.115 (3) (a) 5. Housing costs, as defined in s. ~~16.30~~ 560.9801 (3) (a) and (b).

14 *~~1295/2.31~~* SECTION 2373. 227.44 (2s) of the statutes is repealed.

15 *~~1295/2.32~~* SECTION 2376. 227.47 (2) of the statutes is amended to read:

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

1 *~~0576/8.73~~* SECTION 2377. 227.47 (2) of the statutes, as affected by 2003
2 Wisconsin Act (this act), is amended to read:

3 227.47 (2) Except as otherwise provided in this subsection, a proposed or final
4 decision of the employment relations commission, hearing examiner or arbitrator
5 concerning an appeal of the decision of the ~~secretary of employment relations~~
6 director of the office of state human resources management made under s. 230.09 (2)
7 (a) or (d) shall not be accompanied by findings of fact or conclusions of law. If within
8 30 days after the commission issues a decision in such an appeal either party files
9 a petition for judicial review of the decision under s. 227.53 and files a written notice
10 with the commission that the party has filed such a petition, the commission shall
11 issue written findings of fact and conclusions of law within 90 days after receipt of
12 the notice. The court shall stay the proceedings pending receipt of the findings and
13 conclusions.

14 *~~1431/2.35~~* SECTION 2378. 227.52 (3) of the statutes is amended to read:

15 227.52 (3) Those decisions of the division of banking that are subject to review,
16 prior to any judicial review, by the banking review board, and decisions of the division
17 of banking relating to savings banks or savings and loan associations, but no other
18 institutions subject to the jurisdiction of the division of banking.

19 *~~1431/2.36~~* SECTION 2379. 227.52 (5) of the statutes is repealed.

20 *~~1431/2.37~~* SECTION 2380. 227.53 (1) (a) 1. of the statutes is amended to read:

21 227.53 (1) (a) 1. Proceedings for review shall be instituted by serving a petition
22 therefor personally or by certified mail upon the agency or one of its officials, and
23 filing the petition in the office of the clerk of the circuit court for the county where
24 the judicial review proceedings are to be held. If the agency whose decision is sought
25 to be reviewed is the tax appeals commission, the banking review board, the credit

1 union review board, ~~or the savings and loan institutions~~ review board ~~or the savings~~
2 ~~bank review board~~, the petition shall be served upon both the agency whose decision
3 is sought to be reviewed and the corresponding named respondent, as specified under
4 par. (b) 1. to ~~5.~~ 4.

5 *~~1431/2.38~~* SECTION 2382. 227.53 (1) (b) 4. of the statutes is amended to read:

6 227.53 (1) (b) 4. The savings ~~and loan~~ institutions review board, the division
7 of ~~savings institutions~~ banking, except if the petitioner is the division of savings
8 ~~institutions~~ banking, the prevailing parties before the savings ~~and loan~~ institutions
9 review board shall be the named respondents.

10 *~~1431/2.39~~* SECTION 2383. 227.53 (1) (b) 5. of the statutes is repealed.

11 *~~1431/2.40~~* SECTION 2384. 227.53 (1) (d) of the statutes is amended to read:

12 227.53 (1) (d) Except in the case of the tax appeals commission, the banking
13 review board, the credit union review board, and the savings ~~and loan~~ institutions
14 review board ~~and the savings bank review board~~, the agency and all parties to the
15 proceeding before it, shall have the right to participate in the proceedings for review.
16 The court may permit other interested persons to intervene. Any person petitioning
17 the court to intervene shall serve a copy of the petition on each party who appeared
18 before the agency and any additional parties to the judicial review at least 5 days
19 prior to the date set for hearing on the petition.

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

21 230.01 (2) It is the policy of the state and the responsibility of the ~~secretary~~
22 director and the administrator to maintain a system of personnel management
23 which fills positions in the classified service through methods which apply the merit
24 principle, with adequate civil service safeguards. It is the policy of this state to
25 provide for equal employment opportunity by ensuring that all personnel actions

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

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

13 **230.02 Liberal construction of statutes.** Statutes applicable to the
14 ~~department~~ office shall be construed liberally in aid of the purposes declared in s.
15 230.01.

16 *-1295/2.33* SECTION 2385. 230.03 (8) of the statutes is amended to read:

17 230.03 (8) "Commission" means the ~~personnel~~ employment relations
18 commission.

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

20 *b0155/3.99* SECTION 2386m. 230.03 (9e) of the statutes is created to read:

21 230.03 (9e) "Director" means the director of the office.

22 *b0155/3.99* SECTION 2386s. 230.03 (10) of the statutes is amended to read:

23 230.03 (10) "Division" means the division of merit recruitment and selection
24 in the ~~department~~ office.

25 *-1295/2.34* SECTION 2387. 230.03 (10e) of the statutes is created to read:

1 230.03 (10e) “Division of equal rights” means the division of equal rights in the
2 department of workforce development.

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

4 230.03 (10r) “Job group” means a set of classifications combined by the
5 department office on the basis of similarity in responsibility, pay range and nature
6 of work.

7 ***b0155/3.100* SECTION 2387m.** 230.03 (10w) of the statutes is created to read:

8 230.03 (10w) “Office” means the office of state human resources management.

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

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

12 **230.04 (title) Powers and duties of the secretary director.**

13 ***-1295/2.35* SECTION 2388.** 230.04 (1) of the statutes is amended to read:

14 230.04 (1) The secretary director is charged with the effective administration
15 of this chapter. All powers and duties, necessary to that end, which are not
16 exclusively vested by statute in the commission, the division of equal rights, the
17 administrator or appointing authorities, are reserved to the secretary director.

18 ***-1295/2.36* SECTION 2389.** 230.04 (1m) of the statutes is amended to read:

19 230.04 (1m) The secretary director may delegate, in writing, any of his or her
20 functions set forth in this chapter to an appointing authority, within prescribed
21 standards if the secretary director finds that the agency has personnel management
22 capabilities to perform such functions effectively and has indicated its approval and
23 willingness to accept such responsibility by written agreement. If the secretary
24 director determines that any agency is not performing such delegated function
25 within prescribed standards, the secretary director shall forthwith withdraw such

1 delegated function. Subject to the approval of the joint committee on finance, the
2 secretary director may order transferred to the department office from the agency to
3 which delegation was made such agency staff and other resources as necessary to
4 perform such functions if increased staff was authorized to that agency as a
5 consequence of such delegation or if the department office reduced staff or shifted
6 staff to new responsibilities as a result of such delegation. Any delegatory action
7 taken under s. 230.09 (2) (a) or (d) or 230.13 (1) by an appointing authority may be
8 appealed to the personnel commission under s. 230.44 (1) (b). The secretary director
9 shall be a party in such an appeal.

10 ***b0155/3.106* SECTION 2389d.** 230.04 (2) of the statutes is amended to read:

11 230.04 (2) The secretary director may utilize the services of technical or
12 specialized personnel to assist in implementing and maintaining a sound personnel
13 management program. These services may be obtained from persons inside or
14 outside of state service.

15 ***b0155/3.106* SECTION 2389h.** 230.04 (3) of the statutes is amended to read:

16 230.04 (3) The secretary director may issue enforceable orders on all matters
17 relating to the administration, enforcement and effect of this chapter and the rules
18 prescribed thereunder except on matters relating to the provisions of subch. III or
19 to those provisions of subch. II for which responsibility is specifically charged to the
20 administrator.

21 ***b0155/3.106* SECTION 2389p.** 230.04 (4) of the statutes is amended to read:

22 230.04 (4) The secretary director shall establish and maintain a collective
23 bargaining capability under s. 111.815 (2).

24 ***b0155/3.106* SECTION 2389s.** 230.04 (5) of the statutes is amended to read:

1 230.04 (5) The ~~secretary~~ director shall promulgate rules on all matters relating
2 to the administration of the ~~department~~ office and the performance of the duties
3 assigned to the ~~secretary~~ director, except on matters relating to those provisions of
4 subch. II for which responsibility is specifically charged to the administrator.

5 *~~0576/8.76~~* SECTION 2390. 230.04 (7) of the statutes is repealed.

6 *b0155/3.107* SECTION 2390b. 230.04 (8) of the statutes is amended to read:

7 230.04 (8) The ~~secretary~~ director shall establish an employee performance
8 evaluation program under s. 230.37 (1).

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

11 230.04 (9) (intro.) The ~~secretary~~ director shall do all of the following:

12 *b0155/3.107* SECTION 2390d. 230.04 (9) (f) of the statutes is renumbered
13 230.455 and amended to read:

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

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

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

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

3 230.04 (9r) (b) (intro.) The ~~secretary~~ director shall keep a record of all of the
4 following:

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

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

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

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

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

21 230.04 (10) (c) The ~~secretary~~ director shall request from each agency and each
22 agency shall furnish to the ~~secretary~~ director relevant information regarding the
23 prior military service, if any, of every new employee hired by the agency including
24 limited term, project, seasonal and sessional employees. The ~~secretary~~ director shall

1 maintain the data to permit a periodic review of the progress being made to provide
2 employment opportunities in civil service for veterans and disabled veterans.

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

4 230.04 (11) The ~~secretary~~ director may provide by rule for an understudy
5 program to assure continuity in selected positions.

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

7 230.04 (12) The ~~secretary~~ director shall keep in the office an official roster of
8 all permanent classified employees which shall include classification titles, pay and
9 employment status changes and appropriate dates thereof.

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

12 230.04 (13) (intro.) The ~~secretary~~ director shall do all of the following:

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

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

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

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

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

23 230.04 (16) The director may appoint an executive assistant outside the
24 classified service.

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

3 230.046 (5) (c) An agreement has been entered into by the trainee and the
4 appointing authority relative to employment with the state, together with such other
5 terms and conditions as may be necessary under the rules of the secretary director
6 whenever on-the-job trainees are employed; and

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

8 230.046 (7) ESTABLISH INTERNSHIPS. The secretary director shall establish in the
9 classified service in-service training internships designed to give rigorous training
10 in public service administration for periods not to exceed 3 years under the direct
11 supervision of experienced administrators.

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

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

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

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

24 ***b0155/3.107* SECTION 2390t.** 230.046 (10) (intro.) of the statutes is amended
25 to read:

1 230.046 (10) ~~DEPARTMENT FUNCTIONS~~ FUNCTIONS OF THE OFFICE. (intro.) The
2 department office may do all of the following:

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

4 230.047 (8) ADMINISTRATION. The ~~secretary~~ director shall promulgate rules for
5 the operation and implementation of this section. The rules shall prescribe the
6 duration, terms and conditions of such interchange.

7 ***-1295/2.37*** SECTION 2391. 230.05 (2) (a) of the statutes is amended to read:

8 230.05 (2) (a) Except as provided under par. (b), the administrator may
9 delegate, in writing, any of his or her functions set forth in this subchapter to an
10 appointing authority, within prescribed standards if the administrator finds that the
11 agency has personnel management capabilities to perform such functions effectively
12 and has indicated its approval and willingness to accept such responsibility by
13 written agreement. If the administrator determines that any agency is not
14 performing such delegated function within prescribed standards, the administrator
15 shall withdraw such delegated function. The administrator may order transfer to
16 the division from the agency to which delegation was made such agency staff and
17 other resources as necessary to perform such functions if increased staff was
18 authorized to that agency as a consequence of such delegation or if the division
19 reduced staff or shifted staff to new responsibilities as a result of such delegation
20 subject to the approval of the joint committee on finance. Any delegatory action
21 taken under this subsection by any appointing authority may be appealed to the
22 personnel commission under s. 230.44 (1) (a). The administrator shall be a party in
23 such appeal.

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

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

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

5 230.06 (1) (d) Report promptly to the ~~secretary~~ director or the administrator
6 any information the ~~secretary~~ director or the administrator requires in connection
7 with any delegated personnel function and with each appointment, promotion,
8 demotion, suspension or separation from the service or other change in employee
9 status.

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

12 230.06 (1) (e) When requested by the ~~secretary~~ director or the administrator,
13 provide reports on employee work performance and any other records or information
14 the ~~secretary~~ director or administrator requires to carry out this subchapter.

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

16 230.06 (1) (f) Provide the ~~secretary~~ director with the civil service information
17 required under s. 16.004 (7).

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

19 230.06 (1) (g) Prepare an affirmative action plan which complies with the
20 standards established by the ~~secretary~~ director under s. 230.04 (9) (a) and which sets
21 goals and outlines steps for incorporating affirmative action and principles
22 supporting affirmative action into the procedures and policies of his or her agency.

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

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

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

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

9 ***-0576/8.77* SECTION 2392.** 230.08 (2) (e) 1. of the statutes is amended to read:

10 230.08 (2) (e) 1. Administration — ~~10~~ 13.

11 ***-1381/3.1* SECTION 2394.** 230.08 (2) (e) 3. of the statutes is amended to read:

12 230.08 (2) (e) 3. Commerce — ~~7~~ 6.

13 ***b0205/1.1* SECTION 2394m.** 230.08 (2) (e) 3e. of the statutes is amended to
14 read:

15 230.08 (2) (e) 3e. Corrections — ~~5~~ 4.

16 ***-1289/7.115* SECTION 2395.** 230.08 (2) (e) 3r. of the statutes is repealed.

17 ***-0576/8.78* SECTION 2396.** 230.08 (2) (e) 4. of the statutes is repealed.

18 ***-1431/2.41* SECTION 2397.** 230.08 (2) (e) 4f. of the statutes is amended to
19 read:

20 230.08 (2) (e) 4f. Financial institutions — ~~4~~ 3.

21 ***-1794/1.2* SECTION 2398.** 230.08 (2) (e) 7. of the statutes is amended to read:

22 230.08 (2) (e) 7. Justice — ~~4~~ 3.

23 ***b0389/1.4* SECTION 2398r.** 230.08 (2) (g) of the statutes is amended to read:

1 230.08 (2) (g) One stenographer appointed by each elective executive officer,
2 and one deputy or assistant appointed by each elective executive officer except the
3 attorney general, the secretary of state, and the superintendent of public instruction.

4 ***b0155/3.109* SECTION 2404m.** 230.08 (2) (ya) of the statutes is created to
5 read:

6 230.08 (2) (ya) The director and executive assistant to the director of the office
7 of state human resources management in the department of administration.

8 ***b0174/6.17* SECTION 2405d.** 230.08 (2) (yr) of the statutes is repealed.

9 ***-0576/8.82* SECTION 2406.** 230.08 (4) (c) of the statutes is amended to read:

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

1 board's, department's, commission's or society's proposal is presented to either
2 committee.

3 *b0155/3.111* SECTION 2407b. 230.08 (8) of the statutes is amended to read:

4 230.08 (8) AUDITING OF PAYROLLS. The ~~secretary~~ director shall audit the payrolls
5 of the classified and unclassified service, as necessary, to carry out this subchapter.

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

8 230.09 (1) (intro.) The ~~secretary~~ director shall ascertain and record the duties,
9 responsibilities and authorities of, and establish grade levels and classifications for,
10 all positions in the classified service. Each classification so established shall include
11 all positions which are comparable with respect to authority, responsibility and
12 nature of work required. Each classification shall be established to include as many
13 positions as are reasonable and practicable. In addition, each class shall:

14 *b0155/3.111* SECTION 2407f. 230.09 (2) (a) of the statutes is amended to read:

15 230.09 (2) (a) After consultation with the appointing authorities, the ~~secretary~~
16 director shall allocate each position in the classified service to an appropriate class
17 on the basis of its duties, authority, responsibilities or other factors recognized in the
18 job evaluation process. The ~~secretary~~ director may reclassify or reallocate positions
19 on the same basis.

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

22 230.09 (2) (am) The ~~secretary~~ director shall maintain and improve the
23 classification plan to meet the needs of the service, using methods and techniques
24 which may include personnel management surveys, individual position reviews,
25 occupational group classification surveys, or other appropriate methods of position

1 review. Such reviews may be initiated by the secretary director after taking into
2 consideration the recommendations of the appointing authority, or at his or her own
3 discretion. The secretary director shall establish, modify or abolish classifications
4 as the needs of the service require.

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

6 230.09 (2) (b) To accommodate and effectuate the continuing changes in the
7 classification plan as a result of the classification survey program and otherwise, the
8 secretary director shall, upon initial establishment of a classification, assign that
9 class to the appropriate pay rate or range, and may, upon subsequent review,
10 reassign classes to different pay rates or ranges. The secretary director shall assign
11 each class to a pay range according to the skill, effort, responsibility and working
12 conditions required for the class, without regard to whether the class is occupied
13 primarily by members of a certain gender or racial group. The secretary director
14 shall give notice to appointing authorities to permit them to make recommendations
15 before final action is taken on any such assignment or reassignment of classes.

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

18 230.09 (2) (c) If anticipated changes in program or organization will
19 significantly affect the assignment of duties or responsibilities to positions, the
20 appointing authority shall, whenever practicable, confer with the secretary director
21 within a reasonable time prior to the reorganization or changes in program to
22 formulate methods to fill positions which are newly established or modified to the
23 extent that reclassification of the position is appropriate. In all cases, appointing
24 authorities shall give written notice to the secretary director and employee of

1 changes in the assignment of duties or responsibilities to a position when the
2 changes in assignment may affect the classification of the position.

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

5 230.09 (2) (d) If after review of a filled position the secretary director
6 reclassifies or reallocates the position, the secretary director shall determine
7 whether the incumbent shall be regraded or whether the position shall be opened to
8 other applicants.

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

11 230.09 (2) (g) When filling a new or vacant position, if the secretary director
12 determines that the classification for a position is different than that provided for by
13 the legislature as established by law or in budget determinations, or as authorized
14 by the joint committee on finance under s. 13.10, or as specified by the governor
15 creating positions under s. 16.505 (1) (c) or (2), the University of Wisconsin Hospitals
16 and Clinics Board creating positions under s. 16.505 (2n) or the board of regents of
17 the University of Wisconsin System creating positions under s. 16.505 (2m), or is
18 different than that of the previous incumbent, the secretary director shall notify the
19 administrator and the secretary of administration. The administrator shall
20 withhold action on the selection and certification process for filling the position. The
21 secretary of administration shall review the position to determine that sufficient
22 funds exist for the position and that the duties and responsibilities of the proposed
23 position reflect the intent of the legislature as established by law or in budget
24 determinations, the intent of the joint committee on finance acting under s. 13.10,
25 the intent of the governor creating positions under s. 16.505 (1) (c) or (2), the