

1 **SECTION 319.** 230.03 (3) of the statutes, as affected by 2011 Wisconsin Act
2 (January 2011 Special Session Senate Bill 6), is amended to read:

3 230.03 (3) "Agency" means any board, commission, committee, council, or
4 department in state government or a unit thereof created by the constitution or
5 statutes if such board, commission, committee, council, department, unit, or the
6 head thereof, is authorized to appoint subordinate staff by the constitution or
7 statute, except a legislative or judicial board, commission, committee, council,
8 department, or unit thereof or an authority created under subch. II of ch. 114 or
9 subch. III of ch. 149 or under ch. ~~52~~, 231, 232, 233, 234, 235, 237, 238, or 279.
10 "Agency" does not mean any local unit of government or body within one or more local
11 units of government that is created by law or by action of one or more local units of
12 government.

13 **SECTION 320.** 230.04 (16) of the statutes is amended to read:

14 230.04 (16) The director may appoint either a deputy director or an executive
15 assistant outside the classified service.

16 **SECTION 321.** 230.046 (10) (a) of the statutes is amended to read:

17 230.046 (10) (a) Conduct off-the-job employee development and training
18 programs relating to functions under this chapter or subch. V ~~or VI~~ of ch. 111.

19 **SECTION 322.** 230.08 (2) (e) 1. of the statutes is amended to read:

20 230.08 (2) (e) 1. Administration — ~~14~~ 13.

21 **SECTION 323.** 230.08 (2) (e) 2. of the statutes is amended to read:

22 230.08 (2) (e) 2. Agriculture, trade and consumer protection — ~~6~~ 9.

23 **SECTION 324.** 230.08 (2) (e) 2m. of the statutes is amended to read:

24 230.08 (2) (e) 2m. Children and families — ~~5~~ 8.

25 **SECTION 325.** 230.08 (2) (e) 3e. of the statutes is amended to read:

1 230.08 (2) (e) 3e. Corrections — ~~4~~ 7.

2 **SECTION 326.** 230.08 (2) (e) 4f. of the statutes is amended to read:

3 230.08 (2) (e) 4f. Financial institutions — ~~3~~ 5.

4 **SECTION 327.** 230.08 (2) (e) 5. of the statutes is amended to read:

5 230.08 (2) (e) 5. Health services — ~~6~~ 9.

6 **SECTION 328.** 230.08 (2) (e) 6. of the statutes is amended to read:

7 230.08 (2) (e) 6. Workforce development — ~~6~~ 8.

8 **SECTION 329.** 230.08 (2) (e) 8. of the statutes is amended to read:

9 230.08 (2) (e) 8. Natural resources — ~~7~~ 10.

10 **SECTION 330.** 230.08 (2) (e) 8h. of the statutes is created to read:

11 230.08 (2) (e) 8h. Office of the commissioner of insurance — 2.

12 **SECTION 331.** 230.08 (2) (e) 8j. of the statutes is created to read:

13 230.08 (2) (e) 8j. Office of state employment relations — 3.

14 **SECTION 332.** 230.08 (2) (e) 9m. of the statutes is amended to read:

15 230.08 (2) (e) 9m. Public service commission — ~~5~~ 8.

16 **SECTION 333.** 230.08 (2) (e) 10. of the statutes is amended to read:

17 230.08 (2) (e) 10. Regulation and licensing — ~~4~~ 6.

18 **SECTION 334.** 230.08 (2) (e) 11. of the statutes is amended to read:

19 230.08 (2) (e) 11. Revenue — ~~4~~ 7.

20 **SECTION 335.** 230.08 (2) (e) 12. of the statutes is amended to read:

21 230.08 (2) (e) 12. Transportation — ~~6~~ 9.

22 **SECTION 336.** 230.08 (2) (e) 15. of the statutes is created to read:

23 230.08 (2) (e) 15. Tourism — 1.

24 **SECTION 337.** 230.08 (2) (ya) of the statutes is amended to read:

1 230.08 (2) (ya) The director, deputy director, and executive assistant to the
2 director of the office of state employment relations ~~in the department of~~
3 ~~administration.~~

4 **SECTION 338.** 230.08 (4) (a) of the statutes is amended to read:

5 230.08 (4) (a) The number of administrator positions specified in sub. (2) (e)
6 includes all administrator positions specifically authorized by law to be employed
7 outside the classified service in each department, board or commission and the
8 historical society, and any other managerial position determined by an appointing
9 authority. In this paragraph, “department” has the meaning given under s. 15.01 (5),
10 “board” means the educational communications board, government accountability
11 board, investment board, public defender board and technical college system board
12 and “commission” means the public service commission. Notwithstanding sub. (2)
13 (z), no division administrator position exceeding the number authorized in sub. (2)
14 (e) may be created in the unclassified service.

15 **SECTION 339.** 230.09 (2) (g) of the statutes is amended to read:

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

SECTION 339

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

11 **SECTION 340.** 230.10 (1) of the statutes is amended to read:

12 ~~230.10 (1) Except as provided under sub. (2), the compensation plan provisions~~
13 ~~of s. 230.12 apply to all employees of the classified service, unless they are covered~~
14 ~~by a collective bargaining agreement under subch. V of ch. 111. If an employee is~~
15 ~~covered under a collective bargaining agreement under subch. V of ch. 111, the~~
16 ~~compensation plan provisions of s. 230.12 apply to that employee, except for those~~
17 ~~provisions relating to matters that are subject to bargaining under a collective~~
18 ~~bargaining agreement that covers the employee.~~

19 **SECTION 341.** 230.12 (3) (e) 1. of the statutes is amended to read:

20 230.12 (3) (e) 1. The director, after receiving recommendations from the board
21 of regents, shall submit to the joint committee on employment relations a proposal
22 for adjusting compensation and employee benefits for employees under ss. 20.923
23 (4g), (5) and (6) (m) and 230.08 (2) (d) who are not included in a collective bargaining
24 unit under subch. V or VI of ch. 111 for which a representative is certified. The
25 proposal shall include the salary ranges and adjustments to the salary ranges for the

1 university senior executive salary groups 1 and 2 established under s. 20.923 (4g).
2 The proposal shall be based upon the competitive ability of the board of regents to
3 recruit and retain qualified faculty and academic staff, data collected as to rates of
4 pay for comparable work in other public services, universities and commercial and
5 industrial establishments, recommendations of the board of regents and any special
6 studies carried on as to the need for any changes in compensation and employee
7 benefits to cover each year of the biennium. The proposal shall also take proper
8 account of prevailing pay rates, costs and standards of living and the state's
9 employment policies. The proposal for such pay adjustments may contain
10 recommendations for across-the-board pay adjustments, merit or other
11 adjustments and employee benefit improvements. Paragraph (b) and sub. (1) (bf)
12 shall apply to the process for approval of all pay adjustments for such employees
13 under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d). The proposal as approved
14 by the joint committee on employment relations and the governor shall be based
15 upon a percentage of the budgeted salary base for such employees under ss. 20.923
16 (4g), (5) and (6) (m) and 230.08 (2) (d). The amount included in the proposal for merit
17 and adjustments other than across-the-board pay adjustments is available for
18 discretionary use by the board of regents.

19 **SECTION 342.** 230.24 (4) of the statutes is created to read:

20 230.24 (4) An appointing authority may reassign an employee in a career
21 executive position to a career executive position in any agency if the appointing
22 authority in the agency to which the employee is to be reassigned approves of the
23 reassignment.

24 **SECTION 343.** 230.26 (4) of the statutes is amended to read:

SECTION 343

1 230.26 (4) Fringe benefits specifically authorized by statutes, with the
2 exception of deferred compensation plan participation under subch. VII of ch. 40,
3 worker's compensation, unemployment insurance, ~~group insurance, retirement,~~ and
4 social security coverage, shall be denied employees hired under this section. Such
5 employees may not be considered permanent employees and do not qualify for
6 tenure, vacation, paid holidays, sick leave, performance awards, or the right to
7 compete in promotional examinations.

8 **SECTION 344.** 230.29 (1) of the statutes is renumbered 230.29 and amended to
9 read:

10 **230.29 Transfers.** ~~Subject to sub. (2), a~~ A transfer may be made from one
11 position to another only if specifically authorized by the administrator.

12 **SECTION 345.** 230.29 (2) of the statutes is repealed.

13 **SECTION 346.** 230.34 (1) (ar) of the statutes is amended to read:

14 230.34 (1) (ar) Paragraphs (a) and (am) apply to all employees with permanent
15 status in class in the classified service and all employees who have served with the
16 state as an assistant district attorney for a continuous period of 12 months or more,
17 ~~except that for employees specified in s. 111.81 (7) (a) in a collective bargaining unit~~
18 ~~for which a representative is recognized or certified, or for employees specified in s.~~
19 ~~111.81 (7) (b) or (c) in a collective bargaining unit for which a representative is~~
20 ~~certified, if a collective bargaining agreement is in effect covering employees in the~~
21 ~~collective bargaining unit, the determination of just cause and all aspects of the~~
22 ~~appeal procedure shall be governed by the provisions of the collective bargaining~~
23 ~~agreement.~~

24 **SECTION 347.** 230.34 (1) (ax) of the statutes is created to read:

1 230.34 (1) (ax) 1. Notwithstanding pars. (a), (am), and (ar), during a state of
2 emergency declared by the governor under s. 323.10, an appointing authority may
3 discharge any employee who does any of the following:

4 a. Fails to report to work as scheduled for any 3 working days during the state
5 of emergency and the employee's absences from work are not approved leaves of
6 absence.

7 b. Participates in a strike, work stoppage, sit-down, stay-in, slowdown, or
8 other concerted interruption of operations or services, including specifically
9 purported mass resignations or sick calls.

10 2. Engaging in any action under subd. 1. constitutes just cause for discharge.

11 3. Before discharging an employee, the appointing authority shall provide the
12 employee notice of the action and shall furnish to the employee in writing the reasons
13 for the action. The appointing authority shall provide the employee an opportunity
14 to respond to the reasons for the discharge.

15 **SECTION 348.** 230.35 (1s) of the statutes is amended to read:

16 230.35 (1s) Annual leave of absence with pay for instructional staff employed
17 by the board of regents of the University of Wisconsin System who provide services
18 for a charter school established by contract under s. 118.40 (2r) (cm) shall be
19 determined by the governing board of the charter school established by contract
20 under s. 118.40 (2r) (cm), as approved by the chancellor of the University of
21 Wisconsin-Parkside and subject to the terms of any collective bargaining agreement
22 under subch. V of ch. 111 covering the instructional staff.

23 **SECTION 349.** 230.35 (2d) (e) of the statutes is amended to read:

24 230.35 (2d) (e) For employees who are included in a collective bargaining unit
25 for which a representative is recognized or certified under subch. V ~~or VI~~ of ch. 111,

SECTION 349

1 this subsection shall apply unless otherwise provided in a collective bargaining
2 agreement.

3 **SECTION 350.** 230.35 (3) (e) 6. of the statutes is amended to read:

4 230.35 (3) (e) 6. For employees who are included in a collective bargaining unit
5 for which a representative is recognized or certified under subch. V ~~or~~ VI of ch. 111,
6 this paragraph shall apply unless otherwise provided in a collective bargaining
7 agreement.

8 **SECTION 351.** 230.88 (2) (b) of the statutes is amended to read:

9 230.88 (2) (b) No collective bargaining agreement supersedes the rights of an
10 employee under this subchapter. However, nothing in this subchapter affects any
11 right of an employee to pursue a grievance procedure under a collective bargaining
12 agreement under subch. V ~~or~~ VI of ch. 111, and if the division of equal rights
13 determines that a grievance arising under such a collective bargaining agreement
14 involves the same parties and matters as a complaint under s. 230.85, it shall order
15 the arbitrator's final award on the merits conclusive as to the rights of the parties
16 to the complaint, on those matters determined in the arbitration which were at issue
17 and upon which the determination necessarily depended.

18 **SECTION 352.** 233.02 (1) (h) of the statutes is repealed.

19 **SECTION 353.** 233.02 (8) of the statutes is amended to read:

20 233.02 (8) The members of the board of directors shall annually elect a
21 chairperson and may elect other officers as they consider appropriate. Eight voting
22 members of the board of directors constitute a quorum for the purpose of conducting
23 the business and exercising the powers of the authority, notwithstanding the
24 existence of any vacancy. The members of the board of directors specified under sub.
25 (1) (c) and (g) may not be the chairperson of the board of directors for purposes of 1995

1 Wisconsin Act 27, section 9159 (2). The board of directors may take action upon a vote
2 of a majority of the members present, unless the bylaws of the authority require a
3 larger number.

4 **SECTION 354.** 233.03 (7) of the statutes is amended to read:

5 233.03 (7) Subject to s. 233.10 and ch. 40 and 1995 Wisconsin Act 27, section
6 9159 (4) ~~and the duty to engage in collective bargaining with employees in a collective~~
7 ~~bargaining unit for which a representative is recognized or certified under subch. I~~
8 ~~of ch. 111~~, employ any agent, employee or special advisor that the authority finds
9 necessary and fix his or her compensation and provide any employee benefits,
10 including an employee pension plan.

11 **SECTION 355.** 233.04 (2) of the statutes is amended to read:

12 233.04 (2) Subject to ~~subs. (4) to (4r)~~ and s. 233.10, develop and implement a
13 personnel structure and other employment policies for employees of the authority.

14 **SECTION 356.** 233.04 (4) of the statutes is repealed.

15 **SECTION 357.** 233.04 (4m) of the statutes is repealed.

16 **SECTION 358.** 233.04 (4r) of the statutes is repealed.

17 **SECTION 359.** 233.10 (1) of the statutes is amended to read:

18 233.10 (1) ~~Subject to s. 233.04 (4) to (4r) and 1995 Wisconsin Act 27, section~~
19 ~~9159 (2) and (4), the~~ The authority shall employ such employees as it may require
20 and shall determine the qualifications and duties of its employees. Appointments
21 to and promotions in the authority shall be made according to merit and fitness.

22 **SECTION 360.** 233.10 (2) (intro.) of the statutes is amended to read:

23 233.10 (2) (intro.) Subject to subs. (3), ~~(3m)~~, (3r) and (3t) and ch. 40 ~~and the duty~~
24 ~~to engage in collective bargaining with employees in a collective bargaining unit for~~

1 ~~which a representative is recognized or certified under subch. I of ch. 111, the~~
2 authority shall establish any of the following:

3 **SECTION 361.** 233.10 (3) (a) (intro.) of the statutes is amended to read:

4 233.10 (3) (a) (intro.) In this subsection and ~~subs. (3m) and sub.~~ (4), “carry-over
5 employee” means an employee of the authority who satisfies all of the following:

6 **SECTION 362.** 233.10 (3) (b) of the statutes is repealed.

7 **SECTION 363.** 233.10 (3) (c) (intro.) of the statutes is amended to read:

8 233.10 (3) (c) (intro.) If an employee of the authority is a carry-over employee
9 ~~and is an employee to whom par. (b) does not apply~~, the authority shall, when setting
10 the terms of the carry-over employee’s employment during the period beginning on
11 June 29, 1996, and ending on June 30, 1997, do all of the following:

12 **SECTION 364.** 233.10 (3) (d) of the statutes is amended to read:

13 233.10 (3) (d) If an employee of the authority is not a carry-over employee ~~and~~
14 ~~is an employee to whom par. (b) does not apply~~, the authority shall, from June 29,
15 1996, to June 30, 1997, provide that employee the same rights, benefits and
16 compensation provided to a carry-over employee under par. (c) who holds a position
17 at the authority with similar duties.

18 **SECTION 365.** 233.10 (3m) of the statutes is repealed.

19 **SECTION 366.** 281.75 (4) (b) 3. of the statutes, as affected by 2011 Wisconsin Act
20 (January 2011 Special Session Senate Bill 6), is amended to read:

21 281.75 (4) (b) 3. An authority created under subch. II of ch. 114 or ch. 52, 231,
22 233, 234, 237, or 238.

23 **SECTION 367.** 285.59 (1) (b) of the statutes, as affected by 2011 Wisconsin Act
24 (January 2011 Special Session Senate Bill 6), is amended to read:

1 285.59 (1) (b) "State agency" means any office, department, agency, institution
2 of higher education, association, society or other body in state government created
3 or authorized to be created by the constitution or any law which is entitled to expend
4 moneys appropriated by law, including the legislature and the courts, the Wisconsin
5 Housing and Economic Development Authority, the Bradley Center Sports and
6 Entertainment Corporation, the University of Wisconsin Hospitals and Clinics
7 Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace
8 Authority, ~~the Wisconsin Quality Home Care Authority~~, the Wisconsin Economic
9 Development Corporation, and the Wisconsin Health and Educational Facilities
10 Authority.

11 **SECTION 368.** 704.31 (3) of the statutes is amended to read:

12 704.31 (3) This section does not apply to a lease to which a local professional
13 baseball park district created under subch. III of ch. 229, ~~the Wisconsin Quality~~
14 ~~Home Care Authority~~, or the Fox River Navigational System Authority is a party.

15 **SECTION 369.** 851.71 (4) of the statutes is amended to read:

16 851.71 (4) In counties having a population of 500,000 or more, the appointment
17 under subs. (1) and (2) shall be made as provided in those subsections but the judges
18 shall not remove the register in probate and deputy registers, except through charges
19 for dismissal made and sustained under s. 63.10 ~~or an applicable collective~~
20 ~~bargaining agreement~~.

21 **SECTION 370.** 978.12 (1) (c) of the statutes is amended to read:

22 978.12 (1) (c) *Assistant district attorneys.* Assistant district attorneys shall be
23 employed outside the classified service. For purposes of salary administration, the
24 director of the office of state employment relations shall establish one or more
25 classifications for assistant district attorneys in accordance with the classification

SECTION 370

1 or classifications allocated to assistant attorneys general. Except as provided in s.
2 111.93 (3) (b), the salaries of assistant district attorneys shall be established and
3 adjusted in accordance with the state compensation plan for assistant attorneys
4 general whose positions are allocated to the classification or classifications
5 established by the director of the office of state employment relations.

6 **SECTION 371.** 2007 Wisconsin Act 20, section 9201 (1c) (a) is amended to read:

7 [2007 Wisconsin Act 20] Section 9201 (1c) (a) Notwithstanding sections 20.001
8 (3) (a) to (c) and 25.40 (3) of the statutes, but subject to paragraph (d), the secretary
9 of administration shall lapse to the general fund or transfer to the general fund from
10 the unencumbered balances of state operations appropriations to executive branch
11 state agencies, other than sum sufficient appropriations and appropriations of
12 federal revenues, an amount equal to \$200,000,000 during the 2007-09 fiscal
13 biennium and ~~\$200,000,000~~ \$121,000,000 during the 2009-11 fiscal biennium. This
14 paragraph shall not apply to appropriations to the Board of Regents of the University
15 of Wisconsin System and to the technical college system board.

16 **SECTION 372.** 2009 Wisconsin Act 28, section 9222 (1d) is repealed.

17 **SECTION 9101. Nonstatutory provisions; Administration.**

18 (1) EVALUATION OF STAFFING NEEDS AT THE WISCONSIN EMPLOYMENT RELATIONS
19 COMMISSION. The department of administration shall evaluate the staffing
20 requirements of the Wisconsin employment relations commission and shall submit
21 the report of the evaluation to the joint committee on finance under section 13.10 of
22 the statutes.

23 (2) POSITION INCREASES AND DECREASES.

24 (a) The authorized FTE positions for the department of administration are
25 decreased by 1.0 FED position, funded from the appropriation under section 20.505

1 (1) (pz) of the statutes, for the purpose for which the appropriation is made. The
2 secretary of administration shall identify the position.

3 (b) The authorized FTE positions for the department of administration are
4 decreased by 1.0 PR position, funded from the appropriation under section 20.505 (1)
5 (kr) of the statutes, for the purpose for which the appropriation is made. The
6 secretary of administration shall identify the position.

7 (c) The authorized FTE positions for the department of administration are
8 increased by 1.0 PR position, funded from the appropriation under section 20.505 (1)
9 (ka) of the statutes, to provide for an unclassified division administrator.

10 (d) The authorized FTE positions for the department of administration are
11 increased by 1.0 PR position, funded from the appropriation under section 20.505 (1)
12 (kr) of the statutes, to provide for an unclassified division administrator.

13 (e) The authorized FTE positions for the department of administration are
14 increased by 1.0 PR position, funded from the appropriation under section 20.505 (5)
15 (ka) of the statutes, to provide for an unclassified division administrator.

16 **SECTION 9103. Nonstatutory provisions; Agriculture, Trade and**
17 **Consumer Protection.**

18 (1) POSITION INCREASES AND DECREASES.

19 (a) The authorized FTE positions for the department of agriculture, trade and
20 consumer protection are decreased by 3.0 GPR positions, funded from the
21 appropriation under section 20.115 (8) (a) of the statutes, for the purpose for which
22 the appropriation is made. The secretary of administration shall identify the
23 positions.

24 (b) The authorized FTE positions for the department of agriculture, trade and
25 consumer protection are increased by 3.0 GPR positions, funded from the

1 appropriation under section 20.115 (8) (a) of the statutes, to provide for additional
2 unclassified division administrators.

3 **SECTION 9108. Nonstatutory provisions; Children and Families.**

4 (1) POSITION INCREASES AND DECREASES.

5 (a) The authorized FTE positions for the department of children and families
6 are decreased by 1.0 PR position, funded from the appropriation under section 20.437
7 (3) (k) of the statutes, for the purpose for which the appropriation is made. The
8 secretary of administration shall identify the position.

9 (b) The authorized FTE positions for the department of children and families
10 are decreased by 1.85 GPR positions, funded from the appropriation under section
11 20.437 (3) (a) of the statutes, for the purpose for which the appropriation is made.
12 The secretary of administration shall identify the positions.

13 (c) The authorized FTE positions for the department of children and families
14 are decreased by 0.15 FED position, funded from the appropriation under section
15 20.437 (3) (n) of the statutes, for the purpose for which the appropriation is made.
16 The secretary of administration shall identify the position.

17 (d) The authorized FTE positions for the department of children and families
18 are increased by 1.0 PR position, funded from the appropriation under section 20.437
19 (3) (k) of the statutes, to provide for an unclassified division administrator.

20 (e) The authorized FTE positions for the department of children and families
21 are increased by 1.85 GPR positions, funded from the appropriation under section
22 20.437 (3) (a) of the statutes, to provide for additional unclassified division
23 administrators.

1 (f) The authorized FTE positions for the department of children and families
2 are increased by 0.15 FED position, funded from the appropriation under section
3 20.437 (3) (n) of the statutes, to provide for an unclassified division administrator.

4 **SECTION 9111. Nonstatutory provisions; Corrections.**

5 (1) POSITION INCREASES AND DECREASES.

6 (a) The authorized FTE positions for the department of corrections are
7 decreased by 3.0 GPR positions, funded from the appropriation under section 20.410
8 (1) (a) of the statutes, for the purpose for which the appropriation is made. The
9 secretary of administration shall identify the positions.

10 (b) The authorized FTE positions for the department of corrections are
11 increased by 3.0 GPR positions, funded from the appropriation under section 20.410
12 (1) (a) of the statutes, to provide for additional unclassified division administrators.

13 **SECTION 9115. Nonstatutory provisions; Employee Trust Funds.**

14 (1) STATE EMPLOYEE HEALTH CARE COVERAGE.

15 (a) Notwithstanding section 40.05 (4) (ag) and (c) of the statutes, as affected by
16 this act, beginning with health insurance premiums paid ~~on the first day of the first~~
17 ~~pay period after March 18, 2011, and ending on December 31, 2011,~~ ^{IN April} ~~all~~ ^{with coverage for} all of the
18 following shall apply:

19 1. Employees covered under section 40.05 (4) (ag) 2. of the statutes, as affected
20 by this act, shall pay \$84 a month for individual coverage and \$208 a month for family
21 coverage for health care coverage under any plan offered in the tier with the lowest
22 employee premium cost under section 40.51 (6) of the statutes; \$122 a month for
23 individual coverage and \$307 a month for family coverage for health care coverage
24 under any plan offered in the tier with the next lowest employee premium cost under
25 section 40.51 (6) of the statutes; and \$226 a month for individual coverage and \$567

1 a month for family coverage for health care coverage under any plan offered in the
2 tier with the highest employee premium cost under section 40.51 (6) of the statutes.

3 2. Eligible employees covered under section 40.02 (25) (b) 2. of the statutes, as
4 affected by this act, shall pay 50 percent of the amounts required for employees under
5 subdivision 1.

6 3. Employees covered under section 40.05 (4) (ag) 1. of the statutes, as affected
7 by this act, and craft employees, as defined in section 111.81 (4) of the statutes, and
8 related nonrepresented employees shall pay the same amounts that they are
9 required to pay on the day before the effective date of this subdivision.

10 (b) If an employer is unable to modify payroll procedures in sufficient time to
11 collect employees' increased share of the premium costs for health care coverage
12 under paragraph (a) ~~before the first day of the first pay period after March 13, 2011,~~
13 the employer shall recover all amounts that employees owe for the increased share
14 of premium costs before July 1, 2011.

15 (2) EMPLOYER AND EMPLOYEE REQUIRED CONTRIBUTIONS FOR 2011. Notwithstanding
16 the employer and employee required contributions rates established for 2011 under
17 section 40.05 (1) and (2), 2009 stats., beginning on the first day of the first pay period
18 after March 13, 2011, the employee required contributions under section 40.05 (1) (a)
19 of the statutes, as affected by this act, shall be in effect for the remainder of 2011, and
20 the employer required contributions under section 40.05 (2) of the statutes shall be
21 adjusted to reflect the increases in employee required contributions for the
22 remainder of 2011. In addition, beginning on the first day of the first pay period after
23 March 13, 2011, for the purpose of calculating employee required contributions, the
24 benefit adjustment contribution established under section 40.05 (2m), 2009 stats.,
25 shall be treated as an employer required contribution for the remainder of 2011. If

1 an employer is unable to modify payroll procedures in sufficient time to collect the
2 increased employee required contributions before the first day of the first pay period
3 after March 13, 2011, the employer shall recover all amounts that employees owe
4 before July 1, 2011.

5 (3) MODIFICATIONS TO WISCONSIN RETIREMENT SYSTEM.

6 (a) The secretary of administration, the director of the office of state
7 employment relations, the secretary of employee trust funds, and the cochairpersons
8 of the joint survey committee on retirement systems shall study the structure of the
9 Wisconsin Retirement System and benefits provided under the Wisconsin
10 Retirement System. The study shall specifically address the following issues:

11 1. Establishing a defined contribution plan as an option for participating
12 employees, as defined in section 40.02 (46) of the statutes.

13 2. Establishing a vesting period of 1, 5, or 10 years for employer contributions
14 under section 40.05 (2) of the statutes and for eligibility for retirement benefits.

15 3. Modifying the supplemental health insurance premium credit program
16 under subchapter IX of chapter 40 of the statutes.

17 4. Permitting employees to not make employee required contributions under
18 section 40.05 (1) (a) of the statutes and limiting retirement benefits for employees
19 who do not make employee required contributions to a money purchase annuity
20 calculated under section 40.23 (3) of the statutes.

21 (b) No later than June 30, 2012, the secretary of administration, the director
22 of the office of state employment relations, the secretary of employee trust funds, and
23 the cochairpersons of the joint survey committee on retirement systems shall report
24 their findings and recommendations to the chief clerk of each house of the
25 legislature, for distribution to the legislature under section 13.172 (2) of the statutes.

1 (4) ALLOCATION OF CERTAIN EXCESS RESERVES IN THE PUBLIC EMPLOYEE TRUST FUND
2 TO REDUCE EMPLOYER HEALTH INSURANCE COSTS DURING 2011. Notwithstanding any
3 action of the group insurance board under section 40.03 (6) (d) of the statutes, from
4 reserve accounts established under section 20.515 (1) (r) of the statutes for group
5 health insurance and pharmacy benefits for state employees, the secretary of
6 employee trust funds shall allocate an amount equal to \$28,000,000 to reduce
7 employer costs for providing group health insurance for state employees for the
8 period beginning on July 1, 2011, and ending on December 31, 2011.

9 (5) AGREEMENTS TO MODIFY GROUP INSURANCE COVERAGE FOR STATE EMPLOYEES.
10 Section 40.03 (6) (c) of the statutes shall not apply to any agreements entered into
11 by the group insurance board to modify group insurance coverage for the 2012 and
12 2013 calendar years.

13 (6) REDUCTIONS IN HEALTH CARE PREMIUM COSTS FOR HEALTH CARE COVERAGE
14 DURING 2012 CALENDAR YEAR. The group insurance board shall design health care
15 coverage plans for the 2012 calendar year that, after adjusting for any inflationary
16 increase in health benefit costs, as determined by the group insurance board, reduces
17 the average premium cost of plans offered in the tier with the lowest employee
18 premium cost under section 40.51 (6) of the statutes by at least 5 percent from the
19 cost of such plans offered during the 2011 calendar year. The group insurance board
20 shall include copayments in the health care coverage plans for the 2012 calendar
21 year and may require health risk assessments for state employees and participation
22 in wellness or disease management programs.

23 (7) AUDIT OF DEPENDENT ELIGIBILITY UNDER BENEFIT PROGRAMS. If the department
24 of employee trust funds determines that an audit of benefit programs administered
25 by the department is necessary for the purpose of verifying the eligibility of

1 dependents covered under the benefit programs, the department shall submit a
2 written request to the secretary of administration to expend an amount not
3 exceeding \$700,000 from the appropriation account under section 20.515 (1) (w) of
4 the statutes for the 2011-12 fiscal year to fund the cost of the audit. If the secretary
5 of administration approves the request, the department of employee trust funds may
6 proceed with the audit.

7 **SECTION 9117. Nonstatutory provisions; Financial Institutions.**

8 (1) POSITION INCREASES AND DECREASES.

9 (a) The authorized FTE positions for the department of financial institutions
10 are decreased by 2.0 PR positions, funded from the appropriation under section
11 20.144 (1) (g) of the statutes, for the purpose for which the appropriation is made.
12 The secretary of administration shall identify the positions.

13 (b) The authorized FTE positions for the department of financial institutions
14 are increased by 2.0 PR positions, funded from the appropriation under section
15 20.144 (1) (g) of the statutes, to provide for additional unclassified division
16 administrators.

17 **SECTION 9121. Nonstatutory provisions; Health Services.**

18 (1) POSITION INCREASES AND DECREASES.

19 (a) The authorized FTE positions for the department of health services are
20 decreased by 1.0 FED position, funded from the appropriation under section 20.435
21 (8) (pz) of the statutes, for the purpose for which the appropriation is made. The
22 secretary of administration shall identify the position.

23 (b) The authorized FTE positions for the department of health services are
24 decreased by 2.0 GPR positions, funded from the appropriation under section 20.435

SECTION 9121

1 (8) (a) of the statutes, for the purpose for which the appropriation is made. The
2 secretary of administration shall identify the positions.

3 (c) The authorized FTE positions for the department of health services are
4 increased by 1.0 FED position, funded from the appropriation under section 20.435
5 (8) (pz) of the statutes, to provide for an unclassified division administrator.

6 (d) The authorized FTE positions for the department of health services are
7 increased by 2.0 GPR positions, funded from the appropriation under section 20.435
8 (8) (a) of the statutes, to provide for additional unclassified division administrators.

SECTION 9125. Nonstatutory provisions; Insurance.

9 (1) POSITION INCREASES AND DECREASES.

10 (a) The authorized FTE positions for the office of the commissioner of insurance
11 are decreased by 2.0 PR positions, funded from the appropriation under section
12 20.145 (1) (g) of the statutes, for the purpose for which the appropriation is made.
13 The secretary of administration shall identify the positions.
14

15 (b) The authorized FTE positions for the office of the commissioner of insurance
16 are increased by 2.0 PR positions, funded from the appropriation under section
17 20.145 (1) (g) of the statutes, to provide for additional unclassified division
18 administrators.

SECTION 9132. Nonstatutory provisions; Local Government.

19 (1) UNION REPRESENTATIVE CERTIFICATION VOTE.

20 (a) In this subsection:

21 1. "General municipal employee" has the meaning given in section 111.70 (1)
22 (fm) of the statutes, as created by this act.

23 2. "School district employee" has the meaning given in section 111.70 (1) (ne)
24 of the statutes.
25

1 (b) Each collective bargaining unit under subchapter IV of chapter 111 of the
2 statutes, as affected by this act, containing general municipal employees shall vote
3 to certify or decertify their representatives as provided in section 111.70 (4) (d) 3. b.
4 of the statutes, as created by this act. Notwithstanding the date provided under
5 section 111.70 (4) (d) 3. b. of the statutes, as created by this act, for collective
6 bargaining units containing school district employees, the vote shall be held in the
7 May that follows the termination of the collective bargaining agreement covering the
8 collective bargaining unit, and for collective bargaining units containing general
9 municipal employees who are not school district employees, the vote shall be held in
10 the December that follows the termination of the collective bargaining agreement
11 covering the collective bargaining unit.

12 **SECTION 9135. Nonstatutory provisions; Natural Resources.**

13 (1) POSITION INCREASES AND DECREASES.

14 (a) The authorized FTE positions for the department of natural resources are
15 decreased by 1.0 SEG position, funded from the appropriation under section 20.370
16 (1) (mu) of the statutes, for the purpose for which the appropriation is made. The
17 secretary of administration shall identify the position.

18 (b) The authorized FTE positions for the department of natural resources are
19 decreased by 2.0 SEG positions, funded from the appropriation under section 20.370
20 (8) (mu) of the statutes, for the purpose for which the appropriation is made. The
21 secretary of administration shall identify the positions.

22 (c) The authorized FTE positions for the department of natural resources are
23 increased by 1.0 SEG position, funded from the appropriation under section 20.370
24 (1) (mu) of the statutes, to provide for an unclassified division administrator.

1 (d) The authorized FTE positions for the department of natural resources are
2 increased by 2.0 SEG positions, funded from the appropriation under section 20.370
3 (8) (mu) of the statutes, to provide for additional unclassified division
4 administrators.

5 **SECTION 9139. Nonstatutory provisions; Public Service Commission.**

6 (1) POSITION INCREASES AND DECREASES.

7 (a) The authorized FTE positions for the public service commission are
8 decreased by 3.0 PR positions, funded from the appropriation under section 20.155
9 (1) (g) of the statutes, for the purpose for which the appropriation is made. The
10 secretary of administration shall identify the positions.

11 (b) The authorized FTE positions for the public service commission are
12 increased by 3.0 PR positions, funded from the appropriation under section 20.155
13 (1) (g) of the statutes, to provide for additional unclassified division administrators.

14 **SECTION 9140. Nonstatutory provisions; Regulation and Licensing.**

15 (1) POSITION INCREASES AND DECREASES.

16 (a) The authorized FTE positions for the department of regulation and
17 licensing are decreased by 2.0 PR positions, funded from the appropriation under
18 section 20.165 (1) (g) of the statutes, for the purpose for which the appropriation is
19 made. The secretary of administration shall identify the positions.

20 (b) The authorized FTE positions for the department of regulation and
21 licensing are increased by 2.0 PR positions, funded from the appropriation under
22 section 20.165 (1) (g) of the statutes, to provide for additional unclassified division
23 administrators.

24 **SECTION 9141. Nonstatutory provisions; Revenue.**

25 (1) POSITION INCREASES AND DECREASES.

1 (a) The authorized FTE positions for the department of revenue are decreased
2 by 2.55 GPR positions, funded from the appropriation under section 20.566 (3) (a) of
3 the statutes, for the purpose for which the appropriation is made. The secretary of
4 administration shall identify the positions.

5 (b) The authorized FTE positions for the department of revenue are decreased
6 by 0.45 SEG position, funded from the appropriation under section 20.566 (8) (q) of
7 the statutes, for the purpose for which the appropriation is made. The secretary of
8 administration shall identify the position.

9 (c) The authorized FTE positions for the department of revenue are increased
10 by 2.55 GPR positions, funded from the appropriation under section 20.566 (3) (a) of
11 the statutes, to provide for additional unclassified division administrators.

12 (d) The authorized FTE positions for the department of revenue are increased
13 by 0.45 SEG position, funded from the appropriation under section 20.566 (8) (q) of
14 the statutes, to provide for an unclassified division administrator.

15 **SECTION 9143. Nonstatutory provisions; State Employment Relations,**
16 **Office of.**

17 (1) HEALTH INSURANCE OPTIONS. The director of the office of state employment
18 relations and the secretary of employee trust funds shall study the feasibility of
19 offering to employees eligible who receive health care coverage under subchapter IV
20 of chapter 40 of the statutes, beginning on January 1, 2013, the options of receiving
21 health care coverage through either a low-cost health care coverage plan or through
22 a high-deductible health plan and the establishment of a health savings account, as
23 described in 26 USC 223. The director of the office of state employment relations and
24 the secretary of employee trust funds shall also study the feasibility of requiring
25 state employees to receive health care coverage through a health benefits exchange

1 established pursuant to the federal Patient Protection and Affordable Care Act of
2 2010 and creating a health care insurance purchasing pool for all state and local
3 government employees and individuals receiving health care coverage under the
4 Medical Assistance program. No later than June 30, 2012, the director and secretary
5 shall report their findings and recommendations to the governor.

6 (2) **COMPENSATION PLAN FOR REPRESENTED STATE EMPLOYEES.** Notwithstanding
7 section 230.10 (1) of the statutes, as affected by this act, the director of the office of
8 state employment relations shall establish a compensation plan for state employees
9 who are covered under a collective bargaining agreement under subchapter V of
10 chapter 111, as affected by this act, that contains provisions on any matters relating
11 to wages, hours, and conditions of employment, other than matters that are subject
12 to bargaining under a collective bargaining agreement covering the employees. The
13 compensation plan shall be reviewed and established in the same manner as
14 provided under section 230.12 (3) of the statutes. The compensation plan shall not
15 apply after July 1, 2012.

16 (3) **POSITION INCREASES AND DECREASES.**

17 (a) The authorized FTE positions for the office of state employment relations
18 are decreased by 1.0 PR position, funded from the appropriation under section 20.545
19 (1) (k) of the statutes, for the purpose for which the appropriation is made. The
20 secretary of administration shall identify the position.

21 (b) The authorized FTE positions for the office of state employment relations
22 are increased by 1.0 PR position, funded from the appropriation under section 20.545
23 (1) (k) of the statutes, to provide for an unclassified division administrator.

24 **SECTION 9147. Nonstatutory provisions; Tourism.**

25 (1) **POSITION INCREASES AND DECREASES.**

1 (a) The authorized FTE positions for the department of tourism are decreased
2 by 1.0 GPR position, funded from the appropriation under section 20.380 (1) (a) of
3 the statutes, for the purpose for which the appropriation is made. The secretary of
4 administration shall identify the position.

5 (b) The authorized FTE positions for the department of tourism are increased
6 by 1.0 GPR position, funded from the appropriation under section 20.380 (1) (a) of
7 the statutes, to provide for an unclassified division administrator.

8 **SECTION 9148. Nonstatutory provisions; Transportation.**

9 (1) POSITION INCREASES AND DECREASES.

10 (a) The authorized FTE positions for the department of transportation are
11 decreased by 3.0 SEG positions, funded from the appropriation under section 20.395
12 (4) (aq) of the statutes, for the purpose for which the appropriation is made. The
13 secretary of administration shall identify the positions.

14 (b) The authorized FTE positions for the department of transportation are
15 increased by 3.0 SEG positions, funded from the appropriation under section 20.395
16 (4) (aq) of the statutes, to provide for additional unclassified division administrators.

17 **SECTION 9151. Nonstatutory provisions; University of Wisconsin**
18 **Hospitals and Clinics Board.**

19 (1) TERMINATION OF CONTRACTUAL SERVICES AGREEMENT. On the effective date of
20 this subsection any contractual services agreement between the University of
21 Wisconsin Hospitals and Clinics Board and the University of Wisconsin Hospitals
22 and Clinics Authority under section 233.04 (4) of the statutes is terminated.

23 (2) TRANSFER OF EMPLOYEES TO UNIVERSITY OF WISCONSIN HOSPITALS AND CLINICS
24 AUTHORITY. On the effective date of this subsection, all employees of the University
25 of Wisconsin Hospitals and Clinics Board are transferred to the University of

1 Wisconsin Hospitals and Clinics Authority. The University of Wisconsin Hospitals
2 and Clinics Authority shall adhere to the terms of any collective bargaining
3 agreement covering the employees that is in force on the effective date of this
4 subsection, including specifically terms relating to employer payment of any
5 employee required contributions under the Wisconsin Retirement System and
6 employer payment of any health insurance premiums on behalf of employees. Upon
7 termination of the collective bargaining agreement, the University of Wisconsin
8 Hospitals and Clinics Authority shall establish the compensation and benefits of the
9 employees under section 233.10 (2) of the statutes.

10 **SECTION 9154. Nonstatutory provisions; Workforce Development.**

11 (1) POSITION INCREASES AND DECREASES.

12 (a) The authorized FTE positions for the department of workforce development
13 are decreased by 2.0 PR positions, funded from the appropriation under section
14 20.445 (1) (kc) of the statutes, for the purpose for which the appropriation is made.
15 The secretary of administration shall identify the positions.

16 (b) The authorized FTE positions for the department of workforce development
17 are increased by 2.0 PR positions, funded from the appropriation under section
18 20.445 (1) (kc) of the statutes, to provide for additional unclassified division
19 administrators.

20 **SECTION 9155. Nonstatutory provisions; Other.**

21 (1) UNION REPRESENTATIVE CERTIFICATION VOTE.

22 (a) In this subsection, "general employee" has the meaning given in section
23 111.81 (9g) of the statutes, as created by this act.

24 (b) Each collective bargaining unit under subchapter V of chapter 111 of the
25 statutes, as affected by this act, containing general employees shall vote to certify or

1 decertify their representatives as provided in section 111.83 (3) (b) of the statutes,
2 as created by this act. Notwithstanding the date provided under section 111.83 (3)
3 (b) of the statutes, as created by this act, the vote shall be held in April 2011.

4 (2) WISCONSIN QUALITY HOME CARE AUTHORITY ASSETS, LIABILITIES, PERSONAL
5 PROPERTY, AND CONTRACTS.

6 (a) On the effective date of this paragraph, the assets and liabilities of the
7 Wisconsin Quality Home Care Authority shall become the assets and liabilities of the
8 department of health services.

9 (b) On the effective date of this paragraph, all tangible personal property,
10 including records, of the Wisconsin Quality Home Care Authority is transferred to
11 the department of health services.

12 (c) All contracts entered into by the Wisconsin Quality Home Care Authority
13 in effect on the effective date of this paragraph remain in effect and are transferred
14 to the department of health services. The department of health services shall carry
15 out any obligations under such a contract until the contract is modified or rescinded
16 by the department of health services to the extent allowed under the contract.

17 **SECTION 9208. Fiscal changes; Children and Families.**

18 (1) TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT FUNDS. In the
19 schedule under section 20.005 (3) of the statutes for the appropriation to the
20 department of children and families under section 20.437 (2) (md) of the statutes, as
21 affected by the acts of 2011, the dollar amount is increased by \$37,000,000 for the
22 second fiscal year of the fiscal biennium in which this subsection takes effect to
23 support an increase in the earned income tax credit.

24 (2) INCOME AUGMENTATION LAPSE.

1 (a) Notwithstanding section 20.001 (3) (c) of the statutes, there is lapsed to the
2 general fund from the appropriation account to the department of children and
3 families under section 20.437 (1) (kx) of the statutes, as affected by the acts of 2011,
4 \$2,011,200 in the second fiscal year of the fiscal biennium in which this subsection
5 takes effect.

6 (b) Notwithstanding 2007 Wisconsin Act 20, section 9201 (1c) (a), the secretary
7 of administration shall apply the lapse under paragraph (a) to the lapse requirement
8 for the 2009-11 fiscal biennium under 2007 Wisconsin Act 20, section 9201 (1c) (a).

9 **SECTION 9211. Fiscal changes; Corrections.**

10 (1) ADULT CORRECTIONAL SERVICES. In the schedule under section 20.005 (3) of
11 the statutes for the appropriation to the department of corrections under section
12 20.410 (1) (a) of the statutes, as affected by the acts of 2011, the dollar amount is
13 increased by \$19,537,900 for the second fiscal year of the fiscal biennium in which
14 this subsection takes effect to increase funding for the purpose for which the
15 appropriation is made.

16 (2) TRANSFERS.

17 (a) There is transferred from the appropriation account under section 20.410
18 (1) (f) of the statutes to the appropriation account under section 20.410 (1) (a) of the
19 statutes \$5,362,500 in the second fiscal year of the fiscal biennium in which this
20 paragraph takes effect.

21 (b) There is transferred from the appropriation account under section 20.410
22 (1) (ab) of the statutes to the appropriation account under section 20.410 (1) (a) of the
23 statutes \$2,825,300 in the second fiscal year of the fiscal biennium in which this
24 paragraph takes effect.

1 (c) There is transferred from the appropriation account under section 20.410
2 (2) (a) of the statutes to the appropriation account under section 20.410 (1) (a) of the
3 statutes \$100,200 in the second fiscal year of the fiscal biennium in which this
4 paragraph takes effect.

5 (d) There is transferred from the appropriation account under section 20.410
6 (3) (cg) of the statutes to the appropriation account under section 20.410 (1) (a) of the
7 statutes \$71,000 in the second fiscal year of the fiscal biennium in which this
8 paragraph takes effect.

9 (e) There is transferred from the appropriation account under section 20.410
10 (1) (bm) of the statutes to the appropriation account under section 20.410 (1) (a) of
11 the statutes \$10,700 in the second fiscal year of the fiscal biennium in which this
12 paragraph takes effect.

13 (f) There is transferred from the appropriation account under section 20.410
14 (3) (a) of the statutes to the appropriation account under section 20.410 (1) (a) of the
15 statutes \$36,600 in the second fiscal year of the fiscal biennium in which this
16 paragraph takes effect.

17 (g) There is transferred from the appropriation account under section 20.410
18 (3) (cg) of the statutes to the appropriation account under section 20.410 (1) (b) of the
19 statutes \$2,138,400 in the second fiscal year of the fiscal biennium in which this
20 paragraph takes effect.

21 **SECTION 9219. Fiscal changes; Governor.**

22 (1) LAPSES TO GENERAL FUND RELATING TO EMPLOYER SAVINGS IN FRINGE BENEFIT
23 COSTS DURING THE 2009-11 FISCAL BIENNIUM. Notwithstanding section 20.001 (3) (a) to
24 (c) of the statutes, before July 1, 2011, the governor shall take actions to ensure that
25 from general purpose revenue appropriations to the office of the governor under

1 section 20.525 of the statutes an amount equal to \$37,500 is lapsed from sum certain
2 appropriation accounts or is subtracted from the expenditure estimates for any other
3 type of appropriations, or both.

4 **SECTION 9221. Fiscal changes; Health Services.**

5 (1) INCOME AUGMENTATION LAPSE.

6 (a) Notwithstanding section 20.001 (3) (c) of the statutes, there is lapsed to the
7 general fund from the appropriation account to the department of health services
8 under section 20.435 (8) (mb) of the statutes, as affected by the acts of 2011,
9 \$4,500,000 in the second fiscal year of the fiscal biennium in which this subsection
10 takes effect.

11 (b) Notwithstanding 2007 Wisconsin Act 20, section 9201 (1c) (a), the secretary
12 of administration shall apply the lapse under paragraph (a) to the lapse requirement
13 for the 2009-11 fiscal biennium under 2007 Wisconsin Act 20, section 9201 (1c) (a).

14 (2) COMMUNITY AIDS APPROPRIATION. In the schedule under section 20.005 (3) of
15 the statutes for the appropriation to the department of health services under section
16 20.435 (7) (b) of the statutes, as affected by the acts of 2011, the dollar amount is
17 decreased by \$3,100,000 for the second fiscal year of the fiscal biennium in which this
18 subsection takes effect for the purposes for which the appropriation is made.

19 (3) MEDICAL ASSISTANCE GENERAL PURPOSE REVENUE APPROPRIATION. In the
20 schedule under section 20.005 (3) of the statutes for the appropriation to the
21 department of health services under section 20.435 (4) (b) of the statutes, as affected
22 by the acts of 2011, the dollar amount is increased by \$127,200,000 for the second
23 fiscal year of the fiscal biennium in which this subsection takes effect for the
24 purposes for which the appropriation is made.

1 (4) **MEDICAL ASSISTANCE ADMINISTRATION APPROPRIATION.** In the schedule under
2 section 20.005 (3) of the statutes for the appropriation to the department of health
3 services under section 20.435 (4) (bm) of the statutes, as affected by the acts of 2011,
4 the dollar amount is increased by \$16,000,000 for the second fiscal year of the fiscal
5 biennium in which this subsection takes effect for the purposes for which the
6 appropriation is made.

7 (5) **INCOME MAINTENANCE APPROPRIATION.** In the schedule under section 20.005
8 (3) of the statutes for the appropriation to the department of health services under
9 section 20.435 (4) (bn) of the statutes, as affected by the acts of 2011, the dollar
10 amount is increased by \$2,500,000 for the second fiscal year of the fiscal biennium
11 in which this subsection takes effect for the purposes for which the appropriation is
12 made.

13 (6) **MEDICAL ASSISTANCE TRUST FUND.** In the schedule under section 20.005 (3)
14 of the statutes for the appropriation to the department of health services under
15 section 20.435 (4) (w) of the statutes, as affected by the acts of 2011, the dollar amount
16 is increased by \$6,700,000 for the second fiscal year of the fiscal biennium in which
17 this subsection takes effect for the purposes for which the appropriation is made.

18 (7) **MEDICAL ASSISTANCE PROGRAM BENEFITS APPROPRIATION INCREASE.** In the
19 schedule under section 20.005 (3) of the statutes for the appropriation to the
20 department of health services under section 20.435 (4) (b) of the statutes, as affected
21 by the acts of 2011, the dollar amount is increased by \$6,800,000 for the second fiscal
22 year of the fiscal biennium in which this subsection takes effect to fund the
23 contribution for indigent health care in Milwaukee County.

24 **SECTION 9227. Fiscal changes; Joint Committee on Finance.**

1 (1) **FEDERAL PROGRAM SUPPLEMENT.** In the schedule under section 20.005 (3) of
2 the statutes for the appropriation to the joint committee on finance under section
3 20.865 (4) (m) of the statutes, as affected by the acts of 2011, the dollar amount is
4 decreased by \$37,000,000 for the second fiscal year of the fiscal biennium in which
5 this subsection takes effect for supplementing federal earned income tax credit
6 payments.

7 (2) **GENERAL PURPOSE REVENUE FUNDS GENERAL PROGRAM SUPPLEMENTATION.** In the
8 schedule under section 20.005 (3) of the statutes for the appropriation to the joint
9 committee on finance under section 20.865 (4) (a) of the statutes, as affected by the
10 acts of 2011, the dollar amount is decreased by \$4,590,400 for the second fiscal year
11 of the fiscal biennium in which this subsection takes effect to reduce expenditures
12 for the purpose for which the appropriation is made.

13 **SECTION 9230. Fiscal changes; Legislature.**

14 (1) **LAPSES TO GENERAL FUND RELATING TO EMPLOYER SAVINGS IN FRINGE BENEFIT**
15 **COSTS DURING THE 2009-11 FISCAL BIENNIUM.**

16 (a) Notwithstanding section 20.001 (3) (a) to (c) of the statutes, before July 1,
17 2011, the cochairpersons of the joint committee on legislative organization shall take
18 actions to ensure that from general purpose revenue appropriations to the
19 legislature under section 20.765 of the statutes an amount equal to \$717,700 is
20 lapsed from sum certain appropriation accounts or is subtracted from the
21 expenditure estimates for any other type of appropriations, or both.

22 (b) The amount lapsed under paragraph (a) shall be in addition to the amounts
23 that are required to be lapsed or transferred to the general fund under 2009
24 Wisconsin Act 28, section 3416f.

25 **SECTION 9241. Fiscal changes; Revenue.**

1 (1) EARNED INCOME TAX CREDIT. In the schedule under section 20.005 (3) of the
2 statutes for the appropriation to the department of revenue under section 20.835 (2)
3 (kf) of the statutes, as affected by the acts of 2011, the dollar amount is increased by
4 \$37,000,000 for the second fiscal year of the fiscal biennium in which this subsection
5 takes effect for the purposes for which the appropriation is made.

6 **SECTION 9245. Fiscal changes; Supreme Court.**

7 (1) LAPSES TO GENERAL FUND RELATING TO EMPLOYER SAVINGS IN FRINGE BENEFIT
8 COSTS DURING THE 2009-11 FISCAL BIENNIUM. Notwithstanding section 20.001 (3) (a) to
9 (c) of the statutes, before July 1, 2011, the chief justice of the supreme court shall take
10 actions to ensure that from general purpose revenue appropriations to the judicial
11 branch of government under subchapter VII of chapter 20 of the statutes an amount
12 equal to \$1,153,400 is lapsed from sum certain appropriation accounts or is
13 subtracted from the expenditure estimates for any other type of appropriations, or
14 both.

15 **SECTION 9255. Fiscal changes; Other.**

16 (1) LAPSES TO GENERAL FUND RELATING TO EMPLOYER SAVINGS IN FRINGE BENEFIT
17 COSTS DURING THE 2009-11 FISCAL BIENNIUM.

18 (a) In this subsection, "state agency" means any office, department, or
19 independent agency in the executive branch of state government.

20 (b) Notwithstanding section 20.001 (3) (a) to (c) of the statutes, before July 1,
21 2011, the secretary of administration shall lapse to the general fund, from the
22 unencumbered balances of general purpose revenue and program revenue
23 appropriations to state agencies, other than sum sufficient appropriations and
24 appropriations of federal revenues, an amount equal to \$27,891,400.

1 (c) The amount lapsed under paragraph (b) shall be in addition to the amounts
2 that are required to be lapsed or transferred to the general fund under 2009
3 Wisconsin Act 28, section 3416d.

4 (d) The secretary of administration may not lapse moneys under paragraph (b)
5 if the lapse would violate a condition imposed by the federal government on the
6 expenditure of the moneys or if the lapse would violate the federal or state
7 constitution. The secretary also may not lapse any amount from program revenue
8 appropriations under section 20.285 of the statutes.

9 **SECTION 9315. Initial applicability; Employee Trust Funds.**

10 (1) HEALTH CARE COVERAGE PREMIUMS. The treatment of sections 40.02 (25) (b)
11 2., 40.05 (4) (ag), (ar), and (c), 40.51 (7), and 40.52 (3) of the statutes and SECTION 9115
12 (1) of this act first apply to employees who are covered by a collective bargaining
13 agreement that contains provisions inconsistent with those sections on the day on
14 which the agreement expires or is terminated, extended, modified, or renewed,
15 whichever occurs first.

16 (2) PAYMENT OF EMPLOYEE REQUIRED CONTRIBUTIONS. The treatment of sections
17 13.111 (2), 40.02 (27), 40.05 (1) (a) (intro.), 1., 2., 3., and 4. and (b), (2m), and (2n),
18 40.32 (1), 59.875, 62.623, and 66.0518 of the statutes and SECTION 9115 (2) of this act
19 first apply to employees who are covered by a collective bargaining agreement that
20 contains provisions inconsistent with those sections on the day on which the
21 agreement expires or is terminated, extended, modified, or renewed, whichever
22 occurs first.

23 (3) CALCULATION OF ANNUITIES UNDER THE WISCONSIN RETIREMENT SYSTEM.

24 (a) Except as provided in paragraph (b), for elected officials, as defined in
25 section 40.02 (24) of the statutes, who are participating employees in the Wisconsin

1 retirement system, the treatment of section 40.23 (2m) (e) 2. of the statutes first
2 applies to creditable service that is performed on the first day of a term of office that
3 begins after the effective date of this paragraph.

4 (b) For supreme court justices, court of appeals judges, and circuit court judges,
5 who are participating employees in the Wisconsin retirement system, the treatment
6 of section 40.23 (2m) (e) 2. of the statutes first applies to creditable service that is
7 performed on the day on which the next supreme court justice, court of appeals judge,
8 or circuit court judge assumes office after the effective date of this paragraph.

9 **SECTION 9332. Initial applicability; Local Government.**

10 (1) COLLECTIVE BARGAINING; MUNICIPAL EMPLOYEES. The treatment of sections
11 20.425 (1) (i), 46.2895 (8) (a) 1., 49.825 (3) (b) 4., 49.826 (3) (b) 4., 66.0506, 66.0508,
12 109.03 (1) (b), 111.70 (1) (a), (b), (cm), (f), (fm), (j), (mm), (n), and (nm), (1b) (c), (2),
13 (3) (a) 3., 4., 5., 6., 7., and 9. and (b) 6., (3g), (3m), (3p), (4) (intro.), (c) (title), 1., 2., 3.,
14 and 4., (cm) (title), 1., 2., 3., 4., 5., 6., 7., 7g., 7r., 8., 8m., and 9., (d) 2. a., (L), (m), (mb),
15 (mc) (intro.) and 4., (n), and (o), (6), (7), (7m) (b), (c) 1. a. and 3., (e), and (f), and (8)
16 (a), 111.71 (2), (4), and (5), 111.77 (intro.) and (8) (a), 118.22 (4), 118.223, 118.23 (5),
17 118.245, 118.42 (3) (a) 4. and (5), 119.04 (1), 120.12 (4m) and (15), 120.18 (1) (gm), and
18 851.71 (4) of the statutes, the amendment of section 111.70 (4) (d) 3. of the statutes,
19 and the creation of section 111.70 (4) (d) 3. b. of the statutes first apply to employees
20 who are covered by a collective bargaining agreement under subchapter IV of chapter
21 III of the statutes that contains provisions inconsistent with those sections on the day
22 on which the agreement expires or is terminated, extended, modified, or renewed,
23 whichever occurs first.

24 **SECTION 9355. Initial applicability; Other.**

1 (1) COLLECTIVE BARGAINING; STATE EMPLOYEES, UNIVERSITY OF WISCONSIN
2 EMPLOYEES, AND EMPLOYEES OF AUTHORITIES.

3 (a) The treatment of sections 16.705 (3), 20.921 (1) (a) 2. and (b), 73.03 (68),
4 111.81 (1), (3h), (3n), (7) (g), (gm), (h), and (i), (9), (9g), (9k), (12) (intro.), (12m), (15r),
5 and (16), 111.815 (1) and (2), 111.82, 111.825 (1) (intro.) and (g), (1m), (2g), (3), (4),
6 (4m), and (5), 111.83 (1), (4), (5m), and (7), 111.84 (1) (b), (d), and (f), (2) (c), and (3),
7 111.845, 111.85 (1), (2), (4), and (5), 111.90 (2), 111.905, 111.91 (1) (a), (am), (b), (c),
8 (cg), (cm), (d), and (e), (2) (intro.) and (gu), (2c), (3), and (3q), 111.92 (1) (a) and (b) and
9 (2m), 118.40 (2r) (b) 3. a., 146.59, 230.10 (1), 230.34 (1) (ar), 230.35 (1s), and 978.12
10 (1) (c) of the statutes, the renumbering of sections 111.825 (6) and 111.83 (3) of the
11 statutes, the renumbering and amendment of sections 111.92 (3) and 111.93 (2) and
12 (3) of the statutes, and the creation of sections 111.825 (6) (b), 111.83 (3) (b), 111.92
13 (3) (b), and 111.93 (2) (b) and (3) (b) of the statutes first apply to employees who are
14 covered by a collective bargaining agreement under subchapter V of chapter III of the
15 statutes that contains provisions inconsistent with those sections on the day on
16 which the agreement expires or is terminated, extended, modified, or renewed,
17 whichever occurs first.

18 (b) The treatment of sections 7.33 (4), 13.111 (2), 15.07 (1) (a) 6., 15.96, 16.50
19 (3) (e), 16.705 (3), 19.82 (1), 19.85 (3), 19.86, 20.425 (1) (a) and (i), 20.545 (1) (k) and
20 (km), 20.865 (1) (ci), (cm), (ic), (im), (si), and (sm), 20.917 (3) (b), 20.921 (1) (a) 2. and
21 (b), 20.923 (6) (intro.), 20.928 (1), 36.09 (1) (j), 36.25 (13g) (c), 40.02 (25) (b) 8., 40.05
22 (4) (ar), (b), and (bw), (4g) (a) 4., (5) (intro.) and (b) 4., and (6) (a), 40.62 (2), 40.95 (1)
23 (a) 2., 111.02 (1), (2), (3), (6) (am), (7) (a) (intro.), 1., 2., 3., and 4. and (b) 1., (7m), (9m),
24 and (10m), 111.05 (2), (3g), (5), (6), and (7), 111.06 (1) (c) 1., (d), (i), and (m) and (2)
25 (i), 111.075, 111.115 (title), (1) (intro.), (a), and (b), and (2), 111.17 (intro.), (1) and (2),

1 230.01 (3), 230.046 (10) (a), 230.12 (3) (e) 1., 230.35 (2d) (e) and (3) (e) 6., 230.88 (2)
2 (b), and 233.02 (1) (h) and (8), 233.03 (7), 233.04 (2) and (4r), 233.10 (1), (2) (intro.),
3 (3) (a) (intro.), (b), (c) (intro.), and (d), and (3m) and subchapter VI of chapter 111 of
4 the statutes first applies to employees who are covered by a collective bargaining
5 agreement under subchapter I or VI of chapter III of the statutes that contains
6 provisions inconsistent with those sections on the day on which the agreement
7 expires or is terminated, extended, modified, or renewed, whichever occurs first.

8

(END)

**2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1383/P2ins
MDK:.....

1

INSERT 24-8:

2

and any such purchase is considered to be in the public interest and to comply with

3

the criteria for certification of a project under s. 196.49 (3) (b)

**2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1383/P2inRC
RAC:.....

Insert 132-16:

(0) COMPENSATION FOR REPRESENTED STATE EMPLOYEES. Upon termination of any collective bargaining agreement between the state and a labor organization representing employees in a collective bargaining unit under section 111.825 (1) or (2) of the statutes, as affected by this act, the director of the office of state employment relations may continue to administer those provisions of the collective bargaining agreements that the director determines necessary for the orderly administration of the state civil services system until the compensation plan under section 230.12 of the statutes is established for the 2011-13 fiscal biennium.

2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1383/p2insch
CMH:.....

1

Insert

2

~~SECTION 1. 111.70 (6) of the statutes is repealed.~~

3

4

Insert 86-12

5

SECTION 2. 111.80 of the statutes is repealed.

Champagne, Rick

From: Kraus, Jennifer - DOA [jennifer.kraus@wisconsin.gov]
Sent: Thursday, February 10, 2011 5:27 PM
To: Champagne, Rick
Subject: FW: Wrap on these bills

From: Kraus, Jennifer - DOA
Sent: Wednesday, February 09, 2011 9:20 PM
To: Hanaman, Cathlene - LEGIS; Champagne, Rick - LEGIS
Cc: Frederick, Caitlin - DOA; Kraus, Jennifer - DOA
Subject: Wrap on these bills

Cathlene - the p9 looks really good!

Here's what I think is left (yes, there is light at the end of the tunnel!)

SELRA/MERA

1) when a vote is taken and the union is decertified - I want it to be that the employees become non-rep at the end of the current contract (I don't think this change made it in...)

Health Insurance

1) Treatment of part-timers (see my e-mail)

Comp Plan for Rep - not sure which draft this goes in. (see separate e-mail)

Discharge of state employees (wordsmithing) -

- want a reference to **unexcused** 3 working days in the analysis

1(ax)1.b. ... other concerted activities in an attempt to interrupt the operations or services of state government including specifically participation in purposed mass resignations or sick calls.

Thanks much!