



State of Wisconsin  
2011-2012 LEGISLATURE

**CORRECTIONS IN:**

**ASSEMBLY AMENDMENT 1,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2011 ASSEMBLY BILL 40**

Prepared by the Legislative Reference Bureau  
(June 19, 2011)

In enrolling, the following corrections were made:

- 1.** Page 29, line 4: delete "statutes is" and substitute "statutes".
- 2.** Page 29, line 10: delete "page 483, line 13" and substitute "page 482, line 12".
- 3.** Page 29, line 20: delete "contributions." and substitute "contributions.".
- 4.** Page 29, line 21: delete the material beginning with that line and ending with page 30, line 21.
- 5.** Page 30, line 21: after that line insert:  
"51m. Page 482, line 13: delete "40.05 (1) (b) 2. a." and substitute "2. a.".

\*\*\*NOTE: Items 2. to 5. above adjust item 51. of assembly amendment 1 in order to accommodate item 6. of assembly amendment 1 to assembly amendment 1. The substance of both items remains unchanged.

(END)



**ASSEMBLY AMENDMENT 1,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2011 ASSEMBLY BILL 40**

June 13, 2011 – Offered by Representatives J. FITZGERALD and SUDER.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 5, line 3: before that line insert:

3 “SECTION 5t. 7.33 (1) (c) of the statutes is amended to read:

4 7.33 (1) (c) “State agency” has the meaning given under s. 20.001 (1) and  
5 includes an authority created under subch. II of ch. 114 or ch. ~~52~~, 231, 232, 233, 234,  
6 or 237.

7 SECTION 5u. 7.33 (4) of the statutes is amended to read:

8 7.33 (4) Except as otherwise provided in this subsection, each local  
9 governmental unit, as defined in s. 16.97 (7), may, and each state agency shall, upon  
10 proper application under sub. (3), permit each of its employees to serve as an election  
11 official under s. 7.30 without loss of fringe benefits or seniority privileges earned for  
12 scheduled working hours during the period specified in sub. (3), without loss of pay

1 for scheduled working hours during the period specified in sub. (3) except as provided  
2 in sub. (5), and without any other penalty. For employees who are included in a  
3 collective bargaining unit for which a representative is recognized or certified under  
4 subch. V ~~or VI~~ of ch. 111, this subsection shall apply unless otherwise provided in a  
5 collective bargaining agreement.”.

6 **2.** Page 15, line 23: before that line insert:

7 **“SECTION 31h.** 13.111 (2) of the statutes is amended to read:

8 13.111 (2) DUTIES. The joint committee on employment relations shall perform  
9 the functions assigned to it under ~~subchs. subch. V and VI~~ of ch. 111, subch. II of ch.  
10 230 and ss. 16.53 (1) (d) 1., 20.916, 20.917, and 20.923 ~~and 40.05 (1) (b)~~.

11 **SECTION 31k.** 13.172 (1) of the statutes, as affected by 2011 Wisconsin Act 7,  
12 is amended to read:

13 13.172 (1) In this section, “agency” means an office, department, agency,  
14 institution of higher education, association, society, or other body in state  
15 government created or authorized to be created by the constitution or any law, that  
16 is entitled to expend moneys appropriated by law, including the legislature and the  
17 courts, and any authority created in subch. II of ch. 114 or subch. III of ch. 149 or in  
18 ch. ~~52~~, 231, 233, 234, 238, or 279.”.

19 **3.** Page 18, line 16: after that line insert:

20 **“SECTION 49d.** 13.48 (13) (a) of the statutes, as affected by 2011 Wisconsin Act  
21 7, is amended to read:

22 13.48 (13) (a) Except as provided in par. (b) or (c), every building, structure or  
23 facility that is constructed for the benefit of or use of the state, any state agency,  
24 board, commission or department, the University of Wisconsin Hospitals and Clinics

1 Authority, the Fox River Navigational System Authority, ~~the Wisconsin Quality~~  
2 ~~Home Care Authority~~, the Wisconsin Economic Development Corporation; or any  
3 local professional baseball park district created under subch. III of ch. 229 if the  
4 construction is undertaken by the department of administration on behalf of the  
5 district, shall be in compliance with all applicable state laws, rules, codes and  
6 regulations but the construction is not subject to the ordinances or regulations of the  
7 municipality in which the construction takes place except zoning, including without  
8 limitation because of enumeration ordinances or regulations relating to materials  
9 used, permits, supervision of construction or installation, payment of permit fees, or  
10 other restrictions.”.

11 **4.** Page 22, line 21: after that line insert:

12 **“SECTION 61m.** 13.62 (2) of the statutes, as affected by 2011 Wisconsin Act 7,  
13 is amended to read:

14 13.62 (2) “Agency” means any board, commission, department, office, society,  
15 institution of higher education, council, or committee in the state government, or any  
16 authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 52, 231, 232,  
17 233, 234, 237, 238, or 279, except that the term does not include a council or  
18 committee of the legislature.”.

19 **5.** Page 24, line 4: after that line insert:

20 **“SECTION 68m.** 13.94 (4) (a) 1. of the statutes, as affected by 2011 Wisconsin Act  
21 7, is amended to read:

22 13.94 (4) (a) 1. Every state department, board, examining board, affiliated  
23 credentialing board, commission, independent agency, council or office in the  
24 executive branch of state government; all bodies created by the legislature in the

1 legislative or judicial branch of state government; any public body corporate and  
2 politic created by the legislature including specifically the Wisconsin Quality Home  
3 Care Authority, the Fox River Navigational System Authority, the Lower Fox River  
4 Remediation Authority, and the Wisconsin Aerospace Authority, the Wisconsin  
5 Economic Development Corporation, a professional baseball park district, a local  
6 professional football stadium district, a local cultural arts district and a long-term  
7 care district under s. 46.2895; every Wisconsin works agency under subch. III of ch.  
8 49; every provider of medical assistance under subch. IV of ch. 49; technical college  
9 district boards; every county department under s. 51.42 or 51.437; every nonprofit  
10 corporation or cooperative or unincorporated cooperative association to which  
11 moneys are specifically appropriated by state law; and every corporation, institution,  
12 association or other organization which receives more than 50% of its annual budget  
13 from appropriations made by state law, including subgrantee or subcontractor  
14 recipients of such funds.

15 **SECTION 68r.** 13.95 (intro.) of the statutes, as affected by 2011 Wisconsin Act  
16 7, is amended to read:

17 **13.95 Legislative fiscal bureau.** (intro.) There is created a bureau to be  
18 known as the “Legislative Fiscal Bureau” headed by a director. The fiscal bureau  
19 shall be strictly nonpartisan and shall at all times observe the confidential nature  
20 of the research requests received by it; however, with the prior approval of the  
21 requester in each instance, the bureau may duplicate the results of its research for  
22 distribution. Subject to s. 230.35 (4) (a) and (f), the director or the director’s  
23 designated employees shall at all times, with or without notice, have access to all  
24 state agencies, the University of Wisconsin Hospitals and Clinics Authority, the  
25 Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority,

1 the Lower Fox River Remediation Authority, ~~the Wisconsin Quality Home Care~~  
2 ~~Authority~~, the Wisconsin Economic Development Corporation, and the Fox River  
3 Navigational System Authority, and to any books, records, or other documents  
4 maintained by such agencies or authorities and relating to their expenditures,  
5 revenues, operations, and structure.”.

6 **6.** Page 31, line 18: after that line insert:

7 “SECTION **85s.** 15.07 (1) (a) 6. of the statutes is repealed.”.

8 **7.** Page 32, line 22: after that line insert:

9 “SECTION **89n.** 15.07 (4) of the statutes is amended to read:

10 15.07 **(4)** QUORUM. A majority of the membership of a board constitutes a  
11 quorum to do business and, unless a more restrictive provision is adopted by the  
12 board, a majority of a quorum may act in any matter within the jurisdiction of the  
13 board. This subsection does not apply to actions of the government accountability  
14 board, ~~the University of Wisconsin Hospitals and Clinics Board~~, or the school district  
15 boundary appeal board as provided in ss. 5.05 (1e), ~~15.96 (2)~~, and 117.05 (2) (a).”.

16 **8.** Page 51, line 22: after that line insert:

17 “SECTION **182p.** 15.96 of the statutes is repealed.

18 SECTION **183d.** 16.002 (2) of the statutes, as affected by 2011 Wisconsin Act 7,  
19 is amended to read:

20 16.002 **(2)** “Departments” means constitutional offices, departments, and  
21 independent agencies and includes all societies, associations, and other agencies of  
22 state government for which appropriations are made by law, but not including  
23 authorities created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. ~~52~~, 231, 232,  
24 233, 234, 235, 237, 238, or 279.

1           **SECTION 183h.** 16.004 (4) of the statutes, as affected by 2011 Wisconsin Act 7,  
2 is amended to read:

3           16.004 **(4)** FREEDOM OF ACCESS. The secretary and such employees of the  
4 department as the secretary designates may enter into the offices of state agencies  
5 and authorities created under subch. II of ch. 114 or subch. III of ch. 149 and under  
6 chs. ~~52~~, 231, 233, 234, 237, 238, and 279, and may examine their books and accounts  
7 and any other matter that in the secretary's judgment should be examined and may  
8 interrogate the agency's employees publicly or privately relative thereto.

9           **SECTION 183p.** 16.004 (5) of the statutes, as affected by 2011 Wisconsin Act 7,  
10 is amended to read:

11           16.004 **(5)** AGENCIES AND EMPLOYEES TO COOPERATE. All state agencies and  
12 authorities created under subch. II of ch. 114 or subch. III of ch. 149 and under chs.  
13 ~~52~~, 231, 233, 234, 237, 238, and 279, and their officers and employees, shall cooperate  
14 with the secretary and shall comply with every request of the secretary relating to  
15 his or her functions.

16           **SECTION 183t.** 16.004 (12) (a) of the statutes, as affected by 2011 Wisconsin Act  
17 7, is amended to read:

18           16.004 **(12)** (a) In this subsection, "state agency" means an association,  
19 authority, board, department, commission, independent agency, institution, office,  
20 society, or other body in state government created or authorized to be created by the  
21 constitution or any law, including the legislature, the office of the governor, and the  
22 courts, but excluding the University of Wisconsin Hospitals and Clinics Authority,  
23 the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan  
24 Authority, the Lower Fox River Remediation Authority, ~~the Wisconsin Quality Home~~

1 ~~Care Authority~~, the Wisconsin Economic Development Corporation, and the Fox  
2 River Navigational System Authority.”.

3 **9.** Page 52, line 8: after that line insert:

4 “**SECTION 192m.** 16.045 (1) (a) of the statutes, as affected by 2011 Wisconsin  
5 Act 7, is amended to read:

6 16.045 (1) (a) “Agency” means an office, department, independent agency,  
7 institution of higher education, association, society, or other body in state  
8 government created or authorized to be created by the constitution or any law, that  
9 is entitled to expend moneys appropriated by law, including the legislature and the  
10 courts, but not including an authority created in subch. II of ch. 114 or subch. III of  
11 ch. 149 or in ch. ~~52~~, 231, 232, 233, 234, 235, 237, 238, or 279.”.

12 **10.** Page 53, line 22: after that line insert:

13 “**SECTION 202t.** 16.15 (1) (ab) of the statutes, as affected by 2011 Wisconsin Act  
14 7, is amended to read:

15 16.15 (1) (ab) “Authority” has the meaning given under s. 16.70 (2), but  
16 excludes the University of Wisconsin Hospitals and Clinics Authority, the Lower Fox  
17 River Remediation Authority, ~~the Wisconsin Quality Home Care Authority~~, the  
18 Wisconsin Economic Development Corporation, and the Health Insurance  
19 Risk-Sharing Plan Authority.”.

20 **11.** Page 54, line 12: after that line insert:

21 “**SECTION 215g.** 16.41 (4) of the statutes, as affected by 2011 Wisconsin Act 7,  
22 is amended to read:

23 16.41 (4) In this section, “authority” means a body created under subch. II of  
24 ch. 114 or subch. III of ch. 149 or under ch. ~~52~~, 231, 233, 234, 237, 238, or 279.”.



1           **12.** Page 56, line 24: after that line insert:

2           “**SECTION 217d.** 16.417 (1) (b) of the statutes, as affected by 2011 Wisconsin Act  
3 7, is amended to read:

4           16.417 (1) (b) “Authority” means a body created under subch. II of ch. 114 or  
5 ch. ~~52~~, 231, 232, 233, 234, 235, 237, 238, or 279.”.

6           **13.** Page 59, line 11: delete lines 11 to 18 and substitute:

7           “**SECTION 218gb.** 16.50 (3) (b) of the statutes, as affected by 2011 Wisconsin Act  
8 10, is repealed and recreated to read:

9           16.50 (3) (b) No change in the number of full-time equivalent positions  
10 authorized through the biennial budget process or other legislative act may be made  
11 without the approval of the joint committee on finance, except for position changes  
12 made by the governor under s. 16.505 (1) (c), (2), or (2j), by the investment board  
13 under s. 16.505 (2g), or by the board of regents of the University of Wisconsin System  
14 under s. 16.505 (2m) or (2p).

15           **SECTION 218gm.** 16.50 (3) (e) of the statutes is amended to read:

16           16.50 (3) (e) No pay increase may be approved unless it is at the rate or within  
17 the pay ranges prescribed in the compensation plan or as provided in a collective  
18 bargaining agreement under subch. V ~~or VI~~ of ch. 111.”.

19           **14.** Page 60, line 5: delete lines 5 to 8 and substitute:

20           “**SECTION 218p.** 16.505 (1) (intro.) of the statutes, as affected by 2011 Wisconsin  
21 Act 10, is repealed and recreated to read:

22           16.505 (1) (intro.) Except as provided in subs. (2), (2g), (2j), (2m), and (2p), no  
23 position, as defined in s. 230.03 (11), regardless of funding source or type, may be  
24 created or abolished unless authorized by one of the following:”.

1           **15.** Page 61, line 15: after that line insert:

2           “**SECTION 219g.** 16.505 (2n) of the statutes is repealed.”.

3           **16.** Page 63, line 4: after that line insert:

4           “**SECTION 223m.** 16.52 (7) of the statutes, as affected by 2011 Wisconsin Act 7,  
5 is amended to read:

6           16.52 (7) **PETTY CASH ACCOUNT.** With the approval of the secretary, each agency  
7 that is authorized to maintain a contingent fund under s. 20.920 may establish a  
8 petty cash account from its contingent fund. The procedure for operation and  
9 maintenance of petty cash accounts and the character of expenditures therefrom  
10 shall be prescribed by the secretary. In this subsection, “agency” means an office,  
11 department, independent agency, institution of higher education, association,  
12 society, or other body in state government created or authorized to be created by the  
13 constitution or any law, that is entitled to expend moneys appropriated by law,  
14 including the legislature and the courts, but not including an authority created in  
15 subch. II of ch. 114 or subch. III of ch. 149 or in ch. ~~52~~, 231, 233, 234, 237, 238, or 279.

16           **SECTION 223p.** 16.528 (1) (a) of the statutes, as affected by 2011 Wisconsin Act  
17 7, is amended to read:

18           16.528 (1) (a) “Agency” means an office, department, independent agency,  
19 institution of higher education, association, society, or other body in state  
20 government created or authorized to be created by the constitution or any law, that  
21 is entitled to expend moneys appropriated by law, including the legislature and the  
22 courts, but not including an authority created in subch. II of ch. 114 or subch. III of  
23 ch. 149 or in ch. ~~52~~, 231, 233, 234, 237, 238, or 279.

1           **SECTION 223t.** 16.53 (2) of the statutes, as affected by 2011 Wisconsin Act 7, is  
2 amended to read:

3           16.53 **(2)** IMPROPER INVOICES. If an agency receives an improperly completed  
4 invoice, the agency shall notify the sender of the invoice within 10 working days after  
5 it receives the invoice of the reason it is improperly completed. In this subsection,  
6 “agency” means an office, department, independent agency, institution of higher  
7 education, association, society, or other body in state government created or  
8 authorized to be created by the constitution or any law, that is entitled to expend  
9 moneys appropriated by law, including the legislature and the courts, but not  
10 including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch.  
11 ~~52~~, 231, 233, 234, 237, 238, or 279.

12           **SECTION 223w.** 16.54 (9) (a) 1. of the statutes, as affected by 2011 Wisconsin  
13 Act 7, is amended to read:

14           16.54 **(9)** (a) 1. “Agency” means an office, department, independent agency,  
15 institution of higher education, association, society or other body in state  
16 government created or authorized to be created by the constitution or any law, which  
17 is entitled to expend moneys appropriated by law, including the legislature and the  
18 courts, but not including an authority created in subch. II of ch. 114 or subch. III of  
19 ch. 149 or in ch. ~~52~~, 231, 233, 234, 237, 238, or 279.”.

20           **17.** Page 63, line 5: after that line insert:

21           “**SECTION 232e.** 16.70 (2) of the statutes is amended to read:

22           16.70 **(2)** “Authority” means a body created under subch. II of ch. 114 or subch.  
23 III of ch. 149 or under ch. ~~52~~, 231, 232, 233, 234, 235, 237, or 279.”.

24           **18.** Page 69, line 8: after that line insert:

1           **SECTION 262h.** 16.765 (1) of the statutes, as affected by 2011 Wisconsin Act  
2 7, is amended to read:

3           **16.765 (1)** Contracting agencies, the University of Wisconsin Hospitals and  
4 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin  
5 Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, the Lower  
6 Fox River Remediation Authority, ~~the Wisconsin Quality Home Care Authority,~~ the  
7 Wisconsin Economic Development Corporation, and the Bradley Center Sports and  
8 Entertainment Corporation shall include in all contracts executed by them a  
9 provision obligating the contractor not to discriminate against any employee or  
10 applicant for employment because of age, race, religion, color, handicap, sex, physical  
11 condition, developmental disability as defined in s. 51.01 (5), sexual orientation as  
12 defined in s. 111.32 (13m), or national origin and, except with respect to sexual  
13 orientation, obligating the contractor to take affirmative action to ensure equal  
14 employment opportunities.

15           **SECTION 262j.** 16.765 (2) of the statutes, as affected by 2011 Wisconsin Act 7,  
16 is amended to read:

17           **16.765 (2)** Contracting agencies, the University of Wisconsin Hospitals and  
18 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin  
19 Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, the Lower  
20 Fox River Remediation Authority, ~~the Wisconsin Quality Home Care Authority,~~ the  
21 Wisconsin Economic Development Corporation, and the Bradley Center Sports and  
22 Entertainment Corporation shall include the following provision in every contract  
23 executed by them: “In connection with the performance of work under this contract,  
24 the contractor agrees not to discriminate against any employee or applicant for  
25 employment because of age, race, religion, color, handicap, sex, physical condition,

1 developmental disability as defined in s. 51.01 (5), sexual orientation or national  
2 origin. This provision shall include, but not be limited to, the following: employment,  
3 upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or  
4 termination; rates of pay or other forms of compensation; and selection for training,  
5 including apprenticeship. Except with respect to sexual orientation, the contractor  
6 further agrees to take affirmative action to ensure equal employment opportunities.  
7 The contractor agrees to post in conspicuous places, available for employees and  
8 applicants for employment, notices to be provided by the contracting officer setting  
9 forth the provisions of the nondiscrimination clause”.

10 **SECTION 262L.** 16.765 (4) of the statutes is amended to read:

11 16.765 (4) Contracting agencies, the University of Wisconsin Hospitals and  
12 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin  
13 Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, the Lower  
14 Fox River Remediation Authority, ~~the Wisconsin Quality Home Care Authority,~~ and  
15 the Bradley Center Sports and Entertainment Corporation shall take appropriate  
16 action to revise the standard government contract forms under this section.

17 **SECTION 262n.** 16.765 (5) of the statutes, as affected by 2011 Wisconsin Act 7,  
18 is amended to read:

19 16.765 (5) The head of each contracting agency and the boards of directors of  
20 the University of Wisconsin Hospitals and Clinics Authority, the Fox River  
21 Navigational System Authority, the Wisconsin Aerospace Authority, the Health  
22 Insurance Risk-Sharing Plan Authority, the Lower Fox River Remediation  
23 Authority, ~~the Wisconsin Quality Home Care Authority,~~ the Wisconsin Economic  
24 Development Corporation, and the Bradley Center Sports and Entertainment  
25 Corporation shall be primarily responsible for obtaining compliance by any

1 contractor with the nondiscrimination and affirmative action provisions prescribed  
2 by this section, according to procedures recommended by the department. The  
3 department shall make recommendations to the contracting agencies and the boards  
4 of directors of the University of Wisconsin Hospitals and Clinics Authority, the Fox  
5 River Navigational System Authority, the Wisconsin Aerospace Authority, the  
6 Health Insurance Risk-Sharing Plan Authority, the Lower Fox River Remediation  
7 Authority, ~~the Wisconsin Quality Home Care Authority~~, the Wisconsin Economic  
8 Development Corporation, and the Bradley Center Sports and Entertainment  
9 Corporation for improving and making more effective the nondiscrimination and  
10 affirmative action provisions of contracts. The department shall promulgate such  
11 rules as may be necessary for the performance of its functions under this section.

12 **SECTION 262p.** 16.765 (6) of the statutes, as affected by 2011 Wisconsin Act 7,  
13 is amended to read:

14 16.765 (6) The department may receive complaints of alleged violations of the  
15 nondiscrimination provisions of such contracts. The department shall investigate  
16 and determine whether a violation of this section has occurred. The department may  
17 delegate this authority to the contracting agency, the University of Wisconsin  
18 Hospitals and Clinics Authority, the Fox River Navigational System Authority, the  
19 Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority,  
20 the Lower Fox River Remediation Authority, ~~the Wisconsin Quality Home Care~~  
21 ~~Authority~~, the Wisconsin Economic Development Corporation, or the Bradley Center  
22 Sports and Entertainment Corporation for processing in accordance with the  
23 department's procedures.

24 **SECTION 262r.** 16.765 (7) (intro.) of the statutes, as affected by 2011 Wisconsin  
25 Act 7, is amended to read:

1           16.765 (7) (intro.) When a violation of this section has been determined by the  
2 department, the contracting agency, the University of Wisconsin Hospitals and  
3 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin  
4 Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, the Lower  
5 Fox River Remediation Authority, ~~the Wisconsin Quality Home Care Authority~~, the  
6 Wisconsin Economic Development Corporation, or the Bradley Center Sports and  
7 Entertainment Corporation, the contracting agency, the University of Wisconsin  
8 Hospitals and Clinics Authority, the Fox River Navigational System Authority, the  
9 Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority,  
10 the Lower Fox River Remediation Authority, ~~the Wisconsin Quality Home Care~~  
11 ~~Authority~~, the Wisconsin Economic Development Corporation, or the Bradley Center  
12 Sports and Entertainment Corporation shall:

13           **SECTION 262t.** 16.765 (7) (d) of the statutes, as affected by 2011 Wisconsin Act  
14 7, is amended to read:

15           16.765 (7) (d) Direct the violating party to take immediate steps to prevent  
16 further violations of this section and to report its corrective action to the contracting  
17 agency, the University of Wisconsin Hospitals and Clinics Authority, the Fox River  
18 Navigational System Authority, the Wisconsin Aerospace Authority, the Health  
19 Insurance Risk-Sharing Plan Authority, the Lower Fox River Remediation  
20 Authority, ~~the Wisconsin Quality Home Care Authority~~, the Wisconsin Economic  
21 Development Corporation, or the Bradley Center Sports and Entertainment  
22 Corporation.

23           **SECTION 262v.** 16.765 (8) of the statutes, as affected by 2011 Wisconsin Act 7,  
24 is amended to read:

1           16.765 (8) If further violations of this section are committed during the term  
2 of the contract, the contracting agency, the Fox River Navigational System Authority,  
3 the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan  
4 Authority, the Lower Fox River Remediation Authority, ~~the Wisconsin Quality Home~~  
5 ~~Care Authority~~, the Wisconsin Economic Development Corporation, or the Bradley  
6 Center Sports and Entertainment Corporation may permit the violating party to  
7 complete the contract, after complying with this section, but thereafter the  
8 contracting agency, the Fox River Navigational System Authority, the Wisconsin  
9 Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, the Lower  
10 Fox River Remediation Authority, ~~the Wisconsin Quality Home Care Authority~~, the  
11 Wisconsin Economic Development Corporation, or the Bradley Center Sports and  
12 Entertainment Corporation shall request the department to place the name of the  
13 party on the ineligible list for state contracts, or the contracting agency, the Fox River  
14 Navigational System Authority, the Wisconsin Aerospace Authority, the Health  
15 Insurance Risk-Sharing Plan Authority, the Lower Fox River Remediation  
16 Authority, ~~the Wisconsin Quality Home Care Authority~~, the Wisconsin Economic  
17 Development Corporation, or the Bradley Center Sports and Entertainment  
18 Corporation may terminate the contract without liability for the uncompleted  
19 portion of any materials or services purchased or paid for by the contracting party  
20 for use in completing the contract.”.

21           **19.** Page 73, line 13: after that line insert:

22           “**SECTION 267m.** 16.85 (2) of the statutes, as affected by 2011 Wisconsin Act 7,  
23 is amended to read:



1           16.85 (2) To furnish engineering, architectural, project management, and other  
2 building construction services whenever requisitions therefor are presented to the  
3 department by any agency. The department may deposit moneys received from the  
4 provision of these services in the account under s. 20.505 (1) (kc) or in the general  
5 fund as general purpose revenue — earned. In this subsection, “agency” means an  
6 office, department, independent agency, institution of higher education, association,  
7 society, or other body in state government created or authorized to be created by the  
8 constitution or any law, which is entitled to expend moneys appropriated by law,  
9 including the legislature and the courts, but not including an authority created in  
10 subch. II of ch. 114 or subch. III of ch. 149 or in ch. 52, 231, 233, 234, 237, 238, or 279.”.

11           **20.** Page 75, line 25: after that line insert:

12           “**SECTION 290m.** 16.865 (8) of the statutes, as affected by 2011 Wisconsin Act  
13 7, is amended to read:

14           16.865 (8) Annually in each fiscal year, allocate as a charge to each agency a  
15 proportionate share of the estimated costs attributable to programs administered by  
16 the agency to be paid from the appropriation under s. 20.505 (2) (k). The department  
17 may charge premiums to agencies to finance costs under this subsection and pay the  
18 costs from the appropriation on an actual basis. The department shall deposit all  
19 collections under this subsection in the appropriation account under s. 20.505 (2) (k).  
20 Costs assessed under this subsection may include judgments, investigative and  
21 adjustment fees, data processing and staff support costs, program administration  
22 costs, litigation costs, and the cost of insurance contracts under sub. (5). In this  
23 subsection, “agency” means an office, department, independent agency, institution  
24 of higher education, association, society, or other body in state government created

1 or authorized to be created by the constitution or any law, that is entitled to expend  
2 moneys appropriated by law, including the legislature and the courts, but not  
3 including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch.  
4 52, 231, 232, 233, 234, 235, 237, 238, or 279.”.

5 **21.** Page 83, line 14: after that line insert:

6 “SECTION 355ah. 19.42 (10) (s) of the statutes is repealed.”.

7 **22.** Page 83, line 25: after that line insert:

8 “SECTION 356e. 19.42 (13) (o) of the statutes is repealed.”.

9 **23.** Page 86, line 6: after that line insert:

10 “SECTION 362p. 19.82 (1) of the statutes is amended to read:

11 19.82 (1) “Governmental body” means a state or local agency, board,  
12 commission, committee, council, department or public body corporate and politic  
13 created by constitution, statute, ordinance, rule or order; a governmental or  
14 quasi-governmental corporation except for the Bradley center sports and  
15 entertainment corporation; a local exposition district under subch. II of ch. 229; a  
16 long-term care district under s. 46.2895; or a formally constituted subunit of any of  
17 the foregoing, but excludes any such body or committee or subunit of such body which  
18 is formed for or meeting for the purpose of collective bargaining under subch. I, IV,  
19 or V, or VI of ch. 111.”.

20 **24.** Page 86, line 7: after that line insert:

21 “SECTION 364g. 19.85 (3) of the statutes is amended to read:

22 19.85 (3) Nothing in this subchapter shall be construed to authorize a  
23 governmental body to consider at a meeting in closed session the final ratification or

1 approval of a collective bargaining agreement under subch. I, IV, or V, ~~or VI~~ of ch. 111  
2 which has been negotiated by such body or on its behalf.

3 **SECTION 364j.** 19.86 of the statutes is amended to read:

4 **19.86 Notice of collective bargaining negotiations.** Notwithstanding s.  
5 19.82 (1), where notice has been given by either party to a collective bargaining  
6 agreement under subch. I, IV, or V, ~~or VI~~ of ch. 111 to reopen such agreement at its  
7 expiration date, the employer shall give notice of such contract reopening as provided  
8 in s. 19.84 (1) (b). If the employer is not a governmental body, notice shall be given  
9 by the employer's chief officer or such person's designee.”.

10 **25.** Page 339, line 7: after that line insert:

11 **“SECTION 634p.** 20.425 (1) (a) of the statutes is amended to read:

12 20.425 (1) (a) *General program operations.* The amounts in the schedule for  
13 the purposes provided in subchs. I, IV, and V, ~~and VI~~ of ch. 111 and s. 230.45 (1).

14 **SECTION 634r.** 20.425 (1) (i) of the statutes is amended to read:

15 20.425 (1) (i) *Fees, collective bargaining training, publications, and appeals.*  
16 The amounts in the schedule for the performance of fact-finding, mediation,  
17 certification, and arbitration functions, for the provision of copies of transcripts, for  
18 the cost of operating training programs under ss. 111.09 (3), 111.71 ~~(5)~~ (5m), and  
19 111.94 (3), for the preparation of publications, transcripts, reports, and other copied  
20 material, and for costs related to conducting appeals under s. 230.45. All moneys  
21 received under ss. 111.09 (1) and (2), 111.70 (4) (d) 3. b., 111.71 (1) and (2), 111.83 (3)  
22 (b), 111.94 (1) and (2), ~~111.9993~~, and 230.45 (3), all moneys received from arbitrators  
23 and arbitration panel members, and individuals who are interested in serving in  
24 such positions, and from individuals and organizations who participate in other

1 collective bargaining training programs conducted by the commission, and all  
2 moneys received from the sale of publications, transcripts, reports, and other copied  
3 material shall be credited to this appropriation account.”.

4 **26.** Page 356, line 25: after that line insert:

5 “SECTION 716g. 20.495 of the statutes is repealed.”.

6 **27.** Page 364, line 23: after that line insert:

7 “SECTION 749L. 20.545 (1) (k) of the statutes is amended to read:

8 20.545 (1) (k) *General program operations.* The amounts in the schedule to  
9 administer state employment relations functions and the civil service system under  
10 ~~subchs. subch. V and VI~~ of ch. 111 and ch. 230, to pay awards under s. 230.48, and  
11 to defray the expenses of the state employees suggestion board. All moneys received  
12 from state agencies for materials and services provided by the office of state  
13 employment relations shall be credited to this appropriation.

14 **SECTION 749m.** 20.545 (1) (km) of the statutes is amended to read:

15 20.545 (1) (km) *Collective bargaining grievance arbitrations.* The amounts in  
16 the schedule for the payment of the state’s share of costs related to collective  
17 bargaining grievance arbitrations under s. 111.86 ~~and related to collective~~  
18 ~~bargaining grievance arbitrations under s. 111.993.~~ All moneys received from state  
19 agencies for the purpose of reimbursing the state’s share of the costs related to  
20 grievance arbitrations under s. 111.86 and to reimburse the state’s share of costs for  
21 training related to grievance arbitrations, ~~and all moneys received from institutions,~~  
22 ~~as defined in s. 36.05 (9), for the purpose of reimbursing the state’s share of the costs~~  
23 ~~related to grievance arbitrations under s. 111.993 and to reimburse the state’s share~~

1 ~~of costs for training related to grievance arbitrations~~ shall be credited to this  
2 appropriation account.”.

3 **28.** Page 371, line 22: after that line insert:

4 “**SECTION 775k.** 20.865 (1) (ci) of the statutes is amended to read:

5 20.865 (1) (ci) *Nonrepresented university system senior executive, faculty and*  
6 *academic pay adjustments.* A sum sufficient to pay the cost of pay and related  
7 adjustments approved by the joint committee on employment relations under s.  
8 230.12 (3) (e) for University of Wisconsin System employees under ss. 20.923 (4g), (5)  
9 and (6) (m) and 230.08 (2) (d) who are not included within a collective bargaining unit  
10 for which a representative is certified under subch. V ~~or~~ VI of ch. 111, as determined  
11 under s. 20.928, other than adjustments funded under par. (cj).”.

12 **29.** Page 371, line 23: delete lines 23 to 25 and substitute:

13 “**SECTION 775Lm.** 20.865 (1) (ci) of the statutes, as affected by 2011 Wisconsin  
14 Act 10 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

15 20.865 (1) (ci) *University pay adjustments.* A sum sufficient to pay the cost of  
16 pay and”.

17 **30.** Page 372, line 2: delete lines 2 to 4 and substitute “s. 230.12 (3) (e) for  
18 University of Wisconsin System employees, as”.

19 **31.** Page 372, line 5: after that line insert:

20 “**SECTION 775f.** 20.865 (1) (cm) of the statutes is repealed.”.

21 **32.** Page 372, line 17: after that line insert:

22 “**SECTION 775p.** 20.865 (1) (ic) of the statutes is amended to read:

23 20.865 (1) (ic) *Nonrepresented university system senior executive, faculty and*  
24 *academic pay adjustments.* From the appropriate program revenue and program

1 revenue–service accounts, a sum sufficient to supplement the appropriations to the  
2 University of Wisconsin System to pay the cost of pay and related adjustments  
3 approved by the joint committee on employment relations under s. 230.12 (3) (e) for  
4 University of Wisconsin System employees under ss. 20.923 (4g), (5) and (6) (m) and  
5 230.08 (2) (d) who are not included within a collective bargaining unit for which a  
6 representative is certified under subch. V or VI of ch. 111, as determined under s.  
7 20.928, other than adjustments funded under par. (cj).”.

8 **33.** Page 372, line 18: delete lines 18 to 20 and substitute:

9 “**SECTION 775rm.** 20.865 (1) (ic) of the statutes, as affected by 2011 Wisconsin  
10 Act 10 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

11 20.865 (1) (ic) *University pay adjustments.* From the appropriate program  
12 revenue and”.

13 **34.** Page 372, line 24: delete the material beginning with “under” and ending  
14 with “ch. 111” on page 373, line 1.

15 **35.** Page 373, line 2: after that line insert:

16 “**SECTION 775s.** 20.865 (1) (im) of the statutes is repealed.”.

17 **36.** Page 373, line 13: after that line insert:

18 “**SECTION 775v.** 20.865 (1) (si) of the statutes is amended to read:

19 20.865 (1) (si) *Nonrepresented university system senior executive, faculty and*  
20 *academic pay adjustments.* From the appropriate segregated funds, a sum sufficient  
21 to supplement the appropriations to the University of Wisconsin System to pay the  
22 cost of pay and related adjustments approved by the joint committee on employment  
23 relations under s. 230.12 (3) (e) for University of Wisconsin System employees under  
24 ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d) who are not included within a

1 collective bargaining unit for which a representative is certified under subch. V or  
2 VI of ch. 111, as determined under s. 20.928.”

3 **37.** Page 373, line 14: delete lines 14 to 16 and substitute:

4 “SECTION 775ym. 20.865 (1) (si) of the statutes, as affected by 2011 Wisconsin  
5 Act 10 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

6 20.865 (1) (si) *University pay adjustments.* From the appropriate segregated  
7 funds, a”.

8 **38.** Page 373, line 20: delete the material beginning with “under” and ending  
9 with “ch. 111” on line 22.

10 **39.** Page 373, line 22: after that line insert:

11 “SECTION 775ym. 20.865 (1) (sm) of the statutes is repealed.”

12 **40.** Page 390, line 5: after that line insert:

INS A

13 “SECTION 804n. 20.917 (3) (b) of the statutes is amended to read:

14 20.917 (3) (b) This subsection applies to employees in all positions in the civil  
15 service, including those employees in positions included in collective bargaining  
16 units under subch. V or VI of ch. 111, whether or not the employees are covered by  
17 a collective bargaining agreement.

18 SECTION 804p. 20.921 (1) (a) 2. of the statutes is amended to read:

19 20.921 (1) (a) 2. ~~Payment~~ If the state employee is a public safety employee  
20 under s. 111.81 (15r), payment of dues to employee organizations.

21 SECTION 804r. 20.921 (1) (b) of the statutes is amended to read:

22 20.921 (1) (b) Except as provided in ~~ss. 111.06 (1) (c) and s. 111.84 (1) (f), the~~  
23 request under par. (a) shall be made to the state agency or to the University of  
24 Wisconsin Hospitals and Clinics Authority in the form and manner and contain the

1 directions and information prescribed by each state agency or by the authority. The  
2 request may be withdrawn or the amount paid to the payee may be changed by  
3 notifying the state agency or the authority to that effect, but no such withdrawal or  
4 change shall affect a payroll certification already prepared.

5 ✓ **SECTION 804t.** 20.921 (2) (c) of the statutes is created to read:

6 20.921 (2) (c) The head of each state agency, as defined in s. 40.02 (54), shall  
7 deduct from the salary of each employee the contributions required by s. 40.05 (1) (a)  
8 as provided in s. 40.05 (1) (b).”.

9 **41.** Page 391, line 17: after that line insert:

10 “**SECTION 811r.** 20.923 (6) (intro.) of the statutes is amended to read:

11 20.923 (6) SALARIES SET BY APPOINTING AUTHORITIES. (intro.) Salaries for the  
12 following positions may be set by the appointing authority, subject to restrictions  
13 otherwise set forth in the statutes and the compensation plan under s. 230.12, except  
14 where the salaries are a subject of bargaining with a certified representative of a  
15 collective bargaining unit under s. 111.91 or 111.998.”.

16 **42.** Page 392, line 12: delete lines 12 to 21 and substitute:

17 “**SECTION 814m.** 20.923 (8) of the statutes, as affected by 2011 Wisconsin Act  
18 10, is repealed and recreated to read:

19 20.923 (8) DEPUTIES. Salaries for deputies appointed pursuant to ss. 13.94 (3)  
20 (b), 15.04 (2), 230.04 (16), and 551.601 (1) shall be set by the appointing authority.  
21 The salary shall not exceed the maximum of the salary range one range below the  
22 salary range of the executive salary group to which the department or agency head  
23 is assigned. The positions of assistant secretary of state, assistant state treasurer  
24 and associate director of the historical society shall be treated as unclassified



1 deputies for pay purposes under this subsection. The salary of the deputy director  
2 of the office of business development in the department of administration is assigned  
3 to executive salary group 2.”.

4 **43.** Page 394, line 13: after that line insert:

5 “**SECTION 817g.** 20.928 (1) of the statutes is amended to read:

6 20.928 (1) Each state agency head shall certify to the department of  
7 administration, at such time and in such manner as the secretary of administration  
8 prescribes, the sum of money needed by the state agency from the appropriations  
9 under s. 20.865 (1) (c), (ci), ~~(cm)~~, (cj), (d), (i), (ic), ~~(im)~~, (j), (s), (si), ~~(sm)~~, and (t). Upon  
10 receipt of the certifications together with such additional information as the  
11 secretary of administration prescribes, the secretary shall determine the amounts  
12 required from the respective appropriations to supplement state agency budgets.”.

13 **44.** Page 443, line 4: delete the material beginning with that line and ending  
14 with page 444, line 9, and substitute:

15 “**SECTION 951g.** 36.09 (1) (j) of the statutes is amended to read:

16 36.09 (1) (j) Except where such matters are a subject of bargaining with a  
17 certified representative of a collective bargaining unit under s. 111.91 or ~~111.998~~, the  
18 board shall establish salaries for persons not in the classified staff prior to July 1 of  
19 each year for the next fiscal year, and shall designate the effective dates for payment  
20 of the new salaries. In the first year of the biennium, payments of the salaries  
21 established for the preceding year shall be continued until the biennial budget bill  
22 is enacted. If the budget is enacted after July 1, payments shall be made following  
23 enactment of the budget to satisfy the obligations incurred on the effective dates, as  
24 designated by the board, for the new salaries, subject only to the appropriation of

1 funds by the legislature and s. 20.928 (3). This paragraph does not limit the  
2 authority of the board to establish salaries for new appointments. The board may  
3 not increase the salaries of employees specified in ss. 20.923 (5) and (6) (m) and  
4 230.08 (2) (d) under this paragraph unless the salary increase conforms to the  
5 proposal as approved under s. 230.12 (3) (e) or the board authorizes the salary  
6 increase to correct salary inequities under par. (h), to fund job reclassifications or  
7 promotions, or to recognize competitive factors. The board may not increase the  
8 salary of any position identified in s. 20.923 (4g) under this paragraph unless the  
9 salary increase conforms to the proposal as approved under s. 230.12 (3) (e) or the  
10 board authorizes the salary increase to correct a salary inequity or to recognize  
11 competitive factors. The board may not increase the salary of any position identified  
12 in s. 20.923 (4g) (ae) and (am) to correct a salary inequity that results from the  
13 appointment of a person to a position identified in s. 20.923 (4g) (ae) and (am) unless  
14 the increase is approved by the office of state employment relations. The granting  
15 of salary increases to recognize competitive factors does not obligate inclusion of the  
16 annualized amount of the increases in the appropriations under s. 20.285 (1) for  
17 subsequent fiscal bienniums. No later than October 1 of each year, the board shall  
18 report to the joint committee on finance and the secretary of administration and  
19 director of the office of state employment relations concerning the amounts of any  
20 salary increases granted to recognize competitive factors, and the institutions at  
21 which they are granted, for the 12-month period ending on the preceding June 30.

22 **SECTION 951km.** 36.09 (1) (j) of the statutes, as affected by 2011 Wisconsin act  
23 10 and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

24 36.09 (1) (j) Except where such matters are a subject of bargaining with a  
25 certified representative of a collective bargaining unit under s. 111.91, the board

1 shall establish salaries for persons prior to July 1 of each year for the next fiscal year,  
 2 and shall designate the effective dates for payment of the new salaries. In the first  
 3 year of the biennium, payments of the salaries established for the preceding year  
 4 shall be continued until the biennial budget bill is enacted. If the budget is enacted  
 5 after July 1, payments shall be made following enactment of the budget to satisfy the  
 6 obligations incurred on the effective dates, as designated by the board, for the new  
 7 salaries, subject only to the appropriation of funds by the legislature and s. 20.928  
 8 (3). This paragraph does not limit the authority of the board to establish salaries for  
 9 new appointments. The board may not increase the salaries of employees under this  
 10 paragraph unless the salary increase conforms to the proposal as approved under s.  
 11 230.12 (3) (e) or the board authorizes the salary increase to correct salary inequities  
 12 under par. (h), to fund job reclassifications or promotions, or to recognize competitive  
 13 factors. The granting of salary increases to recognize competitive factors does not  
 14 obligate inclusion of the annualized amount of the increases in the appropriations  
 15 under s. 20.285 (1) for subsequent fiscal bienniums. No later than October 1 of each  
 16 year, the board shall report to the joint committee on finance and the secretary of  
 17 administration and director of the office of state employment relations concerning  
 18 the amounts of any salary increases granted to recognize competitive factors, and the  
 19 institutions at which they are granted, for the 12-month period ending on the  
 20 preceding June 30.”.

21 **45.** Page 450, line 16: after that line insert:

22 ~~“SECTION 970s. 36.25 (13g) (c) of the statutes is repealed.”.~~

INS B

23 **46.** Page 480, line 4: after that line insert:

24 **“SECTION 1136m.** 40.02 (22) (ec) of the statutes is created to read:

CCC  
to  
AA1 to AA1  
item 4

1           40.02 (22) (ec) Includes contributions made by a reduction in salary as provided  
2 in s. 40.05 (1) (b).”.

3           **47.** Page 480, line 4: after that line insert:

4           “**SECTION 1138m.** 40.02 (25) (b) 2. of the statutes is amended to read:

5           40.02 (25) (b) 2. Any person employed as a teaching assistant or graduate  
6 assistant and other employees-in-training as are designated by the board of regents  
7 of the university, who are employed on at least a one-third full-time basis.”.

8           **48.** Page 480, line 6: after that line insert:

9           “**SECTION 1139g.** 40.02 (25) (b) 8. of the statutes is amended to read:

10           40.02 (25) (b) 8. Any other state employee for whom coverage is authorized  
11 under a collective bargaining agreement pursuant to subch. I, V, ~~or VI~~ of ch. 111 or  
12 under s. 230.12 or 233.10.

13           **SECTION 1139p.** 40.02 (27) of the statutes is amended to read:

14           40.02 (27) “Employee required contribution” means the contribution made by  
15 an employee under s. 40.05 (1) (a) 1. to 4. ~~or for an employee under s. 40.05 (1) (b).~~”.

16           **49.** Page 481, line 22: after that line insert:

17           “**SECTION 1143p.** 40.03 (6) (c) of the statutes is amended to read:

18           40.03 (6) (c) Shall not enter into any agreements to modify or expand group  
19 insurance coverage in a manner which conflicts with this chapter or rules of the  
20 department or materially affects the level of premiums required to be paid by the  
21 state or its employees, or the level of benefits to be provided, under any group  
22 insurance coverage. This restriction shall not be construed to prevent modifications  
23 required by law, prohibit the group insurance board from modifying the standard  
24 plan to establish a more cost effective benefit plan design or providing optional

1 insurance coverages as alternatives to the standard insurance coverage when any  
2 excess of required premium over the premium for the standard coverage is paid by  
3 the employee, prohibit the group insurance board from encouraging participation in  
4 wellness or disease management programs, or prohibit the group insurance board  
5 from providing other plans as authorized under par. (b).”

6 **50.** Page 482, line 5: after that line insert:

7 “**SECTION 1145d.** 40.05 (1) (a) (intro.) of the statutes, as affected by 2011  
8 Wisconsin Act 10, is repealed and recreated to read:

9 40.05 (1) (a) (intro.) Subject to par. (b):

10 **SECTION 1145f.** 40.05 (1) (a) 1. of the statutes, as affected by 2011 Wisconsin  
11 Act 10, is repealed and recreated to read:

12 40.05 (1) (a) 1. For each participating employee not otherwise specified, a  
13 percentage of each payment of earnings equal to one-half of the total actuarially  
14 required contribution rate, as approved by the board under s. 40.03 (1) (e).

15 **SECTION 1145h.** 40.05 (1) (a) 2. of the statutes, as affected by 2011 Wisconsin  
16 Act 10, is repealed and recreated to read:

17 40.05 (1) (a) 2. For each participating employee whose formula rate is  
18 determined under s. 40.23 (2m) (e) 2., a percentage of each payment of earnings equal  
19 to one-half of the total actuarially required contribution rate, as approved by the  
20 board under s. 40.03 (1) (e).

21 **SECTION 1145j.** 40.05 (1) (a) 3. of the statutes, as affected by 2011 Wisconsin  
22 Act 10, is repealed and recreated to read:

1           40.05 (1) (a) 3. For each participating employee whose formula rate is  
2 determined under s. 40.23 (2m) (e) 3., the percentage of earnings paid by a  
3 participating employee under subd. 1.

4           **SECTION 1145L.** 40.05 (1) (a) 4. of the statutes *is*, as affected by 2011 Wisconsin  
5 Act 10, is repealed and recreated to read:

6           40.05 (1) (a) 4. For each participating employee whose formula rate is  
7 determined under s. 40.23 (2m) (e) 4., the percentage of earnings paid by a  
8 participating employee under subd. 1.”

9           **51.** Page 482, line 6: delete the material beginning with that line and ending  
10 with page <sup>p 482 e 12</sup> 483, line <sup>e 12</sup> 13, and substitute: *CCC*

11           **SECTION 1145n.** 40.05 (1) (b) of the statutes, as affected by 2011 Wisconsin Act  
12 10, is repealed and recreated to read:

13           40.05 (1) (b) 1. Except as otherwise provided in a collective bargaining  
14 agreement entered into under subch. IV or V of ch. 111 and except as provided in  
15 subd. 2., an employer may not pay, on behalf of a participating employee, any of the  
16 contributions required by par. (a). The contributions required by par. (a) shall be  
17 made by a reduction in salary and, for tax purposes, shall be considered employer  
18 contributions under section 414 (h) (2) of the Internal Revenue Code. A participating  
19 employee may not elect to have contributions required by par. (a) paid directly to the  
20 employee or make a cash or deferred election with respect to the contributions. *CCC*

~~21           2. a. A municipal employer shall pay, on behalf of a nonrepresented law  
22 enforcement or fire fighting managerial employee, who was initially employed by the  
23 municipal employer before the effective date of this subd. 2. a. .... [LRB inserts date],  
24 the same contributions required by par. (a) that are paid by the municipal employer~~ *CCC*

1 for represented law enforcement or fire fighting personnel who were initially  
2 employed by the municipal employer before the effective date of this subd. 2. a. ....  
3 [LRB inserts date].

4 b. An employer shall pay, on behalf of a nonrepresented managerial employee  
5 in a position described under s. 40.02 (48) (am) 7. or 8., who was initially employed  
6 by the state before the effective date of this subd. 2. b. .... [LRB inserts date], in a  
7 position described under s. 40.02 (48) (am) 7. or 8. the same contributions required  
8 by par. (a) that are paid by the employer for represented employees in positions  
9 described under s. 40.02 (48) (am) 7. or 8. who were initially employed by the state  
10 before the effective date of this subd. 2. b. .... [LRB inserts date].

11 c. A municipal employer shall pay, on behalf of a represented law enforcement  
12 or fire fighting employee, who was initially employed by the municipal employer  
13 before the effective date of this subd. 2. c. .... [LRB inserts date], and who on or after  
14 the effective date of this subd. 2. c. .... [LRB inserts date], became employed in a  
15 nonrepresented law enforcement or fire fighting managerial position with the same  
16 municipal employer, or a successor municipal employer in the event of a combined  
17 department that is created on or after the effective date of this subd. 2. c. .... [LRB  
18 inserts date], the same contributions required by par. (a) that are paid by the  
19 employer for represented law enforcement or fire fighting personnel who were  
20 initially employed by a municipal employer before the effective date of this subd. 2.  
21 c. .... [LRB inserts date].”.

CCC

22 **52.** Page 483, line 13: after that line insert.

23 "SECTION 1145rc. 40.05 (2m) of the statutes is repealed.

24 SECTION 1145re. 40.05 (2n) of the statutes is repealed.

insert  
from  
CCC to AA1  
to ASA1  
(item 5)

1           **SECTION 1145rh.** 40.05 (4) (ag) of the statutes, as affected by 2011 Wisconsin  
2 Act 10, is repealed and recreated to read:

3           40.05 (4) (ag) Except as otherwise provided in a collective bargaining  
4 agreement under subch. V of ch. 111, the employer shall pay for its currently  
5 employed insured employees:

6           1. For insured part-time employees other than employees specified in s. 40.02  
7 (25) (b) 2., including those in project positions as defined in s. 230.27 (1), who are  
8 appointed to work less than 1,044 hours per year, an amount determined annually  
9 by the director of the office of state employment relations under par. (ah).

10           2. For eligible employees not specified in subd. 1. and s. 40.02 (25) (b) 2., an  
11 amount not more than 88 percent of the average premium cost of plans offered in the  
12 tier with the lowest employee premium cost under s. 40.51 (6), as determined  
13 annually by the director of the office of state employment relations under par. (ah).

14           **SECTION 1145rm.** 40.05 (4) (ah) of the statutes is created to read:

15           40.05 (4) (ah) Annually, the director of the office of state employment relations  
16 shall establish the amount that employees are required to pay for health insurance  
17 premiums in accordance with the maximum employer payments under par. (ag).

18           **SECTION 1145rs.** 40.05 (4) (ar) of the statutes is repealed.”.

19           **53.** Page 483, line 22: delete the material beginning with that line and ending  
20 with page 485, line 5, and substitute:

21           **SECTION 1146m.** 40.05 (4) (b) of the statutes, as affected by 2011 Wisconsin Act  
22 10, is repealed and recreated to read:

23           40.05 (4) (b) Except as provided under pars. (bc) and (bp), accumulated unused  
24 sick leave under ss. 13.121 (4), 36.30, 230.35 (2), 233.10, 238.04 (8), and 757.02 (5)



1 and subch. V of ch. 111 of any eligible employee shall, at the time of death, upon  
2 qualifying for an immediate annuity or for a lump sum payment under s. 40.25 (1)  
3 or upon termination of creditable service and qualifying as an eligible employee  
4 under s. 40.02 (25) (b) 6. or 10., be converted, at the employee's highest basic pay rate  
5 he or she received while employed by the state, to credits for payment of health  
6 insurance premiums on behalf of the employee or the employee's surviving insured  
7 dependents. Any supplemental compensation that is paid to a state employee who  
8 is classified under the state classified civil service as a teacher, teacher supervisor,  
9 or education director for the employee's completion of educational courses that have  
10 been approved by the employee's employer is considered as part of the employee's  
11 basic pay for purposes of this paragraph. The full premium for any eligible employee  
12 who is insured at the time of retirement, or for the surviving insured dependents of  
13 an eligible employee who is deceased, shall be deducted from the credits until the  
14 credits are exhausted and paid from the account under s. 40.04 (10), and then  
15 deducted from annuity payments, if the annuity is sufficient. The department shall  
16 provide for the direct payment of premiums by the insured to the insurer if the  
17 premium to be withheld exceeds the annuity payment. Upon conversion of an  
18 employee's unused sick leave to credits under this paragraph or par. (bf), the  
19 employee or, if the employee is deceased, the employee's surviving insured  
20 dependents may initiate deductions from those credits or may elect to delay  
21 initiation of deductions from those credits, but only if the employee or surviving  
22 insured dependents are covered by a comparable health insurance plan or policy  
23 during the period beginning on the date of the conversion and ending on the date on  
24 which the employee or surviving insured dependents later elect to initiate  
25 deductions from those credits. If an employee or an employee's surviving insured

1 dependents elect to delay initiation of deductions from those credits, an employee or  
2 the employee's surviving insured dependents may only later elect to initiate  
3 deductions from those credits during the annual enrollment period under par. (be).  
4 A health insurance plan or policy is considered comparable if it provides hospital and  
5 medical benefits that are substantially equivalent to the standard health insurance  
6 plan established under s. 40.52 (1).”.

7 **54.** Page 485, line 20: after that line insert:

8 “**SECTION 1150g.** 40.05 (4) (bw) of the statutes is amended to read:

9 40.05 (4) (bw) On converting accumulated unused sick leave to credits for the  
10 payment of health insurance premiums under par. (b), the department shall add  
11 additional credits, calculated in the same manner as are credits under par. (b), that  
12 are based on a state employee's accumulated sabbatical leave or earned vacation  
13 leave from the state employee's last year of service prior to retirement, or both. The  
14 department shall apply the credits awarded under this paragraph for the payment  
15 of health insurance premiums only after the credits awarded under par. (b) are  
16 exhausted. This paragraph applies only to state employees who are eligible for  
17 accumulated unused sick leave conversion under par. (b) and who are entitled to the  
18 benefits under this paragraph pursuant to a collective bargaining agreement under  
19 subch. V or VI of ch. 111.

20 **SECTION 1150p.** 40.05 (4) (c) of the statutes is amended to read:

21 40.05 (4) (c) The employer shall contribute toward the payment of premiums  
22 for the plan established under s. 40.52 (3) ~~not more than the percentage of premium~~  
23 ~~paid by the employer for health insurance coverage under par. (ag) 2~~ the amount  
24 established under s. 40.52 (3).”.

1           **SECTION 1151g.** 40.05 (4g) (a) 4. of the statutes is amended to read:

2           40.05 **(4g)** (a) 4. Has received a military leave of absence under s. 230.32 (3) (a)  
3 or 230.35 (3), under a collective bargaining agreement under subch. V ~~or VI~~ of ch. 111  
4 or under rules promulgated by the director of the office of state employment relations  
5 or is eligible for reemployment with the state under s. 321.64 after completion of his  
6 or her service in the U.S. armed forces.

7           **SECTION 1151p.** 40.05 (5) (intro.) of the statutes is amended to read:

8           40.05 **(5)** INCOME CONTINUATION INSURANCE PREMIUMS. (intro.) For the income  
9 continuation insurance provided under subch. V the employee shall pay the amount  
10 remaining after the employer has contributed the following or, if different, the  
11 amount determined under a collective bargaining agreement under subch. I, V, ~~or VI~~  
12 of ch. 111 or s. 230.12 or 233.10.”.

13           **55.** Page 485, line 21: delete lines 21 to 24 and substitute:

14           “**SECTION 1153b.** 40.05 (5) (b) 4. of the statutes, as affected by 2011 Wisconsin  
15 Act 10, is repealed and recreated to read:

16           40.05 **(5)** (b) 4. The accrual and crediting of sick leave shall be determined in  
17 accordance with ss. 13.121 (4), 36.30, 230.35 (2), 233.10, 238.04 (8), and 757.02 (5)  
18 and subch. V of ch. 111.”.

19           **56.** Page 485, line 24: after that line insert:

20           “**SECTION 1153c.** 40.05 (6) (a) of the statutes is amended to read:

21           40.05 **(6)** (a) Except as otherwise provided in accordance with a collective  
22 bargaining agreement under subch. I, V, ~~or VI~~ of ch. 111 or s. 230.12 or 233.10, each  
23 insured employee under the age of 70 and annuitant under the age of 65 shall pay  
24 for group life insurance coverage a sum, approved by the group insurance board,

1 which shall not exceed 60 cents monthly for each \$1,000 of group life insurance,  
2 based upon the last amount of insurance in force during the month for which  
3 earnings are paid. The equivalent premium may be fixed by the group insurance  
4 board if the annual compensation is paid in other than 12 monthly installments.”.

5 **57.** Page 487, line 19: after that line insert:

6 “**SECTION 1156gh.** 40.23 (2m) (e) 2. of the statutes is amended to read:

7 40.23 (2m) (e) 2. For each participant for creditable service as an elected official  
8 or as an executive participating employee that is performed before January 1, 2000,  
9 2.165%; for such creditable service that is performed on or after January 1, 2000, but  
10 before the effective date of this subdivision .... [LRB inserts date], 2%; and for such  
11 creditable service that is performed on or after the effective date of this subdivision  
12 .... [LRB inserts date], 1.6%.”.

13 **58.** Page 489, line 18: after that line insert:

14 “**SECTION 1156tm.** 40.32 (1) of the statutes is amended to read:

15 40.32 (1) The sum of all contributions allocated to a participant’s account under  
16 each defined contribution plan sponsored by the employer, including all employer  
17 contributions and picked-up contributions credited with interest at the effective rate  
18 under ss. 40.04 (4) (a) and (5) (b) and 40.05 (2) (g) and all employee contributions  
19 made under ss. 40.02 (17) and 40.05 (1) ~~and (2m)~~, may not in any calendar year  
20 exceed the maximum contribution limitation established under section 415 (c) of the  
21 Internal Revenue Code.”.

22 **59.** Page 489, line 19: delete the material beginning with that line and ending  
23 with page 491, line 2, and substitute: