

1 157.65 (1) (b) If the department of ~~commerce~~ safety and professional services
2 has reason to believe that any person is violating s. 157.12 or any rule promulgated
3 under s. 157.12 and that the continuation of that activity might cause injury to the
4 public interest, the department of ~~commerce~~ safety and professional services may
5 investigate.

6 **SECTION 2674.** 157.65 (2) of the statutes is amended to read:

7 157.65 (2) The department of justice or any district attorney, upon informing
8 the department of justice, may commence an action in circuit court in the name of
9 the state to restrain by temporary or permanent injunction any violation of this
10 subchapter. The court may, prior to entry of final judgment, make such orders or
11 judgments as may be necessary to restore to any person any pecuniary loss suffered
12 because of the acts or practices involved in the action, if proof of such loss is submitted
13 to the satisfaction of the court. The department of justice may subpoena persons and
14 require the production of books and other documents, and may request the board
15 described in s. 15.405 (3m) or the department of ~~commerce~~ safety and professional
16 services to exercise its authority under sub. (1) to aid in the investigation of alleged
17 violations of this subchapter.

18 **SECTION 2675.** 160.01 (7) of the statutes is amended to read:

19 160.01 (7) "Regulatory agency" means the department of agriculture, trade and
20 consumer protection, the department of ~~commerce~~ safety and professional services,
21 the department of transportation, the department of natural resources and other
22 state agencies which regulate activities, facilities or practices which are related to
23 substances which have been detected in or have a reasonable probability of entering
24 the groundwater resources of the state.

25 **SECTION 2677.** 165.25 (4) (ag) of the statutes is amended to read:

1 165.25 (4) (ag) The department of justice shall furnish legal services upon
2 request of the department of ~~commerce~~ safety and professional services under s.
3 167.35 (7).

4 **SECTION 2678.** 165.25 (4) (am) of the statutes is amended to read:

5 165.25 (4) (am) The department of justice shall furnish legal services to the
6 department of ~~regulation and licensing~~ safety and professional services in all
7 proceedings under s. 440.21 (3), together with any other services, including
8 stenographic and investigational, as are necessarily connected with the legal
9 services.

10 **SECTION 2681.** 165.25 (12) of the statutes is created to read:

11 165.25 (12) REPRESENTATION ARISING FROM AGREEMENTS WITH MINNESOTA.
12 Represent any employee of the state of Minnesota who is named as a defendant in
13 any civil action brought under the laws of this state as a result of performing services
14 for this state under a valid agreement between this state and the state of Minnesota
15 providing for interchange of employees or services and any employee of this state who
16 is named as a defendant as a result of performing services for the state of Minnesota
17 under such an agreement in any action brought under the laws of this state. Witness
18 fees in any action specified in this subsection shall be paid in the same manner as
19 provided in s. 885.07. The attorney general may compromise and settle any action
20 specified in this subsection to the same extent as provided in s. 165.25 (6) (a).

21 **SECTION 2682.** 165.70 (3m) of the statutes is repealed.

22 **SECTION 2682m.** 165.77 (7) of the statutes is amended to read:

23 165.77 (7) Whenever a Wisconsin law enforcement agency or a health care
24 professional collects evidence in a case of alleged or suspected sexual assault, the
25 agency or professional shall follow the procedures specified in the department's rules

1 under sub. (8). The laboratories shall perform, in a timely manner, deoxyribonucleic
2 acid analysis of specimens provided by law enforcement agencies under sub. (2). The
3 laboratories shall not include data obtained from deoxyribonucleic acid analysis of
4 those specimens in the data bank under sub. (3).

5 **SECTION 2683.** 165.82 (1) (a) of the statutes, as affected by 2009 Wisconsin Act
6 28, is repealed.

7 **SECTION 2684.** 165.82 (1) (am) of the statutes, as created by 2009 Wisconsin Act
8 28, is amended to read:

9 165.82 (1) (am) For each record check, except a fingerprint card record check,
10 requested by a governmental agency, \$7.

11 **SECTION 2685.** 165.82 (1) (b) of the statutes is repealed.

12 **SECTION 2686.** 165.825 of the statutes is amended to read:

13 **165.825 Information link; department of health services.** The
14 department of justice shall cooperate with the departments of ~~regulation and~~
15 ~~licensing~~ safety and professional services and health services in developing and
16 maintaining a computer linkup to provide access to the information obtained from
17 a criminal history search.

18 **SECTION 2687.** 167.10 (3) (b) 2. of the statutes is amended to read:

19 167.10 (3) (b) 2. The possession or use of explosives in accordance with rules
20 or general orders of the department of ~~commerce~~ safety and professional services.

21 **SECTION 2688.** 167.10 (6m) (a) of the statutes is amended to read:

22 167.10 (6m) (a) No person may manufacture in this state fireworks or a device
23 listed under sub. (1) (e), (f) or (i) to (n) without a fireworks manufacturing license
24 issued by the department of ~~commerce~~ safety and professional services under par.
25 (d).

1 **SECTION 2689.** 167.10 (6m) (b) of the statutes is amended to read:

2 167.10 **(6m)** (b) No person may manufacture in this state fireworks or a device
3 listed under sub. (1) (e), (f) or (i) to (n) unless the person complies with the rules of
4 the department of ~~commerce~~ safety and professional services promulgated under
5 par. (e).

6 **SECTION 2690.** 167.10 (6m) (c) of the statutes is amended to read:

7 167.10 **(6m)** (c) Any person who manufactures in this state fireworks or a
8 device listed under sub. (1) (e), (f) or (i) to (n) shall provide the department of
9 ~~commerce~~ safety and professional services with a copy of each federal license issued
10 under 18 USC 843 to that person.

11 **SECTION 2691.** 167.10 (6m) (d) of the statutes is amended to read:

12 167.10 **(6m)** (d) The department of ~~commerce~~ safety and professional services
13 shall issue a license to manufacture fireworks or devices listed under sub. (1) (e), (f)
14 or (i) to (n) to a person who complies with the rules of the department promulgated
15 under par. (e). The department may not issue a license to a person who does not
16 comply with the rules promulgated under par. (e). The department may revoke a
17 license under this subsection for the refusal to permit an inspection at reasonable
18 times by the department or for a continuing violation of the rules promulgated under
19 par. (e).

20 **SECTION 2692.** 167.10 (6m) (e) of the statutes is amended to read:

21 167.10 **(6m)** (e) The department of ~~commerce~~ safety and professional services
22 shall promulgate rules to establish safety standards for the manufacture in this state
23 of fireworks and devices listed under sub. (1) (e), (f) or (i) to (n).

24 **SECTION 2693.** 167.10 (6m) (f) of the statutes is amended to read:

1 167.10 **(6m)** (f) The department of ~~commerce~~ safety and professional services
2 may inspect at reasonable times the premises on which each person licensed under
3 this subsection manufactures fireworks or devices listed under sub. (1) (e), (f) or (i)
4 to (n).

5 **SECTION 2694.** 167.21 (1) (b) of the statutes is amended to read:

6 167.21 **(1)** (b) “Department” means the department of ~~commerce~~ safety and
7 professional services.

8 **SECTION 2695.** 167.27 (5) of the statutes is amended to read:

9 167.27 **(5)** Whenever any mine shaft, exploration shaft or test well is
10 abandoned or its use discontinued, the operator or contractor shall promptly fill
11 same to grade or enclose the same with a fence of strong woven wire not less than 46
12 inches wide with one barbwire above or cap same with a reinforced concrete slab at
13 least 6 inches thick or with a native boulder at least 3 times the diameter of the top
14 of the shaft or test well bore. The strands of the woven wire shall not be smaller than
15 No. 12 wire and the cross wires and meshes shall not be smaller than No. 16 wire;
16 the strands shall not be more than 12 inches apart, and the meshes shall not exceed
17 8 inches square. All wires must be tightly stretched and securely fastened to
18 sufficient posts firmly set not more than 8 feet apart. In case any person shall neglect
19 to repair or rebuild such fence which the person is so required to build and maintain,
20 any person may complain to the department of ~~commerce~~ safety and professional
21 services or to the local governing body, which shall give notice in writing to the person
22 who is required to build and maintain such fence. The department of ~~commerce~~
23 safety and professional services or the local governing body shall then proceed to
24 examine the fence, and if it shall determine that such fence is insufficient, it shall
25 notify the person responsible for its erection and maintenance and direct the person

1 to repair or rebuild the fence within such time as it shall deem reasonable. Any
2 person refusing to comply with such order shall be subject to the penalties provided.

3 **SECTION 2696.** 167.27 (8) of the statutes is amended to read:

4 167.27 (8) Any violation of this section coming to the attention of the
5 department of ~~eommerce~~ safety and professional services or municipal authorities
6 shall be reported to the attorney general or district attorney for prosecution.

7 **SECTION 2697.** 167.31 (4) (a) 4. b. of the statutes is amended to read:

8 167.31 (4) (a) 4. b. He or she holds a certificate of proficiency to carry a firearm
9 issued by the department of ~~regulation and licensing~~ safety and professional
10 services.

11 **SECTION 2698.** 167.31 (4) (a) 4. e. of the statutes is amended to read:

12 167.31 (4) (a) 4. e. His or her firearm is in plain view, as defined by rule by the
13 department of ~~regulation and licensing~~ safety and professional services.

14 **SECTION 2699.** 167.35 (1) (b) of the statutes is amended to read:

15 167.35 (1) (b) "Department" means the department of ~~eommerce~~ safety and
16 professional services unless the context requires otherwise.

17 **SECTION 2700.** 167.35 (7) (b) of the statutes is amended to read:

18 167.35 (7) (b) The department of revenue, in the course of conducting any
19 inspection or examination authorized under s. 139.39, may inspect cigarettes to
20 determine if the cigarettes are marked as provided under sub. (4), and the
21 department of revenue shall notify the department of ~~eommerce~~ safety and
22 professional services of any unmarked cigarettes.

23 **SECTION 2701.** 167.35 (7) (c) of the statutes is amended to read:

24 167.35 (7) (c) Authorized personnel from the department of justice, from the
25 department of ~~eommerce~~ safety and professional services, and from the department

1 of revenue, and any sheriff, police officer, or other law enforcement personnel, within
2 their respective jurisdictions, may enter and inspect any premises where cigarettes
3 are made, sold, offered for sale, or stored to determine if the cigarettes comply with
4 this section. An inspection under this paragraph includes examining the books,
5 papers, invoices, and other records of any person who is subject to this section and
6 who is in control, possession, or occupancy of the premises.

7 **SECTION 2702.** 168.01 (1) of the statutes is amended to read:

8 168.01 (1) "Department" means the department of ~~commerce~~ safety and
9 professional services.

10 **SECTION 2702p.** 169.19 (3) (d) of the statutes is created to read:

11 169.19 (3) (d) A municipality or county may not limit the number of wild birds
12 that are released into the wild under the authority of a bird hunting preserve license.

13 **SECTION 2703.** 170.12 (3) (dm) of the statutes is repealed.

14 **SECTION 2704m.** 175.405 of the statutes is created to read:

15 **175.405 Sexual assault; evidence where no suspect has been identified.**

16 (1) In this section, "law enforcement agency" has the meaning given in s. 165.83 (1)
17 (b).

18 (2) Whenever a Wisconsin law enforcement agency collects, in a case of alleged
19 or suspected sexual assault, evidence upon which deoxyribonucleic acid analysis can
20 be performed, and the person who committed the alleged or suspected sexual assault
21 has not been identified, the agency shall follow the procedures specified in s. 165.77
22 (8) and shall, in a timely manner, submit the evidence it collects to a crime laboratory,
23 as identified in s. 165.75.

24 **SECTION 2705.** 182.0175 (1m) (e) 2. of the statutes is amended to read:

1 182.0175 (1m) (e) 2. The department of ~~commerce~~ safety and professional
2 services may promulgate a rule that requires retail suppliers, as defined in s. 101.16
3 (1) (d), of propane to inform their customers each year of the obligation of owners of
4 transmission facilities under this section.

5 **SECTION 2707.** 186.235 (15) (b) of the statutes is amended to read:

6 186.235 (15) (b) Witness fees shall be the same as fees under s. 814.67 (1) (b)
7 and (c). The fees of witnesses who are called by the office in the interests of the state
8 shall be paid by the state upon presentation of proper vouchers approved by the office
9 of credit unions and charged to the appropriation under s. 20.144 ~~(2)~~ (1) (g). A witness
10 subpoenaed by the office at the instance of a party other than the office shall not be
11 entitled to payment of fees by the state unless the office certifies that the testimony
12 was material to the purpose for which the subpoena was issued.

13 **SECTION 2707d.** 186.314 (intro.) (except 186.314 (title)) of the statutes is
14 renumbered 186.314 (1m) (intro.).

15 **SECTION 2707e.** 186.314 (1) to (4) of the statutes are renumbered 186.314 (1m)
16 (a) to (d).

17 **SECTION 2707f.** 186.314 (1m) (title) of the statutes is created to read:

18 186.314 (1m) (title) TO FEDERAL CREDIT UNION.

19 **SECTION 2707g.** 186.314 (2m) of the statutes is created to read:

20 186.314 (2m) TO SAVINGS BANK OR STATE BANK. (a) In this subsection:

21 1. "Savings bank" has the meaning given in s. 214.01 (1) (t) and includes a
22 mutual savings bank and a stock savings bank as well as a savings bank that is a
23 subsidiary of, or is otherwise controlled by, a savings bank holding company.

24 2. "Savings bank holding company" has the meaning given in s. 214.01 (1) (tm).

25 3. "State bank" means a bank organized under ch. 221.

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1 (b) A credit union may convert to a savings bank or state bank by complying
2 with pars. (c) to (e).

3 (c) The proposition for a conversion shall first be approved by a majority
4 recommendation of the directors of the credit union. After the board of directors
5 approves the conversion proposal, the directors shall, by a majority vote of the
6 directors, set a date for a meeting of credit union members to vote on the conversion.
7 Credit union members may also vote by written ballot to be filed on or before the
8 meeting date. Written notice stating the credit union's intent to convert to a savings
9 bank or state bank shall be sent to each member at the member's address appearing
10 on the records of the credit union. This notice shall be sent to each credit union
11 member 3 times, once not more than 95 calendar days nor less than 90 calendar days
12 before the date of the meeting to vote on the conversion, once not more than 65
13 calendar days nor less than 60 calendar days before the date of the meeting to vote
14 on the conversion, and once not more than 35 calendar days nor less than 30 calendar
15 days before the date of the meeting to vote on the conversion. A ballot may be
16 included in the same envelope as the 3rd notice. Each notice shall adequately
17 describe the purpose and subject matter of the vote to be taken at the meeting set by
18 the board of directors or by submission of a written ballot. Each notice shall clearly
19 inform members that they may vote at the meeting or by submitting the written
20 ballot. Each notice shall state the date, time, and place of the meeting. If a written
21 ballot is included with the 3rd notice, the 1st and 2nd notices shall state in a clear
22 and conspicuous manner that a written ballot will be mailed together with another
23 notice between 30 and 35 days before the date of the membership vote on conversion.
24 If a written ballot is included in the same envelope with the 3rd notice, the 3rd notice
25 shall so state in a clear and conspicuous manner. Approval of the proposition for

1 conversion shall be by affirmative vote, in person or in writing, of a majority of the
2 credit union members voting at the meeting or by written ballot.

3 (d) A credit union that proposes to convert to a savings bank or state bank under
4 this subsection shall file with the office of credit unions a notice of its intent to convert
5 and, within 10 days after the member vote on the conversion under par. (c), a
6 statement of the results of the member vote. If the credit union members vote to
7 approve the proposition for conversion, the member vote shall be verified by the office
8 of credit unions.

9 (e) Upon approval by the credit union members of the proposition for
10 conversion under par. (c), the credit union shall take all necessary action under ch.
11 214 or 221 to complete the conversion to a savings bank or state bank. Within 90 days
12 after receipt from the division of banking of a certificate of incorporation as a savings
13 bank or state bank, the credit union shall file a copy of the certificate with the office
14 of credit unions and the office of credit unions shall issue to a converting credit union
15 a certificate of conversion to a savings bank or state bank.

16 (f) Upon conversion, the credit union shall cease to be a credit union, shall be
17 a savings bank or state bank, shall no longer be subject to this chapter, and shall be
18 subject to ch. 214 or 221 and all other provisions of law governing savings banks or
19 state banks. Upon conversion, the legal existence of the savings bank or state bank
20 shall be a continuation of the credit union, and all property and every right, privilege,
21 interest, and asset of the credit union immediately, without any conveyance,
22 transfer, or further act of the savings bank or state bank, vests in the savings bank
23 or state bank. The resulting savings bank or state bank shall succeed to and be
24 vested with all the rights, assets, obligations, and relations of the credit union, and
25 all actions and other judicial proceedings to which the credit union is a party may be

1 prosecuted and defended, to the same extent as though the conversion had not taken
2 place.

3 (g) Upon conversion of a credit union into a stock savings bank or state bank,
4 the stock savings bank or state bank may distribute shares of the capital stock of the
5 stock savings bank or state bank, or may distribute cash, or both, to the former
6 members of the converted credit union in recognition of their ownership of the equity
7 of the converted credit union.

8 (h) 1. In this paragraph, "senior management official" means a chief executive
9 officer, an assistant chief executive officer, a chief financial officer, and any other
10 senior executive officer as defined by the appropriate federal banking agency as
11 directed under 12 USC 1831i (f).

12 2. No director or senior management official of a credit union may receive any
13 economic benefit in connection with a conversion of the credit union to a savings bank
14 or state bank except that a director or senior management official may receive
15 director fees as well as compensation and other benefits paid to directors and senior
16 management officials of the converted savings bank or state bank in the ordinary
17 course of business.

18 **SECTION 2707m.** 196.31 (2m) of the statutes is amended to read:

19 196.31 (2m) From the appropriation under s. 20.155 (1) (j), the commission
20 ~~shall~~ may make an annual grant grants that, in the aggregate, do not exceed an
21 annual total of \$300,000 to ~~a~~ one or more nonstock, nonprofit ~~corporation~~
22 corporations that ~~is~~ are described under section 501 (c) (3) of the Internal Revenue
23 Code, and that ~~has~~ have a history of advocating at the commission on behalf of
24 ~~residential ratepayers for affordable rates~~ ratepayers of this state, for the purpose
25 of offsetting the general expenses of the ~~corporation~~ corporations, including salary,

1 benefit, rent, and utility expenses. The commission may impose conditions on grants
2 made under this subsection and may revoke a grant if the commission finds that such
3 a condition is not being met.

4 **SECTION 2708.** 196.374 (2) (a) 2. e. of the statutes is amended to read:

5 196.374 (2) (a) 2. e. Components to implement energy efficiency or renewable
6 energy measures in facilities of manufacturing businesses in this state that are
7 consistent with ~~the objectives under s. 560.128 (1) (a)~~ the implementation of energy
8 efficiency or renewable energy measures in manufacturing facilities to enhance their
9 competitiveness, the retooling of existing facilities to manufacture products that
10 support the green economy, the expansion or establishment of domestic clean energy
11 manufacturing operations, and creating or retaining jobs for workers engaged in
12 such activities.

13 **SECTION 2709.** 196.374 (2) (a) 4. of the statutes is repealed.

14 **SECTION 2710.** 196.374 (3) (a) of the statutes is amended to read:

15 196.374 (3) (a) *In general.* The commission shall have oversight of programs
16 under sub. (2). The commission shall maximize coordination of program delivery,
17 including coordination between programs under subs. (2) (a) 1., (b) 1. and 2., and (c)
18 and (7), ordered programs, low-income weatherization programs under s. 16.957,
19 renewable resource programs under s. 196.378, and other energy efficiency or
20 renewable resource programs. The commission shall cooperate with the department
21 of natural resources to ensure coordination of energy efficiency and renewable
22 resource programs with air quality programs and to maximize and document the air
23 quality improvement benefits that can be realized from energy efficiency and
24 renewable resource programs. ~~The commission shall cooperate with the department~~

1 ~~of commerce to ensure coordination of energy efficiency and renewable resource~~
2 ~~programs under sub. (2) (a) 2. e. with the loan program under s. 560.128 (1) (a).~~

3 **SECTION 2710c.** 196.374 (3) (b) 2. (intro.) of the statutes is renumbered 196.374
4 (3) (b) 2. and amended to read:

5 196.374 (3) (b) 2. The commission shall require each energy utility to spend 1.2
6 percent of its annual operating revenues to fund the utility's programs under sub. (2)
7 (b) 1., the utility's ordered programs, the utility's share of the statewide energy
8 efficiency and renewable resource programs under sub. (2) (a) 1., and the utility's
9 share, as determined by the commission under subd. 4., of the costs incurred by the
10 commission in administering this section. ~~Subject to approval under subd. 3., the~~
11 ~~commission may require each energy utility to spend a larger percentage of its~~
12 ~~annual operating revenues to fund these programs and costs. The commission may~~
13 ~~make such a requirement based on the commission's consideration of all of the~~
14 ~~following:~~

15 **SECTION 2710e.** 196.374 (3) (b) 2. a. to h. of the statutes are repealed.

16 **SECTION 2710g.** 196.374 (3) (b) 3. of the statutes is repealed.

17 **SECTION 2711.** 196.49 (4) of the statutes is amended to read:

18 196.49 (4) The commission may not issue a certificate under sub. (1), (2), or (3)
19 for the construction of electric generating equipment and associated facilities unless
20 the commission determines that brownfields, as defined in s. 238.13 (1) (a) or s.
21 560.13 (1) (a), 2009 stats., are used to the extent practicable.

22 **SECTION 2712.** 196.491 (2) (b) 2. of the statutes is amended to read:

23 196.491 (2) (b) 2. Department of ~~commerce~~ safety and professional services.

24 **SECTION 2713.** 196.491 (2) (e) of the statutes is amended to read:

1 196.491 (2) (e) Any state agency, as defined in s. ~~560.9810~~ 16.310 (1), county,
2 municipality, town, or person may submit written comments to the commission on
3 a strategic energy assessment within 90 days after copies of the draft are issued
4 under par. (b).

5 **SECTION 2714.** 196.491 (3) (a) 2m. b. of the statutes is amended to read:

6 196.491 (3) (a) 2m. b. The applicant proposes alternative construction sites for
7 the facility that are contiguous or proximate, provided that at least one of the
8 proposed sites is a brownfield, as defined in s. ~~560.13~~ 238.13 (1) (a), or the site of a
9 former or existing large electric generating facility.

10 **SECTION 2715.** 196.491 (3) (d) 8. of the statutes is amended to read:

11 196.491 (3) (d) 8. For a large electric generating facility, brownfields, as defined
12 in s. ~~560.13~~ 238.13 (1) (a), are used to the extent practicable.

13 **SECTION 2715s.** 200.09 (1) of the statutes is amended to read:

14 200.09 (1) A district formed under this subchapter shall be governed by a
15 5-member commission appointed for staggered 5-year terms. Except as provided in
16 sub. (11), commissioners shall be appointed by the county board of the county in
17 which the district is located. If the district contains territory of more than one county,
18 the county boards of the counties not having the greatest population in the district
19 shall appoint one commissioner each and the county board of the county having the
20 greatest population in the district shall appoint the remainder. Of the initial
21 appointments, the appointments for the shortest terms shall be made by the counties
22 having the least amount of population, in reverse order of their population included
23 in the district. Commissioners shall be residents of the district. Initial appointments
24 shall be made no sooner than 60 days and no later than 90 days after issuance of the
25 department order forming a district or after completion of any court proceedings

1 challenging such order. ~~A per diem compensation not to exceed \$50 may be paid to~~
2 ~~commissioners. Commissioners may be reimbursed for actual expenses incurred as~~
3 ~~commissioners in carrying out the work of the commission.~~

4 **SECTION 2715u.** 200.09 (7) of the statutes is amended to read:

5 200.09 (7) A per diem compensation ~~not to exceed \$50~~ may be paid to
6 commissioners in an amount the commission specifies by resolution. Any change in
7 the per diem amount after its initial establishment applies only to subsequently
8 appointed or reappointed commissioners. Commissioners shall be reimbursed for
9 actual expenses incurred as commissioners in carrying out the work of the
10 commission.

11 **SECTION 2716.** 200.49 (1) (b) of the statutes is amended to read:

12 200.49 (1) (b) "Minority group member" has the meaning given under s.
13 ~~560.036~~ 16.287 (1) (f).

14 **SECTION 2717.** 200.57 (1) (a) of the statutes is amended to read:

15 200.57 (1) (a) "Disabled veteran-owned financial adviser" and "disabled
16 veteran-owned investment firm" mean a financial adviser and investment firm,
17 respectively, certified by the department of ~~commerce~~ administration under s.
18 ~~560.0335~~ 16.283 (3).

19 **SECTION 2718.** 200.57 (1) (b) of the statutes is amended to read:

20 200.57 (1) (b) "Minority financial adviser" and "minority investment firm"
21 mean a financial adviser and investment firm, respectively, certified by the
22 department of ~~commerce~~ administration under s. ~~560.036~~ 16.287 (2).

23 **SECTION 2718m.** 214.40 (3) of the statutes is amended to read:

24 214.40 (3) A stock financial institution seeking to convert to a savings bank
25 under s. 214.66 (1m) shall, before declaring a dividend on its capital stock, transfer

1 not less than 50% of its net profits of the preceding half year to its paid-in surplus
2 until it has paid-in surplus equal to 20% of capital stock.

3 **SECTION 2719.** 214.48 (4) (a) of the statutes is amended to read:

4 214.48 (4) (a) An independent qualified appraiser, designated by the board of
5 directors, who is properly licensed and certified by the department of ~~regulation and~~
6 ~~licensing safety and professional services~~ or by another entity authorized to govern
7 appraisal licensure and certification and who meets the requirements of title XI of
8 the financial institutions reform, recovery and enforcement act of 1989, 12 USC 3331
9 to 3351 and regulations adopted pursuant to those sections.

10 **SECTION 2719d.** 214.66 (intro.) (except 214.66 (title)) of the statutes is
11 renumbered 214.66 (1m) (intro.).

12 **SECTION 2719e.** 214.66 (1) to (7) of the statutes are renumbered 214.66 (1m)
13 (a) to (g).

14 **SECTION 2719f.** 214.66 (1m) (title) of the statutes is created to read:

15 214.66 (1m) (title) FROM SAVINGS AND LOAN ASSOCIATION OR FEDERAL SAVINGS BANK.

16 **SECTION 2719g.** 214.66 (2) of the statutes is created to read:

17 214.66 (2) FROM CREDIT UNION. A credit union under ch. 186 may become a
18 savings bank by doing all of the following:

19 (a) Applying to the division for authority to organize as a savings bank and
20 satisfying all requirements under this chapter for organizing as a savings bank.

21 (b) Satisfying all requirements under s. 186.314 (2m) for conversion to a
22 savings bank.

23 (c) Recording the savings bank's articles of incorporation in the county in which
24 its home office is located.

25 **SECTION 2719w.** 218.0171 (1) (h) 2. of the statutes is amended to read:

1 218.0171 (1) (h) 2. The motor vehicle is out of service for an aggregate of at least
2 30 days because of warranty nonconformities. Time during which repair services are
3 not available to the consumer because of flood or other natural disaster, war,
4 invasion, fire, or strike may not be included in the 30-day time period under this
5 subdivision.

6 **SECTION 2720.** 218.0171 (2) (c) of the statutes is amended to read:

7 218.0171 (2) (c) To receive a comparable new motor vehicle or a refund due
8 under par. (b) 1. or 2., a consumer described under sub. (1) (b) 1., 2. or 3. shall offer
9 to the manufacturer of the motor vehicle having the nonconformity to transfer title
10 of that motor vehicle to that manufacturer. No later than 30 days after that offer, the
11 manufacturer shall provide the consumer with the comparable new motor vehicle or
12 refund. When the manufacturer provides the new motor vehicle or refund, the
13 consumer shall return the motor vehicle having the nonconformity to the
14 manufacturer and provide the manufacturer with the certificate of title and all
15 endorsements necessary to transfer title to the manufacturer. If another person is
16 in possession of the certificate of title, as shown by the records of the department of
17 transportation, that person shall, upon request of the consumer, provide the
18 certificate to the manufacturer or to the consumer.

19 **SECTION 2721.** 218.0171 (2) (cm) 2. of the statutes is amended to read:

20 218.0171 (2) (cm) 2. To receive a refund due under par. (b) 3., a motor vehicle
21 lessor shall offer to the manufacturer of the motor vehicle having the nonconformity
22 to transfer title of that motor vehicle to that manufacturer. No later than 30 days
23 after that offer, the manufacturer shall provide the refund to the motor vehicle lessor.
24 When the manufacturer provides the refund, the motor vehicle lessor shall provide
25 to the manufacturer the certificate of title and all endorsements necessary to

1 transfer title to the manufacturer. If another person is in possession of the certificate
2 of title, as shown by the records of the department of transportation, that person
3 shall, upon request of the motor vehicle lessor, provide the certificate to the
4 manufacturer or to the motor vehicle lessor.

5 **SECTION 2722.** 218.11 (2) (am) 3. of the statutes is amended to read:

6 218.11 (2) (am) 3. The department of ~~commerce~~ may not disclose any
7 information received under subd. 1. to any person except to the department of
8 children and families for purposes of administering s. 49.22 or to the department of
9 revenue for the sole purpose of requesting certifications under s. 73.0301.

10 **SECTION 2723.** 218.12 (2) (am) 2. of the statutes is amended to read:

11 218.12 (2) (am) 2. The department of ~~commerce~~ may not disclose a social
12 security number obtained under par. (a) to any person except to the department of
13 children and families for the sole purpose of administering s. 49.22 or to the
14 department of revenue for the sole purpose of requesting certifications under s.
15 73.0301.

16 **SECTION 2724.** 218.23 (1) of the statutes is amended to read:

17 218.23 (1) Whenever a licensed motor vehicle salvage dealer acquires a motor
18 vehicle for the purpose of wrecking it, the dealer shall mail or deliver the certificate
19 of title or if the transfer to the salvage dealer was by a bill of sale, the bill of sale, for
20 such vehicle to the department within 30 days after the vehicle is delivered to the
21 salvage yard unless the previous owner already has done so or, if another person is
22 in possession of the certificate of title, as shown by the records of the department of
23 transportation, that person already has done so. If ~~he or she~~ the dealer subsequently
24 wishes to transfer such vehicle to another person, ~~he or she~~ the dealer shall make
25 such transfer only by bill of sale. In such bill of sale, ~~he or she~~ the dealer shall

1 describe the vehicle and shall state that the certificate of title for the vehicle has been
2 mailed or delivered to the department because the vehicle was to have been junked.

3 **SECTION 2724m.** 221.0219 of the statutes is created to read:

4 **221.0219 Conversion of a credit union to a state bank.** A credit union
5 under ch. 186 may become a state bank under this chapter by doing all of the
6 following:

7 (1) Applying to the division of banking for authority to organize as a bank
8 under this chapter and satisfying all requirements under this chapter for organizing
9 as a bank.

10 (2) Satisfying all requirements under s. 186.314 (2m) for conversion to a state
11 bank.

12 (3) Recording the bank's articles of incorporation in the county in which its
13 home office is located.

14 **SECTION 2725d.** 227.01 (13) (Lm) of the statutes is created to read:

15 227.01 (13) (Lm) Relates to the personnel systems developed under s. 36.115.

16 **SECTION 2725f.** 227.01 (13) (Ln) of the statutes is created to read:

17 227.01 (13) (Ln) Relates to bidding procedures or changes thereto under s.
18 36.11 (53).

19 **SECTION 2725t.** 227.01 (13) (t) of the statutes is amended to read:

20 227.01 (13) (t) Ascertains and determines prevailing wage rates under ss.
21 66.0903, ~~66.0904~~, 103.49, 103.50, and 229.8275, except that any action or inaction
22 which ascertains and determines prevailing wage rates under ss. 66.0903, ~~66.0904~~,
23 103.49, 103.50, and 229.8275 is subject to judicial review under s. 227.40.

24 **SECTION 2726.** 227.01 (13) (yc) of the statutes is created to read:

1 227.01 (13) (yc) Adjusts the total cost threshold for highway projects under ss.
2 84.013 (2m) and 84.0145 (4).

3 **SECTION 2727.** 227.01 (13) (yL) of the statutes is repealed.

4 **SECTION 2728b.** 227.01 (13) (zi) of the statutes is amended to read:

5 227.01 (13) (zi) Lists responsible units, as defined in s. 287.01 (9), ~~and~~
6 ~~out-of-state units, as defined in s. 287.01 (5),~~ with an effective recycling program
7 under s. 287.11 (3).

8 **SECTION 2729.** 227.114 (5) of the statutes is repealed.

9 **SECTION 2730e.** 227.115 (1) (a) of the statutes is amended to read:

10 227.115 (1) (a) “Department” means the department of ~~commerce~~
11 administration.

12 **SECTION 2730m.** 227.115 (1) (b) of the statutes is amended to read:

13 227.115 (1) (b) “State housing strategy plan” means the plan developed under
14 s. ~~560.9802~~ 16.302.

15 **SECTION 2730s.** 227.115 (3) (a) 5. of the statutes is amended to read:

16 227.115 (3) (a) 5. Housing costs, as defined in s. ~~560.9801~~ 16.301 (3) (a) and (b).

17 **SECTION 2731.** 227.116 (1) of the statutes is renumbered 227.116 (1r) and
18 amended to read:

19 227.116 (1r) Each proposed rule submitted to the legislative council under s.
20 227.15 that includes a requirement for a business to obtain a permit, ~~as defined in~~
21 ~~s. 560.41 (2),~~ shall specify the number of business days, calculated beginning on the
22 day a permit application is received, within which the agency will review and make
23 a determination on a permit application.

24 **SECTION 2732.** 227.116 (1g) of the statutes is created to read:

1 227.116 (1g) In this section, “permit” means any approval of an agency
2 required as a condition of operating a business in this state.

3 **SECTION 2733.** 227.116 (2) of the statutes is amended to read:

4 227.116 (2) If any existing rule does not comply with sub. (1) (1r), the agency
5 that promulgated the rule shall submit to the legislative council a proposed revision
6 of the rule that will bring the rule into compliance with sub. (1) (1r). The legislative
7 council staff’s review of the proposed revision is limited to determining whether or
8 not the agency has complied with this subsection.

9 **SECTION 2734.** 227.116 (3) of the statutes is amended to read:

10 227.116 (3) Subsections (1) (1r) and (2) do not apply to a rule if the rule, or a
11 law under which the rule was promulgated, effective prior to November 17, 1983,
12 contains a specification of a time period for review and determination on a permit
13 application.

14 **SECTION 2735.** 227.116 (4) (intro.) of the statutes is amended to read:

15 227.116 (4) (intro.) If an agency fails to review and make a determination on
16 a permit application within the time period specified in a rule or law, for each such
17 failure the agency shall prepare a report and submit it to the department of
18 commerce safety and professional services within 5 business days of the last day of
19 the time period specified, setting forth all of the following:

20 **SECTION 2736.** 227.116 (5) of the statutes is amended to read:

21 227.116 (5) If an agency fails to review and make a determination on a permit
22 application within the time period specified in a rule or law, upon completion of the
23 review and determination for that application, the agency shall notify the
24 department of commerce safety and professional services.

25 **SECTION 2738k.** 227.137 (3) (f) of the statutes is created to read:

1 227.137 (3) (f) Except as provided in this paragraph, if the economic impact
2 analysis relates to a proposed rule of the department of safety and professional
3 services under s. 101.63 (1) establishing standards for the construction of a dwelling,
4 as defined in s. 101.61 (1), an analysis of whether the proposed rule would increase
5 the cost of constructing or remodeling such a dwelling by more than \$1,000. This
6 paragraph applies notwithstanding that the purpose of the one- and 2-family
7 dwelling code under s. 101.60 includes promoting interstate uniformity in
8 construction standards. This paragraph does not apply to a proposed rule whose
9 promulgation has been authorized under s. 227.19 (5) (fm).

10 **SECTION 2738m.** 227.19 (3) (g) of the statutes is amended to read:

11 227.19 (3) (g) The report of the department of ~~commerce~~ administration, as
12 required by s. 227.115, if a proposed rule directly or substantially affects the
13 development, construction, cost, or availability of housing in this state.

14 **SECTION 2739c.** 227.19 (4) (d) 7. of the statutes is created to read:

15 227.19 (4) (d) 7. In the case of a proposed rule of the department of safety and
16 professional services under s. 101.63 (1) establishing standards for the construction
17 of a dwelling, as defined in s. 101.61 (1), the proposed rule would increase the cost
18 of constructing or remodeling such a dwelling by more than \$1,000. This subdivision
19 applies notwithstanding that the purpose of the one- and 2-family dwelling code
20 under s. 101.60 includes promoting interstate uniformity in construction standards.
21 This subdivision does not apply to a proposed rule whose promulgation has been
22 authorized under sub. (5) (fm).

23 **SECTION 2739d.** 227.19 (5) (c) of the statutes, as affected by 2011 Wisconsin Act
24 21, is amended to read:

1 227.19 (5) (c) *Agency not to promulgate rule during joint committee review.* An
2 agency may not promulgate a proposed rule or a part of a proposed rule until the joint
3 committee for review of administrative rules nonconcur in the objection of the
4 committee, concurs in the approval of the committee, otherwise approves the
5 proposed rule or part of the proposed rule, or waives its jurisdiction over the proposed
6 rule or part of the proposed rule under par. (d), until the expiration of the review
7 period under par. (b) 1., if no committee has objected to the proposed rule or the part
8 of the proposed rule, ~~or until a bill introduced under par. (e) fails to be enacted, or~~
9 until a bill introduced under par. (em) is enacted. An agency may promulgate any
10 part of a proposed rule to which no objection has been made.

11 **SECTION 2739e.** 227.19 (5) (d) of the statutes, as affected by 2011 Wisconsin Act
12 21, is amended to read:

13 227.19 (5) (d) *Joint committee action.* The joint committee for review of
14 administrative rules may nonconcur in a committee's objection to a proposed rule or
15 a part of a proposed rule, concur in a committee's approval of a proposed rule or a part
16 of a proposed rule, otherwise approve a proposed rule or a part of a proposed rule, or
17 waive its jurisdiction over a proposed rule or a part of a proposed rule by voting to
18 nonconcur, concur, or approve, or to waive its jurisdiction, during the applicable
19 review period under par. (b). If Except as provided in par. (dm), if the joint committee
20 for review of administrative rules objects to a proposed rule or a part of a proposed
21 rule, an agency may not promulgate the proposed rule or part of the proposed rule
22 objected to until a bill introduced under par. (e) fails to be enacted. The joint
23 committee for review of administrative rules may object to a proposed rule or a part
24 of a proposed rule only for one or more of the reasons specified under sub. (4) (d).

25 **SECTION 2739f.** 227.19 (5) (dm) of the statutes is created to read:

1 227.19 (5) (dm) *Rules increasing dwelling construction costs; joint committee*
2 *action.* If the joint committee for review of administrative rules objects to a proposed
3 rule or a part of a proposed rule for a reason specified in sub. (4) (d) 7., the department
4 of safety and professional services may not promulgate the proposed rule or part of
5 the proposed rule objected to until a bill introduced under par. (em) is enacted. This
6 paragraph applies notwithstanding that the purpose of the one- and 2-family
7 dwelling code under s. 101.60 includes promoting interstate uniformity in
8 construction standards. This paragraph does not apply to a proposed rule whose
9 promulgation has been previously authorized under par. (fm).

10 **SECTION 2739g.** 227.19 (5) (e) of the statutes, as affected by 2011 Wisconsin Act
11 21, is amended to read:

12 227.19 (5) (e) *Bills to prevent promulgation.* When the joint committee for
13 review of administrative rules objects to a proposed rule or a part of a proposed rule
14 under par. (d) it shall, within 30 days of the date of the objection, meet and take
15 executive action regarding the introduction, in each house of the legislature, of a bill
16 to support the objection. The joint committee shall introduce the bills within 5
17 working days after taking executive action in favor of introduction of the bills unless
18 the bills cannot be introduced during this time period under the joint rules of the
19 legislature.

20 **SECTION 2739h.** 227.19 (5) (em) of the statutes is created to read:

21 227.19 (5) (em) *Rules increasing dwelling construction costs; bill to authorize*
22 *promulgation.* If the joint committee for review of administrative rules objects to a
23 proposed rule or a part of a proposed rule under par. (dm), any member of the
24 legislature may introduce a bill to authorize promulgation of the proposed rule or
25 part of the proposed rule. This paragraph applies notwithstanding that the purpose

1 of the one- and 2-family dwelling code under s. 101.60 includes promoting interstate
2 uniformity in construction standards. This paragraph does not apply to a proposed
3 rule whose promulgation has been previously authorized under par. (fm).

4 **SECTION 2739i.** 227.19 (5) (fm) of the statutes is created to read:

5 227.19 (5) (fm) *Rules increasing dwelling construction costs; timely*
6 *introduction of bill; effect.* If all bills introduced under par. (em) are defeated, or fail
7 to be enacted in any other manner, the agency may not promulgate the proposed rule
8 or part of the proposed rule that was objected to unless subsequent law specifically
9 authorizes its promulgation. If any of those bills becomes law, the agency may
10 promulgate the proposed rule or part of the proposed rule that was objected to.

11 **SECTION 2739j.** 227.19 (5) (g) (title) of the statutes is created to read:

12 227.19 (5) (g) (title) *Introduction of bills in next session; effect.*

13 **SECTION 2739k.** 227.19 (6) (title) of the statutes is amended to read:

14 227.19 (6) (title) PROMULGATION PREVENTION OR AUTHORIZATION PROCEDURE.

15 **SECTION 2739L.** 227.19 (6) (a) (intro.) of the statutes is amended to read:

16 227.19 (6) (a) (intro.) The legislature may not consider a bill required by or
17 permitted under sub. (5) (e) or (em) until the joint committee for review of
18 administrative rules has submitted a written report on the bill. The report shall be
19 printed as an appendix to each bill and shall contain:

20 **SECTION 2739n.** 227.24 (1) (e) 1d. of the statutes, as created by 2011 Wisconsin
21 Act 21, is amended to read:

22 227.24 (1) (e) 1d. Prepare a statement of the scope of the proposed emergency
23 rule as provided in s. 227.135 (1), obtain approval of the statement as provided in s.
24 227.135 (2), and send the statement to the legislative reference bureau for
25 publication in the register ~~under~~ as provided in s. 227.135 (3) ~~at the same time that~~

OK

1 ~~the proposed emergency rule is published.~~ If the agency changes the scope of a
2 proposed emergency rule as described in s. 227.135 (4), the agency shall prepare and
3 obtain approval of a revised statement of the scope of the proposed emergency rule
4 as provided in s. 227.135 (4). No state employee or official may perform any activity
5 in connection with the drafting of a proposed emergency rule except for an activity
6 necessary to prepare the statement of the scope of the proposed emergency rule until
7 the governor and the individual or body with policy-making powers over the subject
8 matter of the proposed emergency rule approves the statement.

9 **SECTION 2739p.** 227.24 (1) (e) 1g. of the statutes, as created by 2011 Wisconsin
10 Act 21, is amended to read:

11 227.24 (1) (e) 1g. Submit the proposed emergency rule in final draft form to the
12 governor for approval. The governor, in his or her discretion, may approve or reject
13 the proposed emergency rule. If the governor approves a proposed emergency rule,
14 the governor shall provide the agency with a written notice of that approval. An
15 agency may not file an emergency rule for publication with the legislative reference
16 bureau as provided in s. 227.20 and an emergency rule may not be published until
17 the governor approves the emergency rule in writing.

18 **SECTION 2740.** 227.59 of the statutes is amended to read:

19 **227.59 Certification of certain cases from the circuit court of Dane**
20 **County to other circuits.** Any action or proceeding for the review of any order of
21 an administrative officer, commission, department or other administrative tribunal
22 of the state required by law to be instituted in or taken to the circuit court of Dane
23 County except an action or appeal for the review of any order of the department of
24 workforce development or the department of ~~commerce~~ safety and professional
25 services or findings and orders of the labor and industry review commission which

1 is instituted or taken and is not called for trial or hearing within 6 months after the
2 proceeding or action is instituted, and the trial or hearing of which is not continued
3 by stipulation of the parties or by order of the court for cause shown, shall on the
4 application of either party on 5 days' written notice to the other be certified and
5 transmitted for trial to the circuit court of the county of the residence or principal
6 place of business of the plaintiff or petitioner, where the action or proceeding shall
7 be given preference. Unless written objection is filed within the 5-day period, the
8 order certifying and transmitting the proceeding shall be entered without hearing.
9 The plaintiff or petitioner shall pay to the clerk of the circuit court of Dane County
10 a fee of \$2 for transmitting the record.

11 **SECTION 2741.** 229.46 (1) (ag) of the statutes is amended to read:

12 229.46 (1) (ag) "Disabled veteran-owned business" means a business certified
13 by the department of ~~commerce~~ administration under s. 560.0335 16.283 (3).

14 **SECTION 2742.** 229.46 (1) (b) of the statutes is amended to read:

15 229.46 (1) (b) "Minority group member" has the meaning given in s. 560.036
16 16.287 (1) (f).

17 **SECTION 2743.** 229.70 (1) (ag) of the statutes is amended to read:

18 229.70 (1) (ag) "Disabled veteran-owned business" means a business certified
19 by the department of ~~commerce~~ administration under s. 560.0335 16.283 (3).

20 **SECTION 2744.** 229.70 (1) (am) of the statutes is amended to read:

21 229.70 (1) (am) "Minority business" has the meaning given in s. 560.036 16.287
22 (1) (e).

23 **SECTION 2745.** 229.70 (1) (b) of the statutes is amended to read:

24 229.70 (1) (b) "Minority group member" has the meaning given in s. 560.036
25 16.287 (1) (f).

1 **SECTION 2746.** 229.8273 (1) (am) of the statutes is amended to read:

2 229.8273 (1) (am) “Disabled veteran–owned business” means a business
3 certified by the department of ~~commerce~~ administration under s. 560.0335 16.283
4 (3).

5 **SECTION 2747.** 229.8273 (1) (b) of the statutes is amended to read:

6 229.8273 (1) (b) “Minority business” has the meaning given in s. 560.036 16.287
7 (1) (e).

8 **SECTION 2748.** 229.8273 (1) (c) of the statutes is amended to read:

9 229.8273 (1) (c) “Minority group member” has the meaning given in s. 560.036
10 16.287 (1) (f).

11 **SECTION 2749.** 229.845 (1) (ag) of the statutes is amended to read:

12 229.845 (1) (ag) “Disabled veteran–owned business” means a business certified
13 by the department of ~~commerce~~ administration under s. 560.0335 16.283 (3).

14 **SECTION 2750.** 229.845 (1) (am) of the statutes is amended to read:

15 229.845 (1) (am) “Minority business” has the meaning given in s. 560.036
16 16.287 (1) (e).

17 **SECTION 2751b.** 230.01 (1) of the statutes is amended to read:

18 230.01 (1) It is the purpose of this chapter to provide state agencies and
19 ~~institutions of higher education~~ with competent personnel who will furnish state
20 services to citizens as fairly, efficiently and effectively as possible.

21 **SECTION 2751e.** 230.03 (3) of the statutes, as affected by 2011 Wisconsin Act
22 7, is amended to read:

23 230.03 (3) “Agency” means any board, commission, committee, council, or
24 department in state government or a unit thereof created by the constitution or
25 statutes if such board, commission, committee, council, department, unit, or the

1 head thereof, is authorized to appoint subordinate staff by the constitution or
2 statute, except the Board of Regents of the University of Wisconsin System, a
3 legislative or judicial board, commission, committee, council, department, or unit
4 thereof or an authority created under subch. II of ch. 114 or subch. III of ch. 149 or
5 under ch. 52, 231, 232, 233, 234, 235, 237, 238, or 279. "Agency" does not mean any
6 local unit of government or body within one or more local units of government that
7 is created by law or by action of one or more local units of government.

8 **SECTION 2751g.** 230.03 (6) of the statutes is amended to read:

9 230.03 (6) "Civil service" means all offices and positions of trust or employment
10 in the service of the state, except offices and positions in the organized militia and
11 the Board of Regents of the University of Wisconsin System.

12 **SECTION 2751i.** 230.03 (6m) of the statutes is created to read:

13 230.03 (6m) "Classified service" means the classified service of the civil service.

14 **SECTION 2751k.** 230.03 (10h) of the statutes is created to read:

15 230.03 (10h) "Employee" or "state employee" means an employee of an agency.

16 **SECTION 2751m.** 230.03 (13) of the statutes is created to read:

17 230.03 (13) "Unclassified service" means the unclassified service of the civil
18 service.

19 **SECTION 2751p.** 230.08 (2) (cm) of the statutes is repealed.

20 **SECTION 2751q.** 230.08 (2) (d) of the statutes is repealed.

21 **SECTION 2751s.** 230.08 (2) (dm) of the statutes is repealed.

22 **SECTION 2753m.** 230.08 (2) (e) 3. of the statutes is repealed.

23 **SECTION 2754.** 230.08 (2) (e) 4. of the statutes is created to read:

24 230.08 (2) (e) 4. Employment relations commission — 1.

1 **SECTION 2755a.** 230.08 (2) (e) 6. of the statutes, as affected by 2011 Wisconsin
2 Act 10, is repealed and recreated to read:

3 230.08 (2) (e) 6. Workforce development — 9.

4 **SECTION 2755am.** 230.08 (2) (e) 8. of the statutes is amended to read:

5 230.08 (2) (e) 8. Natural resources — 7 10.

6 **SECTION 2756.** 230.08 (2) (e) 10. of the statutes is repealed.

7 **SECTION 2757.** 230.08 (2) (e) 11m. of the statutes is created to read:

8 230.08 (2) (e) 11m. Safety and professional services — 8.

9 **SECTION 2758.** 230.08 (2) (g) of the statutes is amended to read:

10 230.08 (2) (g) One stenographer appointed by each elective executive officer,
11 except the secretary of state and the state treasurer; and one deputy or assistant
12 appointed by each elective executive officer, except the attorney general and
13 superintendent of public instruction.

14 **SECTION 2758d.** 230.08 (2) (k) of the statutes is repealed.

15 **SECTION 2758g.** 230.08 (2) (p) of the statutes is amended to read:

16 230.08 (2) (p) All employees of the investment board, ~~except blue collar and~~
17 ~~clerical employees.~~

18 **SECTION 2760.** 230.08 (2) (v) of the statutes is amended to read:

19 230.08 (2) (v) Not more than 5 2 bureau directors in the department of
20 ~~regulation and licensing~~ safety and professional services.

21 **SECTION 2761.** 230.08 (2) (yb) of the statutes is created to read:

22 230.08 (2) (yb) The director and the deputy director of the office of business
23 development in the department of administration.

24 **SECTION 2762.** 230.08 (2) (yc) of the statutes is repealed.

25 **SECTION 2763.** 230.08 (4) (a) of the statutes is amended to read:

1 230.08 (4) (a) The number of administrator positions specified in sub. (2) (e)
2 includes all administrator positions specifically authorized by law to be employed
3 outside the classified service in each department, board or commission and the
4 historical society. In this paragraph, “department” has the meaning given under s.
5 15.01 (5), “board” means the educational communications board, government
6 accountability board, investment board, public defender board and technical college
7 system board and “commission” means the employment relations commission and
8 the public service commission. Notwithstanding sub. (2) (z), no division
9 administrator position exceeding the number authorized in sub. (2) (e) may be
10 created in the unclassified service.

11 **SECTION 2763m.** 230.08 (4) (d) of the statutes is created to read:

12 230.08 (4) (d) The division administrator appointed under sub. (2) (e) 4. shall
13 be an attorney.

14 **SECTION 2763p.** 230.09 (2) (g) of the statutes is amended to read:

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

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

10 **SECTION 2763s.** 230.10 (2) of the statutes is amended to read:

11 230.10 (2) The compensation plan in effect at the time that a representative
12 is recognized or certified to represent employees in a collective bargaining unit and
13 the employee salary and benefit provisions under s. 230.12 (3) (e) in effect at the time
14 that a representative is certified to represent employees in a collective bargaining
15 unit under subch. V of ch. 111 constitute the compensation plan or employee salary
16 and benefit provisions for employees in the collective bargaining unit until a
17 collective bargaining agreement becomes effective for that unit. If a collective
18 bargaining agreement under subch. V of ch. 111 expires prior to the effective date of
19 a subsequent agreement, and a representative continues to be recognized or certified
20 to represent employees specified in s. 111.81 (7) (a) or certified to represent
21 employees specified in s. 111.81 (7) ~~(b)~~ (ar) to (f) in that collective bargaining unit, the
22 wage rates of the employees in such a unit shall be frozen until a subsequent
23 agreement becomes effective, and the compensation plan under s. 230.12 and salary
24 and benefit changes adopted under s. 230.12 (3) (e) do not apply to employees in the
25 unit.

1 **SECTION 2764.** 230.12 (1) (a) 1. b. of the statutes is amended to read:

2 230.12 (1) (a) 1. b. The provisions governing the pay of all unclassified positions
3 except positions ~~for employees of the University of Wisconsin System~~, for employees
4 of the legislature who are not identified under s. 20.923 (4), for employees of a service
5 agency under subch. IV of ch. 13, for employees of the state court system, for
6 employees of the investment board identified under s. 230.08 (2) (p), for one
7 stenographer employed by each elective executive officer, except the secretary of
8 state and the state treasurer, under s. 230.08 (2) (g), for 3 sales representatives of
9 prison industries and one sales manager of prison industries identified under s.
10 303.01 (10), and for sales and development professional of the historical society
11 employed under s. 44.20 (4) (a).

12 **SECTION 2764bg.** 230.12 (1) (h) of the statutes is created to read:

13 230.12 (1) (h) *Other pay, benefits, and working conditions.* The compensation
14 plan may include other provisions relating to pay, benefits, and working conditions
15 that shall supersede the provisions of the civil service and other applicable statutes
16 and rules promulgated by the director and the administrator.

17 **SECTION 2764br.** 230.12 (3) (a) of the statutes is amended to read:

18 230.12 (3) (a) *Submission to the joint committee on employment relations.* The
19 director shall submit to the joint committee on employment relations a proposal for
20 any required changes in the compensation plan ~~which may include across the board~~
21 ~~pay adjustments for positions in the classified service.~~ The proposal shall include the
22 amounts and methods for within range pay progression, for pay transactions, and for
23 performance awards. The proposal shall be based upon experience in recruiting for
24 the service, the principle of providing pay equity regardless of gender or race, data
25 collected as to rates of pay for comparable work in other public services and in

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

6 **SECTION 2764bt.** 230.12 (3) (b) of the statutes is amended to read:

7 230.12 (3) (b) *Public hearing on the proposal; adoption of plan.* The director
8 shall submit the proposal for any required changes in the compensation plan to the
9 joint committee on employment relations. The committee shall hold a public hearing
10 on the proposal. The proposal, as may be modified by the joint committee on
11 employment relations together with the unchanged provisions of the current
12 compensation plan, shall, for the ensuing fiscal year or until a new or modified plan
13 is adopted under this subsection, constitute the state's compensation plan for
14 ~~positions in the classified service.~~ Any modification of the director's proposed
15 changes in the compensation plan by the joint committee on employment relations
16 may be disapproved by the governor within 10 calendar days. A vote of 6 members
17 of the joint committee on employment relations is required to set aside any such
18 disapproval of the governor.

19 **SECTION 2764c.** 230.12 (3) (e) (title) of the statutes is amended to read:

20 230.12 (3) (e) (title) *University of Wisconsin System senior executives, faculty,*
21 ~~*and academic staff employees; Wisconsin Technical College System senior executives.*~~

22 **SECTION 2764g.** 230.12 (3) (e) 1. of the statutes is amended to read:

23 230.12 (3) (e) 1. The director, after receiving recommendations from the board
24 of regents ~~and the chancellor of the University of Wisconsin-Madison,~~ shall submit
25 to the joint committee on employment relations a proposal for adjusting

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