

1 227.43 (3) (a) The administrator of the division of hearings and appeals may
2 set the fees to be charged for any services rendered to the department of natural
3 resources by a hearing examiner under this section. The fee shall cover the total cost
4 of the services ~~less any costs covered by the appropriation under s. 20.505 (4) (f).~~

5 *~~-1045/P1.4~~**SECTION 3593.** 227.43 (3) (b) of the statutes is amended to read:

6 227.43 (3) (b) The administrator of the division of hearings and appeals may
7 set the fees to be charged for any services rendered to the department of
8 transportation by a hearing examiner under this section. The fee shall cover the total
9 cost of the services ~~less any costs covered by the appropriation under s. 20.505 (4) (f).~~

10 *~~-0610/P3.366~~**SECTION 3594.** 227.43 (3) (bm) of the statutes is created to
11 read:

12 227.43 (3) (bm) The administrator of the division of hearings and appeals may
13 set the fees to be charged for any services rendered to the office of the commissioner
14 of insurance by a hearing examiner under this section. The fee shall cover the total
15 cost of the services.

 ***NOTE: This is reconciled s. 227.43 (3) (bm). This SECTION has been affected by
drafts with the following LRB numbers: -0610/P2 and LRB-1045/P1.

16 *~~-1045/P1.5~~**SECTION 3595.** 227.43 (3) (br) of the statutes is amended to read:

17 227.43 (3) (br) The administrator of the division of hearings and appeals may
18 set the fees to be charged for any services rendered to the department of public
19 instruction by a hearing examiner under this section. The fee shall cover the total
20 cost of the services ~~less any costs covered by the appropriation under s. 20.505 (4) (f).~~

21 *~~-1103/P1.5~~**SECTION 3596.** 227.43 (3) (f) of the statutes is created to read:

22 227.43 (3) (f) The administrator of the division of hearings and appeals may
23 set the fees to be charged for any services rendered to the historical society by a

1 hearing examiner under this section. The fee shall cover the total cost of the services
2 less any costs covered by the appropriation under s. 20.505 (4) (f).

3 ***-0610/P3.367*SECTION 3597.** 227.43 (4) (bm) of the statutes is created to
4 read:

5 227.43 (4) (bm) The office of the commissioner of insurance shall pay all costs
6 of the services of a hearing examiner assigned under sub. (1) (bm), according to the
7 fees set under sub. (3) (bm).

8 ***-1103/P1.6*SECTION 3598.** 227.43 (4) (f) of the statutes is created to read:

9 227.43 (4) (f) The historical society shall pay all costs of the services of a hearing
10 examiner, including support services, assigned under sub. (1) (bk), according to the
11 fees set under sub. (3) (f).

12 ***-1059/9.77*SECTION 3599.** 227.47 (2) of the statutes is amended to read:

13 227.47 (2) Except as otherwise provided in this subsection, a proposed or final
14 decision of the employment relations commission, hearing examiner or arbitrator
15 concerning an appeal of the decision of the ~~director of the office~~ administrator of the
16 division of state employment relations personnel management in the department of
17 administration made under s. 230.09 (2) (a) or (d) shall not be accompanied by
18 findings of fact or conclusions of law. If within 30 days after the commission issues
19 a decision in such an appeal either party files a petition for judicial review of the
20 decision under s. 227.53 and files a written notice with the commission that the party
21 has filed such a petition, the commission shall issue written findings of fact and
22 conclusions of law within 90 days after receipt of the notice. The court shall stay the
23 proceedings pending receipt of the findings and conclusions.

24 ***-0807/P6.360*SECTION 3600.** 227.52 (3) of the statutes is amended to read:

1 227.52 (3) Those decisions of the ~~division of banking~~ department of financial
2 institutions and professional standards that are subject to review, prior to any
3 judicial review, by the banking review board, and decisions of the ~~division of banking~~
4 department of financial institutions and professional standards relating to savings
5 banks or savings and loan associations, ~~but no other institutions subject to the~~
6 ~~jurisdiction of the division of banking.~~

7 *~~0840/P1.1~~**SECTION 3601.** 227.55 of the statutes is renumbered 227.55 (1)
8 and amended to read:

9 227.55 (1) Within 30 days after service of the petition for review upon the
10 agency, or within such further time as the court ~~may allow~~ allows, the agency in
11 possession of the record for the decision under review shall transmit to the reviewing
12 court the original or a certified copy of the entire record ~~of the proceedings in which~~
13 ~~the decision under review was made~~, including all pleadings, notices, testimony,
14 exhibits, findings, decisions, orders, and exceptions, ~~therein; but~~ except that by
15 stipulation of all parties to the review proceedings the record may be shortened by
16 eliminating any portion ~~thereof of the record~~. Any party, other than the agency that
17 is a party, refusing to stipulate to limit the record may be taxed by the court for the
18 additional costs. ~~The~~ Except as provided in sub. (2), the record may be typewritten
19 or printed. The exhibits may be typewritten, ~~photostated~~ photocopied, or otherwise
20 reproduced, or, upon motion of any party, or by order of the court, the original exhibits
21 shall accompany the record. The court may require or permit subsequent corrections
22 or additions to the record when deemed desirable.

23 *~~0840/P1.2~~**SECTION 3602.** 227.55 (2) of the statutes is created to read:

24 227.55 (2) In the case of a record under sub. (1) that is in the possession of the
25 division of hearings and appeals, if any portion of the record is in the form of an audio

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1 or video recording, the division may transmit to the reviewing court a copy of that
2 recording in lieu of preparing a transcript, unless the court requests a transcript.

3 *~~0807/P6.361~~*SECTION 3603. 227.59 of the statutes is amended to read:

4 **227.59 Certification of certain cases from the circuit court of Dane**
5 **County to other circuits.** Any action or proceeding for the review of any order of
6 an administrative officer, commission, department, or other administrative tribunal
7 of the state required by law to be instituted in or taken to the circuit court of Dane
8 County, except an action or appeal for the review of any order of the department of
9 workforce development or the department of ~~safety and professional services~~
10 financial institutions and professional standards under chs. 101, 107, 145, 157, 167,
11 or 440 to 480 or findings and orders of the labor and industry review commission,
12 which is instituted or taken and is not called for trial or hearing within 6 months after
13 the proceeding or action is instituted, and the trial or hearing of which is not
14 continued by stipulation of the parties or by order of the court for cause shown, shall
15 on the application of either party on 5 days' written notice to the other be certified
16 and transmitted for trial to the circuit court of the county of the residence or principal
17 place of business of the plaintiff or petitioner, where the action or proceeding shall
18 be given preference. Unless written objection is filed within the 5-day period, the
19 order certifying and transmitting the proceeding shall be entered without hearing.
20 The plaintiff or petitioner shall pay to the clerk of the circuit court of Dane County
21 a fee of \$2 for transmitting the record.

22 *~~0807/P6.362~~*SECTION 3604. 229.46 (1) (ag) of the statutes is amended to
23 read:

24 229.46 (1) (ag) "Disabled veteran-owned business" means a business certified
25 ~~by the department of administration under s. 16.283~~ 203.03 (3).

1 *~~0807/P6.363~~**SECTION 3605.** 229.46 (1) (b) of the statutes is amended to read:

2 229.46 (1) (b) “Minority group member” has the meaning given in s. ~~16.287~~

3 203.07 (1) (f).

4 *~~0807/P6.364~~**SECTION 3606.** 229.70 (1) (ag) of the statutes is amended to
5 read:

6 229.70 (1) (ag) “Disabled veteran–owned business” means a business certified
7 by the department of administration under s. ~~16.283~~ 203.03 (3).

8 *~~0807/P6.365~~**SECTION 3607.** 229.70 (1) (am) of the statutes is amended to
9 read:

10 229.70 (1) (am) “Minority business” has the meaning given in s. ~~16.287~~ 203.07

11 (1) (e).

12 *~~0807/P6.366~~**SECTION 3608.** 229.70 (1) (b) of the statutes is amended to read:

13 229.70 (1) (b) “Minority group member” has the meaning given in s. ~~16.287~~

14 203.07 (1) (f).

15 *~~0807/P6.367~~**SECTION 3609.** 229.8273 (1) (am) of the statutes is amended to
16 read:

17 229.8273 (1) (am) “Disabled veteran–owned business” means a business
18 certified by the department of administration under s. ~~16.283~~ 203.03 (3).

19 *~~0807/P6.368~~**SECTION 3610.** 229.8273 (1) (b) of the statutes is amended to
20 read:

21 229.8273 (1) (b) “Minority business” has the meaning given in s. ~~16.287~~ 203.07

22 (1) (e).

23 *~~0807/P6.369~~**SECTION 3611.** 229.8273 (1) (c) of the statutes is amended to
24 read:

1 229.8273 (1) (c) "Minority group member" has the meaning given in s. ~~16.287~~
2 203.07 (1) (f).

3 ***-0971/P5.638*SECTION 3612.** 229.842 (2) (b) of the statutes is amended to
4 read:

5 229.842 (2) (b) Three persons appointed by the governor, one of whom shall be
6 selected from a list of 3 to 5 names that is submitted by the Board of Regents of the
7 University of Wisconsin System Authority. Of the remaining 2 appointees under this
8 paragraph, at least one of the appointees shall have a demonstrated interest in
9 cultural arts activities and one of the appointees may be an elective state official. A
10 person appointed under this paragraph may take his or her seat immediately upon
11 appointment and qualification.

12 ***-0807/P6.370*SECTION 3613.** 229.845 (1) (ag) of the statutes is amended to
13 read:

14 229.845 (1) (ag) "Disabled veteran-owned business" means a business certified
15 ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

16 ***-0807/P6.371*SECTION 3614.** 229.845 (1) (am) of the statutes is amended to
17 read:

18 229.845 (1) (am) "Minority business" has the meaning given in s. ~~16.287~~ 203.07
19 (1) (e).

20 ***-1502/1.16*SECTION 3615.** Subchapter VI (title) of chapter 229 [precedes
21 229.857] of the statutes is created to read:

22 **CHAPTER 229**

23 **SUBCHAPTER VI**

24 **LOCAL SPORTS AND**

25 **ENTERTAINMENT DISTRICTS**

1 *-1502/1.17*SECTION 3616. 229.857 of the statutes is created to read:

2 **229.857 Legislative declaration.** (1) The legislature determines that the
3 provision of assistance by state agencies to a district under this subchapter and any
4 appropriation of funds to a district under this subchapter serve a statewide public
5 purpose by assisting the development of sports and entertainment facilities in the
6 state for providing recreation, by encouraging economic development and tourism,
7 by reducing unemployment, and by bringing needed capital into the state for the
8 benefit and welfare of people throughout the state.

9 (2) The legislature determines that a district serves a public purpose in
10 political subdivisions in which it is located by providing recreation, by encouraging
11 economic development and tourism, by reducing unemployment, and by bringing
12 needed capital into the district's jurisdiction for the benefit of people in the district's
13 jurisdiction.

14 *-1502/1.18*SECTION 3617. 229.858 of the statutes is created to read:

15 **229.858 Definitions.** In this subchapter:

16 (1) "Basketball arena" means an arena that is an arena that is principally used
17 as the home arena of a professional basketball team, described in s. 229.860, at the
18 time that a district is created.

19 (2) "District" means a special purpose district created under this subchapter.

20 (3) "District board" means the governing board of a district.

21 (4) "Local unit" means a county or city that is described in s. 229.860.

22 (5) "Sports and entertainment facilities" means property, tangible or
23 intangible, owned in whole or in substantial part, operated, or leased by a district
24 that is principally used for professional basketball, including spectator seating,
25 practice facilities, parking lots and structures, garages, restaurants, concession

1 facilities, entertainment facilities, facilities for the display or sale of memorabilia,
2 transportation facilities, and other functionally related or auxiliary facilities or
3 structures.

4 *~~1502/1.19~~SECTION 3618. 229.859 of the statutes is created to read:

5 **229.859 Creation and organization.** (1) There is created, for each
6 jurisdiction under s. 229.860, a special purpose district that is a local governmental
7 unit, that is a body corporate and politic, that is separate and distinct from, and
8 independent of, the state, and separate and distinct from, and independent of, the
9 local units within its jurisdiction, that has the powers under s. 229.861 and the name
10 of which includes “Sports and Entertainment District”.

11 (2) (a) A district is governed by its district board. Subject to pars. (g) and (h),
12 the district board shall consist of 9 members appointed by the governor. A person
13 appointed under this paragraph may take his or her seat immediately upon
14 appointment and qualification, subject to confirmation or rejection by the senate.
15 Persons appointed and confirmed under this paragraph shall serve staggered 7-year
16 terms. The governor shall designate one member as chairperson of the district board.

17 (b) Members of the district board shall be Wisconsin residents and shall have
18 executive and managerial experience. No member may hold elective public office or
19 be a candidate for elective public office.

20 (c) A member of the district board who is appointed by the governor shall hold
21 his or her position on the board until the member’s successor is appointed by the
22 governor and confirmed by the senate.

23 (d) A majority of the current membership of the district board constitutes a
24 quorum to do business. The district may take action based on the affirmative vote

1 of a majority of those members of the district board who are present at a meeting of
2 the district board.

3 (e) No member of the district board may receive compensation for performing
4 his or her duties. A member of the district board shall be reimbursed for his or her
5 actual and necessary expenses incurred in the performance of his or her duties.

6 (f) Upon the appointment and qualification of a majority of the members of a
7 district board, the district board may exercise the powers and duties of a district
8 board under this subchapter.

9 (g) The county executive of a county described in s. 229.860 which provides
10 funding to construct, equip, or improve sports and entertainment facilities under s.
11 229.863 shall appoint a member to the district board, subject to confirmation or
12 rejection by a majority of the members-elect of the county board. A person appointed
13 and confirmed under this paragraph shall serve a 7-year term, except that the initial
14 term of the first member appointed under this paragraph shall be 5 years.

15 (h) The mayor of a city described in s. 229.860 which provides funding to
16 construct, equip, or improve sports and entertainment facilities under s. 229.863
17 shall appoint a member to the district board, subject to confirmation or rejection by
18 a majority of the members-elect of the common council. A person appointed and
19 confirmed under this paragraph shall serve a 7-year term, except that the initial
20 term of the first member appointed under this paragraph shall be 6 years.

21 (i) A member appointed under par. (g) or (h) is subject to the requirements
22 under par. (b). Upon appointment and confirmation of such a member, the
23 appointing authority shall certify the member to the secretary of administration.

24 (3) The district board shall name the district, and the name shall include
25 "Sports and Entertainment District".

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1 *-1502/1.20*SECTION 3619. 229.860 of the statutes is created to read:

2 **229.860 Jurisdiction.** A district's jurisdiction is any county with a population
3 of more than 500,000 and a 1st class city that is located wholly or predominantly in
4 that county, provided that the city includes the principal site of a basketball arena
5 that is home to a professional basketball team, that is a member of a league of
6 professional basketball teams that have home arenas in at least 10 states, and that
7 is approved by that league for use as a home arena for that basketball team. Once
8 created, the district's jurisdiction remains fixed even if population figures for the
9 county decline below the minimum described in this section.

10 *-1502/1.21*SECTION 3620. 229.861 of the statutes is created to read:

11 **229.861 Powers of a district.** A district has all of the powers necessary or
12 convenient to carry out the purposes and provisions of this subchapter, except that
13 it may not issue bonds or levy or impose a tax. In addition to all other powers granted
14 by this subchapter, a district may do all of the following:

15 (1) Adopt bylaws to govern the district's activities, subject to this subchapter.

16 (2) Sue and be sued in its own name, plead, and be impleaded.

17 (3) Maintain an office.

18 (4) In connection with sports and entertainment facilities:

19 (a) Acquire, construct, equip, maintain, improve, operate, and manage the
20 sports and entertainment facilities as a revenue-generating enterprise, or engage
21 other persons to do these things.

22 (b) Acquire; lease, as lessor or lessee; use; transfer; or accept transfers of
23 property, and assume debt payments and outstanding obligations for the property
24 acquired or accepted.

25 (c) Improve, maintain, and repair property.

1 (d) Enter into contracts, subject to such standards as may be established by the
2 district board. The district board may award any such contract for any combination
3 or division of work it designates and may consider any factors in awarding a contract,
4 including price, time for completion of work, and qualifications and past performance
5 of a contractor.

6 (e) Sell or otherwise dispose of unneeded or unwanted property.

7 (5) Employ personnel, and fix and regulate their compensation; and provide,
8 either directly or subject to an agreement under s. 66.0301 as a participant in a
9 benefit plan of another governmental entity, any employee benefits, including an
10 employee pension plan.

11 (6) Purchase insurance, establish and administer a plan of self-insurance or,
12 subject to an agreement with another governmental entity under s. 66.0301,
13 participate in a governmental plan of insurance or self-insurance.

14 (7) Mortgage, pledge, or otherwise encumber the district's property or funds.

15 (8) Maintain funds and invest the funds in any investment that the district
16 board considers appropriate.

17 (9) Promote, advertise, and publicize its sports and entertainment facilities
18 and related activities.

19 (10) Set standards governing the use of, and the conduct within, its sports and
20 entertainment facilities in order to promote public safety and convenience and to
21 maintain order.

22 (11) Accept gifts, loans, and other aid.

23 (12) Adopt and alter an official seal.

24 *-1502/1.22*SECTION 3621. 229.862 of the statutes is created to read:

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1 **229.862 Special fund revenues.** (1) The district board shall maintain a
2 special fund into which it deposits all funds received under s. 16.527 (3) (d). Moneys
3 in the special fund may be expended only for the construction of sports and
4 entertainment facilities, including the acquisition or lease of property.

5 (2) The district may not deposit any other moneys into the special fund, except
6 that the district shall credit all earnings on the revenues in the special fund to the
7 special fund.

8 (3) No money in the special fund may be expended for the purpose of operating
9 or maintaining sports and entertainment facilities or a basketball arena.

10 *~~1502/1.23~~SECTION 3622. 229.863 of the statutes is created to read:

11 **229.863 Powers granted to local units.** (1) In addition to any powers that
12 it may otherwise have, a local unit may do any of the following:

13 (1) Make grants or loans to a district upon terms that the local unit considers
14 appropriate.

15 (2) Expend public funds to subsidize a district.

16 (3) Borrow money under ch. 24 and ss. 66.0621, 67.04, and 67.12 (12) for sports
17 and entertainment facilities or to fund grants, loans, or subsidies to a district.

18 (4) Lease or transfer property to a district upon terms that the local unit
19 considers appropriate.

20 *~~1502/1.24~~SECTION 3623. 229.864 of the statutes is created to read:

21 **229.864 Dissolution of a district, lease obligations.** (1) A district may not
22 dissolve and wind up its affairs unless obligations issued under s. 16.527 (3) (d) have
23 been retired.

24 (2) If the district board enters into a lease with a professional basketball team
25 described in s. 229.860 for the use of sports and entertainment facilities, the lease

1 shall include a provision that states that if the team breaks or otherwise fails to fulfill
2 its obligations under the lease, the professional basketball team shall pay the state
3 an amount sufficient to retire the obligations issued under s. 16.527 (3) (d).

4 ***-1502/1.25*SECTION 3624.** 229.865 of the statutes is created to read:

5 **229.865 Trust funds.** All moneys received under this subchapter, whether
6 from the state, from a local unit, or from any other source, are trust funds to be held
7 and applied solely as provided in this subchapter. Any officer with whom, or any
8 bank or trust company with which, those moneys are deposited shall act as trustee
9 of those moneys and shall hold and apply the moneys for the purposes of this
10 subchapter.

11 ***-1502/1.26*SECTION 3625.** 229.866 of the statutes is created to read:

12 **229.866 Budgets; rates and charges; audit.** A district shall adopt a
13 calendar year as its fiscal year for accounting purposes. The district board shall
14 annually prepare a budget for the district. Rates and other charges received by the
15 district shall be used for the general expenses and capital expenditures of the
16 district. A district shall maintain an accounting system in accordance with generally
17 accepted accounting principles and shall have its financial statements audited
18 annually by an independent certified public accountant.

19 ***-1059/9.78*SECTION 3626.** 230.02 of the statutes is amended to read:

20 **230.02 Liberal construction of statutes.** Statutes applicable to the office
21 division and bureau shall be construed liberally in aid of the purposes declared in s.
22 230.01.

23 ***-0971/P5.639*SECTION 3627.** 230.03 (3) of the statutes, as affected by 2015
24 Wisconsin Act (this act), is amended to read:

1 230.03 (3) “Agency” means any board, commission, committee, council, or
2 department in state government or a unit thereof created by the constitution or
3 statutes if such board, commission, committee, council, department, unit, or the
4 head thereof, is authorized to appoint subordinate staff by the constitution or
5 statute, except the Board of Regents of the University of Wisconsin System, a
6 legislative or judicial board, commission, committee, council, department, or unit
7 thereof or an authority created under subch. II of ch. 114 or under ch. 36, 231, 232,
8 233, 235, 237, or 279. “Agency” does not mean any local unit of government or body
9 within one or more local units of government that is created by law or by action of
10 one or more local units of government.

****NOTE: This is reconciled s. 230.03 (3). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0971/P4 and LRB-1215/P2.

11 *~~1215/P3.343~~*SECTION 3628. 230.03 (3) of the statutes, as affected by 2013
12 Wisconsin Act 20, is amended to read:

13 230.03 (3) “Agency” means any board, commission, committee, council, or
14 department in state government or a unit thereof created by the constitution or
15 statutes if such board, commission, committee, council, department, unit, or the
16 head thereof, is authorized to appoint subordinate staff by the constitution or
17 statute, except the Board of Regents of the University of Wisconsin System, a
18 legislative or judicial board, commission, committee, council, department, or unit
19 thereof or an authority created under subch. II of ch. 114 or under ch. 231, 232, 233,
20 ~~234~~ 235, 237, ~~238~~, or 279. “Agency” does not mean any local unit of government or
21 body within one or more local units of government that is created by law or by action
22 of one or more local units of government.

23 *~~1059/9.79~~*SECTION 3629. 230.03 (5) of the statutes is created to read:

1 230.03 (5) “Bureau” means the bureau of merit recruitment and selection in
2 the division.

3 *~~0971/P5.640~~*SECTION 3630. 230.03 (6) of the statutes, as affected by 2011
4 Wisconsin Act 32, is amended to read:

5 230.03 (6) “Civil service” means all offices and positions of trust or employment
6 in the service of the state, ~~except offices and positions in the organized militia and~~
7 ~~the Board of Regents of the University of Wisconsin System.~~

8 *~~1059/9.80~~*SECTION 3631. 230.03 (9e) of the statutes is amended to read:

9 230.03 (9e) “Director” means the director of the office bureau.

10 *~~1059/9.81~~*SECTION 3632. 230.03 (10) of the statutes is amended to read:

11 230.03 (10) “Division” means the division of ~~merit recruitment and selection~~
12 ~~in the office personnel management in the department of administration.~~

13 *~~1059/9.82~~*SECTION 3633. 230.03 (10w) of the statutes is repealed.

14 *~~1059/9.83~~*SECTION 3634. 230.04 (title) of the statutes is amended to read:

15 230.04 (title) **Powers and duties of the ~~director~~ administrator.**

16 *~~1059/9.84~~*SECTION 3635. 230.04 (1) of the statutes is amended to read:

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

21 *~~1059/9.85~~*SECTION 3636. 230.04 (1m) of the statutes is amended to read:

22 230.04 (1m) The ~~director~~ administrator may delegate, in writing, any of his or
23 her functions set forth in this chapter to an appointing authority, within prescribed
24 standards if the ~~director~~ administrator finds that the agency has personnel
25 management capabilities to perform such functions effectively and has indicated its

1 approval and willingness to accept such responsibility by written agreement. If the
2 ~~director~~ administrator determines that any agency is not performing such delegated
3 function within prescribed standards, the ~~director~~ administrator shall forthwith
4 withdraw such delegated function. Subject to the approval of the joint committee on
5 finance, the ~~director~~ administrator may order transferred to the ~~office~~ division from
6 the agency to which delegation was made such agency staff and other resources as
7 necessary to perform such functions if increased staff was authorized to that agency
8 as a consequence of such delegation or if the ~~office~~ division reduced staff or shifted
9 staff to new responsibilities as a result of such delegation. Any delegatory action
10 taken under s. 230.09 (2) (a) or (d) or 230.13 (1) by an appointing authority may be
11 appealed to the commission under s. 230.44 (1) (b). The ~~director~~ administrator shall
12 be a party in such an appeal.

13 *~~1059/9.86~~***SECTION 3637.** 230.04 (2) of the statutes is amended to read:

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

18 *~~1059/9.87~~***SECTION 3638.** 230.04 (3) of the statutes is amended to read:

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

24 *~~1059/9.88~~***SECTION 3639.** 230.04 (4) of the statutes is amended to read:

1 230.04 (4) The ~~director~~ administrator shall establish and maintain a collective
2 bargaining capability under s. 111.815 (2).

3 *~~-1059/9.89~~*SECTION 3640. 230.04 (5) of the statutes is amended to read:

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

9 *~~-1059/9.90~~*SECTION 3641. 230.04 (8) of the statutes is amended to read:

10 230.04 (8) The ~~director~~ administrator shall establish an employee performance
11 evaluation program under s. 230.37 (1).

12 *~~-1059/9.91~~*SECTION 3642. 230.04 (9) (intro.) of the statutes is amended to
13 read:

14 230.04 (9) (intro.) The ~~director~~ administrator shall do all of the following:

15 *~~-1059/9.92~~*SECTION 3643. 230.04 (9) (f) of the statutes is amended to read:

16 230.04 (9) (f) Establish an affirmative action subunit. The affirmative action
17 subunit shall advise and assist the director, the administrator, and agency heads on
18 establishing policies and programs to ensure appropriate affirmative action. The
19 subunit shall advise and assist the ~~director~~ administrator in monitoring such
20 programs and shall provide staff to the council on affirmative action.

21 *~~-1059/9.93~~*SECTION 3644. 230.04 (9m) of the statutes is amended to read:

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

SECTION 3645

1 ***-1059/9.94***SECTION 3645. 230.04 (9r) (b) (intro.) of the statutes is amended
2 to read:

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

5 ***-1059/9.95***SECTION 3646. 230.04 (10) of the statutes is amended to read:

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

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

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

22 ***-1059/9.96***SECTION 3647. 230.04 (11) of the statutes is amended to read:

23 230.04 (11) The ~~director~~ administrator may provide by rule for an understudy
24 program to assure continuity in selected positions.

25 ***-1059/9.97***SECTION 3648. 230.04 (12) of the statutes is amended to read:

1 230.04 (12) The ~~director~~ administrator shall keep in the ~~office~~ division an
2 official roster of all permanent classified employees which shall include classification
3 titles, pay and employment status changes and appropriate dates thereof.

4 *~~-1059/9.98~~*SECTION 3649. 230.04 (13) (intro.) of the statutes is amended to
5 read:

6 230.04 (13) (intro.) The ~~director~~ administrator shall do all of the following:

7 *~~-1059/9.99~~*SECTION 3650. 230.04 (14) of the statutes is amended to read:

8 230.04 (14) The ~~director~~ administrator shall establish, by rule, the scope and
9 minimum requirements of a state employee grievance procedure relating to
10 conditions of employment.

11 *~~-1059/9.100~~*SECTION 3651. 230.04 (15) of the statutes is amended to read:

12 230.04 (15) The ~~director~~ administrator shall review and either approve or
13 disapprove each determination by an agency head regarding the classification of a
14 state employee as a protective occupation participant for purposes of the Wisconsin
15 retirement system.

16 *~~-1059/9.101~~*SECTION 3652. 230.04 (16) of the statutes is repealed.

17 *~~-1059/9.102~~*SECTION 3653. 230.04 (17) of the statutes is amended to read:

18 230.04 (17) The ~~director~~ administrator shall resolve any dispute raised by a
19 complaint filed under s. 321.64 (1) (c).

20 *~~-1059/9.103~~*SECTION 3654. 230.04 (18) of the statutes is amended to read:

21 230.04 (18) The ~~director~~ administrator may provide any services and materials
22 to agencies and may charge the agencies for providing the services and materials.
23 The ~~director~~ administrator shall establish a methodology for determining the costs
24 of services and materials charged to state agencies under this subsection. All moneys

1 received from the charges shall be deposited in the appropriation account under s.
2 ~~20.545 (1) (k)~~ 20.505 (1) (kz).

3 *~~1059/9.104~~*SECTION 3655. 230.046 (5) (c) of the statutes is amended to read:

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

8 *~~1059/9.105~~*SECTION 3656. 230.046 (7) of the statutes is amended to read:

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

13 *~~1059/9.106~~*SECTION 3657. 230.046 (8) of the statutes is amended to read:

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

19 *~~0971/P5.641~~*SECTION 3658. 230.046 (8) of the statutes, as affected by 2015
20 Wisconsin Act (this act), is amended to read:

21 230.046 (8) COOPERATE FOR SCHOLARSHIP LOANS. To stimulate the interest of
22 qualified students of exceptional merit in government career service, the
23 administrator shall cooperate with the board of regents of the University of
24 Wisconsin System Authority in providing opportunities for recipients of public
25 service scholarship loans to secure employment under the internship plan.

****NOTE: This is reconciled s. 230.046 (8). This SECTION has been affected by drafts with the following LRB numbers: LRB-0971/P4 and LRB-1059/7.

1 *~~-1059/9.107~~*SECTION 3659. 230.046 (9) of the statutes is amended to read:

2 230.046 (9) TUITION REFUND PROGRAM. The ~~director~~ administrator may
3 establish by rule in the classified service a tuition refund program to supplement
4 departmental training, to encourage employee job-related development and, upon
5 satisfactory completion of training under this program to refund to the employee, an
6 amount not to exceed the cost of tuition and necessary fees.

7 *~~-1059/9.108~~*SECTION 3660. 230.046 (10) (intro.) of the statutes is amended
8 to read:

9 230.046 (10) FUNCTIONS OF THE ~~OFFICE~~ DIVISION. (intro.) The ~~office~~ division may
10 do all of the following:

11 *~~-1059/9.109~~*SECTION 3661. 230.047 (8) of the statutes is amended to read:

12 230.047 (8) ADMINISTRATION. The ~~director~~ administrator shall promulgate
13 rules for the operation and implementation of this section. The rules shall prescribe
14 the duration, terms and conditions of such interchange.

15 *~~-1059/9.110~~*SECTION 3662. 230.05 of the statutes is amended to read:

16 **230.05 Powers and duties of the ~~administrator~~ director.** (1) All powers
17 necessary for the effective administration of the duties specified for the
18 ~~administrator~~ director under this subchapter are reserved to the ~~administrator~~
19 director.

20 (2) (a) Except as provided under par. (b), the ~~administrator~~ director may
21 delegate, in writing, any of his or her functions set forth in this subchapter to an
22 appointing authority, within prescribed standards if the ~~administrator~~ director finds
23 that the agency has personnel management capabilities to perform such functions

1 effectively and has indicated its approval and willingness to accept such
2 responsibility by written agreement. If the ~~administrator~~ director determines that
3 any agency is not performing such delegated function within prescribed standards,
4 the ~~administrator~~ director shall withdraw such delegated function. The
5 ~~administrator~~ director may order transfer to the ~~division~~ bureau from the agency to
6 which delegation was made such agency staff and other resources as necessary to
7 perform such functions if increased staff was authorized to that agency as a
8 consequence of such delegation or if the ~~division~~ bureau reduced staff or shifted staff
9 to new responsibilities as a result of such delegation subject to the approval of the
10 joint committee on finance. Any delegatory action taken under this subsection by
11 any appointing authority may be appealed to the commission under s. 230.44 (1) (a).
12 The ~~administrator~~ director shall be a party in such appeal.

13 (b) The ~~administrator~~ director is prohibited from delegating any of his or her
14 final responsibility for the monitoring and oversight of the merit recruitment and
15 selection program under this subchapter.

16 (3) The ~~administrator~~ director may utilize the services of technical or
17 specialized personnel to assist in implementing and maintaining a sound merit
18 recruitment and selection program. These services may be obtained from persons
19 within or without state service.

20 (4) The ~~administrator~~ director may issue enforceable orders on all matters
21 relating to the administration, enforcement and effect of the provisions of this
22 subchapter for which responsibility is specifically charged to the ~~administrator~~
23 director and the rules prescribed thereunder. Any action brought against the
24 appointing authority for failure to comply with the order of the ~~administrator~~
25 director shall be brought and served within 60 days after the date on which the

1 administrator's director's order was issued. Such orders may be appealed to the
2 commission under s. 230.44 (1) (a).

3 (5) The ~~administrator~~ director shall promulgate rules for the effective
4 operation of the provisions of this subchapter for which responsibility is specifically
5 charged to the ~~administrator~~ director. Notice of the contents of such rules and any
6 modifications thereof shall be given to appointing authorities affected thereby, and
7 such rules and modifications shall also be printed for public distribution.

8 (6) The ~~administrator~~ director may seek the prior advice and counsel of agency
9 heads in the formulation of policies and procedures concerning the duties specified
10 for the ~~administrator~~ director under this subchapter.

11 (7) The ~~administrator~~ director shall use techniques and procedures designed
12 to certify eligible applicants to any vacant permanent position within 45 days after
13 the filing of an appropriate request by an appointing authority.

14 (8) The ~~administrator~~ director may provide any personnel services to nonstate
15 governmental units and may charge the nonstate governmental units for providing
16 the services.

17 (9) The ~~administrator~~ director may provide any services and materials to
18 agencies and may charge the agencies for providing the services and materials. All
19 moneys received from the charges shall be deposited in the appropriation account
20 under s. 20.545 (1) (k) 20.505 (1) (kz).

21 *-1059/9.111*SECTION 3663. 230.06 (1) (f) of the statutes is amended to read:

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

24 *-1059/9.112*SECTION 3664. 230.06 (1) (g) of the statutes is amended to read:

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

5 *~~1059/9.113~~*SECTION 3665. 230.06 (1) (L) of the statutes is amended to read:

6 230.06 (1) (L) Provide information about the employment of each severely
7 disabled employee for the ~~director's~~ administrator's report under s. 230.04 (9r)
8 within 30 days after the disabled employee is appointed, and at other times at the
9 request of the ~~director~~ administrator.

10 *~~0412/P2.1~~*SECTION 3666. 230.08 (2) (e) 2m. of the statutes is amended to
11 read:

12 230.08 (2) (e) 2m. Children and families — ~~8~~ 9.

13 *~~0807/P6.372~~*SECTION 3667. 230.08 (2) (e) 4f. of the statutes is repealed.

14 *~~0807/P6.373~~*SECTION 3668. 230.08 (2) (e) 4g. of the statutes is created to
15 read:

16 230.08 (2) (e) 4g. Financial institutions and professional standards – 21.

17 *~~0610/P3.368~~*SECTION 3669. 230.08 (2) (e) 6. of the statutes is amended to
18 read:

19 230.08 (2) (e) 6. Workforce development — ~~9~~ 8.

20 *~~1059/9.114~~*SECTION 3670. 230.08 (2) (e) 8j. of the statutes is repealed.

21 *~~1098/P1.1~~*SECTION 3671. 230.08 (2) (e) 9m. of the statutes is amended to
22 read:

23 230.08 (2) (e) 9m. Public service commission — ~~8~~ 7.

24 *~~0807/P6.374~~*SECTION 3672. 230.08 (2) (e) 11m. of the statutes is repealed.

25 *~~0950/2.8~~*SECTION 3673. 230.08 (2) (g) of the statutes is amended to read:

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

5 *~~1195/P2.3~~*SECTION 3674. 230.08 (2) (sb) of the statutes is created to read:

6 230.08 (2) (sb) Solicitor general and deputy solicitor general positions in the
7 department of justice.

8 *~~0807/P6.375~~*SECTION 3675. 230.08 (2) (v) of the statutes is repealed.

9 *~~1117/P3.26~~*SECTION 3676. 230.08 (2) (wh) of the statutes is repealed.

10 *~~1059/9.115~~*SECTION 3677. 230.08 (2) (xr) of the statutes is created to read:

11 230.08 (2) (xr) The administrator of the division of personnel management and
12 the director of the bureau of merit recruitment and selection in the department of
13 administration.

14 *~~1059/9.116~~*SECTION 3678. 230.08 (2) (ya) of the statutes is repealed.

15 *~~0807/P6.376~~*SECTION 3679. 230.08 (2) (yb) of the statutes is amended to
16 read:

17 230.08 (2) (yb) The director and the deputy director of and legal counsel to, the
18 office of business development in the department of ~~administration~~ financial
19 institutions and professional standards.

20 *~~1059/9.117~~*SECTION 3680. 230.08 (4) (c) of the statutes is amended to read:

21 230.08 (4) (c) Any proposal of a board, department or commission, as defined
22 in par. (a) and s. 15.01 (5), or of the historical society, for a change in the number of
23 positions enumerated in sub. (2) (e), before being submitted to the legislature, shall
24 first be submitted by the board, department or commission or by the historical society
25 for a separate review by the secretary of administration and by the ~~director~~

1 administrator. The secretary of administration's review shall include information
2 on the appropriateness of the proposed change with regard to a board's,
3 department's, commission's or society's current or proposed internal organizational
4 structure under s. 15.02 (4). The ~~director's~~ administrator's review shall include
5 information on whether the existing classified or existing or proposed unclassified
6 division administrator position involved is or would be assigned to pay range 1-18
7 or above in schedule 1, or a comparable level, of the compensation plan under s.
8 230.12. The results of these reviews shall be provided by the secretary of
9 administration and by the ~~director~~ administrator to the joint committee on finance
10 and the joint committee on employment relations at the same time that the board's,
11 department's, commission's or society's proposal is presented to either committee.

12 ***-1059/9.118*SECTION 3681.** 230.08 (7) of the statutes is amended to read:

13 230.08 (7) EXCEPTIONAL EMPLOYMENT SITUATIONS. The ~~administrator~~ director
14 shall provide, by rule, for exceptional methods and kinds of employment to meet the
15 needs of the service during periods of disaster or national emergency, and for other
16 exceptional employment situations such as to employ the mentally disabled, the
17 physically disabled and the disadvantaged.

18 ***-1059/9.119*SECTION 3682.** 230.08 (8) of the statutes is amended to read:

19 230.08 (8) AUDITING OF PAYROLLS. The ~~director~~ administrator shall audit the
20 payrolls of the classified and unclassified service, as necessary, to carry out this
21 subchapter.

22 ***-1059/9.120*SECTION 3683.** 230.09 (1) (intro.) of the statutes is amended to
23 read:

24 230.09 (1) (intro.) The ~~director~~ administrator shall ascertain and record the
25 duties, responsibilities and authorities of, and establish grade levels and

1 classifications for, all positions in the classified service. Each classification so
2 established shall include all positions which are comparable with respect to
3 authority, responsibility and nature of work required. Each classification shall be
4 established to include as many positions as are reasonable and practicable. In
5 addition, each class shall:

6 ***-1059/9.121*SECTION 3684.** 230.09 (2) (a) of the statutes is amended to read:

7 230.09 (2) (a) After consultation with the appointing authorities, the ~~director~~
8 administrator shall allocate each position in the classified service to an appropriate
9 class on the basis of its duties, authority, responsibilities or other factors recognized
10 in the job evaluation process. The ~~director~~ administrator may reclassify or reallocate
11 positions on the same basis.

12 ***-1059/9.122*SECTION 3685.** 230.09 (2) (am) of the statutes is amended to
13 read:

14 230.09 (2) (am) The ~~director~~ administrator shall maintain and improve the
15 classification plan to meet the needs of the service, using methods and techniques
16 which may include personnel management surveys, individual position reviews,
17 occupational group classification surveys, or other appropriate methods of position
18 review. Such reviews may be initiated by the ~~director~~ administrator after taking into
19 consideration the recommendations of the appointing authority, or at his or her own
20 discretion. The ~~director~~ administrator shall establish, modify or abolish
21 classifications as the needs of the service require.

22 ***-1059/9.123*SECTION 3686.** 230.09 (2) (b) of the statutes is amended to read:

23 230.09 (2) (b) To accommodate and effectuate the continuing changes in the
24 classification plan as a result of the classification survey program and otherwise, the
25 ~~director~~ administrator shall, upon initial establishment of a classification, assign

1 that class to the appropriate pay rate or range, and may, upon subsequent review,
2 reassign classes to different pay rates or ranges. The ~~director~~ administrator shall
3 assign each class to a pay range according to the skill, effort, responsibility and
4 working conditions required for the class, without regard to whether the class is
5 occupied primarily by members of a certain gender or racial group. The ~~director~~
6 administrator shall give notice to appointing authorities to permit them to make
7 recommendations before final action is taken on any such assignment or
8 reassignment of classes.

9 *~~1059/9.124~~*SECTION 3687. 230.09 (2) (c) of the statutes is amended to read:

10 230.09 (2) (c) If anticipated changes in program or organization will
11 significantly affect the assignment of duties or responsibilities to positions, the
12 appointing authority shall, whenever practicable, confer with the ~~director~~
13 administrator within a reasonable time prior to the reorganization or changes in
14 program to formulate methods to fill positions which are newly established or
15 modified to the extent that reclassification of the position is appropriate. In all cases,
16 appointing authorities shall give written notice to the ~~director~~ administrator and
17 employee of changes in the assignment of duties or responsibilities to a position when
18 the changes in assignment may affect the classification of the position.

19 *~~1059/9.125~~*SECTION 3688. 230.09 (2) (d) of the statutes is amended to read:

20 230.09 (2) (d) If after review of a filled position the ~~director~~ administrator
21 reclassifies or reallocates the position, the ~~director~~ administrator shall determine
22 whether the incumbent shall be regraded or whether the position shall be opened to
23 other applicants.

24 *~~1059/9.126~~*SECTION 3689. 230.09 (2) (g) of the statutes is amended to read:

1 230.09 (2) (g) When filling a new or vacant position, if the ~~director~~
2 administrator determines that the classification for a position is different than that
3 provided for by the legislature as established by law or in budget determinations, or
4 as authorized by the joint committee on finance under s. 13.10, or as specified by the
5 governor creating positions under s. 16.505 (1) (c) or (2), or is different than that of
6 the previous incumbent, the ~~director~~ administrator shall notify the ~~administrator~~
7 director and the secretary of administration. The ~~administrator~~ director shall
8 withhold action on the selection and certification process for filling the position. The
9 secretary of administration shall review the position to determine that sufficient
10 funds exist for the position and that the duties and responsibilities of the proposed
11 position reflect the intent of the legislature as established by law or in budget
12 determinations, the intent of the joint committee on finance acting under s. 13.10,
13 the intent of the governor creating positions under s. 16.505 (1) (c) or (2). The
14 ~~administrator~~ director may not proceed with the selection and certification process
15 until the secretary of administration has authorized the position to be filled.

16 *~~1059/9.127~~*SECTION 3690. 230.09 (3) of the statutes is amended to read:

17 230.09 (3) The ~~director~~ administrator shall establish separate classifications
18 for career executive positions under s. 230.24 and rules governing the salary
19 administration of positions in such classifications.

20 *~~1059/9.128~~*SECTION 3691. 230.12 (1) (a) 3. of the statutes is amended to
21 read:

22 230.12 (1) (a) 3. Provisions for administration of the compensation plan and
23 salary transactions shall be provided, as determined by the ~~director~~ administrator,
24 in either the rules of the ~~director~~ administrator or the compensation plan.

1 ***-1059/9.129***SECTION 3692. 230.12 (1) (c) 2. of the statutes is amended to
2 read:

3 230.12 (1) (c) 2. The ~~director~~ administrator may establish a plan of extra
4 compensation for work performed during selected hours at an hourly rate or rates
5 subject to approval of the joint committee on employment relations. Eligibility for
6 such extra compensation shall be as provided in the compensation plan.

7 ***-1059/9.130***SECTION 3693. 230.12 (1) (d) of the statutes is amended to read:

8 230.12 (1) (d) *Uniforms and safety equipment.* The ~~director~~ administrator, with
9 approval of the joint committee on employment relations, may establish a schedule
10 of payments to employees for uniforms or protective clothing and equipment
11 required to perform their duties.

12 ***-1059/9.131***SECTION 3694. 230.12 (3) (a) of the statutes is amended to read:

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

25 ***-1059/9.132***SECTION 3695. 230.12 (3) (ad) of the statutes is amended to read:

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

7 *~~-1059/9.133~~*SECTION 3696. 230.12 (3) (b) of the statutes is amended to read:

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

20 *~~-1059/9.134~~*SECTION 3697. 230.12 (3) (c) of the statutes is amended to read:

21 230.12 (3) (c) *Interim adjustments.* Subject to pars. (a) and (b), the ~~director~~
22 administrator may propose amendments to one or more parts of the compensation
23 plan at such times as the needs of the service require.

24 *~~-0971/P5.642~~*SECTION 3698. 230.12 (3) (e) (title) of the statutes, as affected
25 by 2011 Wisconsin Act 32, is amended to read:

1 230.12 (3) (e) (title) *University of Wisconsin System employees; Wisconsin*
2 *Technical College System senior executives.*

3 *~~1059/9.135~~SECTION 3699. 230.12 (3) (e) 1. of the statutes, as affected by
4 2011 Wisconsin Act 32, is amended to read:

5 230.12 (3) (e) 1. The ~~director~~ administrator, after receiving recommendations
6 from the board of regents and the chancellor of the University of Wisconsin–Madison,
7 shall submit to the joint committee on employment relations a proposal for adjusting
8 compensation and employee benefits for University of Wisconsin System employees.
9 The proposal shall be based upon the competitive ability of the board of regents to
10 recruit and retain qualified faculty and academic staff, data collected as to rates of
11 pay for comparable work in other public services, universities and commercial and
12 industrial establishments, recommendations of the board of regents and any special
13 studies carried on as to the need for any changes in compensation and employee
14 benefits to cover each year of the biennium. The proposal shall also take proper
15 account of prevailing pay rates, costs and standards of living and the state’s
16 employment policies. The proposal for such pay adjustments may contain
17 recommendations for across-the-board pay adjustments, merit or other
18 adjustments and employee benefit improvements. Paragraph (b) and sub. (1) (bf)
19 shall apply to the process for approval of all pay adjustments for University of
20 Wisconsin System employees. The proposal as approved by the joint committee on
21 employment relations and the governor shall be based upon a percentage of the
22 budgeted salary base for University of Wisconsin System employees. The amount
23 included in the proposal for merit and adjustments other than across-the-board pay
24 adjustments is available for discretionary use by the board of regents.

1 ***-0971/P5.643*****SECTION 3700.** 230.12 (3) (e) 1. of the statutes, as affected by
2 2015 Wisconsin Act (this act), is repealed.

 ****NOTE: This is reconciled s. 230.12 (3) (e) 1. This SECTION has been affected by
 drafts with the following LRB numbers: LRB-0971/P4 and LRB-1059/7.

3 ***-1059/9.136*****SECTION 3701.** 230.12 (3) (e) 2. of the statutes is amended to
4 read:

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

15 ***-0971/P5.644*****SECTION 3702.** 230.12 (3) (e) 2. of the statutes, as affected by
16 2015 Wisconsin Act (this act), is renumbered 230.12 (3) (e).

 ****NOTE: This is reconciled s. 230.12 (3) (e) 2. This SECTION has been affected by
 drafts with the following LRB numbers: LRB-0971/P4 and LRB-1059/7.

17 ***-1059/9.137*****SECTION 3703.** 230.12 (4) of the statutes is amended to read:
18 230.12 (4) COMPENSATION PLAN IMPLEMENTATION PROVISIONS. (a) When an
19 approved compensation plan or an amendment thereto becomes effective, required
20 individual pay adjustments shall be made in accordance with determinations made
21 by the ~~director~~ administrator to implement the approved plan.

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1 (b) The ~~director~~ administrator may, without prior approval of the joint
2 committee on employment relations, determine the circumstances under which it is
3 appropriate for an appointing authority to grant, and authorize an appointing
4 authority to grant, a general wage or parity adjustment, or appropriate portion
5 thereof, previously approved by the committee under this section to employees who
6 did not receive the adjustment on the effective date of the adjustment set forth in the
7 plan. No general wage or parity adjustment may become effective for any employee
8 prior to the effective date of the individual employee transaction, but the ~~director~~
9 administrator may authorize an appointing authority to grant a lump sum payment
10 to an employee to reflect any wage or parity adjustment that the employee did not
11 receive during the period between the effective date of the adjustment set forth in the
12 plan and the effective date of the individual employee transaction.

13 *~~1059/9.138~~*SECTION 3704. 230.12 (5) (c) of the statutes is amended to read:

14 230.12 (5) (c) *Increase limits.* Unless otherwise defined in the pay schedule the
15 total amount for all such within range increases shall not exceed the amount for such
16 increases specified and approved by the joint committee on employment relations in
17 its action on the ~~director's~~ administrator's proposal for such increases.

18 *~~1059/9.139~~*SECTION 3705. 230.12 (7m) of the statutes is amended to read:

19 230.12 (7m) PAY ADJUSTMENT FILING REQUIREMENTS. Except as provided in the
20 rules of the ~~director~~ administrator and in the compensation plan, pay increases shall
21 be made only on the dates prescribed under sub. (8). Appointing authorities shall at
22 such times each year as specified by the secretary file with the ~~director~~ administrator
23 and with the secretary of administration a list of employees showing their then
24 existing pay rates and their proposed new pay rates.

25 *~~1059/9.140~~*SECTION 3706. 230.12 (9) of the statutes is amended to read:

1 230.12 (9) HEALTH INSURANCE PREMIUM CREDITS. The ~~director~~ administrator may
2 recommend to the joint committee on employment relations a program,
3 administered by the department of employee trust funds, that provides health
4 insurance premium credits to employees whose compensation is established under
5 this section or s. 20.923 (2) or (3). The health insurance premium credits shall be
6 used for the purchase of health insurance for a retired employee, or the retired
7 employee's surviving insured dependents; for an eligible employee under s. 40.02
8 (25) (b) 6e., or the eligible employee's surviving insured dependents; for an employee
9 who is laid off, but who is not on a temporary, school year, seasonal, or sessional
10 layoff, and his or her surviving insured dependents; and for the surviving insured
11 dependents of an employee who dies while employed by the state, and shall be based
12 on the employee's years of continuous service, accumulated unused sick leave and
13 any other factor recommended by the director. Credits granted under the program
14 to an employee who is laid off shall be available until the credits are exhausted, the
15 employee is reemployed by the state, or 5 years have elapsed from the date of layoff,
16 whichever occurs first. The approval process for the program is the same as that
17 provided under sub. (3) (b) and the program shall be incorporated into the
18 compensation plan under sub. (1).

19 *-1059/9.141*SECTION 3707. 230.14 (4) of the statutes is amended to read:

20 230.14 (4) The ~~administrator~~ director may charge an agency a fee to announce
21 any vacancy to be filled in a classified or unclassified position in that agency. Funds
22 received under this subsection shall be credited to the appropriation account under
23 s. ~~20.545 (1) (ka)~~ 20.505 (1) (kn).

24 *-1059/9.142*SECTION 3708. 230.147 (3) of the statutes is amended to read:

1 230.147 (3) Notwithstanding subs. (1) and (2), the state fair park board shall
2 make every reasonable effort to employ in permanent full-time equivalent positions
3 persons who, at the time determined under sub. (4), receive aid under s. 49.19 or
4 benefits under s. 49.147 (3) to (5). The state fair park board shall consult with the
5 office division to assure that its efforts under this subsection comply with ch. 230.

6 *~~1059/9.143~~*SECTION 3709. 230.15 (1) of the statutes is amended to read:

7 230.15 (1) Subject to the restriction under s. 230.143, appointments to, and
8 promotions in, the classified service shall be made only according to merit and
9 fitness, which shall be ascertained so far as practicable by competitive examination.
10 The ~~administrator~~ director may waive competitive examination for appointments
11 made under subs. (1m) and (2) and shall waive competitive examination for
12 appointments made under sub. (2m).

13 *~~1059/9.144~~*SECTION 3710. 230.15 (1m) (b) (intro.) of the statutes is amended
14 to read:

15 230.15 (1m) (b) (intro.) Whenever a position is included in the classified service
16 under par. (a), the ~~director~~ administrator shall determine all of the following:

17 *~~1059/9.145~~*SECTION 3711. 230.15 (1m) (c) of the statutes is amended to read:

18 230.15 (1m) (c) 1. Whenever a position is included in the classified service
19 under par. (a), the ~~administrator~~ director may waive the requirement for competitive
20 examination under sub. (1) with respect to the position and certify the incumbent
21 employee for appointment to the position in accordance with subd. 2.

22 2. The ~~administrator~~ director may certify an incumbent employee as eligible
23 for appointment under subd. 1. if the ~~administrator~~ director determines on the basis
24 of sound personnel management practices that the incumbent is qualified for the
25 position included in the classified service.

1 3. If an employee is appointed after being certified under subd. 2., the
2 ~~administrator~~ director shall determine the employee's probationary status under s.
3 230.28, except that the employee shall receive credit toward his or her probationary
4 period for the time that the employee had been employed in the position immediately
5 prior to appointment.

6 *~~1059/9.146~~*SECTION 3712. 230.15 (2) of the statutes is amended to read:

7 230.15 (2) If a vacancy occurs in a position in the classified service when
8 peculiar and exceptional qualifications of a scientific, professional, or educational
9 character are required, and if presented with satisfactory evidence that for specified
10 reasons competition in such special cases is impracticable, and that the position can
11 best be filled by the selection of some designated person of high and recognized
12 attainments in such qualities, the ~~administrator~~ director may waive competition
13 requirements unless the vacancy is to be filled by promotion.

14 *~~1059/9.147~~*SECTION 3713. 230.15 (2m) of the statutes is amended to read:

15 230.15 (2m) If a vacancy occurs in a position in the classified service and the
16 ~~administrator~~ director is notified by an appointing authority that the position is to
17 be filled by a disabled veteran under s. 230.275, the ~~administrator~~ director shall
18 waive all competition requirements for filling the position.

19 *~~1059/9.148~~*SECTION 3714. 230.16 (1) (a) of the statutes is amended to read:

20 230.16 (1) (a) The ~~administrator~~ director shall require persons applying for
21 admission to any examination under this subchapter or under the rules of the
22 ~~administrator~~ director to file an application with the ~~division~~ bureau a reasonable
23 time prior to the proposed examination.

24 *~~1059/9.149~~*SECTION 3715. 230.16 (1) (am) of the statutes is amended to

25 read:

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1 230.16 (1) (am) The ~~administrator~~ director may require in connection with the
2 application such supplementary work history, educational transcripts, statements
3 of physicians or others having knowledge of the applicant, as needed for qualification
4 evaluations.

5 *~~1059/9.150~~*SECTION 3716. 230.16 (1) (b) of the statutes is amended to read:

6 230.16 (1) (b) The ~~division~~ bureau shall furnish application forms without
7 charge to all persons requesting them.

8 *~~1059/9.151~~*SECTION 3717. 230.16 (2) of the statutes is amended to read:

9 230.16 (2) Competitive examinations shall be free and open to all applicants
10 who have fulfilled the preliminary requirements stated in the examination
11 announcement. To assure that all applicants have a fair opportunity to compete,
12 examinations shall be held at such times and places as, in the judgment of the
13 ~~administrator~~ director, most nearly meet the convenience of applicants and needs of
14 the service.

15 *~~1059/9.152~~*SECTION 3718. 230.16 (3) of the statutes is amended to read:

16 230.16 (3) The ~~administrator~~ director may appoint boards of examiners of at
17 least 2 persons for the purpose of conducting oral examinations as a part of the
18 examination procedure for certain positions. All board members shall be
19 well-qualified and impartial. All questions asked and answers made in any
20 examination of applicants shall be recorded and made a part of the records of the
21 applicants.

22 *~~1059/9.153~~*SECTION 3719. 230.16 (5) of the statutes is amended to read:

23 230.16 (5) In the interest of sound personnel management, consideration of
24 applicants and service to agencies, the ~~administrator~~ director may set a standard for
25 proceeding to subsequent steps in an examination, provided that all applicants are

1 fairly treated and due notice has been given. The standard may be at or above the
2 passing point set by the ~~administrator~~ director for any portion of the examination.
3 The ~~administrator~~ director shall utilize appropriate scientific techniques and
4 procedures in administering the selection process, in rating the results of
5 examinations and in determining the relative ratings of the competitors.

6 *~~1059/9.154~~*SECTION 3720. 230.16 (6) of the statutes is amended to read:

7 230.16 (6) If any applicant is unable to complete the examination in the form
8 presented to the applicant due to a disability, the ~~division~~ bureau shall provide a
9 reader, an appropriate place to take the examination or other similar prerequisites
10 to ensure equality of opportunity in the examination.

11 *~~1059/9.155~~*SECTION 3721. 230.16 (7m) (b) (intro.) of the statutes is amended

12 to read:

13 230.16 (7m) (b) (intro.) The ~~office~~ division shall accept an application after its
14 due date from a veteran if all of the following apply:

15 *~~1059/9.156~~*SECTION 3722. 230.16 (7m) (c) of the statutes is amended to read:

16 230.16 (7m) (c) Within 30 days after acceptance of an application under par.
17 (b), the ~~office~~ division shall give the applicant an examination.

18 *~~1059/9.157~~*SECTION 3723. 230.16 (9) of the statutes is amended to read:

19 230.16 (9) The officials in control of state, municipal and county buildings,
20 upon requisition by the ~~administrator~~ director, shall furnish without charge
21 adequate rooms and building services for the administration of examinations.

22 *~~1059/9.158~~*SECTION 3724. 230.16 (11) of the statutes is amended to read:

23 230.16 (11) Records of examinations, including a transcript or recorded tape
24 of oral examinations, given under this subchapter shall be retained for at least one

1 year. Inspection of such records shall be regulated by rules of the ~~administrator~~
2 director.

3 *~~1059/9.159~~*SECTION 3725. 230.17 of the statutes is amended to read:

4 **230.17 Applicants and eligibles may be barred; bonds may be required.**

5 (1) The ~~administrator~~ director shall provide by rule, the conditions, not otherwise
6 provided by law, under which an applicant may be refused examination or
7 reexamination, or an eligible refused certification. These conditions shall be based
8 on sufficient reason and shall reflect sound technical personnel management
9 practices and those standards of conduct, deportment and character necessary and
10 demanded to the orderly, efficient and just operation of the state service.

11 (2) If the ~~administrator~~ director refuses to examine an applicant, or after an
12 examination to certify an eligible, as provided in this section, the ~~administrator~~
13 director, if requested by the applicant so rejected within 10 days of the date of receipt
14 of the notice of rejection, shall give the applicant a full and explicit statement of the
15 exact cause of such refusal to examine or to certify. Applicants may appeal to the
16 commission the decision of the ~~administrator~~ director to refuse to examine or certify
17 under s. 230.44 (1) (a). Upon request of an applicant or an eligible for a civil service
18 position who has a disability, the department of health services shall obtain from the
19 ~~administrator~~ director a detailed description of all duties entailed by such position
20 and shall determine and report its findings to the ~~administrator~~ director, as to the
21 ability of the applicant, or eligible, to perform the duties of such position. Such
22 findings shall be conclusive as to the qualifications of any applicant, or eligible, so
23 examined. A notice of rejection shall notify an applicant or eligible of his or her rights
24 under this subsection.

1 (3) When any position to be filled involves fiduciary responsibility, the
2 appointing authority shall conduct a criminal history background check before
3 offering employment to an applicant for the position. If otherwise permitted by law,
4 the appointing authority may require the appointee to furnish bond or other security,
5 and shall notify the ~~administrator~~ director of the amount and other details thereof.
6 Any surety company authorized to do business in this state shall be a sufficient
7 security on any such bond.

8 *~~1059/9.160~~*SECTION 3726. 230.18 of the statutes is amended to read:

9 **230.18 Discrimination prohibited.** No question in any form of application
10 or in any examination may be so framed as to elicit information concerning the
11 partisan political or religious opinions or affiliations of any applicant nor may any
12 inquiry be made concerning such opinions or affiliations and all disclosures thereof
13 shall be discountenanced except that the ~~administrator~~ director may evaluate the
14 competence and impartiality of applicants for positions such as clinical chaplain in
15 a state institutional program. No discriminations may be exercised in the
16 recruitment, application, examination or hiring process against or in favor of any
17 person because of the person's political or religious opinions or affiliations or because
18 of age, sex, disability, race, color, sexual orientation, national origin or ancestry
19 except as otherwise provided.

20 *~~1059/9.161~~*SECTION 3727. 230.19 (1) of the statutes is amended to read:

21 230.19 (1) The ~~administrator~~ director shall provide employees with reasonable
22 opportunities for career advancement, within a classified service structure designed
23 to achieve and maintain a highly competent work force, with due consideration given
24 to affirmative action.

25 *~~1059/9.162~~*SECTION 3728. 230.19 (2) of the statutes is amended to read:

1 230.19 (2) If, in the judgment of the ~~administrator~~ director, the group of
2 applicants best able to meet the requirements for vacancies in positions in the
3 classified service are available within the classified service, the vacancies shall be
4 filled by competition limited to persons in the classified service who are not employed
5 under s. 230.26 or 230.27 and persons with the right of restoration resulting from
6 layoff under s. 230.34 (2), unless it is necessary to go outside the classified service to
7 be consistent with an approved affirmative action plan or program. The
8 ~~administrator~~ director may also limit competition for promotion to the employees of
9 an agency or an employing unit within an agency if the resulting group of applicants
10 would fairly represent the proportion of members of racial and ethnic, gender or
11 disabled groups in the relevant labor pool for the state.

12 *~~1059/9.163~~*SECTION 3729. 230.21 (1) of the statutes is amended to read:

13 230.21 (1) Subject to s. 230.275, the ~~administrator~~ director may, to meet the
14 needs of the service, establish separate recruitment, examination and certification
15 procedures for filling positions in unskilled labor and service classes.

16 *~~1059/9.164~~*SECTION 3730. 230.21 (1m) (a) (intro.) of the statutes is amended
17 to read:

18 230.21 (1m) (a) (intro.) If the ~~administrator~~ director uses the method of random
19 certification to determine which applicants for an unskilled labor or service position
20 will receive further consideration for the position, the ~~administrator~~ director shall
21 do all of the following:

22 *~~1059/9.165~~*SECTION 3731. 230.21 (1m) (b) of the statutes is amended to
23 read:

24 230.21 (1m) (b) If the ~~administrator~~ director uses the method of random
25 certification to determine which applicants for an unskilled labor or service position

1 will receive further consideration for the position and the appointing authority does
2 not select a veteran or a person the hiring of whom would serve affirmative action
3 purposes, the appointing authority shall make and retain a written record of the
4 appointing authority's reasons for selecting the person who was appointed. The
5 appointing authority shall make the written records available to the ~~office~~ division
6 and annually submit a report to the ~~office~~ division summarizing the reasons
7 contained in the written records.

8 *~~1059/9.166~~*SECTION 3732. 230.21 (2) of the statutes is amended to read:

9 230.21 (2) The ~~administrator~~ director may designate classifications in which
10 applicants are in critically short supply and may develop such recruitment,
11 examination and certification processes as will provide agencies with prompt
12 certification when qualified applicants can be found, provided that due notice has
13 been given and proper competitive standards have been maintained.

14 *~~1059/9.167~~*SECTION 3733. 230.21 (3) of the statutes is amended to read:

15 230.21 (3) The ~~administrator~~ director shall designate classifications in prison
16 industries in the department of corrections as critical positions requiring expeditious
17 hiring and shall develop such recruitment, examination and certification processes
18 as will provide the department with prompt certification when qualified applicants
19 can be found, provided that due notice has been given and proper competitive
20 standards have been maintained.

21 *~~1059/9.168~~*SECTION 3734. 230.213 of the statutes is amended to read:

22 **230.213 Affirmative action procedures for corrections positions.** The
23 ~~administrator~~ director may, to meet affirmative action objectives, establish such
24 recruitment, examination and certification procedures for positions in the
25 department of corrections as will enable the department of corrections to increase the

1 number of employees of a specified gender or a specified racial or ethnic group in
2 those positions. The ~~administrator~~ director shall design the procedures to obtain a
3 work force in the department of corrections that reflects the relevant labor pool. The
4 ~~administrator~~ director may determine the relevant labor pool from the population
5 of the state or of a particular geographic area of the state, whichever is more
6 appropriate for achieving the affirmative action objective.

7 *~~1059/9.169~~*SECTION 3735. 230.215 (3) (a) of the statutes is amended to read:

8 230.215 (3) (a) An agency may, with the approval of the ~~director~~ administrator
9 and with the approval of the secretary of administration under s. 16.50, restructure
10 budgeted permanent positions as such positions become vacant or if an employee
11 voluntarily requests a job-sharing or permanent part-time employment
12 opportunity. No employee occupying a full-time permanent position may be
13 involuntarily terminated, demoted, transferred or reassigned in order to restructure
14 that position for permanent part-time employment and no such employee may be
15 required to accept a permanent part-time position as a condition of continued
16 employment.

17 *~~1059/9.170~~*SECTION 3736. 230.215 (3) (b) of the statutes is amended to read:

18 230.215 (3) (b) If the ~~director~~ administrator, upon review of the report
19 submitted under sub. (4), determines that an agency's past or proposed actions
20 relating to permanent part-time employment opportunities do not adequately
21 reflect the policy under sub. (1) (e), the ~~director~~ administrator may recommend
22 procedures designed to enable the agency to effect such policy.

23 *~~1059/9.171~~*SECTION 3737. 230.215 (4) of the statutes is amended to read:

24 230.215 (4) REPORTS. Each agency, in complying with s. 15.04 (1) (d), shall
25 include a report on the progress or failure of the plans of such agency in achieving

1 the policies stated under sub. (1) and shall submit a copy of such report to the ~~director~~
2 administrator.

3 *~~1059/9.172~~*SECTION 3738. 230.22 of the statutes is amended to read:

4 **230.22 Entry professional selection.** (1) The ~~director~~ administrator may
5 establish by rule an entry professional class program for use in a wide range of entry
6 professional positions.

7 (2) In connection with this program the ~~director~~ administrator may establish
8 separate classifications and corresponding pay provisions to provide agencies an
9 entry professional program, through which they can compete on campuses and in the
10 labor market for the best available applicants.

11 (3) Subject to s. 230.275, the ~~administrator~~ director may establish separate
12 recruitment, evaluation and certification procedures for certain entry professional
13 positions. Vacancies in entry professional positions may be limited to persons with
14 a degree from an institution of higher education, as defined in s. 108.02 (18), or a
15 degree under an associate degree program, as defined in s. 38.01 (1).

16 (4) The ~~administrator~~ director may provide for cooperative programs leading
17 to eligibility for permanent appointment in order to enable institutions of higher
18 education and agencies to attract and train the highest caliber of undergraduate or
19 graduate students for government employment.

20 *~~1059/9.173~~*SECTION 3739. 230.24 (1) of the statutes is amended to read:

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

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

9 *~~1059/9.174~~***SECTION 3740.** 230.24 (1m) of the statutes is amended to read:

10 230.24 (1m) The policy established by the ~~administrator~~ director under sub.
11 (1) that deals with probation shall provide the option of extending the probationary
12 period for individuals with disabilities, as defined in s. 111.32 (8), who are employees
13 in a manner consistent with s. 230.28 (1) (bm).

14 *~~1059/9.175~~***SECTION 3741.** 230.25 (1) of the statutes is amended to read:

15 230.25 (1) Appointing authorities shall give written notice to the ~~administrator~~
16 director of any vacancy to be filled in any position in the classified service. The
17 ~~administrator~~ director shall certify, under this subchapter and the rules of the
18 ~~administrator~~ director, from the register of eligibles appropriate for the kind and
19 type of employment, the grade and class in which the position is classified, any
20 number of names at the head thereof. In determining the number of names to certify,
21 the ~~administrator~~ director shall use statistical methods and personnel management
22 principles that are designed to maximize the number of certified names that are
23 appropriate for filling the specific position vacancy. Up to 2 persons considered for
24 appointment 3 times and not selected may be removed from the register for each 3

1 appointments made. Certification under this subsection shall be made before
2 granting any preference under s. 230.16 (7).

3 ~~*-1059/9.176*~~SECTION 3742. 230.25 (1g) of the statutes is amended to read:

4 230.25 (1g) For every position to be filled by promotion from a promotional
5 register, the ~~administrator~~ director shall, after certifying names under sub. (1),
6 additionally certify the name of the highest ranked disabled veteran whose disability
7 is at least 70%.

8 ~~*-1059/9.177*~~SECTION 3743. 230.25 (1n) (a) (intro.) of the statutes is amended
9 to read:

10 230.25 (1n) (a) (intro.) After certifying names under subs. (1), (1g) and (1m),
11 the ~~administrator~~ director may engage in expanded certification by doing one or
12 more of the following:

13 ~~*-1059/9.178*~~SECTION 3744. 230.25 (1n) (b) of the statutes is amended to read:

14 230.25 (1n) (b) The ~~administrator~~ director may certify names under par. (a) 1.
15 or 2. only if an agency requests expanded certification in order to comply with an
16 approved affirmative action plan or program. The ~~administrator~~ director may certify
17 names under par. (a) 3. only if an agency requests expanded certification in order to
18 hire persons with a disability.

19 ~~*-1059/9.179*~~SECTION 3745. 230.25 (1p) of the statutes is amended to read:

20 230.25 (1p) If an appointing authority appoints a person certified under this
21 section and the person is not a veteran, the spouse of a veteran or a person the hiring
22 of whom would serve affirmative action purposes, the appointing authority shall
23 make and retain a written record of the appointing authority's reasons for selecting
24 the person who was appointed. The appointing authority shall make the written
25 records available to the ~~office~~ division and annually submit a report to the ~~office~~

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

4 *~~1059/9.180~~SECTION 3746. 230.25 (2) of the statutes is amended to read:

5 230.25 (2) (a) When certifying names to appointing authorities under this
6 section, the ~~administrator~~ director shall specify whether the certification includes
7 qualifying veterans or persons the hiring of whom would serve affirmative action
8 purposes, without divulging the names of those individuals. The ~~administrator~~
9 director shall not disclose any applicant's test score, with or without the addition of
10 veterans preference points under s. 230.16 (7), to the appointing authority.

11 (b) Unless otherwise provided in this subchapter or the rules of the
12 ~~administrator~~ director, appointments shall be made by appointing authorities to all
13 positions in the classified service from among those certified to them in accordance
14 with this section. Appointments shall be made within 60 days after the date of
15 certification unless an exception is made by the ~~administrator~~ director. If an
16 appointing authority does not make an appointment within 60 days after
17 certification, he or she shall immediately report in writing to the ~~administrator~~
18 director the reasons therefor. If the ~~administrator~~ director determines that the
19 failure to make an appointment is not justified under the merit system, the
20 ~~administrator~~ director shall issue an order directing that an appointment be made.

21 *~~1059/9.181~~SECTION 3747. 230.25 (3) (b) of the statutes is amended to read:

22 230.25 (3) (b) The ~~administrator~~ director may allow a register to expire after
23 3 months, but only after considering the impact of such an action on the policy of this
24 state to provide for equal employment opportunity and to take affirmative action, as
25 specified in s. 230.01 (2).

1 *~~1059/9.182~~*SECTION 3748. 230.25 (4) of the statutes is amended to read:

2 230.25 (4) (a) The ~~administrator~~ director may establish a new and separate
3 register for a specific position or class only when in the ~~administrator's~~ director's
4 judgment there is no appropriate existing register from which appointments may be
5 made.

6 (b) The ~~administrator~~ director may establish separate registers for various
7 geographic areas of the state if the needs of the service so require, provided proper
8 publicity has been given of the intent to establish such registers.

9 *~~1059/9.183~~*SECTION 3749. 230.25 (5) of the statutes is amended to read:

10 230.25 (5) Notwithstanding sub. (2) (a), if an appointing authority elects to
11 appoint a disabled veteran to a vacant position on a noncompetitive basis under s.
12 230.275 and the appointing authority has requested a certification for the position,
13 the ~~administrator~~ director shall provide the appointing authority the names of all
14 disabled veterans certified for appointment to the position and who satisfy the
15 condition specified in s. 230.275 (1) (a) and the names of all such disabled veterans
16 who are on any other employment register that is identified by the appointing
17 authority.

18 *~~1059/9.184~~*SECTION 3750. 230.26 (1) of the statutes is amended to read:

19 230.26 (1) The ~~administrator~~ director may provide by rule for selection and
20 appointment for limited term appointments, which are provisional appointments or
21 appointments for less than 1,044 hours per year.

22 *~~1059/9.185~~*SECTION 3751. 230.26 (1m) of the statutes is amended to read:

23 230.26 (1m) An appointing authority may not appoint a person who is not a
24 state resident to a limited term appointment unless approved by the ~~administrator~~
25 director.

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1 *-1059/9.186*SECTION 3752. 230.26 (2) of the statutes is amended to read:

2 230.26 (2) If there are urgent reasons for filling a vacancy in any position in
3 the classified service and the administrator director is unable to certify to the
4 appointing authority, upon requisition by the latter, a list of persons eligible for
5 appointment from an appropriate employment register, the appointing authority
6 may nominate a person to the administrator director for noncompetitive
7 examination. If the nominee is certified by the administrator director as qualified,
8 the nominee may be appointed provisionally to fill the vacancy until an appointment
9 can be made from a register established after announcement of competition for the
10 position, except that no provisional appointment may be continued for more than 45
11 working days after the date of certification from the register. Successive
12 appointments may not be made under this subsection. This subsection does not
13 apply to a person appointed to a vacant position in the classified service under s.
14 230.275.

15 *-1059/9.187*SECTION 3753. 230.26 (5) of the statutes is amended to read:

16 230.26 (5) If the administrator director determines that an agency is not in
17 compliance with the requirements of, or rules related to, sub. (1), (1m) or (2)
18 regarding a particular employee, the administrator director shall direct the
19 appointing authority to terminate the employee.

20 *-1059/9.188*SECTION 3754. 230.27 (1m) (b) of the statutes is amended to
21 read:

22 230.27 (1m) (b) The administrator director may waive the prohibition under
23 par. (a) if there is a critical need for employees in a specific classification or position
24 or a critical shortage of residents of this state possessing the skills or qualifications
25 required for a position.