

1 cultivation and practice of music shall have power to enact bylaws for the protection
2 of its property, and provide fines as liquidated damages upon its members and
3 patrons for violating the bylaws, and may collect the same in tort actions, and to
4 prescribe and regulate the courses of instruction therein, and to confer such degrees
5 and grant such diplomas as are usually conferred by similar institutions or as shall
6 be appropriate to the courses of instruction prescribed, ~~except that no corporation~~
7 ~~shall operate or advertise a school that is subject to s. 38.50 (10) without complying~~
8 ~~with the requirements of s. 38.50.~~ Any stockholder may transfer his or her stock to
9 the corporation for its use; and if the written transfer so provides the stock shall be
10 perpetually held by the board of directors with all the rights of a stockholder,
11 including the right to vote.

12 ***-0807/P6.323*SECTION 3525.** 186.098 (12) of the statutes is amended to read:

13 186.098 (12) LOANS TO MEMBERS. A credit union may make loans to members
14 secured by assignment or transfer of stock certificates or other evidence of the
15 borrower's ownership interest in a corporation formed for the cooperative ownership
16 of real estate. Sections 846.10 and 846.101, as they apply to a foreclosure of a
17 mortgage involving a one-family residence, apply to a proceeding to enforce the
18 lender's rights in security given for a loan under this subsection. The office of credit
19 unions shall promulgate joint rules with the ~~division of banking~~ department of
20 financial institutions and professional standards that establish procedures for
21 enforcing a lender's rights in security given for a loan under this subsection.

22 ***-0807/P6.324*SECTION 3526.** 186.235 (15) (b) of the statutes is amended to
23 read:

24 186.235 (15) (b) Witness fees shall be the same as fees under s. 814.67 (1) (b)
25 and (c). The fees of witnesses who are called by the office in the interests of the state

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1 shall be paid by the state upon presentation of proper vouchers approved by the office
2 of credit unions and charged to the appropriation under s. ~~20.144 (1)~~ 20.142 (2) (g).

3 A witness subpoenaed by the office at the instance of a party other than the office
4 shall not be entitled to payment of fees by the state unless the office certifies that the
5 testimony was material to the purpose for which the subpoena was issued.

6 *~~0807/P6.325~~*SECTION 3527. 186.314 (2m) (e) of the statutes is amended to
7 read:

8 186.314 (2m) (e) Upon approval by the credit union members of the proposition
9 for conversion under par. (c), the credit union shall take all necessary action under
10 ch. 214 or 221 to complete the conversion to a savings bank or state bank. Within
11 90 days after receipt from the ~~division of banking~~ department of financial
12 institutions and professional standards of a certificate of incorporation as a savings
13 bank or state bank, the credit union shall file a copy of the certificate with the office
14 of credit unions and the office of credit unions shall issue to a converting credit union
15 a certificate of conversion to a savings bank or state bank.

16 *~~0234/P2.1~~*SECTION 3528. 194.01 (11) of the statutes is amended to read:

17 194.01 (11) “Private motor carrier” means any person ~~except a common or~~
18 ~~contract motor carrier engaged in the~~ who provides transportation of property or
19 passengers by commercial motor vehicle ~~other than an automobile or trailer used~~
20 ~~therewith, upon the public highways~~ and is not a contract motor carrier.

21 *~~1078/P4.22~~*SECTION 3529. 196.218 (3) (a) 3. b. of the statutes is amended
22 to read:

23 196.218 (3) (a) 3. b. The amounts appropriated under ss. 20.255 (3) (q), (qm),
24 and (r), 20.285 (1) (q), and 20.505 (4) (s), ~~(t), (tm), (tu), and (tw).~~

1 ***-0971/P5.630*SECTION 3530.** 196.218 (3) (a) 3. b. of the statutes, as affected
2 by 2015 Wisconsin Act (this act), is amended to read:

3 196.218 (3) (a) 3. b. The amounts appropriated under ss. 20.255 (3) (q), (qm),
4 and (r), ~~20.285 (1) (q)~~, and 20.505 (4) (s).

 ****NOTE: This is reconciled s. 196.218 (3) (a) 3. b. This SECTION has been affected
by drafts with the following LRB numbers: LRB-0971/P4 and LRB-1061/P2.

5 ***-0971/P5.631*SECTION 3531.** 196.218 (5) (a) 6. of the statutes is repealed.

6 ***-1078/P4.23*SECTION 3532.** 196.218 (5) (a) 10. of the statutes is created to
7 read:

8 196.218 (5) (a) 10. To make broadband expansion grants under s. 196.504.

9 ***-1215/P3.339*SECTION 3533.** 196.49 (4) of the statutes is amended to read:

10 196.49 (4) The commission may not issue a certificate under sub. (1), (2), or (3)
11 for the construction of electric generating equipment and associated facilities unless
12 the commission determines that brownfields, as defined in s. ~~238.13~~ 235.13 (1) (a) or
13 s. 560.13 (1) (a), 2009 stats., are used to the extent practicable.

14 ***-1215/P3.340*SECTION 3534.** 196.491 (3) (a) 2m. b. of the statutes is amended
15 to read:

16 196.491 (3) (a) 2m. b. The applicant proposes alternative construction sites for
17 the facility that are contiguous or proximate, provided that at least one of the
18 proposed sites is a brownfield, as defined in s. ~~238.13~~ 235.13 (1) (a), or the site of a
19 former or existing large electric generating facility.

20 ***-1215/P3.341*SECTION 3535.** 196.491 (3) (d) 8. of the statutes is amended to
21 read:

22 196.491 (3) (d) 8. For a large electric generating facility, brownfields, as defined
23 in s. ~~238.13~~ 235.13 (1) (a), are used to the extent practicable.

SECTION 3536

1 *~~1078/P4.24~~*SECTION 3536. 196.504 (2) (a) of the statutes is amended to read:

2 196.504 (2) (a) To make broadband expansion grants to eligible applicants for
3 the purpose of constructing broadband infrastructure in underserved areas
4 designated under par. (d). Grants awarded under this section shall be paid from the
5 ~~appropriation~~ appropriations under s. 20.155 (3) ~~(g)~~ (k), (r), and (rm).

6 *~~0338/P3.1~~*SECTION 3537. 196.504 (2) (c) of the statutes is amended to read:

7 196.504 (2) (c) To establish criteria for evaluating applications and awarding
8 grants under this section. The criteria shall prohibit grants that have the effect of
9 subsidizing the expenses of a telecommunication provider or the monthly bills of
10 telecommunications customers. The criteria shall give priority to projects that
11 include matching funds, that involve public-private partnerships, that affect areas
12 with no broadband service providers, that are scalable, or that affect a large
13 geographic area or a large number of underserved individuals or communities.

14 *~~0807/P6.326~~*SECTION 3538. 200.49 (1) (b) of the statutes is amended to read:

15 200.49 (1) (b) “Minority group member” has the meaning given under s. ~~16.287~~
16 203.07 (1) (f).

17 *~~0807/P6.327~~*SECTION 3539. 200.57 (1) (a) of the statutes is amended to read:

18 200.57 (1) (a) “Disabled veteran-owned financial adviser” and “disabled
19 veteran-owned investment firm” mean a financial adviser and investment firm,
20 respectively, certified by ~~the department of administration~~ under s. ~~16.283~~ 203.03
21 (3).

22 *~~0807/P6.328~~*SECTION 3540. 200.57 (1) (b) of the statutes is amended to read:

23 200.57 (1) (b) “Minority financial adviser” and “minority investment firm”
24 mean a financial adviser and investment firm, respectively, certified by ~~the~~
25 ~~department of administration~~ under s. ~~16.287~~ 203.07 (2).

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1 credit union, state or national bank or state or federal savings and loan association,
2 whose home office is located in this state, if the credit union, bank or savings and loan
3 association requests to share its use, subject to joint rules established by ~~the division~~
4 ~~of banking~~, the office of credit unions and the ~~division~~ department. The ~~division~~
5 department by order may authorize the installation and operation of a remote service
6 unit in a mobile facility, after notice and hearing upon the proposed service stops of
7 the mobile facility.

8 *~~0807/P6.334~~*SECTION 3546. 214.48 (4) (a) of the statutes is amended to read:

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

15 *~~0807/P6.335~~*SECTION 3547. 214.715 (2) of the statutes is amended to read:

16 214.715 (2) Employees of the ~~division~~ department may not be subject to any
17 civil liability or penalty, or to any criminal prosecution, for any error in judgment or
18 discretion made in good faith and upon reasonable grounds in any action taken or
19 omitted under this chapter by the employee in an official capacity.

20 *~~0807/P6.336~~*SECTION 3548. 214.72 (1) (am) of the statutes is repealed.

21 *~~0807/P6.337~~*SECTION 3549. 214.72 (1) (b) of the statutes is amended to read:

22 214.72 (1) (b) “Financial regulator” means the department secretary and
23 deputy secretary, and an administrator having duties related to financial
24 institutions, a supervisor of data processing, legal counsel, and a financial

1 institution examiner employed by the department and includes any member of a
2 financial regulator's immediate family, as defined in s. 19.42 (7).

3 ***-0807/P6.338*SECTION 3550.** 214.725 (5) of the statutes is amended to read:

4 214.725 (5) Employees of the ~~division~~ department or other designated agents
5 may administer oaths and examine and take and preserve testimony under oath as
6 to anything in the affairs or ownership of the savings bank or the entity examined.

7 ***-0807/P6.339*SECTION 3551.** 214.78 (3) of the statutes is amended to read:

8 214.78 (3) A person who subpoenas a witness shall advance the fees and
9 mileage of the witness. Witness fees shall be the same as fees under s. 814.67 (1) (b)
10 and (c). The fees of witnesses who are called by the review board in the interests of
11 the state shall be paid by the state upon presentation of proper vouchers approved
12 by the chairperson of the review board and charged to the appropriation under s.
13 ~~20.144 (1)~~ 20.142 (2) (g).

14 ***-0807/P6.340*SECTION 3552.** 215.01 (6) of the statutes is repealed.

15 ***-0807/P6.341*SECTION 3553.** 215.01 (6f) of the statutes is created to read:

16 215.01 (6f) "Department" means the department of financial institutions and
17 professional standards.

18 ***-0807/P6.342*SECTION 3554.** 215.02 (4) of the statutes is amended to read:

19 215.02 (4) IMMUNITY. Employees of the ~~division~~ department shall not be subject
20 to any civil liability or penalty, nor to any criminal prosecution, for any error in
21 judgment or discretion made in good faith and upon reasonable grounds in any action
22 taken or omitted under this chapter by the employee in the employee's official
23 capacity.

24 ***-0807/P6.343*SECTION 3555.** 215.04 (1) (b) of the statutes is amended to read:

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1 215.04 (1) (b) Review the acts, orders, and determinations of the ~~division~~
2 department under this chapter.

3 *~~0807/P6.344~~***SECTION 3556.** 215.04 (3) of the statutes is amended to read:

4 215.04 (3) WITNESS FEES. A person who causes a witness to be subpoenaed shall
5 advance the fees and mileage expense of the witness. Witness fees shall be the same
6 as fees under s. 814.67 (1) (b) and (c). The fees of witnesses who are called by the
7 review board in the interests of the state shall be paid by the state upon presentation
8 of proper vouchers approved by the chairperson of the review board and charged to
9 the appropriation under s. ~~20.144 (1)~~ 20.142 (2) (g).

10 *~~0807/P6.345~~***SECTION 3557.** 217.02 (2k) of the statutes is created to read:

11 217.02 (2k) “Department” means the department of financial institutions and
12 professional standards.

13 *~~0807/P6.346~~***SECTION 3558.** 217.02 (2m) of the statutes is repealed.

14 *~~0807/P6.347~~***SECTION 3559.** 218.02 (1) (d) of the statutes is repealed.

15 *~~0807/P6.348~~***SECTION 3560.** 218.02 (1) (dm) of the statutes is created to
16 read:

17 218.02 (1) (dm) “Department” means the department of financial institutions
18 and professional standards.

19 *~~0807/P6.349~~***SECTION 3561.** 218.04 (1) (bm) of the statutes is created to
20 read:

21 218.04 (1) (bm) “Department” means the department of financial institutions
22 and professional standards.

23 *~~0807/P6.350~~***SECTION 3562.** 218.04 (1) (c) of the statutes is repealed.

24 *~~0807/P6.351~~***SECTION 3563.** 218.05 (1) (cm) of the statutes is created to read:

1 218.05 (1) (cm) “Department” means the department of financial institutions
2 and professional standards.

3 *~~0807/P6.352~~*SECTION 3564. 218.05 (1) (d) of the statutes is repealed.

4 *~~0971/P5.632~~*SECTION 3565. 219.09 (1) (h) of the statutes is created to read:
5 219.09 (1) (h) The University of Wisconsin System Authority.

6 *~~0807/P6.353~~*SECTION 3566. 220.01 (1m) of the statutes is repealed.

7 *~~0807/P6.354~~*SECTION 3567. 221.0303 (2) of the statutes is amended to read:

8 221.0303 (2) OPERATION AND ACQUISITION OF CUSTOMER BANK COMMUNICATIONS
9 TERMINALS. A bank may, directly or indirectly, acquire, place, and operate, or
10 participate in the acquisition, placement, and operation of, at locations other than
11 its main or branch offices, customer bank communications terminals, in accordance
12 with rules established by the ~~division~~ department. The rules of the ~~division~~
13 department shall provide that any such customer bank communications terminal
14 shall be available for use, on a nondiscriminatory basis, by any state or national bank
15 and by all customers designated by a bank using the terminal. This subsection does
16 not authorize a bank which has its principal place of business outside this state to
17 conduct banking business in this state. The customer bank communications
18 terminals also shall be available for use, on a nondiscriminatory basis, by any credit
19 union, savings and loan association, or savings bank, if the credit union, savings and
20 loan association, or savings bank requests to share its use, subject to rules jointly
21 established by the ~~division of banking~~ department and the office of credit unions.
22 The ~~division~~ department by order may authorize the installation and operation of a
23 customer bank communications terminal in a mobile facility, after notice and
24 hearing upon the proposed service stops of the mobile facility.

25 *~~0807/P6.355~~*SECTION 3568. 221.0802 of the statutes is amended to read:

1 **221.0802 Banks may be placed in hands of ~~division~~ department.** A bank
2 doing business under this chapter may place its affairs and assets under the control
3 of the ~~division~~ department by posting a notice on its front door, as follows: “This bank
4 is in the hands of the ~~Division of Banking of the Department of Financial Institutions~~
5 and Professional Standards”. Immediately upon posting such notice, the bank shall
6 notify the ~~division~~ department of this action. The posting of the notice, or the taking
7 possession of a bank by the ~~division~~ department, places the bank’s assets and
8 property in the possession of the ~~division~~ department, and bars any attachment
9 proceedings. For each day the ~~division~~ department is placed in possession of the
10 bank, and until such time as a special deputy is appointed under s. 220.08 (4), the
11 bank shall pay to the ~~division~~ department the actual cost of such liquidation
12 proceedings. The ~~division~~ department shall pay the amounts to the state treasurer
13 and the percentage specified in s. ~~20.144 (1)~~ 20.142 (2) (g) shall be credited to the
14 appropriation account under s. ~~20.144 (1)~~ 20.142 (2) (g).

15 *~~0807/P6.356~~*SECTION 3569. 222.0102 (3) of the statutes is repealed.

16 *~~0809/1.1~~*SECTION 3570. 224.30 (5) of the statutes is created to read:

17 224.30 (5) ELECTRONIC FILING. (a) In this subsection, “filing” means the
18 submission to the department of any form, instrument, application, report, notice,
19 or other information required or permitted to be submitted to the department for
20 retention in the department’s records.

21 (b) Subject to par. (c), the department may require any filing to be made
22 electronically in a manner prescribed by the department. Subject to par. (c), if the
23 department requires that a filing be made electronically, the department may
24 require that any fee associated with the filing be paid using a suitable method
25 prescribed by the department.

****NOTE: Many filings with DFI require payment of a fee. The second sentence of this provision allows DFI to require that fees be paid in a manner consistent with the electronic filing, such as by electronic fund transfer or prior deposit of funds with DFI.

1 (c) The department may waive any requirement imposed under par. (b) if all
2 of the following apply:

3 1. The person affected by the requirement makes a written request to the
4 department, in a manner prescribed by the department, that the requirement be
5 waived and clearly states in the request why the requirement causes the person
6 undue hardship.

7 2. The department determines, in its discretion, that the requirement, if
8 imposed on the person, would cause the person undue hardship.

9 *-1215/P3.342*SECTION 3571. 224.71 (1br) (intro.) of the statutes is amended
10 to read:

11 224.71 (1br) (intro.) “Bona fide nonprofit organization” means an organization
12 that is described in section 501 (c) (3) of the Internal Revenue Code and exempt from
13 federal income tax under section 501 (a) of the Internal Revenue Code, that is
14 certified by the federal department of housing and urban development or the
15 Forward Wisconsin Housing and Economic Development Authority, and that does all
16 of the following:

17 *-0807/P6.357*SECTION 3572. 224.71 (1e) of the statutes is repealed.

18 *-0807/P6.358*SECTION 3573. 224.90 (1) of the statutes is repealed.

19 *-0971/P5.633*SECTION 3574. 227.01 (1) of the statutes is amended to read:

20 227.01 (1) “Agency” means a board, commission, committee, department, or
21 officer in the state government, except the governor, a district attorney or a military
22 or judicial officer, and in this subchapter, subch. II, and s. 227.40, “agency” includes
23 the Board of Regents of the University of Wisconsin System Authority.

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1 ***-0971/P5.634***SECTION 3575. 227.01 (13) (kr) of the statutes is repealed.

2 ***-0971/P5.635***SECTION 3576. 227.01 (13) (Lg) of the statutes is created to

3 read:

4 227.01 (13) (Lg) Is a policy or procedure adopted by the Board of Regents of the
5 University of Wisconsin System Authority under ch. 36.

6 ***-0971/P5.636***SECTION 3577. 227.01 (13) (Lm) of the statutes is repealed.

7 ***-0971/P5.637***SECTION 3578. 227.01 (13) (Ln) of the statutes is repealed.

8 ***-0855/2.3***SECTION 3579. 227.01 (13) (Lr) of the statutes is amended to read:

9 227.01 (13) (Lr) Determines what constitutes high-demand fields for purposes
10 of s. 38.28 (2) (be) 1. b. and s. 106.34 (2) (b).

11 ***-0333/P3.33***SECTION 3580. 227.01 (13) (sm) of the statutes is created to read:

12 227.01 (13) (sm) Is a standard or statement of policy adopted by the charter
13 school oversight board.

14 ***-0445/P2.22***SECTION 3581. 227.01 (13) (zq) of the statutes is amended to

15 read:

16 227.01 (13) (zq) Designates the Kickapoo valley reserve under s. ~~41.41~~ 23.0927
17 (2).

18 ***-0807/P6.359***SECTION 3582. 227.01 (13) (zy) of the statutes is amended to
19 read:

20 227.01 (13) (zy) Relates to any form prescribed by ~~the division of banking in~~
21 the department of financial institutions and professional standards in connection
22 with the licensing of mortgage bankers or mortgage brokers under s. 224.72 or the
23 licensing of mortgage loan originators under s. 224.725.

24 ***-0846/1.1***SECTION 3583. 227.03 (2) of the statutes is amended to read:

1 227.03 (2) Except as provided in s. ~~ss.~~ 108.105, 949.11, and 949.31, only the
2 provisions of this chapter relating to rules are applicable to matters arising out of s.
3 66.191, 1981 stats., s. 40.65 (2), 289.33, 303.07 (7) or 303.21 or subch. II of ch. 107
4 or ch. 102, 108, or 949.

5 *~~-0209/3.7~~*SECTION 3584. 227.03 (4) of the statutes is amended to read:

6 227.03 (4) The provisions of this chapter relating to contested cases do not
7 apply to proceedings involving the revocation of community supervision or aftercare
8 supervision under s. 938.357 (5), the revocation of parole, extended supervision, or
9 probation, the grant of probation, prison discipline, mandatory release under s.
10 302.11, or any other proceeding involving the care and treatment of a resident or an
11 inmate of a correctional institution.

12 *~~-1059/9.76~~*SECTION 3585. 227.10 (3) (e) of the statutes is amended to read:

13 227.10 (3) (e) Nothing in this subsection prohibits the ~~administrator~~ director
14 of the ~~division~~ bureau of merit recruitment and selection in the ~~office of state~~
15 ~~employment relations~~ department of administration from promulgating rules
16 relating to expanded certification under s. 230.25 (1n).

17 *~~-1103/P1.4~~*SECTION 3586. 227.43 (1) (bk) of the statutes is created to read:

18 227.43 (1) (bk) Assign a hearing examiner to preside over any hearing or review
19 under s. 44.40 (3m) or 44.42 (3).

20 *~~-0610/P3.364~~*SECTION 3587. 227.43 (1) (bm) of the statutes is created to
21 read:

22 227.43 (1) (bm) Assign a hearing examiner to preside over any hearing or
23 review of a worker's compensation claim or other dispute under ch. 102.

24 *~~-0610/P3.365~~*SECTION 3588. 227.43 (2) (am) of the statutes is created to

25 read:

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1 227.43 (2) (am) The office of the commissioner of insurance shall notify the
2 division of hearings and appeals of every pending hearing to which the administrator
3 of the division is required to assign a hearing examiner under sub. (1) (bm) after the
4 office of the commissioner of insurance is notified that a hearing on the matter is
5 required.

6 ***-1045/P1.3*****SECTION 3589.** 227.43 (3) (a) of the statutes is amended to read:

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

11 ***-1045/P1.4*****SECTION 3590.** 227.43 (3) (b) of the statutes is amended to read:

12 227.43 (3) (b) The administrator of the division of hearings and appeals may
13 set the fees to be charged for any services rendered to the department of
14 transportation by a hearing examiner under this section. The fee shall cover the total
15 cost of the services ~~less any costs covered by the appropriation under s. 20.505 (4) (f).~~

16 ***-0610/P3.366*****SECTION 3591.** 227.43 (3) (bm) of the statutes is created to
17 read:

18 227.43 (3) (bm) The administrator of the division of hearings and appeals may
19 set the fees to be charged for any services rendered to the office of the commissioner
20 of insurance by a hearing examiner under this section. The fee shall cover the total
21 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.

22 ***-1045/P1.5*****SECTION 3592.** 227.43 (3) (br) of the statutes is amended to read:

1 227.43 (3) (br) 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 public
3 instruction by a hearing examiner under this section. The fee shall cover the total
4 cost of the services less ~~any costs covered by the appropriation under s. 20.505 (4) (f).~~

5 *~~1103/P1.5~~**SECTION 3593.** 227.43 (3) (f) of the statutes is created to read:

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

10 *~~0610/P3.367~~**SECTION 3594.** 227.43 (4) (bm) of the statutes is created to
11 read:

12 227.43 (4) (bm) The office of the commissioner of insurance shall pay all costs
13 of the services of a hearing examiner assigned under sub. (1) (bm), according to the
14 fees set under sub. (3) (bm).

15 *~~1103/P1.6~~**SECTION 3595.** 227.43 (4) (f) of the statutes is created to read:

16 227.43 (4) (f) The historical society shall pay all costs of the services of a hearing
17 examiner, including support services, assigned under sub. (1) (bk), according to the
18 fees set under sub. (3) (f).

19 *~~1059/9.77~~**SECTION 3596.** 227.47 (2) of the statutes is amended to read:

20 227.47 (2) Except as otherwise provided in this subsection, a proposed or final
21 decision of the employment relations commission, hearing examiner or arbitrator
22 concerning an appeal of the decision of the ~~director of the office~~ administrator of the
23 division of state employment relations personnel management in the department of
24 administration made under s. 230.09 (2) (a) or (d) shall not be accompanied by
25 findings of fact or conclusions of law. If within 30 days after the commission issues

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1 a decision in such an appeal either party files a petition for judicial review of the
2 decision under s. 227.53 and files a written notice with the commission that the party
3 has filed such a petition, the commission shall issue written findings of fact and
4 conclusions of law within 90 days after receipt of the notice. The court shall stay the
5 proceedings pending receipt of the findings and conclusions.

6 *~~0807/P6.360~~SECTION 3597. 227.52 (3) of the statutes is amended to read:

7 227.52 (3) Those decisions of the ~~division of banking~~ department of financial
8 institutions and professional standards that are subject to review, prior to any
9 judicial review, by the banking review board, and decisions of the ~~division of banking~~
10 department of financial institutions and professional standards relating to savings
11 banks or savings and loan associations, ~~but no other institutions subject to the~~
12 ~~jurisdiction of the division of banking.~~

13 *~~0840/P1.1~~SECTION 3598. 227.55 of the statutes is renumbered 227.55 (1)
14 and amended to read:

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

1 reproduced, or, upon motion of any party, or by order of the court, the original exhibits
2 shall accompany the record. The court may require or permit subsequent corrections
3 or additions to the record when deemed desirable.

4 ***-0840/P1.2*SECTION 3599.** 227.55 (2) of the statutes is created to read:

5 227.55 (2) In the case of a record under sub. (1) that is in the possession of the
6 division of hearings and appeals, if any portion of the record is in the form of an audio
7 or video recording, the division may transmit to the reviewing court a copy of that
8 recording in lieu of preparing a transcript, unless the court requests a transcript.

9 ***-0807/P6.361*SECTION 3600.** 227.59 of the statutes is amended to read:

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

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1 The plaintiff or petitioner shall pay to the clerk of the circuit court of Dane County
2 a fee of \$2 for transmitting the record.

3 ***-0807/P6.362*SECTION 3601.** 229.46 (1) (ag) of the statutes is amended to
4 read:

5 229.46 (1) (ag) “Disabled veteran–owned business” means a business certified
6 ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

7 ***-0807/P6.363*SECTION 3602.** 229.46 (1) (b) of the statutes is amended to read:

8 229.46 (1) (b) “Minority group member” has the meaning given in s. ~~16.287~~
9 203.07 (1) (f).

10 ***-0807/P6.364*SECTION 3603.** 229.70 (1) (ag) of the statutes is amended to
11 read:

12 229.70 (1) (ag) “Disabled veteran–owned business” means a business certified
13 ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

14 ***-0807/P6.365*SECTION 3604.** 229.70 (1) (am) of the statutes is amended to
15 read:

16 229.70 (1) (am) “Minority business” has the meaning given in s. ~~16.287~~ 203.07
17 (1) (e).

18 ***-0807/P6.366*SECTION 3605.** 229.70 (1) (b) of the statutes is amended to read:

19 229.70 (1) (b) “Minority group member” has the meaning given in s. ~~16.287~~
20 203.07 (1) (f).

21 ***-0807/P6.367*SECTION 3606.** 229.8273 (1) (am) of the statutes is amended to
22 read:

23 229.8273 (1) (am) “Disabled veteran–owned business” means a business
24 certified ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

1 *~~0807/P6.368~~*SECTION 3607. 229.8273 (1) (b) of the statutes is amended to
2 read:

3 229.8273 (1) (b) “Minority business” has the meaning given in s. ~~16.287~~ 203.07
4 (1) (e).

5 *~~0807/P6.369~~*SECTION 3608. 229.8273 (1) (c) of the statutes is amended to
6 read:

7 229.8273 (1) (c) “Minority group member” has the meaning given in s. ~~16.287~~
8 203.07 (1) (f).

9 *~~0971/P5.638~~*SECTION 3609. 229.842 (2) (b) of the statutes is amended to
10 read:

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

18 *~~0807/P6.370~~*SECTION 3610. 229.845 (1) (ag) of the statutes is amended to
19 read:

20 229.845 (1) (ag) “Disabled veteran–owned business” means a business certified
21 ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

22 *~~0807/P6.371~~*SECTION 3611. 229.845 (1) (am) of the statutes is amended to
23 read:

24 229.845 (1) (am) “Minority business” has the meaning given in s. ~~16.287~~ 203.07
25 (1) (e).

1 (3) “District board” means the governing board of a district.

2 (4) “Local unit” means a county or city that is described in s. 229.860.

3 (5) “Sports and entertainment facilities” means property, tangible or
4 intangible, owned in whole or in substantial part, operated, or leased by a district
5 that is principally used for professional basketball, including spectator seating,
6 practice facilities, parking lots and structures, garages, restaurants, concession
7 facilities, entertainment facilities, facilities for the display or sale of memorabilia,
8 transportation facilities, and other functionally related or auxiliary facilities or
9 structures.

10 *~~1502/1.19~~**SECTION 3615.** 229.859 of the statutes is created to read:

11 **229.859 Creation and organization.** (1) There is created, for each
12 jurisdiction under s. 229.860, a special purpose district that is a local governmental
13 unit, that is a body corporate and politic, that is separate and distinct from, and
14 independent of, the state, and separate and distinct from, and independent of, the
15 local units within its jurisdiction, that has the powers under s. 229.861 and the name
16 of which includes “Sports and Entertainment District”.

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

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

1 (c) A member of the district board who is appointed by the governor shall hold
2 his or her position on the board until the member's successor is appointed by the
3 governor and confirmed by the senate.

4 (d) A majority of the current membership of the district board constitutes a
5 quorum to do business. The district may take action based on the affirmative vote
6 of a majority of those members of the district board who are present at a meeting of
7 the district board.

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

11 (f) Upon the appointment and qualification of a majority of the members of a
12 district board, the district board may exercise the powers and duties of a district
13 board under this subchapter.

14 (g) The county executive of a county described in s. 229.860 which provides
15 funding to construct, equip, or improve sports and entertainment facilities under s.
16 229.863 shall appoint a member to the district board, subject to confirmation or
17 rejection by a majority of the members-elect of the county board. A person appointed
18 and confirmed under this paragraph shall serve a 7-year term, except that the initial
19 term of the first member appointed under this paragraph shall be 5 years.

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

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

4 (3) The district board shall name the district, and the name shall include
5 “Sports and Entertainment District”.

6 *~~1502/1.20~~***SECTION 3616.** 229.860 of the statutes is created to read:

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

15 *~~1502/1.21~~***SECTION 3617.** 229.861 of the statutes is created to read:

16 **229.861 Powers of a district.** A district has all of the powers necessary or
17 convenient to carry out the purposes and provisions of this subchapter, except that
18 it may not issue bonds or levy or impose a tax. In addition to all other powers granted
19 by this subchapter, a district may do all of the following:

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

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

22 (3) Maintain an office.

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

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

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

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

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

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

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

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

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

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

24 (9) Promote, advertise, and publicize its sports and entertainment facilities
25 and related activities.

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

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

5 (12) Adopt and alter an official seal.

6 *~~1502/1.22~~*SECTION 3618. 229.862 of the statutes is created to read:

7 **229.862 Special fund revenues.** (1) The district board shall maintain a
8 special fund into which it deposits all funds received under s. 16.527 (3) (d). Moneys
9 in the special fund may be expended only for the construction of sports and
10 entertainment facilities, including the acquisition or lease of property.

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

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

16 *~~1502/1.23~~*SECTION 3619. 229.863 of the statutes is created to read:

17 **229.863 Powers granted to local units.** (1) In addition to any powers that
18 it may otherwise have, a local unit may do any of the following:

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

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

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

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

1 *-1502/1.24*SECTION 3620. 229.864 of the statutes is created to read:

2 **229.864 Dissolution of a district, lease obligations.** (1) A district may not
3 dissolve and wind up its affairs unless obligations issued under s. 16.527 (3) (d) have
4 been retired.

5 (2) If the district board enters into a lease with a professional basketball team
6 described in s. 229.860 for the use of sports and entertainment facilities, the lease
7 shall include a provision that states that if the team breaks or otherwise fails to fulfill
8 its obligations under the lease, the professional basketball team shall pay the state
9 an amount sufficient to retire the obligations issued under s. 16.527 (3) (d).

10 *-1502/1.25*SECTION 3621. 229.865 of the statutes is created to read:

11 **229.865 Trust funds.** All moneys received under this subchapter, whether
12 from the state, from a local unit, or from any other source, are trust funds to be held
13 and applied solely as provided in this subchapter. Any officer with whom, or any
14 bank or trust company with which, those moneys are deposited shall act as trustee
15 of those moneys and shall hold and apply the moneys for the purposes of this
16 subchapter.

17 *-1502/1.26*SECTION 3622. 229.866 of the statutes is created to read:

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

25 *-1059/9.78*SECTION 3623. 230.02 of the statutes is amended to read:

1 **230.02 Liberal construction of statutes.** Statutes applicable to the office
2 division and bureau shall be construed liberally in aid of the purposes declared in s.
3 230.01.

4 *~~1215/P3.343~~*SECTION 3624. 230.03 (3) of the statutes, as affected by 2013
5 Wisconsin Act 20, is amended to read:

6 230.03 (3) "Agency" means any board, commission, committee, council, or
7 department in state government or a unit thereof created by the constitution or
8 statutes if such board, commission, committee, council, department, unit, or the
9 head thereof, is authorized to appoint subordinate staff by the constitution or
10 statute, except the Board of Regents of the University of Wisconsin System, a
11 legislative or judicial board, commission, committee, council, department, or unit
12 thereof or an authority created under subch. II of ch. 114 or under ch. 231, 232, 233,
13 ~~234~~ 235, 237, 238, or 279. "Agency" does not mean any local unit of government or
14 body within one or more local units of government that is created by law or by action
15 of one or more local units of government.

16 *~~0971/P5.639~~*SECTION 3625. 230.03 (3) of the statutes, as affected by 2015
17 Wisconsin Act (this act), is amended to read:

18 230.03 (3) "Agency" means any board, commission, committee, council, or
19 department in state government or a unit thereof created by the constitution or
20 statutes if such board, commission, committee, council, department, unit, or the
21 head thereof, is authorized to appoint subordinate staff by the constitution or
22 statute, except ~~the Board of Regents of the University of Wisconsin System~~, a
23 legislative or judicial board, commission, committee, council, department, or unit
24 thereof or an authority created under subch. II of ch. 114 or under ch. ~~36~~, 231, 232,
25 233, 235, 237, or 279. "Agency" does not mean any local unit of government or body

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1 within one or more local units of government that is created by law or by action of
2 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.

3 ***-1059/9.79*SECTION 3626.** 230.03 (5) of the statutes is created to read:

4 230.03 (5) “Bureau” means the bureau of merit recruitment and selection in
5 the division.

6 ***-0971/P5.640*SECTION 3627.** 230.03 (6) of the statutes, as affected by 2011
7 Wisconsin Act 32, is amended to read:

8 230.03 (6) “Civil service” means all offices and positions of trust or employment
9 in the service of the state, ~~except offices and positions in the organized militia and~~
10 ~~the Board of Regents of the University of Wisconsin System.~~

11 ***-1059/9.80*SECTION 3628.** 230.03 (9e) of the statutes is amended to read:

12 230.03 (9e) “Director” means the director of the office bureau.

13 ***-1059/9.81*SECTION 3629.** 230.03 (10) of the statutes is amended to read:

14 230.03 (10) “Division” means the division of merit recruitment and selection
15 in the office personnel management in the department of administration.

16 ***-1059/9.82*SECTION 3630.** 230.03 (10w) of the statutes is repealed.

17 ***-1059/9.83*SECTION 3631.** 230.04 (title) of the statutes is amended to read:

18 **230.04 (title) Powers and duties of the ~~director~~ administrator.**

19 ***-1059/9.84*SECTION 3632.** 230.04 (1) of the statutes is amended to read:

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

1 ***-1059/9.85***SECTION 3633. 230.04 (1m) of the statutes is amended to read:

2 230.04 (1m) The ~~director~~ administrator may delegate, in writing, any of his or
3 her functions set forth in this chapter to an appointing authority, within prescribed
4 standards if the ~~director~~ administrator finds that the agency has personnel
5 management capabilities to perform such functions effectively and has indicated its
6 approval and willingness to accept such responsibility by written agreement. If the
7 ~~director~~ administrator determines that any agency is not performing such delegated
8 function within prescribed standards, the ~~director~~ administrator shall forthwith
9 withdraw such delegated function. Subject to the approval of the joint committee on
10 finance, the ~~director~~ administrator may order transferred to the ~~office~~ division from
11 the agency to which delegation was made such agency staff and other resources as
12 necessary to perform such functions if increased staff was authorized to that agency
13 as a consequence of such delegation or if the ~~office~~ division reduced staff or shifted
14 staff to new responsibilities as a result of such delegation. Any delegatory action
15 taken under s. 230.09 (2) (a) or (d) or 230.13 (1) by an appointing authority may be
16 appealed to the commission under s. 230.44 (1) (b). The ~~director~~ administrator shall
17 be a party in such an appeal.

18 ***-1059/9.86***SECTION 3634. 230.04 (2) of the statutes is amended to read:

19 230.04 (2) The ~~director~~ administrator may utilize the services of technical or
20 specialized personnel to assist in implementing and maintaining a sound personnel
21 management program. These services may be obtained from persons inside or
22 outside of state service.

23 ***-1059/9.87***SECTION 3635. 230.04 (3) of the statutes is amended to read:

24 230.04 (3) The ~~director~~ administrator may issue enforceable orders on all
25 matters relating to the administration, enforcement and effect of this chapter and

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1 the rules prescribed thereunder except on matters relating to the provisions of subch.
2 III or to those provisions of subch. II for which responsibility is specifically charged
3 to the ~~administrator~~ director.

4 ***-1059/9.88*SECTION 3636.** 230.04 (4) of the statutes is amended to read:

5 230.04 (4) The ~~director~~ administrator shall establish and maintain a collective
6 bargaining capability under s. 111.815 (2).

7 ***-1059/9.89*SECTION 3637.** 230.04 (5) of the statutes is amended to read:

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

13 ***-1059/9.90*SECTION 3638.** 230.04 (8) of the statutes is amended to read:

14 230.04 (8) The ~~director~~ administrator shall establish an employee performance
15 evaluation program under s. 230.37 (1).

16 ***-1059/9.91*SECTION 3639.** 230.04 (9) (intro.) of the statutes is amended to
17 read:

18 230.04 (9) (intro.) The ~~director~~ administrator shall do all of the following:

19 ***-1059/9.92*SECTION 3640.** 230.04 (9) (f) of the statutes is amended to read:

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

25 ***-1059/9.93*SECTION 3641.** 230.04 (9m) of the statutes is amended to read:

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

4 ***-1059/9.94*****SECTION 3642.** 230.04 (9r) (b) (intro.) of the statutes is amended
5 to read:

6 230.04 (9r) (b) (intro.) The ~~director~~ administrator shall keep a record of all of
7 the following:

8 ***-1059/9.95*****SECTION 3643.** 230.04 (10) of the statutes is amended to read:

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

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

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

25 ***-1059/9.96*****SECTION 3644.** 230.04 (11) of the statutes is amended to read:

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1 230.04 (11) The ~~director~~ administrator may provide by rule for an understudy
2 program to assure continuity in selected positions.

3 *~~-1059/9.97~~*SECTION 3645. 230.04 (12) of the statutes is amended to read:

4 230.04 (12) The ~~director~~ administrator shall keep in the ~~office~~ division an
5 official roster of all permanent classified employees which shall include classification
6 titles, pay and employment status changes and appropriate dates thereof.

7 *~~-1059/9.98~~*SECTION 3646. 230.04 (13) (intro.) of the statutes is amended to
8 read:

9 230.04 (13) (intro.) The ~~director~~ administrator shall do all of the following:

10 *~~-1059/9.99~~*SECTION 3647. 230.04 (14) of the statutes is amended to read:

11 230.04 (14) The ~~director~~ administrator shall establish, by rule, the scope and
12 minimum requirements of a state employee grievance procedure relating to
13 conditions of employment.

14 *~~-1059/9.100~~*SECTION 3648. 230.04 (15) of the statutes is amended to read:

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

19 *~~-1059/9.101~~*SECTION 3649. 230.04 (16) of the statutes is repealed.

20 *~~-1059/9.102~~*SECTION 3650. 230.04 (17) of the statutes is amended to read:

21 230.04 (17) The ~~director~~ administrator shall resolve any dispute raised by a
22 complaint filed under s. 321.64 (1) (c).

23 *~~-1059/9.103~~*SECTION 3651. 230.04 (18) of the statutes is amended to read:

24 230.04 (18) The ~~director~~ administrator may provide any services and materials
25 to agencies and may charge the agencies for providing the services and materials.

1 The ~~director~~ administrator shall establish a methodology for determining the costs
2 of services and materials charged to state agencies under this subsection. All moneys
3 received from the charges shall be deposited in the appropriation account under s.
4 ~~20.545 (1) (k)~~ 20.505 (1) (kz).

5 *~~1059/9.104~~*SECTION 3652. 230.046 (5) (c) of the statutes is amended to read:

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

10 *~~1059/9.105~~*SECTION 3653. 230.046 (7) of the statutes is amended to read:

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

15 *~~1059/9.106~~*SECTION 3654. 230.046 (8) of the statutes is amended to read:

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

21 *~~0971/P5.641~~*SECTION 3655. 230.046 (8) of the statutes, as affected by 2015
22 Wisconsin Act (this act), is amended to read:

23 230.046 (8) COOPERATE FOR SCHOLARSHIP LOANS. To stimulate the interest of
24 qualified students of exceptional merit in government career service, the
25 administrator shall cooperate with the board of regents of the University of

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1 Wisconsin System Authority in providing opportunities for recipients of public
2 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.

3 ***-1059/9.107*SECTION 3656.** 230.046 (9) of the statutes is amended to read:

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

9 ***-1059/9.108*SECTION 3657.** 230.046 (10) (intro.) of the statutes is amended
10 to read:

11 230.046 (10) FUNCTIONS OF THE ~~OFFICE~~ DIVISION. (intro.) The ~~office~~ division may
12 do all of the following:

13 ***-1059/9.109*SECTION 3658.** 230.047 (8) of the statutes is amended to read:

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

17 ***-1059/9.110*SECTION 3659.** 230.05 of the statutes is amended to read:

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

22 (2) (a) Except as provided under par. (b), the ~~administrator~~ director may
23 delegate, in writing, any of his or her functions set forth in this subchapter to an

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

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

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

22 (4) The ~~administrator~~ director may issue enforceable orders on all matters
23 relating to the administration, enforcement and effect of the provisions of this
24 subchapter for which responsibility is specifically charged to the ~~administrator~~
25 director and the rules prescribed thereunder. Any action brought against the

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1 appointing authority for failure to comply with the order of the ~~administrator~~
2 director shall be brought and served within 60 days after the date on which the
3 ~~administrator's~~ director's order was issued. Such orders may be appealed to the
4 commission under s. 230.44 (1) (a).

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

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

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

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

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

23 *-1059/9.111*SECTION 3660. 230.06 (1) (f) of the statutes is amended to read:

24 230.06 (1) (f) Provide the ~~director~~ administrator with the civil service
25 information required under s. 16.004 (7).

1 ***-1059/9.112***SECTION 3661. 230.06 (1) (g) of the statutes is amended to read:

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

6 ***-1059/9.113***SECTION 3662. 230.06 (1) (L) of the statutes is amended to read:

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

11 ***-0412/P2.1***SECTION 3663. 230.08 (2) (e) 2m. of the statutes is amended to
12 read:

13 230.08 (2) (e) 2m. Children and families — ~~8~~ 9.

14 ***-0807/P6.372***SECTION 3664. 230.08 (2) (e) 4f. of the statutes is repealed.

15 ***-0807/P6.373***SECTION 3665. 230.08 (2) (e) 4g. of the statutes is created to
16 read:

17 230.08 (2) (e) 4g. Financial institutions and professional standards — 21.

18 ***-0610/P3.368***SECTION 3666. 230.08 (2) (e) 6. of the statutes is amended to
19 read:

20 230.08 (2) (e) 6. Workforce development — ~~9~~ 8.

21 ***-1059/9.114***SECTION 3667. 230.08 (2) (e) 8j. of the statutes is repealed.

22 ***-1098/P1.1***SECTION 3668. 230.08 (2) (e) 9m. of the statutes is amended to
23 read:

24 230.08 (2) (e) 9m. Public service commission — ~~8~~ 7.

25 ***-0807/P6.374***SECTION 3669. 230.08 (2) (e) 11m. of the statutes is repealed.

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1 ***-0950/2.8***SECTION 3670. 230.08 (2) (g) of the statutes is amended to read:

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

6 ***-1195/P2.3***SECTION 3671. 230.08 (2) (sb) of the statutes is created to read:

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

9 ***-0807/P6.375***SECTION 3672. 230.08 (2) (v) of the statutes is repealed.

10 ***-1117/P3.26***SECTION 3673. 230.08 (2) (wh) of the statutes is repealed.

11 ***-1059/9.115***SECTION 3674. 230.08 (2) (xr) of the statutes is created to read:

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

15 ***-1059/9.116***SECTION 3675. 230.08 (2) (ya) of the statutes is repealed.

16 ***-0807/P6.376***SECTION 3676. 230.08 (2) (yb) of the statutes is amended to
17 read:

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

21 ***-1059/9.117***SECTION 3677. 230.08 (4) (c) of the statutes is amended to read:

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

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

13 ***-1059/9.118*SECTION 3678.** 230.08 (7) of the statutes is amended to read:

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

19 ***-1059/9.119*SECTION 3679.** 230.08 (8) of the statutes is amended to read:

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

23 ***-1059/9.120*SECTION 3680.** 230.09 (1) (intro.) of the statutes is amended to
24 read:

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1 230.09 (1) (intro.) The ~~director~~ administrator shall ascertain and record the
2 duties, responsibilities and authorities of, and establish grade levels and
3 classifications for, all positions in the classified service. Each classification so
4 established shall include all positions which are comparable with respect to
5 authority, responsibility and nature of work required. Each classification shall be
6 established to include as many positions as are reasonable and practicable. In
7 addition, each class shall:

8 *~~-1059/9.121~~*SECTION 3681. 230.09 (2) (a) of the statutes is amended to read:

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

14 *~~-1059/9.122~~*SECTION 3682. 230.09 (2) (am) of the statutes is amended to
15 read:

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

24 *~~-1059/9.123~~*SECTION 3683. 230.09 (2) (b) of the statutes is amended to read:

1 230.09 (2) (b) To accommodate and effectuate the continuing changes in the
2 classification plan as a result of the classification survey program and otherwise, the
3 ~~director~~ administrator shall, upon initial establishment of a classification, assign
4 that class to the appropriate pay rate or range, and may, upon subsequent review,
5 reassign classes to different pay rates or ranges. The ~~director~~ administrator shall
6 assign each class to a pay range according to the skill, effort, responsibility and
7 working conditions required for the class, without regard to whether the class is
8 occupied primarily by members of a certain gender or racial group. The ~~director~~
9 administrator shall give notice to appointing authorities to permit them to make
10 recommendations before final action is taken on any such assignment or
11 reassignment of classes.

12 *~~1059/9.124~~**SECTION 3684.** 230.09 (2) (c) of the statutes is amended to read:

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

22 *~~1059/9.125~~**SECTION 3685.** 230.09 (2) (d) of the statutes is amended to read:

23 230.09 (2) (d) If after review of a filled position the ~~director~~ administrator
24 reclassifies or reallocates the position, the ~~director~~ administrator shall determine

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1 whether the incumbent shall be regraded or whether the position shall be opened to
2 other applicants.

3 ***-1059/9.126*SECTION 3686.** 230.09 (2) (g) of the statutes is amended to read:

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

19 ***-1059/9.127*SECTION 3687.** 230.09 (3) of the statutes is amended to read:

20 230.09 (3) The ~~director~~ administrator shall establish separate classifications
21 for career executive positions under s. 230.24 and rules governing the salary
22 administration of positions in such classifications.

23 ***-1059/9.128*SECTION 3688.** 230.12 (1) (a) 3. of the statutes is amended to
24 read:

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

4 *~~-1059/9.129~~***SECTION 3689.** 230.12 (1) (c) 2. of the statutes is amended to
5 read:

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

10 *~~-1059/9.130~~***SECTION 3690.** 230.12 (1) (d) of the statutes is amended to read:

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

15 *~~-1059/9.131~~***SECTION 3691.** 230.12 (3) (a) of the statutes is amended to read:

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

1 proposal shall also take proper account of prevailing pay rates, costs and standards
2 of living and the state's employment policies.

3 ***-1059/9.132*SECTION 3692.** 230.12 (3) (ad) of the statutes is amended to read:

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

10 ***-1059/9.133*SECTION 3693.** 230.12 (3) (b) of the statutes is amended to read:

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

23 ***-1059/9.134*SECTION 3694.** 230.12 (3) (c) of the statutes is amended to read:

1 230.12 (3) (c) *Interim adjustments.* Subject to pars. (a) and (b), the ~~director~~
2 administrator may propose amendments to one or more parts of the compensation
3 plan at such times as the needs of the service require.

4 *~~0971/P5.642~~***SECTION 3695.** 230.12 (3) (e) (title) of the statutes, as affected
5 by 2011 Wisconsin Act 32, is amended to read:

6 230.12 (3) (e) (title) ~~University of Wisconsin System employees; Wisconsin~~
7 *Technical College System senior executives.*

8 *~~1059/9.135~~***SECTION 3696.** 230.12 (3) (e) 1. of the statutes, as affected by
9 2011 Wisconsin Act 32, is amended to read:

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

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1 employment relations and the governor shall be based upon a percentage of the
2 budgeted salary base for University of Wisconsin System employees. The amount
3 included in the proposal for merit and adjustments other than across-the-board pay
4 adjustments is available for discretionary use by the board of regents.

5 ***-0971/P5.643*SECTION 3697.** 230.12 (3) (e) 1. of the statutes, as affected by
6 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.

7 ***-1059/9.136*SECTION 3698.** 230.12 (3) (e) 2. of the statutes is amended to
8 read:

9 230.12 (3) (e) 2. The ~~director~~ administrator, after receiving recommendations
10 from the board of the Technical College System, shall submit to the joint committee
11 on employment relations a proposal for adjusting compensation and employee
12 benefits for employees under s. 20.923 (7). The proposal shall include the salary
13 ranges and adjustments to the salary ranges for the general senior executive salary
14 groups established under s. 20.923 (7). Paragraph (b) and sub. (1) (bf) shall apply
15 to the process for approval of all pay adjustments for such employees. The proposal
16 as approved by the joint committee on employment relations and the governor shall
17 be based upon a percentage of the budgeted salary base for such employees under s.
18 20.923 (7).

19 ***-0971/P5.644*SECTION 3699.** 230.12 (3) (e) 2. of the statutes, as affected by
20 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.

21 ***-1059/9.137*SECTION 3700.** 230.12 (4) of the statutes is amended to read:

1 230.12 (4) COMPENSATION PLAN IMPLEMENTATION PROVISIONS. (a) When an
2 approved compensation plan or an amendment thereto becomes effective, required
3 individual pay adjustments shall be made in accordance with determinations made
4 by the ~~director~~ administrator to implement the approved plan.

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

17 *~~1059/9.138~~*SECTION 3701. 230.12 (5) (c) of the statutes is amended to read:

18 230.12 (5) (c) *Increase limits.* Unless otherwise defined in the pay schedule the
19 total amount for all such within range increases shall not exceed the amount for such
20 increases specified and approved by the joint committee on employment relations in
21 its action on the ~~director's~~ administrator's proposal for such increases.

22 *~~1059/9.139~~*SECTION 3702. 230.12 (7m) of the statutes is amended to read:

23 230.12 (7m) PAY ADJUSTMENT FILING REQUIREMENTS. Except as provided in the
24 rules of the ~~director~~ administrator and in the compensation plan, pay increases shall
25 be made only on the dates prescribed under sub. (8). Appointing authorities shall at

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1 such times each year as specified by the secretary file with the ~~director~~ administrator
2 and with the secretary of administration a list of employees showing their then
3 existing pay rates and their proposed new pay rates.

4 ***-1059/9.140*SECTION 3703.** 230.12 (9) of the statutes is amended to read:

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

23 ***-1059/9.141*SECTION 3704.** 230.14 (4) of the statutes is amended to read:

24 230.14 (4) The ~~administrator~~ director may charge an agency a fee to announce
25 any vacancy to be filled in a classified or unclassified position in that agency. Funds

1 received under this subsection shall be credited to the appropriation account under
2 s. ~~20.545 (1) (ka)~~ 20.505 (1) (kn).

3 ***-1059/9.142*SECTION 3705.** 230.147 (3) of the statutes is amended to read:

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

9 ***-1059/9.143*SECTION 3706.** 230.15 (1) of the statutes is amended to read:

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

16 ***-1059/9.144*SECTION 3707.** 230.15 (1m) (b) (intro.) of the statutes is amended
17 to read:

18 230.15 (1m) (b) (intro.) Whenever a position is included in the classified service
19 under par. (a), the ~~director~~ administrator shall determine all of the following:

20 ***-1059/9.145*SECTION 3708.** 230.15 (1m) (c) of the statutes is amended to read:

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

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

5 3. If an employee is appointed after being certified under subd. 2., the
6 ~~administrator~~ director shall determine the employee's probationary status under s.
7 230.28, except that the employee shall receive credit toward his or her probationary
8 period for the time that the employee had been employed in the position immediately
9 prior to appointment.

10 *~~1059/9.146~~*SECTION 3709. 230.15 (2) of the statutes is amended to read:

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

18 *~~1059/9.147~~*SECTION 3710. 230.15 (2m) of the statutes is amended to read:

19 230.15 (2m) If a vacancy occurs in a position in the classified service and the
20 ~~administrator~~ director is notified by an appointing authority that the position is to
21 be filled by a disabled veteran under s. 230.275, the ~~administrator~~ director shall
22 waive all competition requirements for filling the position.

23 *~~1059/9.148~~*SECTION 3711. 230.16 (1) (a) of the statutes is amended to read:

24 230.16 (1) (a) The ~~administrator~~ director shall require persons applying for
25 admission to any examination under this subchapter or under the rules of the