

2015 DRAFTING REQUEST

Assembly Amendment (AA-AB373)

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Pre Topic:

No specific pre topic given

Topic:

Office of civil service

Instructions:

Make 3375/1 a simple amendment

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	fknepp 10/27/2015		_____			
/1		wjackson 10/27/2015	_____	sbasford 10/27/2015	sbasford 10/27/2015	

FE Sent For:

<END>



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBa1121/9

FFK:...

Wjkmr

In 10-27 Floor

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 373

1 At the locations indicated, amend the bill as follows:

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

3 **"SECTION 1.** 15.103 (6m) of the statutes, as created by 2015 Wisconsin Act 55,
4 is repealed.

5 **SECTION 2.** 15.105 (title) of the statutes, as affected by 2015 Wisconsin Act 55,
6 is amended to read:

7 **15.105 (title) Same; attached boards, commissions, bureaus, and**
8 **offices.**

9 **SECTION 3.** 15.105 (6) and (6m) of the statutes, as created by 2015 Wisconsin
10 Act 55, are repealed.

11 **SECTION 4.** 15.105 (29) of the statutes is created to read:

1 15.105 (29) OFFICE OF CIVIL SERVICE. (a) *Creation.* There is created an office
2 of civil service which is attached to the department of administration under s. 15.03
3 under the direction and supervision of a director. The director shall serve at the
4 pleasure of the governor.

5 (b) *Same; specified divisions.* 1. ‘Division of merit recruitment and selection.’
6 There is created in the office of civil service a division of merit recruitment and
7 selection. The administrator of the division of merit recruitment and selection shall
8 be nominated by the governor, and with the advice and consent of the senate
9 appointed for a 5–year term, under the unclassified service from a register of at least
10 5 names certified to the governor by the director of the office of civil service. The
11 director of the office of civil service shall prepare and conduct an examination for the
12 position of administrator according to the requirements for classified positions under
13 subch. II of ch. 230. The administrator of the division may be renominated by the
14 governor, and with the advice and consent of the senate reappointed.

15 2. ‘Division of labor relations.’ There is created in the office of civil service a
16 division of labor relations. The administrator of the division of labor relations shall
17 be nominated by the governor, and with the advice and consent of the senate
18 appointed for a 5–year term, under the unclassified service from a register of at least
19 5 names certified to the governor by the director of the office of civil service. The
20 director of the office of civil service shall prepare and conduct an examination for the
21 position of administrator according to the requirements for classified positions under
22 subch. II of ch. 230. The administrator of the division may be renominated by the
23 governor, and with the advice and consent of the senate reappointed.

24 3. ‘Division of affirmative action.’ There is created in the office of civil service
25 a division of affirmative action. The administrator of the division of affirmative

1 action shall be nominated by the governor, and with the advice and consent of the
2 senate appointed for a 5-year term, under the unclassified service from a register of
3 at least 5 names certified to the governor by the director of the office of civil service.
4 The director of the office of civil service shall prepare and conduct an examination
5 for the position of administrator according to the requirements for classified
6 positions under subch. II of ch. 230. The administrator of the division may be
7 renominated by the governor, and with the advice and consent of the senate
8 reappointed.

9 **SECTION 5.** 15.107 (3) of the statutes, as created by 2015 Wisconsin Act 55, is
10 repealed.

11 **SECTION 6.** 15.16 (1) (intro.) of the statutes, as affected by 2015 Wisconsin Act
12 55, is amended to read:

13 15.16 (1) EMPLOYEE TRUST FUNDS BOARD. (intro.) The employee trust funds
14 board shall consist of the governor or the governor's designee on the group insurance
15 board, the administrator of the division of personnel management in the department
16 of administration director of the office of civil service or the administrator's director's
17 designee and 11 persons appointed or elected for 4-year terms as follows:

18 **SECTION 7.** 16.004 (16) of the statutes is created to read:

19 16.004 (16) OFFICE OF CIVIL SERVICE ADMINISTRATOR POSITIONS. The secretary
20 shall assign 3 of the unclassified division administrator positions authorized for the
21 department to the office of civil service.

22 **SECTION 8.** 16.415 (1) of the statutes, as affected by 2015 Wisconsin Act 55, is
23 amended to read:

24 16.415 (1) Neither the secretary nor any other fiscal officer of this state may
25 draw, sign, or issue, or authorize the drawing, signing, or issuing of any warrant on

1 any disbursing officer of the state to pay any compensation to any person in the
2 classified service of the state unless an estimate, payroll, or account for such
3 compensation, containing the names of every person to be paid, bears the certificate
4 of the appointing authority that each person named in the estimate, payroll, or
5 account has been appointed, employed, or subject to any other personnel transaction
6 in accordance with, and that the pay for the person has been established in
7 accordance with, the law, compensation plan, or applicable collective bargaining
8 agreement, and applicable rules of the ~~administrator of the division of personnel~~
9 ~~management in the department~~ director of the office of civil service and the ~~director~~
10 ~~of the bureau~~ administrator of the division of merit recruitment and selection in
11 the department office of civil service then in effect.

12 **SECTION 9.** 19.45 (11) (a) of the statutes, as affected by 2015 Wisconsin Act 55,
13 is amended to read:

14 19.45 (11) (a) The ~~director of the bureau~~ administrator of the division of merit
15 recruitment and selection in the ~~department of administration~~ office of civil service
16 shall, with the board's advice, promulgate rules to implement a code of ethics for
17 classified and unclassified state employees except state public officials subject to this
18 subchapter, personnel in the University of Wisconsin System, and officers and
19 employees of the judicial branch.”.

20 **2.** Page 6, line 5: after that line insert:

21 **SECTION 10.** 20.505 (1) (ic) of the statutes, as affected by 2015 Wisconsin Act
22 55, is renumbered 20.545 (1) (i).

23 **SECTION 11.** 20.505 (1) (jc) of the statutes, as affected by 2015 Wisconsin Act
24 55, is renumbered 20.545 (1) (jm).

1 **SECTION 12.** 20.505 (1) (kn) of the statutes, as affected by 2015 Wisconsin Act
2 55, is renumbered 20.545 (1) (ka).

3 **SECTION 13.** 20.505 (1) (ks) of the statutes, as affected by 2015 Wisconsin Act
4 55, is renumbered 20.545 (1) (km).

5 **SECTION 14.** 20.505 (1) (kz) of the statutes, as affected by 2015 Wisconsin Act
6 55, is renumbered 20.545 (1) (k) and amended to read:

7 20.545 (1) (k) *General program operations.* The amounts in the schedule to
8 administer state employment relations functions and the civil service system under
9 subch. V of ch. 111 and ch. 230, to pay awards under s. 230.48, and to defray the
10 expenses of the state employees suggestion board. All moneys received from state
11 agencies for materials and services provided by the ~~division of personnel~~
12 ~~management in the department of administration~~ office of civil service shall be
13 credited to this appropriation.

14 **SECTION 15.** 20.545 of the statutes is created to read:

15 **20.545 Office of civil service.** There is appropriated to the office of civil
16 service for the following programs:

17 (1) CIVIL SERVICE. (j) *Gifts and donations.* All moneys received from gifts,
18 grants, bequests, and devises, to carry out the purposes for which made and received.

19 (m) *Federal grants and contracts.* All moneys received from the federal
20 government to carry out the purposes for which made.

21 (pz) *Indirect cost reimbursements.* All moneys received from the federal
22 government as reimbursement of indirect costs of grants and contracts for the
23 purposes authorized in s. 16.54 (9) (b).”.

24 **3.** Page 6, line 10: after that line insert:

2b

1 “SECTION 16. 20.916 (8) (a) of the statutes, as affected by 2015 Wisconsin Act
2 55, is amended to read:

3 20.916 (8) (a) ~~The administrator of the division of personnel management in~~
4 ~~the department of administration~~ director of the office of civil service shall
5 recommend to the joint committee on employment relations uniform travel schedule
6 amounts for travel by state officers and employees whose compensation is
7 established under s. 20.923 or 230.12. Such amounts shall include maximum
8 permitted amounts for meal and lodging costs, other allowable travel expenses under
9 sub. (9) (d), and portage tips, except as authorized under s. 16.53 (12) (c). In lieu
10 of the maximum permitted amounts for expenses under sub. (9) (b), (c), and (d), the
11 ~~administrator~~ director may recommend to the committee a per diem amount and
12 method of reimbursement for any or all expenses under sub. (9) (b), (c), and (d).

13 SECTION 17. ^{2c} 20.923 (4) (intro.) of the statutes, as affected by 2015 Wisconsin
14 Act 55, is amended to read:

15 20.923 (4) STATE AGENCY POSITIONS. (intro.) State agency heads, the ~~director~~
16 ~~of the bureau~~ administrator of the division of merit recruitment and selection in the
17 ~~department of administration~~ office of civil service and commission chairpersons and
18 members shall be identified and limited in number in accordance with the
19 standardized nomenclature contained in this subsection, and shall be assigned to the
20 executive salary groups listed in pars. (a) to (h). Except for positions specified in pars.
21 (c) 3m. and (g) 1e. and sub. (12), all unclassified division administrator positions
22 enumerated under s. 230.08 (2) (e) shall be assigned, when approved by the joint
23 committee on employment relations, by the ~~administrator of the division of~~
24 ~~personnel management in the department of administration~~ director of the office of
25 civil service to one of 10 executive salary groups. The joint committee on employment

1 relations, by majority vote of the full committee, may amend recommendations for
2 initial position assignments and changes in assignments to the executive salary
3 groups submitted by the ~~administrator of the division of personnel management in~~
4 ~~the department of administration~~ director of the office of civil service. All division
5 administrator assignments and amendments to assignments of administrator
6 positions approved by the committee shall become part of the compensation plan.
7 Whenever a new unclassified division administrator position is created, the
8 appointing authority may set the salary for the position until the joint committee on
9 employment relations approves assignment of the position to an executive salary
10 group. If the committee approves assignment of the position to an executive salary
11 group having a salary range minimum or maximum inconsistent with the salary
12 paid to the incumbent at the time of such approval, the incumbent's salary shall be
13 adjusted by the appointing authority to conform with the committee's action,
14 effective on the date of that action. Positions are assigned as follows:

15 ²¹ **SECTION 18.** 20.923 (4) (c) 3m. and (f) 1. of the statutes, as affected by 2015
16 Wisconsin Act 55, are amended to read:

17 20.923 (4) (c) 3m. Administration, department of; ~~division of personnel~~
18 ~~management; bureau~~ office of civil service; division of merit recruitment and
19 selection: administrator.

20 (f) 1. Administration, department of; ~~division~~ office of ~~personnel management;~~
21 ~~administrator~~ civil service; director.

22 ^{pre} **SECTION 19.** 20.923 (4) (c) 3n. and 3o. of the statutes are created to read:

23 20.923 (4) (c) 3n. Administration, department of; office of civil service; division
24 of labor relations: administrator.

1 30. Administration, department of; office of civil service; division of affirmative
2 action: administrator.

3 **SECTION 20.** 20.923 (8) of the statutes, as affected by 2015 Wisconsin Acts 55
4 and 58, is amended to read:

5 20.923 (8) DEPUTIES. Salaries for deputies appointed pursuant to ss. 13.94 (3)
6 (b), 15.04 (2), 230.04 (16), and 551.601 (1) shall be set by the appointing authority.
7 The salary, other than the salary of the deputy secretary of the department of
8 employee trust funds, shall not exceed the maximum of the salary range one range
9 below the salary range of the executive salary group to which the department or
10 agency head is assigned. The associate director of the historical society shall be
11 treated as an unclassified deputy for pay purposes under this subsection. The salary
12 of the deputy director of the office of business development in the department of
13 administration is assigned to executive salary group 2.

14 **SECTION 21.** 20.923 (9) of the statutes, as affected by 2015 Wisconsin Acts 55
15 and 58, is amended to read:

16 20.923 (9) ASSISTANT DEPUTY SECRETARY AND EXECUTIVE ASSISTANTS. Salaries for
17 assistant deputy secretaries and executive assistants appointed under ss. 15.05 (3)
18 and 15.06 (4m) shall be set by the appointing authority. The salary for an assistant
19 deputy secretary or an executive assistant appointed under s. 15.05 (3) or 15.06 (4m),
20 other than the salary for the executive assistant to the director of the technical
21 college system and the assistant deputy secretary of the department of employee
22 trust funds, may not exceed the maximum of the salary range 2 ranges below the
23 salary range for the executive salary group to which the department or agency head
24 is assigned. The position of administrative assistant to the lieutenant governor shall
25 be treated as are executive assistants for pay purposes under this subsection. The

1 salary for the executive assistant appointed under s. 230.04 (16) shall be set by the
2 appointing authority. The salary for that position may not exceed the maximum of
3 the salary range 2 ranges below the salary range for the executive salary group to
4 which the appointing authority is assigned. (3)

5 4. Page 6, line 21: after that line insert:

6 (3b) “SECTION 22. 45.82 (2) of the statutes, as affected by 2015 Wisconsin Act 55, is
7 amended to read:

8 45.82 (2) The department of veterans affairs shall award a grant annually, on
9 a reimbursable basis as specified in this subsection, to a county that meets the
10 standards developed under this section if the county executive, administrator, or
11 administrative coordinator certifies to the department that it employs a county
12 veterans service officer who, if chosen after April 15, 2015, is chosen from a list of
13 candidates who have taken a civil service examination for the position of county
14 veterans service officer developed and administered by the bureau division of merit
15 recruitment and selection in the ~~department of administration~~ office of civil service,
16 or is appointed under a civil service competitive examination procedure under s.
17 59.52 (8) or ch. 63. The department of veterans affairs shall twice yearly reimburse
18 grant recipients for documented expenses under sub. (5), subject to the following
19 annual reimbursement limits: \$8,500 for a county with a population of less than
20 20,000, \$10,000 for a county with a population of 20,000 to 45,499, \$11,500 for a
21 county with a population of 45,500 to 74,999, and \$13,000 for a county with a
22 population of 75,000 or more. The department of veterans affairs shall use the most
23 recent Wisconsin official population estimates prepared by the demographic services
24 center when making grants under this subsection.

30
1 **SECTION 23.** 49.78 (5) of the statutes, as affected by 2015 Wisconsin Act 55, is
2 amended to read:

3 **49.78 (5) PERSONNEL EXAMINATIONS.** Statewide examinations to ascertain
4 qualifications of applicants in any county department administering aid to families
5 with dependent children shall be given by the ~~director of the bureau~~ administrator
6 of the division of merit recruitment and selection in the ~~department of~~
7 ~~administration~~ office of civil service. The ~~department of administration~~ office of civil
8 service shall be reimbursed for actual expenditures incurred in the performance of
9 its functions under this section from the appropriations available to the department
10 of children and families for administrative expenditures.

30
11 **SECTION 24.** 59.26 (8) (a) of the statutes, as affected by 2015 Wisconsin Act 55,
12 is amended to read:

13 **59.26 (8) (a)** In any county with a population of less than 500,000, the board,
14 by ordinance, may fix the number of deputy sheriffs to be appointed in that county
15 at not less than that number required by sub. (1) (a) and (b) and may set the salary
16 of those deputies. Subject to sub. (10), the board may provide by ordinance that
17 deputy sheriff positions be filled by appointment by the sheriff from a list of all
18 persons with the 3 highest scores for each position based on a competitive
19 examination. Such competitive examinations may be by a county civil service
20 commission or by the ~~bureau~~ division of merit recruitment and selection in the
21 ~~department of administration~~ office of civil service at the option of the board and it
22 shall so provide by ordinance. The ~~bureau~~ division of merit recruitment and selection
23 shall, upon request of the board, conduct such examination according to the methods
24 used in examinations for the state civil service and shall certify an eligible list of the
25 names of all persons with the 3 highest scores on that examination for each position

1 to the sheriff of that county who shall, subject to sub. (10), make an appointment from
2 that list to fill the position within 10 days after he or she receives the eligible list.
3 The county for which such examination is conducted shall pay the cost of that
4 examination. If a civil service commission is decided upon for the selection of deputy
5 sheriffs, then ss. 63.01 to 63.17 shall apply so far as consistent with this subsection,
6 except ss. 63.03, 63.04 and 63.15 and except the provision governing minimum
7 compensation of the commissioners. The ordinance or an amending ordinance may
8 provide for employee grievance procedures and disciplinary actions, for hours of
9 work, for tours of duty according to seniority and for other administrative
10 regulations. Any board provision consistent with this paragraph and existing on
11 July 25, 1951, is validated. If the sheriff fills a deputy sheriff position by promotion,
12 the sheriff shall, subject to sub. (10), make the appointment to the position from a
13 list of 3 deputy sheriffs who receive the highest scores in a competitive examination.
14 Such competitive examinations may be by a county civil service commission or by the
15 ~~bureau~~ division of merit recruitment and selection in the office of civil service at the
16 option of the board and it shall so provide by ordinance.”.

17 **5.** Page 9, line 9: after that line insert:

18 “~~SECTION 25.~~ ¹⁰⁹ 73.09 (5) of the statutes, as affected by 2015 Wisconsin Act 55, is
19 amended to read:

20 73.09 (5) EXAMINATIONS. As provided in subs. (1) and (2), the department of
21 revenue, assisted by the ~~bureau~~ division of merit recruitment and selection in the
22 ~~department of administration~~ office of civil service, shall prepare and administer
23 examinations for each level of certification. Persons applying for an examination
24 under this subsection shall submit a \$20 examination fee with their application.

1 Certification shall be granted to each person who passes the examination for that
2 level.

3 **SECTION 26.** 111.81 (5) of the statutes, as created by 2015 Wisconsin Act 55, is
4 repealed. *10k*

5 **SECTION 27.** 111.81 (14) of the statutes is created to read:

6 111.81 (14) "Office" means the office of civil service. *10i*

7 **SECTION 28.** 111.86 (2) of the statutes, as affected by 2015 Wisconsin Act 55,
8 is amended to read: *10j*

9 111.86 (2) The ~~division~~ office shall charge a state department or agency the
10 employer's share of the cost related to grievance arbitration under sub. (1) for any
11 arbitration that involves one or more employees of the state department or agency.
12 Each state department or agency so charged shall pay the amount that the division
13 charges from the appropriation account or accounts used to pay the salary of the
14 grievant. Funds received under this subsection shall be credited to the appropriation
15 account under s. ~~20.505 (1) (ks)~~ 20.545 (1) (km).

16 **SECTION 29.** 227.10 (3) (e) of the statutes, as affected by 2015 Wisconsin Act 55,
17 is amended to read: *10k*

18 227.10 (3) (e) Nothing in this subsection prohibits the ~~director~~ administrator
19 of the ~~bureau~~ division of merit recruitment and selection in the ~~department of~~
20 ~~administration~~ office of civil service from promulgating rules relating to expanded
21 certification under s. 230.25 (1n)."

22 **6.** Page ¹⁰9, line ¹⁵25: after that line insert:

23 "SECTION 30. 230.02 of the statutes, as affected by 2015 Wisconsin Act 55, is
24 amended to read: *13b*

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

4 **SECTION 31.** ^{13c} 230.03 (5) of the statutes, as created by 2015 Wisconsin Act 55, is
5 repealed.

6 **SECTION 32.** ^{13d} 230.03 (9e) of the statutes, as affected by 2015 Wisconsin Act 55,
7 is amended to read:

8 230.03 (9e) “Director” means the director of the bureau office.

9 **SECTION 33.** ^{13e} 230.03 (10) of the statutes, as affected by 2015 Wisconsin Act 55,
10 is amended to read:

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

13 **SECTION 34.** ^{13f} 230.03 (10w) of the statutes is created to read:

14 230.03 (10w) “Office” means the office of civil service.

15 **SECTION 35.** ^{13g} 230.04 (1m) of the statutes, as affected by 2015 Wisconsin Act 55,
16 is amended to read:

17 230.04 (1m) The ~~administrator~~ director may delegate, in writing, any of his or
18 her functions set forth in this chapter to an appointing authority, within prescribed
19 standards if the ~~administrator~~ director finds that the agency has personnel
20 management capabilities to perform such functions effectively and has indicated its
21 approval and willingness to accept such responsibility by written agreement. If the
22 ~~administrator~~ director determines that any agency is not performing such delegated
23 function within prescribed standards, the ~~administrator~~ director shall forthwith
24 withdraw such delegated function. Subject to the approval of the joint committee on
25 finance, the ~~administrator~~ director may order transferred to the ~~division office~~ from

1 the agency to which delegation was made such agency staff and other resources as
2 necessary to perform such functions if increased staff was authorized to that agency
3 as a consequence of such delegation or if the ~~division office~~ reduced staff or shifted
4 staff to new responsibilities as a result of such delegation. Any delegatory action
5 taken under s. 230.09 (2) (a) or (d) or 230.13 (1) by an appointing authority may be
6 appealed to the commission under s. 230.44 (1) (b). The ~~administrator~~ director shall
7 be a party in such an appeal.

8 **SECTION 36.** ^{13h} 230.04 (5) of the statutes, as affected by 2015 Wisconsin Act 55,
9 is amended to read:

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

15 **SECTION 37.** ¹³ⁱ 230.04 (9) (f) of the statutes, as affected by 2015 Wisconsin Act 55,
16 is amended to read:

17 230.04 (9) (f) Establish an affirmative action subunit. The affirmative action
18 subunit shall advise and assist the director, the administrator, and agency heads on
19 establishing policies and programs to ensure appropriate affirmative action. The
20 subunit shall advise and assist the ~~administrator~~ director in monitoring such
21 programs and shall provide staff to the council on affirmative action. ¹

22 **SECTION 38.** ^{15b} 230.04 (16) of the statutes is created to read:

23 230.04 (16) The director may appoint either a deputy director or an executive
24 assistant outside the classified service.

Page 10, line 25: after that line insert:

1 **SECTION 39.** ^{15h} 230.04 (18) of the statutes, as affected by 2015 Wisconsin Act 55,
2 is amended to read:

3 230.04 (18) The ~~administrator~~ director may provide any services and materials
4 to agencies and may charge the agencies for providing the services and materials.
5 The ~~administrator~~ director shall establish a methodology for determining the costs
6 of services and materials charged to state agencies under this subsection. All moneys
7 received from the charges shall be deposited in the appropriation account under s.
8 ~~20.505 (1) (kz)~~ 20.545 (1) (k).”.

9 **7.** Page 11, line 5: after that line insert:

10 ^{16b} “**SECTION 40.** 230.05 (2) (a) and (9) of the statutes, as affected by 2015 Wisconsin
11 Act 55, are amended to read:

12 230.05 (2) (a) Except as provided under par. (b), the ~~director~~ administrator may
13 delegate, in writing, any of his or her functions set forth in this subchapter to an
14 appointing authority, within prescribed standards if the ~~director~~ administrator finds
15 that the agency has personnel management capabilities to perform such functions
16 effectively and has indicated its approval and willingness to accept such
17 responsibility by written agreement. If the ~~director~~ administrator determines that
18 any agency is not performing such delegated function within prescribed standards,
19 the ~~director~~ administrator shall withdraw such delegated function. The ~~director~~
20 administrator may order transfer to the ~~bureau~~ division from the agency to which
21 delegation was made such agency staff and other resources as necessary to perform
22 such functions if increased staff was authorized to that agency as a consequence of
23 such delegation or if the ~~bureau~~ division reduced staff or shifted staff to new
24 responsibilities as a result of such delegation subject to the approval of the joint

1 committee on finance. Any delegatory action taken under this subsection by any
2 appointing authority may be appealed to the commission under s. 230.44 (1) (a). The
3 ~~director~~ administrator shall be a party in such appeal. *De*

Insert X AM; 230.05 (a) from 15-3375

4 **8.** Page 12 line 6: after that line insert:

5 *209*
“SECTION ~~41.~~ 230.08 (2) (e) 8j. of the statutes is created to read:

6 230.08 (2) (e) 8j. Office of civil service – 3.

7 *20k*
SECTION ~~42.~~ 230.08 (2) (xr) of the statutes, as created by 2015 Wisconsin Act
8 55, is repealed.

9 *20i*
SECTION ~~43.~~ 230.08 (2) (ya) of the statutes is created to read:

10 230.08 (2) (ya) The director, deputy director, and executive assistant to the
11 director of the office of civil service, and an employee in the office of civil service who
12 performs services relating to the coordination of state employee benefits.”.

13 **9.** Page 12, line 22: after that line insert:

14 *24b*
“SECTION ~~44.~~ 230.14 (4) of the statutes, as affected by 2015 Wisconsin Act 55,
15 is amended to read:

16 230.14 (4) The ~~director~~ administrator may charge an agency a fee to announce
17 any vacancy to be filled in a classified or unclassified position in that agency. Funds
18 received under this subsection shall be credited to the appropriation account under
19 s. ~~20.505 (1) (kn)~~ 20.545 (1) (ka).”.

20 **10.** Page 14, line 19: after that line insert:

21 *31b*
“SECTION ~~45.~~ 230.16 (1) (b) of the statutes, as affected by 2015 Wisconsin Act
22 55, is amended to read:

23 230.16 (1) (b) The ~~bureau~~ division shall furnish application forms without
24 charge to all persons requesting them.”.

1 ✓ **11.** Page 15, line 7: delete “bureau” and substitute “division”.

2 ✓ **12.** Page 16, line 9: delete “bureau” and substitute “bureau division”.

3 **13.** Page 27, line 3: after that line insert:

4 “**SECTION 46**^{72b}. 230.315 (1) (c) of the statutes, as affected by 2015 Wisconsin Act
5 55, is amended to read:

6 230.315 (1) (c) The employee has received a military leave of absence under s.
7 230.32 (3) (a) or 230.35 (3), under a collective bargaining agreement under subch. V
8 of ch. 111, or under rules promulgated by the ~~division~~ office of civil service or is
9 eligible for reemployment with the state under s. 321.64 after completion of his or
10 her service in the U.S. armed forces.”.

11 **14.** Page 34, line 20: after that line insert:

12 “**SECTION 47**^{90g}. 230.46 of the statutes, as affected by 2015 Wisconsin Act 55, is
13 amended to read:

14 **230.46 Duties of council on division of affirmative action.** The council
15 on division of affirmative action shall serve in a direct advisory capacity to the
16 ~~administrator~~ director and as part of that relationship shall evaluate the progress
17 of affirmative action programs throughout the civil service system, seek compliance
18 with state and federal regulations and recommend improvements in the state’s
19 affirmative action efforts as an employer. In carrying out its responsibilities, the
20 council may recommend legislation, consult with agency personnel and other
21 interested persons, conduct hearings and take other appropriate action to promote
22 affirmative action. The council shall report at least once per year to the governor and
23 the legislature.

1 **SECTION 48.** 230.48 (2) of the statutes, as affected by 2015 Wisconsin Act 55,
2 is amended to read:

3 230.48 (2) PERSONNEL, FACILITIES AND EQUIPMENT. The ~~administrator~~ office shall
4 appoint, under the classified service, a secretary and such other employees as are
5 necessary to carry out the duties of the state employees suggestion board, and shall
6 provide such facilities and equipment as that board requires for the proper
7 performance of its work. The state employees suggestion board may request and
8 shall receive from any state department any assistance that it requires.

9 **SECTION 49.** 301.16 (1o) (b) of the statutes, as affected by 2015 Wisconsin Act
10 55, is amended to read:

11 301.16 (1o) (b) In the selection of classified service employees of the institution
12 specified in par. (a), the appointing authority shall, whenever possible, use the
13 expanded certification program under rules of the ~~director of the bureau~~
14 administrator of the division of merit recruitment and selection in the ~~department~~
15 ~~of administration~~ office of civil service to ensure that employees of the institution
16 reflect the general population of either the county in which the institution is located
17 or the most populous county contiguous to the county in which the institution is
18 located, whichever population is greater. The ~~director~~ administrator of the ~~bureau~~
19 division of merit recruitment and selection in the department of administration shall
20 provide guidelines for the administration of this selection procedure.”.

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

22 **SECTION 50.** 938.538 (6m) (b) of the statutes, as affected by 2015 Wisconsin Act
23 55, is amended to read:

1 938.538 (6m) (b) In the selection of classified service employees for a juvenile
 2 correctional facility authorized under 1993 Wisconsin Act 377, section 9108 (1) (a),
 3 the appointing authority shall make every effort to use the expanded certification
 4 program under s. 230.25 (1n) or rules of the ~~director~~ administrator of the ~~bureau~~
 5 division of merit recruitment and selection in the ~~department of administration~~
 6 office of civil service to ensure that the percentage of employees who are minority
 7 group members approximates the percentage of the juveniles placed at that juvenile
 8 correctional facility who are minority group members. The ~~director of the bureau~~
 9 administrator of the division of merit recruitment and selection shall provide
 10 guidelines for the administration of the selection procedure.”

11 **16.** Page 36, line 5: delete lines 5 and 6 and substitute “director of the office
 12 of civil service and the administrator of the division of merit recruitment and
 13 selection in”.

14 **17.** Page 36, line 21: after that line insert:

15 “(2) TERMINOLOGY CHANGES.

16 (a) Substitute “office of civil service” for “division of personnel management in
 17 the department of administration” or for “division of personnel management in the
 18 department”, whichever is appropriate, in sections 16.004 (7) (a), 20.916 (4) (a) and
 19 (5) (a), 20.923 (18) (a), 40.06 (1) (dm), 70.99 (3) (a), 73.09 (2), 230.90 (2), 233.10 (3)
 20 (c) 4. and (4), and 301.03 (5h) of the statutes, as affected by the acts of 2015.

21 (b) Substitute “director of the office of civil service” for “administrator of the
 22 division of personnel management in the department of administration” or
 23 “administrator of the division of personnel management in the department”,
 24 whichever is appropriate, in sections 13.121 (4), 13.123 (1) (a) 1., 13.20 (2), 15.16 (1)

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1 (intro.), 15.165 (2), 16.40 (18), 16.415 (3), 16.50 (3) (f), 20.901 (1) (b), 20.916 (2), (4m)
2 (b), and (9) (d) and (f) 1. and 3., 20.917 (1) (c) and (d), (2) (a), (3) (a) 1. and 2., (5) (b),
3 and (6), 20.923 (7) (intro.), 36.09 (1) (j), 40.05 (4) (ag) 1. and 2. and (ah) 1. and (4g)
4 (a) 4., 40.515 (1), 40.52 (3), 46.29 (3) (d), 227.47 (2), 321.64 (1) (c), and 978.12 (1) (c)
5 of the statutes, as affected by the acts of 2015.

6 (c) Substitute “office” for “division” in sections 111.815 (1), 111.89 (1), 111.92 (1)
7 (a) 1., 230.04 (12), 230.046 (10) (title) and (intro.), 230.147 (3), 230.16 (7m) (b) (intro.)
8 and (c), 230.21 (1m) (b), 230.25 (1p), 230.27 (2k), and 230.44 (1) (dm) of the statutes,
9 as affected by the acts of 2015.

10 (d) Substitute “director of the office” for “administrator of the division” in
11 sections 111.815 (2) and (3), 111.83 (3) (a), 111.91 (4), and 111.915 of the statutes, as
12 affected by the acts of 2015.

13 (e) Substitute “director” for “administrator” in sections 230.04 (title), (1), (2),
14 (3), (4), (8), (9) (intro.), (9m), (9r) (b) (intro.), (10) (a), (b), and (c), (11), (12), (13) (intro.),
15 (14), (15), and (17), 230.046 (5) (c), (7), (8), and (9), 230.047 (8), 230.06 (1) (f), (g), and
16 (L), 230.08 (4) (c) and (8), 230.09 (1) (intro.), (2) (a), (am), (b), (c), (d), and (g), and (3),
17 230.12 (1) (a) 3., (c) 2., and (d) and (3) (a), (ad), (b), (c), (e) 1. and 2., (4), (5) (c), (7m),
18 and (9), 230.15 (1m) (b) (intro.), 230.215 (3) (a) and (b) and (4), 230.22 (1) and (2),
19 230.24 (1), 230.32 (3), 230.33 (2), 230.34 (1) (c) and (4), 230.35 (1) (d), (1m) (f), (2), (2r)
20 (b), (3) (d) and (e) 2. e. and 5., and (5) (b), 230.37 (1), 230.43 (5), and 230.44 (1) (b) and
21 (4) (bm) of the statutes, as affected by the acts of 2015.

22 (f) Substitute “administrator” for “director” in sections 230.04 (3), 230.05 (title),
23 (1), (2) (b), (3), (4), (5), (6), (7), and (8), 230.08 (7), 230.09 (2) (g), 230.15 (1), (1m) (c),
24 (2), and (2m), 230.16 (1) (am), (2), (3), (5), (9), and (11), 230.17, 230.18, 230.19 (1) and
25 (2), 230.21 (1), (1m) (a) (intro.) and (b), (2), and (3), 230.213, 230.22 (3) and (4), 230.24

1 (1) and (1m), 230.25 (1), (1g), (1n) (a) (intro.) and (b), (2), (3) (b), (4), and (5), 230.26
2 (1), (1m), (2), and (5), 230.27 (1m) (b) and (2), 230.275 (1) (d), 230.28 (1) (a), (b), (bm)
3 (intro.), and (c), (3), and (4), 230.29, 230.30 (1), 230.31 (1) (b) and (2), 230.32 (4) and
4 (5), 230.34 (2) (b), (2m), and (3), 230.40 (6), and 230.44 (1) (a) and (dm) of the statutes,
5 as affected by the acts of 2015.

6 39 (1) ELIMINATION OF THE DIVISION OF PERSONNEL MANAGEMENT IN THE DEPARTMENT
7 OF ADMINISTRATION.

8 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
9 liabilities of the division of personnel management in the department of
10 administration become the assets and liabilities of the office of civil service.

11 (b) *Positions and employees.* On the effective date of this paragraph, all
12 positions and all incumbent employees in the classified service of the state civil
13 service holding those positions in the division of personnel management in the
14 department of administration are transferred to the office of civil service.

15 (c) *Employee status.* Employees transferred under paragraph (b) have all the
16 rights and the same status under chapter 230 of the statutes that they enjoyed
17 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,
18 no employee so transferred who has attained permanent status in class is required
19 to serve a probationary period.

20 (d) *Tangible personal property.* On the effective date of this paragraph, all
21 tangible personal property, including records, of the division of personnel
22 management in the department of administration is transferred to the office of civil
23 service.

24 (e) *Pending matters.* Any matter pending with the division of personnel
25 management in the department of administration on the effective date of this

1 paragraph is transferred to the office of civil service. All materials submitted to or
2 actions taken by the division of personnel management are considered as having
3 been submitted to or taken by the office of civil service.

4 (f) *Contracts.* All contracts entered into by the division of personnel
5 management in the department of administration in effect on the effective date of
6 this paragraph remain in effect and are transferred to the office of civil service. The
7 office of civil service shall carry out any obligations under those contracts unless
8 modified or rescinded by the office of civil service to the extent allowed under the
9 contract.

10 (g) *Rules and orders.* All rules promulgated by the division of personnel
11 management in the department of administration in effect on the effective date of
12 this paragraph remain in effect until their specified expiration dates or until
13 amended or repealed by the office of civil service. All orders issued by the division
14 of personnel management in effect on the effective date of this paragraph remain in
15 effect until their specified expiration dates or until modified or rescinded by the office
16 of civil service.”.

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1 administrator of the division of merit recruitment and selection in the ~~department~~
 2 ~~of administration~~ office of civil service to ensure that employees of the institution
 3 reflect the general population of either the county in which the institution is located
 4 or the most populous county contiguous to the county in which the institution is
 5 located, whichever population is greater. The ~~director~~ administrator of the ~~bureau~~
 6 division of merit recruitment and selection in the department of administration shall
 7 provide guidelines for the administration of this selection procedure.

8 **SECTION 52.** 938.538 (6m) (b) of the statutes, as affected by 2015 Wisconsin Act
 9 55, is amended to read:

10 938.538 **(6m)** (b) In the selection of classified service employees for a juvenile
 11 correctional facility authorized under 1993 Wisconsin Act 377, section 9108 (1) (a),
 12 the appointing authority shall make every effort to use the expanded certification
 13 program under s. 230.25 (1n) or rules of the ~~director~~ administrator of the ~~bureau~~
 14 division of merit recruitment and selection in the ~~department of administration~~
 15 office of civil service to ensure that the percentage of employees who are minority
 16 group members approximates the percentage of the juveniles placed at that juvenile
 17 correctional facility who are minority group members. The ~~director of the bureau~~
 18 administrator of the division of merit recruitment and selection shall provide
 19 guidelines for the administration of the selection procedure.

20 **SECTION 53. Nonstatutory provisions.**

21 (1) TERMINOLOGY CHANGES.

22 (a) Substitute "office of civil service" for "division of personnel management in
 23 the department of administration" or for "division of personnel management in the
 24 department", whichever is appropriate, in sections 16.004 (7) (a), ^{20.865(1)(am)} 20.916 (4) (a) and

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1 (5) (a), 20.923 (18) (a), 40.06 (1) (dm), 70.99 (3) (a), 73.09 (2), 230.90 (2), 233.10 (3)
 2 (c) 4. and (4), and 301.03 (5h) of the statutes, as affected by the acts of 2015.

3 (b) Substitute "director of the office of civil service" for "administrator of the
 4 division of personnel management in the department of administration" or
 5 "administrator of the division of personnel management in the department",
 6 whichever is appropriate, in sections 13.121 (4), 13.123 (1) (a) 1., 13.20 (2), 15.16 (1)
 7 (intro.), 15.165 (2), 16.40 (18), 16.415 (3), 16.50 (3) (f), 20.901 (1) (b), 20.916 (2), (4m)
 8 (b), and (9) (d) and (f) 1. and 3., 20.917 (1) (c) and (d), (2) (a), (3) (a) 1. and 2., (5) (b),
 9 and (6), 20.923 (7) (intro.), ^{20.928 (1f)} 36.09 (1) (j), 40.05 (4) (ag) 1. and 2. and (ah) 1. and (4g)
 10 (a) 4., 40.515 (1), 40.52 (3), 46.29 (3) (d), 227.47 (2), 321.64 (1) (c), and 978.12 (1) (c)
 11 of the statutes, as affected by the acts of 2015 *and SECTION 94 (1)*

12 (c) Substitute "office" for "division" in sections 111.815 (1), 111.89 (1), 111.92 (1)
 13 (a) 1., 230.04 (12), 230.046 (10) (title) and (intro.), 230.147 (3), 230.16 (7m) (b) (intro.)
 14 and (c), 230.21 (1m) (b), 230.25 (1p), 230.27 (2k), and 230.44 (1) (dm) of the statutes,
 15 as affected by the acts of 2015.

16 (d) Substitute "director of the office" for "administrator of the division" in
 17 sections 111.815 (2) and (3), 111.83 (3) (a), 111.91 (4), and 111.915 of the statutes, as
 18 affected by the acts of 2015.

19 (e) Substitute "director" for "administrator" in sections ^{(20.928 (1f))} 230.04 (title), (1), (2),
 20 (3), (4), (8), (9) (intro.), (9m), (9r) (b) (intro.), (10) (a), (b), and (c), (11), (12), (13) (intro.),
 21 ^(13m) (14), (15), ^{and (19)} (17), ^{and (19)} 230.046 (5) (c), (7), (8), and (9), 230.047 (8), 230.06 (1) (f), (g), and
 22 ^{230.06 (1) (m) and (4)} (L), 230.08 ⁽²⁾ (c) and (8), 230.09 (1) (intro.), (2) (a), (am), (b), (c), (d), and (g), and (3),
 23 230.12 (1) (a) 3., (c) 2., and (d) and (3) (a), (ad), (b), (c), (e) 1. and 2., (4), (5) (c), (7m),
 24 and (9), 230.15 (1m) (b) (intro.), ^{230.16 (1) (ap) and (4)} 230.215 (3) (a) and (b) and (4), 230.22 (1) and (2),
 25 230.24 (1), 230.32 (3), 230.33 (2), 230.34 (1) ^{(a) (intro.) and} (c) and (4), 230.35 (1) (d), (1m) (f), (2), (2r)
^{(230.25 (3) (a))}

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1 (b), (3) (d) and (e) 2. e. and 5., and (5) (b), 230.37 (1), 230.43 (5), and 230.44 (1) (b) and
2 (4) (bm) ^{and 230.44 5} of the statutes, as affected by the acts of 2015.

3 (f) Substitute "administrator" for "director" in sections 230.04 (3), 230.05 (title),
4 (1), (2) (b), (3), (4), (5), (6), (7), and (8), 230.08 (7), 230.09 (2) (g), 230.15 (1), (1m) (c),
5 (2), ^{and (1)} and (2m), 230.16 (1) ^(a) (am), (2), (3), (5), (9), and (11), 230.17, 230.18, 230.19 (1) ^{and} and
6 (2), 230.21 (1), (1m) (a) (intro.) and (b), (2), and (3), 230.213, 230.22 (3) and (4), 230.24
7 (1) and (1m), 230.25 (1), ^{e and} (1g) (1n) (a) (intro.) and (b), (2), (3) (b), (4), and (5), 230.26
8 (1), (1m), (2), and (5), 230.27 (1m) (b) and (2), 230.275 (1) (d), 230.28 (1) (a), (b), (bm)
9 (intro.), and (c), (3), and (4), 230.29, 230.30 (1), 230.31 (1) (b) ^e and (2), 230.32 (4) and
10 (5), 230.34 ^{(1)(a) 9,} (2) (b), (2m), and (3), 230.40 (6), and 230.44 (1) (a) and (dm) of the statutes,
11 ^{(a) and} as affected by the acts of 2015.

12 (2) ELIMINATION OF THE DIVISION OF PERSONNEL MANAGEMENT IN THE DEPARTMENT
13 OF ADMINISTRATION.

14 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
15 liabilities of the division of personnel management in the department of
16 administration become the assets and liabilities of the office of civil service.

17 (b) *Positions and employees.* On the effective date of this paragraph, all
18 positions and all incumbent employees in the classified service of the state civil
19 service holding those positions in the division of personnel management in the
20 department of administration are transferred to the office of civil service.

21 (c) *Employee status.* Employees transferred under paragraph (b) have all the
22 rights and the same status under chapter 230 of the statutes that they enjoyed
23 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,
24 no employee so transferred who has attained permanent status in class is required
25 to serve a probationary period.