2015 ASSEMBLY BILL 529


AN ACT to repeal 15.103  (6m), 15.105 (6) and (6m), 15.107 (3), 111.81 (5), 230.03 (5) and 230.08  (2) (xr); to renumber 20.505 (1) (ic), 20.505 (1) (jc), 20.505 (1) (kn) and 20.505 (1) (ks); to renumber and amend 20.505 (1) (kz); to amend 15.105 (title), 15.16 (1) (intro.), 16.415 (1), 19.45 (11) (a), 20.916 (8) (a), 20.923 (4) (intro.), 20.923 (4) (c) 3m. and (f) 1., 20.923 (8), 20.923 (9), 45.82 (2), 49.78 (5), 59.26 (8) (a), 73.09 (5), 73.09 (6) (2), 227.10 (3) (e), 230.02, 230.03 (9e), 230.04 (1m), 230.04 (5), 230.04 (9) (f), 230.04 (18), 230.05 (2) (a) and (9), 230.14 (4), 230.16 (1) (a), 230.16 (1) (b), 230.16 (6), 230.315 (1) (c), 230.46, 230.48 (2), 301.16 (1o) (b) and 938.538 (6m) (b); and to create 15.105 (29), 16.004 (16), 20.545, 20.923 (4) (c) 3n. and 3o., 111.81 (14), 230.03 (10w), 230.04 (16), 230.08 (2) (ya) of the statutes; relating to: creating an Office of Civil Service.

Analysis by the Legislative Reference Bureau
The 2015–17 biennial budget act, 2015 Wisconsin Act 55, restructured the Office of State Employment Relations (OSER) into a Division of Personnel
ASSEMBLY BILL 529

Management in the Department of Administration (DOA) and restructured the Division of Merit Recruitment and Selection in OSER into a Bureau of Merit Recruitment and Selection in the Division of Personnel Management. This bill restructures the Division of Personnel Management into the Office of Civil Service and attaches it to DOA for administrative purposes, restructures the Bureau of Merit Recruitment and Selection as a division in the Office of Civil Service, and creates the Division of Labor Relations and the Division of Affirmative Action in the Office of Civil Service.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 15.103 (6m) of the statutes, as created by 2015 Wisconsin Act 55, is repealed.

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

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

SECTION 3. 15.105 (6) and (6m) of the statutes, as created by 2015 Wisconsin Act 55, are repealed.

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

15.105 (29) Office of civil service. (a) Creation. There is created an office of civil service which is attached to the department of administration under s. 15.03 under the direction and supervision of a director. The director shall serve at the pleasure of the governor.

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

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

3. ‘Division of affirmative action.’ There is created in the office of civil service
a division of affirmative action. The administrator of the division of affirmative
action shall be nominated by the governor, and with the advice and consent of the
senate appointed for a 5-year term, under the unclassified service from a register of
at least 5 names certified to the governor by the director of the office of civil service.
The director of the office of civil service shall prepare and conduct an examination
for the position of administrator according to the requirements for classified
positions under subch. II of ch. 230. The administrator of the division may be
renominated by the governor, and with the advice and consent of the senate
reappointed.
SECTION 5. 15.107 (3) of the statutes, as created by 2015 Wisconsin Act 55, is repealed.

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

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

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

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

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

16.415 (1) Neither the secretary nor any other fiscal officer of this state may draw, sign, or issue, or authorize the drawing, signing, or issuing of any warrant on any disbursing officer of the state to pay any compensation to any person in the classified service of the state unless an estimate, payroll, or account for such compensation, containing the names of every person to be paid, bears the certificate of the appointing authority that each person named in the estimate, payroll, or account has been appointed, employed, or subject to any other personnel transaction in accordance with, and that the pay for the person has been established in accordance with, the law, compensation plan, or applicable collective bargaining agreement, and applicable rules of the administrator of the division of personnel
management in the department director of the office of civil service and the director of the bureau administrator of the division of of merit recruitment and selection in the department office of civil service then in effect.

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

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

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

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

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

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

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

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

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

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

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

2. **Federal grants and contracts.** All moneys received from the federal government to carry out the purposes for which made.

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

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

20.916 (8) (a) The administrator of the division of personnel management in the department of administration or the director of the office of civil service shall recommend to the joint committee on employment relations uniform travel schedule amounts for travel by state officers and employees whose compensation is established under s. 20.923 or 230.12. Such amounts shall include maximum permitted amounts for meal and lodging costs, other allowable travel expenses under sub. (9) (d), and porterage tips, except as authorized under s. 16.53 (12) (c). In lieu of the maximum permitted amounts for expenses under sub. (9) (b), (c), and (d), the administrator or director may recommend to the committee a per diem amount and method of reimbursement for any or all expenses under sub. (9) (b), (c), and (d).
SECTION 17. 20.923 (4) (intro.) of the statutes, as affected by 2015 Wisconsin
Act 55, is amended to read:

20.923 (4) STATE AGENCY POSITIONS. (intro.) State agency heads, the director
of the bureau administrator of the division of merit recruitment and selection in the
department of administration office of civil service and commission chairpersons and
members shall be identified and limited in number in accordance with the
standardized nomenclature contained in this subsection, and shall be assigned to the
executive salary groups listed in pars. (a) to (h). Except for positions specified in pars.
(c) 3m. and (g) 1e. and sub. (12), all unclassified division administrator positions
enumerated under s. 230.08 (2) (e) shall be assigned, when approved by the joint
committee on employment relations, by the administrator of the division of
personnel management in the department of administration director of the office of
civil service to one of 10 executive salary groups. The joint committee on employment
relations, by majority vote of the full committee, may amend recommendations for
initial position assignments and changes in assignments to the executive salary
groups submitted by the administrator of the division of personnel management in
the department of administration director of the office of civil service. All division
administrator assignments and amendments to assignments of administrator
positions approved by the committee shall become part of the compensation plan.
Whenever a new unclassified division administrator position is created, the
appointing authority may set the salary for the position until the joint committee on
employment relations approves assignment of the position to an executive salary
group. If the committee approves assignment of the position to an executive salary
group having a salary range minimum or maximum inconsistent with the salary
paid to the incumbent at the time of such approval, the incumbent’s salary shall be
adjusted by the appointing authority to conform with the committee’s action, effective on the date of that action. Positions are assigned as follows:

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

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

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

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

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

3o. Administration, department of; office of civil service; division of affirmative action: administrator.

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

20.923 (8) DEPUTIES. Salaries for deputies appointed pursuant to ss. 13.94 (3) (b), 15.04 (2), 230.04 (16), and 551.601 (1) shall be set by the appointing authority. The salary, other than the salary of the deputy secretary of the department of employee trust funds, shall not exceed the maximum of the salary range one range below the salary range of the executive salary group to which the department or agency head is assigned. The associate director of the historical society shall be treated as an unclassified deputy for pay purposes under this subsection. The salary of the deputy director of the office of business development in the department of administration is assigned to executive salary group 2.
SECTION 21. 20.923 (9) of the statutes, as affected by 2015 Wisconsin Acts 55 and 58, is amended to read:

20.923 (9) ASSISTANT DEPUTY SECRETARY AND EXECUTIVE ASSISTANTS. Salaries for assistant deputy secretaries and executive assistants appointed under ss. 15.05 (3) and 15.06 (4m) shall be set by the appointing authority. The salary for an assistant deputy secretary or an executive assistant appointed under s. 15.05 (3) or 15.06 (4m), other than the salary for the executive assistant to the director of the technical college system and the assistant deputy secretary of the department of employee trust funds, may not exceed the maximum of the salary range 2 ranges below the salary range for the executive salary group to which the department or agency head is assigned. The position of administrative assistant to the lieutenant governor shall be treated as are executive assistants for pay purposes under this subsection. The salary for the executive assistant appointed under s. 230.04 (16) shall be set by the appointing authority. The salary for that position may not exceed the maximum of the salary range 2 ranges below the salary range for the executive salary group to which the appointing authority is assigned.

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

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

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

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

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

59.26 (8) (a) In any county with a population of less than 500,000, the board, by ordinance, may fix the number of deputy sheriffs to be appointed in that county at not less than that number required by sub. (1) (a) and (b) and may set the salary
of those deputies. Subject to sub. (10), the board may provide by ordinance that
deputy sheriff positions be filled by appointment by the sheriff from a list of all
persons with the 3 highest scores for each position based on a competitive
examination. Such competitive examinations may be by a county civil service
commission or by the bureau division of merit recruitment and selection in the
department of administration office of civil service at the option of the board and it
shall so provide by ordinance. The bureau division of merit recruitment and selection
shall, upon request of the board, conduct such examination according to the methods
used in examinations for the state civil service and shall certify an eligible list of the
names of all persons with the 3 highest scores on that examination for each position
to the sheriff of that county who shall, subject to sub. (10), make an appointment from
that list to fill the position within 10 days after he or she receives the eligible list.
The county for which such examination is conducted shall pay the cost of that
examination. If a civil service commission is decided upon for the selection of deputy
sheriffs, then ss. 63.01 to 63.17 shall apply so far as consistent with this subsection,
except ss. 63.03, 63.04 and 63.15 and except the provision governing minimum
compensation of the commissioners. The ordinance or an amending ordinance may
provide for employee grievance procedures and disciplinary actions, for hours of
work, for tours of duty according to seniority and for other administrative
regulations. Any board provision consistent with this paragraph and existing on
July 25, 1951, is validated. If the sheriff fills a deputy sheriff position by promotion,
the sheriff shall, subject to sub. (10), make the appointment to the position from a
list of 3 deputy sheriffs who receive the highest scores in a competitive examination.
Such competitive examinations may be by a county civil service commission or by the
bureau division of merit recruitment and selection in the office of civil service at the option of the board and it shall so provide by ordinance.

**SECTION 25.** 73.09 (5) of the statutes, as affected by 2015 Wisconsin Act 55, is amended to read:

73.09 (5) Examinations. As provided in subs. (1) and (2), the department of revenue, assisted by the bureau division of merit recruitment and selection in the department of administration office of civil service, shall prepare and administer examinations for each level of certification. Persons applying for an examination under this subsection shall submit a $20 examination fee with their application. Certification shall be granted to each person who passes the examination for that level.

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

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

111.81 (14) “Office” means the office of civil service.

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

111.86 (2) The division office shall charge a state department or agency the employer’s share of the cost related to grievance arbitration under sub. (1) for any arbitration that involves one or more employees of the state department or agency. Each state department or agency so charged shall pay the amount that the division charges from the appropriation account or accounts used to pay the salary of the grievant. Funds received under this subsection shall be credited to the appropriation account under s. 20.505 (1) (ks) 20.545 (1) (km).
SECTION 29. 227.10 (3) (e) of the statutes, as affected by 2015 Wisconsin Act 55, is amended to read:

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

SECTION 30. 230.02 of the statutes, as affected by 2015 Wisconsin Act 55, is amended to read:

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

SECTION 31. 230.03 (5) of the statutes, as created by 2015 Wisconsin Act 55, is repealed.

SECTION 32. 230.03 (9e) of the statutes, as affected by 2015 Wisconsin Act 55, is amended to read:

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

SECTION 33. 230.03 (10) of the statutes, as affected by 2015 Wisconsin Act 55, is amended to read:

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

SECTION 34. 230.03 (10w) of the statutes is created to read:

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

SECTION 35. 230.04 (1m) of the statutes, as affected by 2015 Wisconsin Act 55, is amended to read:
230.04 (1m) The administrator director may delegate, in writing, any of his or her functions set forth in this chapter to an appointing authority, within prescribed standards if the administrator director finds that the agency has personnel management capabilities to perform such functions effectively and has indicated its approval and willingness to accept such responsibility by written agreement. If the administrator director determines that any agency is not performing such delegated function within prescribed standards, the administrator director shall forthwith withdraw such delegated function. Subject to the approval of the joint committee on finance, the administrator director may order transferred to the division office from the agency to which delegation was made such agency staff and other resources as necessary to perform such functions if increased staff was authorized to that agency as a consequence of such delegation or if the division office reduced staff or shifted staff to new responsibilities as a result of such delegation. Any delegatory action taken under s. 230.09 (2) (a) or (d) or 230.13 (1) by an appointing authority may be appealed to the commission under s. 230.44 (1) (b). The administrator director shall be a party in such an appeal.

SECTION 36. 230.04 (5) of the statutes, as affected by 2015 Wisconsin Act 55, is amended to read:

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

SECTION 37. 230.04 (9) (f) of the statutes, as affected by 2015 Wisconsin Act 55, is amended to read:
230.04 (9) (f) Establish an affirmative action subunit. The affirmative action subunit shall advise and assist the director, the administrator, and agency heads on establishing policies and programs to ensure appropriate affirmative action. The subunit shall advise and assist the administrator director in monitoring such programs and shall provide staff to the council on affirmative action.

SECTION 38. 230.04 (16) of the statutes is created to read:

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

SECTION 39. 230.04 (18) of the statutes, as affected by 2015 Wisconsin Act 55, is amended to read:

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

SECTION 40. 230.05 (2) (a) and (9) of the statutes, as affected by 2015 Wisconsin Act 55, are amended to read:

230.05 (2) (a) Except as provided under par. (b), the director administrator may delegate, in writing, any of his or her functions set forth in this subchapter to an appointing authority, within prescribed standards if the director administrator finds that the agency has personnel management capabilities to perform such functions effectively and has indicated its approval and willingness to accept such responsibility by written agreement. If the director administrator determines that any agency is not performing such delegated function within prescribed standards,
the director administrator shall withdraw such delegated function. The director administrator may order transfer to the bureau division from the agency to which delegation was made such agency staff and other resources as necessary to perform such functions if increased staff was authorized to that agency as a consequence of such delegation or if the bureau division reduced staff or shifted staff to new responsibilities as a result of such delegation subject to the approval of the joint committee on finance. Any delegatory action taken under this subsection by any appointing authority may be appealed to the commission under s. 230.44 (1) (a). The director administrator shall be a party in such appeal.

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

SECTION 41. 230.08 (2) (e) 8j. of the statutes is created to read:

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

SECTION 42. 230.08 (2) (xr) of the statutes, as created by 2015 Wisconsin Act 55, is repealed.

SECTION 43. 230.08 (2) (ya) of the statutes is created to read:

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

SECTION 44. 230.14 (4) of the statutes, as affected by 2015 Wisconsin Act 55, is amended to read:

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

SECTION 45. 230.16 (1) (a) of the statutes, as affected by 2015 Wisconsin Act 55,
is amended to read:

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

SECTION 46. 230.16 (1) (b) of the statutes, as affected by 2015 Wisconsin Act 55,
is amended to read:

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

SECTION 47. 230.16 (6) of the statutes, as affected by 2015 Wisconsin Act 55,
is amended to read:

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

SECTION 48. 230.315 (1) (c) of the statutes, as affected by 2015 Wisconsin Act
55, is amended to read:

230.315 (1) (c) The employee has received a military leave of absence under s.
230.32 (3) (a) or 230.35 (3), under a collective bargaining agreement under subch. V
of ch. 111, or under rules promulgated by the division office of civil service or is
eligible for reemployment with the state under s. 321.64 after completion of his or
her service in the U.S. armed forces.
SECTION 49. 230.46 of the statutes, as affected by 2015 Wisconsin Act 55, is amended to read:

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

SECTION 50. 230.48 (2) of the statutes, as affected by 2015 Wisconsin Act 55, is amended to read:

230.48 (2) **Personnel, facilities and equipment.** The administrator shall appoint, under the classified service, a secretary and such other employees as are necessary to carry out the duties of the state employees suggestion board, and shall provide such facilities and equipment as that board requires for the proper performance of its work. The state employees suggestion board may request and shall receive from any state department any assistance that it requires.

SECTION 51. 301.16 (1o) (b) of the statutes, as affected by 2015 Wisconsin Act 55, is amended to read:

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

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

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

SECTION 53. Nonstatutory provisions.

(1) Terminology changes.

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

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

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

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

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

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

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

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

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

(c) Employee status. Employees transferred under paragraph (b) have all the
rights and the same status under chapter 230 of the statutes that they enjoyed
immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,
no employee so transferred who has attained permanent status in class is required
to serve a probationary period.
(d) **Tangible personal property.** On the effective date of this paragraph, all tangible personal property, including records, of the division of personnel management in the department of administration is transferred to the office of civil service.

(e) **Pending matters.** Any matter pending with the division of personnel management in the department of administration on the effective date of this paragraph is transferred to the office of civil service. All materials submitted to or actions taken by the division of personnel management are considered as having been submitted to or taken by the office of civil service.

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

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

(END)