

CHAPTER 228

AN ACT to repeal subchapter I (heading) and (title), 15.01, 15.02, subchapter III (heading) and (title), 15.50, 15.51, 15.52 (intro. par.), (2) and (3), 15.53 (2) and (3), subchapter IV (heading) and (title), 15.55, 15.67, subchapter V (heading) and (title) and 15.76, 15.77 (7) and (8), 15.775, 15.778, 15.82 and 15.83 (4) of chapter 15, 16.01 (2), 16.02 (5), 20.230, 20.350, 20.360 (3), 20.600, 20.680 and 20.930 (1) (a) (lines 9, 19, 20, 38 and 44) and 35.04 (1); to renumber 14.205, 15.04 to 15.09, 15.10 (intro. par.) and (1) to (4), (6), 15.11 (2), 15.12, 15.13, 15.14 (1), 15.15 to 15.18, 15.20, 15.205, 15.52 (1) and (4), 15.53 (1), 15.54 (1) to (4), 15.56 to 15.66, 15.77 (intro. par.) and (1) to (6), (9) to (12), (14), 15.78 to 15.81, 15.83 (intro. par.) and (1) to (3), 15.84, 15.845 (3) to (7), 16.31 to 16.766 and 63.01 to 63.155; to renumber and amend 15.10 (5), 15.11 (1), 15.14 (2) to (5), 15.54 (intro. par.), 15.77 (13) and (15) and 15.845 (1) and (2) and 20.330; to amend 13.351 (2) (b), 14.233, 14.72, 15.04 (1), 15.05 (1), 15.07, 15.15 (5) and (6), 15.16 (6) (b) and (c), 15.22 (3a), 15.56 (4), 15.59, 15.60 (7), 15.61 (2), 15.62, 15.64 (7), 15.65 (5) (b) and (e), 15.66 (4) (b), 15.77 (intro. par.), (1), (5) (a) and (6), 15.78, 15.80, 16.05 (5), 17.07 (3), 20.330 (intro. par.) and 101.31 (3) (a); to repeal and recreate chapter 16 (title), 16.01 (1), 16.05 (4), 20.930 (2) (b), chapter 63 (title) and chapter 64 (title); and to create 14.72 (5) to (7), subchapter I and subchapters II, III, IV and V (headings) and (titles) of chapter 16, 16.03 (5), 20.125, 35.01 (8) and subchapters I and II (headings) and (titles) of chapter 64 of the statutes, relating to the abolition of the department of budget and accounts, bureau of engineering, bureau of personnel, bureau of purchases, division of departmental research and the creation of a state department of administration, a board on government operations and making appropriations.

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

SECTION 1. 13.351 (2) (b) of the statutes is amended to read:

13.351 (2) (b) The commission shall have all the powers * * * necessary to carry out its duties and is authorized to accept all donations, gifts and bequests made to the state for public building purposes, including any grants that may be made by the federal government and to apply the same in accordance with the terms of the grant or the wishes of the donors, insofar as such is practicable. In the construction of all new buildings or additions to existing buildings used for housing state offices and constructed for general state purposes and not specially for the use of any particular state agency, the state building commission shall function with respect to such construction in the same manner as other state agencies function with respect to buildings constructed for such agencies. The commission shall have authority to * * * fix the rental * * * for all space in such buildings, and, notwithstanding any other * * * statute, shall have authority to remove to * * * any building any * * * department housed in the state capitol other than the constitutional offices. After the completion of such buildings, they shall be in the charge of the * * * department of administration as provided by s. * * * 16.85. The commission with respect to any of such buildings shall have all the powers so far as applicable as were conferred by law on the state office building commission with respect to the state office building.

SECTION 2. 14.205 of the statutes is renumbered 16.54.

SECTION 2a. 14.233 of the statutes is amended to read:

14.233 The governor is directed to co-ordinate *and insure* the * * * provision of services required by more than one state agency, including without limitation because of enumeration, the use of state communication facilities, business equipment and related personnel so as to permit more efficient and economical operation of state agencies. * * * *The cost of such services shall be charged according to the provisions of s. 20.903.*

SECTION 3. 14.72 of the statutes is amended to read:

14.72 (1) There is constituted * * * a board on government operations to be composed of * * * the chairman of the senate finance committee * * *, the chairman of the assembly finance committee, 2 senators and 3 assemblymen chosen by the party caucuses of the respective houses. Each of the 2 parties having the greatest representation in the senate and assembly shall select one representative. The board on government operations shall choose its own chairman at its first meeting and biennially thereafter. In case of a vacancy in * * * the chairmanship of * * * either finance committee, due to death, resignation, disability or other cause occurring during the interim of the legislature, the next ranking member of the finance committee of that house according to order of appointment shall serve as a member of the board until such vacancy is filled by the legislature. The legislative members shall be paid a per diem of \$10 for each day actually devoted to the discharge of the duties of the board or of any special duties performed at the request of the governor, except while the legislature is in session, and shall be reimbursed their actual and necessary expenses, from the appropriation made in s. 20.330 (1). Regular meetings shall be held quarterly and special meetings shall be held upon call of the governor. The board may employ such assistants as it * * * deems necessary and fix their compensation, on the same basis as employees of the executive * * * office. The * * * commissioner of administration shall serve ex officio as secretary of the board. The state auditor shall attend such meetings * * * as the board * * * requests.

(2) The * * * board on government operations is authorized to supplement the appropriation of any department, board, commission or agency, which is insufficient because of unforeseen emergencies or insufficient to accomplish the purpose for which made, if the board finds:

- (a) That an emergency exists;
- (b) That no funds are available for such purposes * * * ; * * *
- (c) That the purposes for which a supplemental appropriation or transfer is requested have been authorized or directed by the legislature * * * ; or

(2a) *The board on government operations is authorized to transfer between appropriations if the board finds that unnecessary duplication of functions can be eliminated or more efficient and effective methods for performing activities will result because of such transfer and if the board finds that the legislative intent will not be affected as the result of such transfer.*

(3) All requests for supplemental appropriations or appropriation transfers shall be filed with the secretary of the board in writing and shall contain a statement of the amount requested, the purposes therefor, the statutory provision authorizing or directing the performance of the function, the nature of the emergency, and such other information as the board

may require. *The governor shall submit his recommendation on the request to the board.* All such requests shall be afforded a public hearing for which at least 10 days' advance notice shall be given in the official state paper.

(4) All grants of supplemental appropriations under this section shall be by written order and shall be signed by any * * * 4 members of the board. Such written order shall contain a statement of the findings of fact specified in sub. (2) and that a public hearing was held after the requisite notice. *All transfers of appropriations and grants of supplemental appropriations may be approved in whole or in part by the governor and the part approved shall be so ordered, and the part objected to shall be returned to the board for reconsideration. If, after such reconsideration, 5 members of the board shall sign the part objected to, it shall be so ordered.* Copies of each such order shall be filed with the * * * department of administration, the state auditor and the legislative reference library.

SECTION 4. 14.72 (5) to (7) of the statutes are created to read:

14.72 (5) The board may request specific information from the commissioner or any employe of the department of administration relative to the operations of the department, and require filing of progress reports on the operation of the department. The board shall file with the legislative council by August 1 of each even-numbered year recommendations and legislative proposals which will improve the administration of the state's agencies, and a report on the work performed and accomplishments of the department of administration which shall be a public document.

(6) The board may inquire into the operations or activities of any agency, department, board, institution or commission of the state, for the purpose of determining better methods, systems or procedures for improving state government operations.

(7) Within one week after the general election in November of even-numbered years, if the incumbent governor is not re-elected, the board on government operations shall convene and grant a release of funds to the newly elected governor, to enable him to begin a review and analysis of the budget, to hire staff and obtain space, and to do such other tasks as the board approves. Funds released by the board shall be appropriated to the executive office and any staff employed or expenses incurred by the incoming governor shall be charged to such appropriation. Employes of the incoming governor shall be placed on the payroll of the executive office.

SECTION 5. Subchapter I (heading) and (title) of chapter 15, 15.01 and 15.02 of the statutes are repealed.

SECTION 6. 15.04 to 15.09 and 15.10 (intro. par.) and (1) to (4) of the statutes are renumbered 16.40 to 16.45 and 16.46 (intro. par.) and (1) to (4), respectively, and 16.40 (1), 16.41 (1) and 16.43, as renumbered, are amended to read:

16.40 (1) To discharge all duties in connection with the compilation of the biennial state budget report imposed by ss. * * * 16.42 to 16.46.

16.41 (1) All departments shall keep their accounts and other financial records as prescribed by the director under s. * * * 16.40 (5), except as otherwise specifically directed by law. All such departments shall also furnish to the director all information relating to their financial transactions which he may call for pursuant to this subchapter and shall render such assistance in connection with the preparation of the state budget report and the budget bill and in auditing accounts, as the director or the governor may require.

16.43 The director * * * shall compile and submit to the governor-elect, not later than November 20 of each even-numbered year, a compilation giving all of the data required by s. * * * 16.46 to be included in the state budget report, except the recommendations of the governor and the explanations thereof.

SECTION 7. 15.10 (5) of the statutes is renumbered 16.46 (5) and amended to read:

16.46 (5) A statement of the actual and estimated receipts and disbursements of each department and of all state aids and activities during the preceding and the current biennium, * * * the departmental estimates and requests, and the recommendations of the governor for the succeeding biennium. Estimates of expenditures shall be classified to set forth such expenditures by funds, organization units, appropriation, object and activities at the discretion of the director * * *;

SECTION 8. 15.10 (6) of the statutes is renumbered 16.46 (6).

SECTION 9. 15.11 (1) of the statutes is renumbered 16.47 (1) and amended to read:

16.47 (1) The executive budget bills shall incorporate the governor's recommendations for appropriations for the succeeding biennium. One bill shall cover each of the following operating funds: the general fund, the highway fund and the conservation fund. Each appropriation in each bill except those for highway construction and aids to local units * * * may be divided into 3 allotments; personal services, other operating expenses, and capital outlay, or appropriations may be made in total for all expense. *The appropriation method shall in no way affect the amount of detail or manner of presentation which may be requested by the joint committee on finance. Appropriation requests shall be divided into 3 allotments; personal services, other operating expenses and capital outlay.* Immediately after the delivery of the budget message, the bills shall be introduced without change into either house by the joint finance committee and when introduced shall be referred to that committee.

SECTION 10. 15.11 (2), 15.12, 15.13 and 15.14 (1) of the statutes are renumbered 16.47 (2), 16.48, 16.49 and 16.50 (1), respectively.

SECTION 11. 15.14 (2) to (5) of the statutes are renumbered 16.50 (2) to (5), respectively, and amended to read:

16.50 (2) The director * * * shall examine each such estimate to determine whether appropriations are available therefor and can be made without incurring danger of exhausting such appropriations before the end of the appropriation period and whether there will be sufficient revenue to meet such contemplated expenditures. If satisfied that such estimate meets these tests, he shall approve the same; otherwise he shall disapprove the same, in whole or in part, as the facts may require. If the director is satisfied that an estimate for any period is more than sufficient for the execution of the normal functions of a department, he may modify or withhold such estimates.

(3) It * * * is unlawful for any department, except the legislature and the courts, to increase the salary of any employe, to employ any additional employes, or to expend money or incur any obligations except in accordance with an estimate submitted to the director * * * as provided in sub. (1) and which shall have been approved either by such director or by the governor. Approval by the director * * * shall not be necessary for

any expenditure which * * * *may* be made only with the approval of the governor. No salary increase shall be approved unless it is within the salary ranges fixed by the * * * personnel *board*.

(4) Any department feeling itself aggrieved by the refusal of the director * * * to approve any estimate, or any item therein, may appeal from his decision to the governor, who, after a hearing and such investigation as he deems necessary, may set aside or modify such decision.

(5) The director * * * shall not draw his warrant for payment of any expenditures incurred by any department for which the approval of the director or the governor is necessary under this section, unless such expenditure was made in accordance with an estimate submitted to and approved by the director * * * or by the governor.

SECTION 12. 15.15 to 15.18 of the statutes are renumbered 16.51 to 16.53, respectively, and 16.51 (5) and (6) and 16.52 (6) (b) and (c), as renumbered, are amended to read:

16.51 (5) Keep and state all accounts in which the state is interested as provided in s. * * * 16.52.

(6) Examine, determine and audit, according to law, the claims of all persons against the state as provided in s. * * * 16.53.

16.52 (6) (b) Pursuant to s. * * * 16.74 and subject to ss. * * * 16.53 and 20.902 local purchases may be made or miscellaneous expenses incurred by any state department.

(c) Any department feeling itself aggrieved by the refusal of the director * * * to approve any proposed encumbrance or payment under this section or s. * * * 16.53 may appeal from his decision to the governor, who, after a hearing and such investigation as he deems necessary, may set aside or modify such decision.

SECTION 13. 15.20 and 15.205 of the statutes are renumbered 16.54 (5) and 16.55, respectively.

SECTION 14. 15.22 (3a) of the statutes is amended to read:

15.22 (3a) ANNUAL AUDIT OF DEPARTMENT OF ADMINISTRATION. Annually audit the *central accounting* records of the department of * * * *administration*. A detailed report of such audit shall be filed * * * *as provided by sub. (3)*, and copies shall be provided to each member or member-elect of the legislature and shall be available in limited number to the public. He shall also prepare a summary of such audit report, for distribution in the same manner as the Wisconsin Blue Book under s. 35.84 (14).

SECTION 15. Subchapter III (heading) and (title) of chapter 15 and 15.50, 15.51, 15.52 (intro. par.), (2) and (3) and 15.53 (2) and (3) of the statutes are repealed.

SECTION 16. 15.52 (1) and (4) and 15.53 (1) of the statutes are renumbered 16.004 (5), (6) and (7), respectively.

SECTION 17. Subchapter IV (heading) and (title) of chapter 15 of the statutes are repealed.

SECTION 18. 15.54 (intro. par.) of the statutes is renumbered 16.70 (intro. par.) and amended to read:

16.70 PURCHASING. (intro. par.) As used in ss. * * * 16.70 to 16.81 the following terms shall mean:

SECTION 19. 15.54 (1) to (4) of the statutes are renumbered 16.70 (1) to (4).

SECTION 20. 15.55 of the statutes is repealed.

SECTION 21. 15.56 to 15.66 of the statutes are renumbered 16.71 to 16.82, respectively, and 16.71 (4), 16.74, 16.75 (7), 16.76 (2), 16.77, 16.79 (7), 16.80 (5) (b) and (e) and 16.82 (4) (b), as renumbered, are amended to read:

16.71 (4) Coal and other solid fuel for state owned or operated heating or heating and power plants wherein the annual requirements are in excess of 50 tons, to be purchased on contracts pursuant to specifications supplied * * * *under s. 16.90.*

16.74 Except as otherwise provided in ss. * * * *16.71 to 16.82* and in the rules * * * adopted pursuant thereto, all supplies, materials, equipment and contractual services shall be purchased for and furnished to any office only upon requisition to the director * * *. The director * * * shall prescribe the form, contents, number and disposition of requisitions and shall prescribe * * * *rules* as to time and manner of submitting such requisitions for processing. He shall also provide rules * * * for the transfer of surplus supplies, materials and equipment in any department to another which may have need therefor, and for the disposal by private or public sale of supplies, materials and equipment which are obsolete. In either case due credit shall be given to the department releasing same.

16.75 (7) Stationery and printing shall be purchased from the lowest bidder without regard to the amount of the purchase, except when the director * * * exercises the discretion vested in him by s. * * * *16.82 (4).*

16.76 (2) The director * * * *may* enter into continuing agreements and flexible contracts in anticipation of the needs of departments, which provide for deliveries of specified articles at stated prices, which prices may be lowered through market conditions, but not increased at any time during the life of said continuing agreements or flexible contracts, except as may result from adjustments of the base price in contracts for coal let upon specifications as provided in s. * * * *16.90 (1).* No such continuing agreements or flexible contract shall exceed one year's duration.

16.77 No bill or statement for work or labor performed under purchase orders or contracts issued by the director * * * or his designated agents, and no bill or statement for supplies, materials, equipment or contractual services purchased for and delivered to any office shall be paid until such bill or statement shall have been approved by the director * * * or his designated agents. Whenever any officer or any subordinate of such officer shall contract for the purchase of supplies, material, equipment or contractual services contrary to the provisions of ss. * * * *16.71 to 16.82* or the rules * * * made pursuant thereto, such contract shall be void, and any such officer shall be liable for the cost thereof, and if such supply, material, equipment or contractual services so unlawfully purchased has been paid for out of public moneys, the amount thereof may be recovered in the name of the state in an action filed by the attorney general against such officer or subordinate and his bondsmen. Such cause of action shall be deemed to have arisen in Dane county, and summons shall be served therein as in civil actions.

16.79 (7) The authorization to perform multilith or similar reproduction services under subs. (5) and (6) or under s. * * * *16.81 (4)* shall not extend to the use of metal plates.

16.80 (5) (b) Any such photographic reproduction shall be deemed to be an original record for all purposes, provided: 1. That such reproduction is upon film which complies with the minimum standards of quality

approved for permanent photographic records by the national * * * *archives and records service of the general services administration*; 2. that the device used to reproduce the records on film shall be one which accurately reproduces the content of the original; 3. that each reel or part of a reel of microfilm shall carry at the beginning a title target giving the name of the agency, brief title of record series, the microfilming project registration number assigned by the committee on public records, and at the end the camera operator's certificate showing the microfilming project registration number, reel number, brief title of record series, a brief description of the first and last document on the reel or part of reel of film, together with a statement signed by the operator substantially as follows: I hereby certify that I have on this ____ day of _____, 19____, photographed the above-described documents in accordance with standards established by * * * *sub. (5) (b)* and with established procedures; and 4. that a statement of compliance with the minimum standards for quality of film and for processing and developing permanent photographic records as provided by the national * * * *archives and records service of the general services administration* shall be photographed on each reel or part of a reel of microfilm immediately following the operator's certificate and authenticated by the company developing or processing the film by signing the statement on the film with an acetate ink or perforating the film with a punch or device suitable for that purpose. The certificate of the operator and the statement of compliance shall be presumptive evidence that all conditions and standards prescribed by this section have been complied with.

(e) All contracts for photographic reproduction of records to be made as provided in this section shall be entered into by the director * * * as provided by s. * * * 16.71 and the cost of making such photographic reproduction shall be paid out of the appropriation of the state agency having the reproduction made.

16.82 (4) (b) In deciding whether to use this discretion, the director shall take into consideration the availability of machines, equipment and personnel for such work in any agency; the maintenance of a uniform work load for employes of the * * * *department of administration*; the urgency of the work; the relative cost of reproduction by the * * * *department of administration* as against the cost of outside work; the preference of the state agency ordering the work.

SECTION 22. 15.67 of the statutes is repealed.

SECTION 23. Subchapter V (heading) and (title) of chapter 15 and 15.76 of the statutes are repealed.

SECTION 24. 15.77 (intro. par.) and (1) to (6) of the statutes are renumbered 16.85 (intro. par.) and (1) to (6), respectively, and 16.85 (intro. par.), (1), (5) (a) and (6), as renumbered, are amended to read:

16.85 (intro. par.) The * * * *department of administration* shall exercise the powers and duties prescribed by ss. * * * 16.85 to 16.92:

(1) To take charge of and supervise all engineering or architectural services or construction work performed by, or for, the state, or any department, board, institution, commission or officer thereof, *including non-profit-sharing corporations organized for the purpose of assisting the state in the construction and acquisition of new buildings or improvements and additions to existing buildings as contemplated under ss. 14.89, 36.06, and 37.02*, except the engineering, architectural and construction work of the state highway commission and the engineering service performed by

the industrial commission, department of taxation, public service commission, board of health and other departments, boards and commissions when such service is not related to the maintenance, construction and planning of the physical properties of the state;

(5) (a) To have charge of, operate, maintain and keep in repair the state capitol building and the grounds connected therewith, the executive residence, the light, heat and power plant, *state office buildings* and such other state properties as may be designated by law; to appoint such number of policemen as may be necessary to safeguard all public property placed by law in his charge, and, personally or by any such policeman, to arrest, with or without warrant, any person violating any law within or around any of said properties. Nothing in this paragraph limits or impairs the duty of the chief and each policeman of the police force of the * * * *municipality in which the property is located* to arrest and take before the proper court or magistrate persons found in a state of intoxication or engaged in any disturbance of the peace or violating any law of the state, except s. 15.90 (2), in or around any of said properties located in the * * * *municipality in which the property is located*, as required by s. 62.09 (13).

(6) To approve the appointment, subject to the * * * *classified service*, of a principal engineer or architect * * * *for departments, boards and commissions* and when *such* continuous service is needed. *No such engineer or architect shall be employed without the written approval of the director.*

SECTION 25. 15.77 (7) and (8) of the statutes are repealed.

SECTION 26. 15.77 (9) to (12) and (14) of the statutes are renumbered 16.85 (7) to (10) and (12), respectively.

SECTION 27. 15.77 (13) and (15) of the statutes are renumbered 16.85 (11) and (13) and amended to read:

16.85 (11) To have the responsibility, subject to approval by the governor, for all functions relating to the acquisition, allocation and utilization of office space by the state * * *.

(13) To * * * *approve* administrative district boundaries of the several state agencies *unifying them* where possible in order to facilitate the acquisition and maintenance of suitable district headquarters in the several parts of the state.

SECTION 28. 15.775 and 15.778 of the statutes are repealed.

SECTION 29. 15.78 to 15.81 of the statutes are renumbered 16.86 to 16.89, respectively, and 16.86 and 16.88, as renumbered, are amended to read:

16.86 The engineer or architect employed pursuant to s. * * * 16.85 (6) shall have charge and supervision of the work of the department, board, commission or officer by whom employed, subject, however, to the general direction of the * * * *department of administration* and the immediate direction of the department, board, commission or officer.

16.88 The cost of services furnished pursuant to s. * * * 16.85 (2) to (4), (6) * * * and (7) * * * shall be charged to and paid out of *available funds* for the respective * * * *projects*, whenever in the judgment of the * * * *director the charges are warranted* and the cost of the services can be ascertained with reasonable accuracy.

SECTION 30. 15.82 of the statutes is repealed.

SECTION 31. 15.83 (intro. par.) and (1) to (3) of the statutes are renumbered 16.90 (intro. par.) and (1) to (3), respectively.

SECTION 32. 15.83 (4) of the statutes is repealed.

SECTION 33. 15.84 of the statutes is renumbered 16.91.

SECTION 34. 15.845 (1) and (2) of the statutes are renumbered 16.92 (1) and (2) and amended to read:

16.92 STATE PLANNING. (1) STATE PLANNING. There is * * * assigned to the department of administration a state planning * * * function.

(2) DIRECTOR, ADDITIONAL DUTIES. The * * * director shall * * * cooperate with and assist all local planning agencies in the state to the end that their activities may be properly co-ordinated in the interest of the state as a whole; to gather and disseminate city, town, and regional planning information; to co-operate with the conservation commission in the development of a recreational system plan for the state; to co-operate with the state board of health in the regulation and control of lake and stream platting. * * *

SECTION 35. 15.845 (3) to (7) of the statutes are renumbered 16.92 (3) to (7).

SECTION 36. Chapter 16 (title) of the statutes is repealed and recreated to read:

CHAPTER 16.
DEPARTMENT OF ADMINISTRATION.

SECTION 37. Subchapter I of chapter 16 of the statutes is created to read:

SUBCHAPTER I.
GENERAL ADMINISTRATION.

16.001 ORGANIZATION OF DEPARTMENT. (1) PURPOSES. The purposes of this chapter are to conserve the state's resources by coordinating management services and providing effective aid to agencies of the state government; to present clearly defined alternatives and objectives of state programs and policies so that the state's agencies, the governor and the legislature may plan co-operatively and finance the services which the state will provide for its citizens; to help the state's agencies furnish the agreed upon services as efficiently and effectively as possible, avoiding any duplication of effort or waste of money; to assure the legislature and the governor that the services are being provided to the public at the agreed upon quantity, quality and cost; and to anticipate and resolve administrative and financial problems faced by the agencies, governor and legislature of the state.

(2) LIBERAL CONSTRUCTION OF STATUTES. Statutes applicable to the department of administration shall be construed liberally in aid of the purposes declared in sub. (1).

16.002 DEFINITIONS. The following words have the designated meanings in this chapter unless a different meaning is expressly provided or the context clearly indicates a different meaning:

(1) "Department" means the department of administration, its officers and employees.

(2) "Commissioner" means the commissioner of administration, who shall be the head of the department.

(3) "Deputy" or "deputy commissioner" means the deputy commissioner of administration.

(4) "Director" means the head of a bureau in the department of administration.

(5) "Bureau" means the major organizational units within the department.

(6) "Board" means the personnel board.

(7) "Departments" or "agency" means any state officers, departments, boards and commissions; all state educational, charitable, correctional and other institutions; all societies and associations, and other agencies of the state government for which appropriations are made by law from state revenues.

16.003 DEPARTMENT OF ADMINISTRATION. (1) CREATION. There is created a department of administration, consisting of a commissioner who shall be the principal executive officer responsible for the formulation of department policies and for the execution of the duties and functions assigned to the department, a deputy commissioner and employes. The department is created to carry out the purposes of this chapter by improving the techniques used for such management specialties, not limited by enumeration, as budgeting, accounting, engineering, purchasing, and personnel and records management; by co-ordinating and providing services which are used by more than one agency, and by reviewing agencies' programs and management to identify problems and suggest improvements.

(2) **COMMISSIONER AND DEPUTY.** The commissioner shall be appointed by the governor outside the classified service by and with the advice and consent of the senate, and shall serve at the pleasure of the governor. He shall be appointed on the basis of recognized interest, administrative and executive ability, training and experience in and knowledge of problems and needs in the field of general administration. The deputy shall be appointed by the commissioner outside the classified service for an indefinite term. In the absence or disability of the commissioner, the deputy shall exercise the commissioner's powers and authority, and shall perform such other duties as the commissioner prescribes.

(3) **STAFF.** The commissioner shall appoint the staff necessary for performing the duties of the department, subject to the classified service. When a vacancy occurs in the position of director of personnel the members of the personnel board shall prepare and conduct an examination for the position in the manner usually followed and prescribed by ch. 16 for all other positions, and the governor shall make the appointment from the top 3 names certified to the commissioner.

(4) **OATH; BOND.** The commissioner and deputy commissioner shall take the official oath. The governor may require a bond covering any or all employes of the department in such amount and with such surety as he deems necessary.

16.004 COMMISSIONER, POWERS AND DUTIES. (1) AUTHORITY. The commissioner shall be responsible for and have the authority to direct the faithful execution of the statutory duties and powers assigned to the department.

(2) **ORGANIZATION.** The department shall be organized to include a deputy commissioner, bureaus of personnel, finance, engineering, purchases and management and such other bureaus as the commissioner finds necessary for the efficient and effective administration of the department, and the commissioner shall allocate and reallocate functions and duties to achieve this purpose. Any allocation or reallocation of functions shall be approved by the governor.

(3) **RULES.** The commissioner shall establish rules for administering the department and performing the duties assigned to it, subject to the rules established by the personnel board.

(4) **INFORMATION; REPORTS; RECOMMENDATIONS.** The commissioner shall furnish all information requested by the governor or by any member of the legislature, and make all reports required of him by statute. The commissioner shall report to the governor and the board on government operations by July 15 of each year recommendations and legislative proposals which will improve the administration of the state's agencies, and make a report on the work performed and accomplishments of the department of administration, which shall be a public document.

(8) **MANAGEMENT AUDITS.** The commissioner shall periodically make management audits of departments of the state, utilizing teams of specialists in the fields of purchasing, personnel, accounting, budgeting, space utilization, forms design and control, records management, and any other specialties necessary to effectively appraise all management practices, operating procedures and organizational structures.

SECTION 38. Subchapter II (heading) and (title) of chapter 16 of the statutes is created to read:

SUBCHAPTER II.

CIVIL SERVICE.

SECTION 39. 16.01 (1) of the statutes is repealed and recreated to read:

16.01 **STATEMENT OF POLICY.** It is the purpose of this subchapter to provide the state's agencies with adequate and competent staffs which furnish the state's services to its citizens as efficiently and effectively as possible. It is the policy of the state that, in the classified service, such staffs shall and can best be provided by personnel management methods which apply the merit principle, with adequate civil service safeguards. To this end, the personnel board and the department of administration, its officers and employes, shall develop, promote and protect a personnel management program which assures that the state hires the best qualified persons available and bases the treatment of its employes upon the relative value of each employe's services and his demonstrated competence and fitness.

SECTION 40. 16.01 (2) of the statutes is repealed.

SECTION 41. 16.02 (5) of the statutes is repealed.

SECTION 42. 16.03 (5) of the statutes is created to read:

16.03 (5) Except when hearing appeals, the commissioner and the director of the bureau of personnel shall be ex officio, nonvoting members of the personnel board, but they shall not be paid for meetings under sub. (6) nor be ineligible for membership because of the restrictions placed upon voting members in subs. (1) and (3).

SECTION 43. 16.05 (4) of the statutes is repealed and recreated to read:

16.05 (4) Recommend improvements of the state personnel management practices to the governor in a public biennial report, which shall be transmitted to the presiding officers of each house of the legislature.

SECTION 44. 16.05 (5) of the statutes is amended to read:

16.05 (5) Hear appeals from any action taken * * * under ss. 16.01 to 16.30, upon the application of any interested party.

SECTION 45. 16.31 to 16.766 of the statutes are renumbered 63.01 to 63.54, respectively.

SECTION 46. Subchapters III, IV and V (headings) and (titles) of chapter 16 of the statutes are created to read:

SUBCHAPTER III.
FINANCE.

(To head ss. 16.40 to 16.55)

SUBCHAPTER IV.
PURCHASING.

(To head ss. 16.70 to 16.82)

SUBCHAPTER V.
ENGINEERING.

(To head ss. 16.85 to 16.92)

SECTION 47. 17.07 (3) of the statutes is amended to read:

17.07 (3) State officers appointed by the governor by and with the advice and consent of the senate, or appointed by any other officer or body subject to the concurrence of the governor, by the governor at any time, for cause; but the commissioner of banks * * * and state auditor * * * may be so removed only by and with the consent of a majority of the members of the senate.

SECTION 48. 20.125 of the statutes is created to read:

20.125 ADMINISTRATION, DEPARTMENT OF. There is appropriated from the general fund to the department of administration:

(1) GENERAL ADMINISTRATION. On July 1, 1959, \$1,384,111 and not to exceed \$2,904,043 from the revenues under sub. (401), and annually, beginning July 1, 1960, \$1,384,111 and not to exceed \$2,904,043 from the revenues under sub. (401) for the execution of its purposes and functions, for the payment of awards pursuant to s. 16.305 and to defray the expenses incurred by the personnel board, the merit award board and the state building commission not otherwise appropriated for.

(2) EMERGENCY EMPLOYMENT. Annually, beginning July 1, 1959, \$51,156 as an emergency aid to secure urgently needed architects, draftsmen, and engineers which the department of administration is hereby authorized to employ directly or to contract for employment on a full or part-time basis. Such employment shall be wholly outside the classified service, regardless of any provisions of the statutes to the contrary.

(3) REGIONAL PLANNING. On July 1, 1959, \$87,774 and annually thereafter, \$87,774 for the execution of the department's regional planning functions.

(401) REVENUES APPLIED. All moneys collected from state agencies for the cost of services, materials, overhead, items of permanent property and other expense, and all moneys derived from the sale of utilities, services and publications, shall be credited to this subsection and shall constitute the source of revenues appropriated in sub. (1) but revenues credited herein in excess of the amounts so appropriated may not be spent unless released in whole or in part by the board on government operations. Whenever the revenues credited herein are not sufficient to cover the amount appropriated, the central accounting records shall be adjusted by order of the commissioner of administration to indicate the amounts which should be deducted from the fiscal appropriation to bring the appropriated amount into agreement with the moneys available.

SECTION 49. 20.230 of the statutes is repealed.

SECTION 50. 20.330 of the statutes is renumbered 20.385 and 20.385 (intro. par.) is amended to read:

20.385 (intro. par.) BOARD ON GOVERNMENT OPERATIONS. There is appropriated to the * * * board *on government operations*:

SECTION 51. 20.350 of the statutes is repealed.

SECTION 52. 20.360 (3) of the statutes is repealed.

SECTION 53. 20.600 of the statutes is repealed.

SECTION 54. 20.680 of the statutes is repealed.

SECTION 55. 20.930 (1) (a) (lines 9, 19, 20, 38 and 44) of the statutes are repealed.

SECTION 56. 20.930 (2) (b) of the statutes is repealed and recreated to read:

20.930 (2) (b) Department of administration; commissioner and deputy commissioner.

SECTION 56a. 35.01 (8) of the statutes is created to read:

35.01 (8) "Director" in this chapter means the director of the bureau performing the printing function in the department of administration.

SECTION 56b. 35.04 (1) of the statutes is repealed.

SECTION 57. Chapter 63 (title) of the statutes is repealed and recreated to read:

CHAPTER 63.

COUNTY AND CITY CIVIL SERVICE.

SECTION 58. 63.01 to 63.155 of the statutes are renumbered 64.25 to 64.40, respectively.

SECTION 59. Chapter 64 (title) of the statutes is repealed and recreated to read:

CHAPTER 64.

OTHER FORMS OF CITY GOVERNMENT.

SECTION 60. Subchapters I and II (headings) and (titles) of chapter 64 of the statutes are created to read:

SUBCHAPTER I.

CITY MANAGER PLAN.

(To head ss. 64.01 to 64.15)

SUBCHAPTER II.

COMMISSION GOVERNMENT.

(To head ss. 64.25 to 64.40, as renumbered)

SECTION 61. 101.31 (3) (a) of the statutes is amended to read:

101.31 (3) (a) The board shall consist of 9 members: The state architect, *who shall be the highest ranking registered architect under the classified service in the department of administration*, the state engineer, *who shall be the highest ranking registered engineer under the classified service in the department of administration*, the dean of the college of engineering of the state university, or their representatives, 3 architects

and 3 professional engineers. The 3 architects and 3 professional engineer members of the board shall be appointed by the industrial commission from lists consisting of 2 or more names for each position to be filled, submitted by the architectural and engineering societies of the state. Every member of the board shall receive a certificate of his appointment from the industrial commission and before beginning his term of office shall file with the secretary of state his written oath for the faithful discharge of his official duty. On the expiration of the terms of architect and engineer members of the board, the industrial commission shall each year, from lists consisting of 2 or more names for each vacancy to be filled, appoint new members for a term of 3 years, as follows: One registered architect and one registered professional engineer, from the nominating lists to be submitted from the membership lists of registered architects and registered professional engineers by the architectural and engineering societies of the state. Each member shall hold office until the expiration of the term for which such member is appointed or until a successor has been duly appointed and qualified.

SECTION 62. Wherever the term "director of budget and accounts," "director of purchases," "director of personnel," "director of bureau of personnel," "state chief engineer," "state engineer," "state architect," "state chief architect," "state director of regional planning" or "director of departmental research" appear in the following sections of the statutes the phrase "director" is substituted: 15.05 (2), (3), 15.06 (6), 15.08, 15.10 (intro. par.), (5), 15.14 (1), 15.15 (title) and (intro. par.), 15.16 (6) (c), (8), (9), 15.18 (1) (c) 4, (3), (4), (6), (8), (9), 15.22 (4), (11), (12) (e), (h), (j), (k), 15.54 (3), 15.56 (intro. par.), (2), 15.57 (1), (2), 15.58, 15.60 (1), (3), (4), (5), 15.61 (1), 15.63, 15.64 (title), (intro. par.), (4) (a), (b), (5), 15.77 (4), (5), (6), (10), 15.79, 15.81, 15.83 (intro. par.), 15.84, 15.845 (1), (2), 15.845 (3) (intro. par.), (b), (f), (4), (5), 15.92 (1) (a), (2), 15.94 (2), 16.05 (1), 16.06, 16.08 (2) (c), 16.105 (2) (bx), (3) (intro. par.), (4), 16.11 (2), 16.21 (1), (2), (3), (4), (5), 16.27 (1), 16.276 (2) (a), (b), (c), 16.305 (3), 20.330 (20) (b) (2nd ref.), 20.530 (9m) (2nd ref.), 20.902 (2) (2nd ref.), 20.956 (3) (2nd ref.), 25.14 (2) (2nd ref.), 35.04 (1), (2) (a), (d), 35.05, 35.07 (2), 35.24, 35.245, 35.25 (1), 35.26 (2), (3), 35.27, 35.28, 35.29, 35.30 (intro. par.), 35.31 (1), 35.32, 35.33 (1), 35.34 (1), (2), 35.35 (5), 35.36, 35.37 (intro. par.), (1), (2), (6), (7), (8), 35.38, 35.39, 35.41, 35.42, 35.44 (4), (6), (7), (8), 35.45, 35.46 (1), (2), 35.47, 35.49, 35.50, 35.51, 35.52, 35.53 (2nd ref.), 35.54, 35.55, 35.555, 35.56, 35.57, 35.59, 35.60, 35.61, 35.62, 35.68, 35.73, 35.74, 35.75 (1st ref.), 35.76, 35.78, 35.79, 35.80, 35.81, 35.84 (intro. par.), (12), (16a), (16b), (17), (18), (20), 35.85, 35.86, 35.89, 35.90, 35.91, 35.93 (1), 66.901 (16) (1st ref.). The revisor of statutes shall show the change in printing the statutes.

SECTION 63. Whenever the terms "bureau of personnel" or "bureau" appears in the following sections the phrase "personnel board" is substituted: 16.19 (1), 16.24 (2), 16.275 (2), 16.276 (4) and 16.28. The revisor of statutes shall show the change in printing the statutes.

SECTION 64. Wherever the term "bureau of purchases" or "bureau" or "director of purchases" or "purchasing director" is used in the following sections the phrase "department of administration" is substituted: 15.655 (intro. par.), 15.66 (title) and (intro. par.), (4) and (6), 20.680 (41) and (42), 35.03 (intro. par.), 35.035 (intro. par.), 35.53 (1st ref.), 35.75 (2nd ref.), 35.77, 35.92 (3) and (5), 35.93 (1), 36.09, 43.13, 43.14, 44.06 (1), 45.03, 66.912 (1) (h), 84.02 (5), 95.25 (4) and 176.62 (2) (b). The revisor of statutes is directed to show the change in printing the statutes.

SECTION 65. Wherever the term "bureau" is used in the following sections the phrase "department of administration" is substituted: 15.77 (14), 16.11 (6), 16.12 (1), (3), 16.17 (3), 16.20 (3) and 16.25 (2). The revisor of statutes shall show the change in printing the statutes.

SECTION 66. Wherever the term "department of budget and accounts" or "director of budget and accounts" is used in the following sections the term "department of administration" is substituted: 12.25 (2), (4), 14.42 (4), (6), (7), (12), (16), 14.53 (5m), (9), 14.69, 15.04 (title) and (intro. par.), 15.15 (title) and (intro. par.), 15.16 (intro. par.), (5) (b), 15.18 (intro. par.), (1) (c) 7, 15.205, 15.22 (3), 15.94 (2), (8), 20.003 (6), 20.007, 20.110 (1), 20.140 (61) (L), 20.150 (1), 20.180 (1) (a), 20.200 (41), 20.280 (72b), (81m), (85), 20.290 (401), 20.330 (1), (2), (5) (b), (20) (b) (1st ref.), (22), 20.350 (401), 20.460 (2), (401), 20.530 (1) (f), (g), (9m), (10) (c), 20.550 (35) (a) (b), (39), 20.551 (2), (7), (9) (a), (11d), 20.650 (13), (19) (a), (42) (a), (43), 20.670 (1) (a), (32) (a), 20.720 (41), 20.830 (401), (41), (44), 20.840 (93) (a), 20.902 (2) (1st ref.), 20.903 (2), 20.925 (1) (d), 20.931, 20.932 (7) (1st ref.), 20.939 (1), (3), 20.941 (4), 20.949, 20.950, 20.953 (2), 20.954, 20.956 (2), (3) (1st ref.), 20.957, 20.958, 20.979 (2) (a), 20.980, 25.08 (1), 25.09 (2) (b), 25.14 (2) (1st ref.), (3), (4), 35.06, 35.71, 36.10 (2), 37.07, 42.48, 46.09 (3), 49.38 (1), (2), (3), 49.39, 49.395, 49.40 (2), 66.99 (8), (8a), 66.99 (9), 70.57 (3), 70.60, 70.82, 71.13 (3) (g), 71.14 (1), 76.27, 79.07 (1), 94.08 (6), 94.80, 126.44, 139.04, 142.08 (2), (3), (4), 267.22 (2) (a), 285.04 and 318.03 (4). The revisor of statutes shall show the changes in printing the statutes and shall adjust the gender of the relating pronouns.

SECTION 67. Wherever the term "bureau of personnel" or "director of the bureau of personnel" is used in the following sections the term "department of administration" is substituted: 14.59 (2), 16.03 (1), 16.05 (3), 16.18 (1), 16.305 (1), 20.949, 35.34 (1) and 35.86. The revisor of statutes shall show the change in printing the statutes.

SECTION 68. Wherever the term "bureau of engineering" or "state chief engineer" is used in the following sections, the term "department of administration" is substituted: 14.86 (2), 14.88 (2), 14.89 (1) (d), 15.845 (1), 20.350 (401), 27.015 (12), 45.01 and 197.20 (1). The revisor of statutes shall show the change in printing the statutes.

SECTION 69. Whenever the term "director of budget and accounts" is used in the following sections, the term "commissioner of administration" is substituted: 14.42 (2), 20.002 (9), 25.15 (2), 66.901 (16) and 70.57 (3). The revisor of statutes shall show the change in printing the statutes.

SECTION 70. Wherever the term "state planning division," "director of regional planning" or "director" is used in the following sections, the term "department of administration" is substituted: 15.845, 66.92 (3) and 236.12 (2) (a). The revisor of statutes shall show the change in printing the statutes.

SECTION 71. Wherever the term "emergency board" is used in the following sections, the term "board on government operations" is substituted: 15.20, 16.105 (4), 20.270 (71), 20.330 (1), (2), (4), (5) (b), (20) (a), (21), (22), 20.410 (41), 20.550 (39), 20.840 (93) (a), 20.931, 20.932 (3) (f), 20.953 (1) and 101.35. The revisor of statutes shall show the change in printing the statutes.

SECTION 72. Wherever the reference to sections "16.31 to 16.44" appears in sections 16.31 to 16.441 or sections "16.45 to 16.76" appears in sections 16.761 to 16.766, the reference "63.01 to 63.16" or "63.18 to 63.53", respectively, are substituted. The revisor of statutes shall show the change in printing the statutes.

SECTION 73. EFFECTUATING PROVISIONS. (1) As of July 1, 1959, the department of budget and accounts and the division of departmental research are abolished and the powers, duties, functions, personnel and property assigned to the agencies and their directors are transferred to the department of administration as provided in this act. On such date, the director of budget and accounts shall become the director of the bureau of finance and the director of departmental research shall become the director of the bureau of management.

(2) As of July 1, 1959, the bureaus of purchases, engineering and personnel, their directors, powers, duties, functions, personnel and property are transferred to the department of administration as provided in this act.

(3) All personnel transferred to the department of administration shall have the same classification, salary and status as at the time of transfer, except that all personnel who are in the unclassified service except those employed under section 20.350 (3) of the statutes shall have status under the civil service law upon transfer.

(4) All records, equipment, property and office or other space occupied by the foregoing agencies are transferred to the department of administration.

(5) All rules in force at the time of transfer shall continue in force after transfer until rescinded, altered or amended.

(6) In case of dispute arising under this transfer, determination shall be made by the governor.

SECTION 74. This act shall take effect July 1, 1959.

Approved July 29, 1959.
