

CHAPTER 15

STRUCTURE OF THE EXECUTIVE BRANCH

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SUBCHAPTER I

GENERAL PROVISIONS

15.001 Declaration of policy. (1) **THREE BRANCHES OF GOVERNMENT.** The "republican form of government" guaranteed by the U.S. constitution contemplates the separation of powers within state government among the legislative, the executive and the judicial branches of the government. The legislative branch has the broad objective of determining policies and programs and review of program performance for programs previously authorized, the executive branch carries out the programs and policies and the judicial branch has the responsibility for adjudicating any conflicts which might arise from the interpretation or application of the laws. It is a traditional concept of American government that the 3 branches are to function separately, without intermingling of authority, except as specifically provided by law.

(2) **GOALS OF EXECUTIVE BRANCH ORGANIZATION.** (a) As the chief administrative officer of the state, the governor should be provided with the administrative facilities and the authority to carry out the functions of his office efficiently and effectively within the policy limits established by the legislature.

(b) The administrative agencies which comprise the executive branch should be consolidated into a reasonable number of departments and independent agencies consistent with executive capacity to administer effectively at all levels.

(c) The integration of the agencies in the executive branch should be on a functional basis, so that programs can be co-ordinated.

(d) Each agency in the executive branch should be assigned a name commensurate with the scope of its program responsibilities, and should be integrated into one of the departments or independent agencies of the executive branch as closely as the conflicting goals of administrative integration and responsiveness to the legislature will permit.

(3) **GOALS OF CONTINUING REORGANIZATION.** Structural reorganization should be a continuing process through careful executive and legislative appraisal of the placement of proposed new programs and the co-ordination of existing programs in response to changing emphasis or public needs, and should be consistent with the following goals:

(a) The organization of state government should assure its responsiveness to popular control. It is the goal of reorganization to improve legislative policy-making capability and

to improve the administrative capability of the executive to carry out these policies.

(b) The organization of state government should facilitate communication between citizens and government. It is the goal of reorganization through co-ordination of related programs in function-oriented departments to improve public understanding of government programs and policies and to improve the relationships between citizens and administrative agencies.

(c) The organization of state government shall assure efficient and effective administration of the policies established by the legislature. It is the goal of reorganization to promote efficiency by improving the management and co-ordination of state services and by eliminating overlapping activities.

15.01 Definitions. In this chapter:

(1) "Department" means the principal administrative agency within the executive branch of Wisconsin state government, but does not include the independent agencies under subch. III.

(2) "Division," "bureau," "section" and "unit" means the subunits of a department, whether specifically created by law or created by the head of the department for the more economic and efficient administration and operation of the programs assigned to the department.

(3) "Head of the department" means the constitutional officer, commission, secretary or part-time policy board, in charge of a department.

(4) "Commission" means a 3-man governing body in charge of a department or independent agency or of a division or other subunit within a department. A Wisconsin group created for participation in a continuing interstate body shall be known as a "commission," but is not a commission for purposes of s. 15.06.

(5) (a) "Board" means a part-time body functioning as the policy-making unit for a department or independent agency or a part-time body with policy-making or quasi-judicial powers.

(b) "Examining board" means a part-time body which sets standards of professional competence and conduct for the profession under its supervision, prepares, conducts and grades the examinations of prospective new practitioners, grants licenses, investigates complaints of alleged unprofessional conduct and performs other functions assigned to it by law.

(6) "Council" means a part-time body appointed to function on a continuing basis for the study, and recommendation of solutions and

policy alternatives, of the problems arising in a specified functional area of state government.

(7) "Committee" means a part-time body appointed to study a specific problem and to recommend a solution or policy alternative with respect to that problem, and intended to terminate on the completion of its assignment. Because of their temporary nature, committees shall be created by session law rather than by statute.

15.02 Offices, departments and independent agencies. The constitutional offices, administrative departments and independent agencies which comprise the executive branch of Wisconsin state government are structured as follows:

(1) **SEPARATE CONSTITUTIONAL OFFICES.** The governor, lieutenant governor, secretary of state and state treasurer each head a staff to be termed the "office" of the respective constitutional officer, but the office of the governor shall be known as the "executive office".

(2) **PRINCIPAL ADMINISTRATIVE UNITS.** The principal administrative unit of the executive branch is a "department" or an "independent agency". Each such unit shall bear a title beginning with the words "State of Wisconsin" and continuing with "department of ..." or with the name of the independent agency. A department may be headed by a constitutional officer, a secretary, a 3-man commission or a part-time policy-making board.

(3) **INTERNAL STRUCTURE.** (a) The secretary of each department may, subject to sub (4), establish the internal structure within the office of secretary so as to best suit the purposes of his department.

(b) For field operations, departments may establish district or area offices which may cut across divisional lines of responsibility.

(c) For their internal structure, all departments shall adhere to the following standard terms, and independent agencies are encouraged to review their internal structure and to adhere as much as possible to the following standard terms:

1. The principal subunit of the department is the "division". Each division shall be headed by an "administrator".

2. The principal subunit of the division is the "bureau". Each bureau shall be headed by a "director".

3. If further subdivision is necessary, bureaus may be divided into subunits which shall be known as "sections" and which shall be headed by "chiefs" and sections may be divided into subunits which shall be known as "units" and which shall be headed by "supervisors".

(4) **INTERNAL ORGANIZATION AND ALLOCATION OF FUNCTIONS.** The head of each department or independent agency shall, subject to the approval of the governor, establish the internal organization of the department or independent agency and allocate and reallocate duties and functions not assigned by law to an officer or any subunit of the department or independent agency to promote economic and efficient administration and operation of the department or independent agency. The head may delegate and redelegate to any officer or employe of the department or independent agency any function vested by law in the head. The governor may delegate the authority to approve selected organizational changes to the head of any department or independent agency.

History: 1971 c. 261; 1973 c. 12; 1975 c. 39.

Limits of internal departmental reorganization discussed. 61 Atty. Gen. 306.

15.03 Attachment for limited purposes.

Any division, commission or board attached under this section to a department or independent agency or a specified division thereof shall be a distinct unit of that department, independent agency or specified division. Any division, commission or board so attached shall exercise its powers, duties and functions prescribed by law, including rule-making, licensing and regulation, and operational planning within the area of program responsibility of the division, commission or board, independently of the head of the department or independent agency, but budgeting, program co-ordination and related management functions shall be performed under the direction and supervision of the head of the department or independent agency.

15.04 Heads of departments and independent agencies; powers and duties. Each head of a department or independent agency shall:

(1) **SUPERVISION.** Except as provided in s. 15.03, plan, direct, co-ordinate and execute the functions vested in his department or independent agency.

(2) **BUDGET.** Biennially compile a comprehensive program budget which reflects all fiscal matters related to the operation of his department or independent agency and each program, subprogram and activity therein.

(3) **ADVISORY BODIES.** In addition to any councils specifically created by law, create and appoint such councils or committees as the operation of his department or independent agency requires. Members of councils and committees created under this general authority shall serve without compensation, but may be reimbursed for their actual and necessary

expenses incurred in the performance of their duties and, if such reimbursement is made, such reimbursement in the case of an officer or employe of this state who represents his agency as a member of such a council or committee shall be paid by the agency which pays his salary.

(4) **BIENNIAL REPORT.** Submit a report on or before October 15 of each odd-numbered year to the governor and the legislature on the performance and operations of his department or independent agency during the preceding biennium, and projecting the goals and objectives of the department or independent agency as developed for the program budget report. The secretary of administration may prescribe the format of the report and may require such other information as he deems appropriate. Any department or independent agency may issue such additional reports on its findings and recommendations as its operations require.

(5) **SEAL.** Have authority to adopt a seal for the department or independent agency.

(6) **BONDS.** Have authority to require that any officer or employe of the department or independent agency give an official bond under ch. 19, if the secretary of administration agrees that the position held by such officer or employe requires bonding.

(7) **DISCRIMINATION REVIEW.** In order to determine whether there is any arbitrary discrimination on the basis of race, religion, national origin, sex or marital status, examine and assess the statutes under which the head has powers or regulatory responsibilities, the procedures by which those statutes are administered and the rules promulgated under those statutes. If the department or agency head finds any such discrimination, he or she shall take remedial action, including making recommendations to the appropriate executive, legislative or administrative authority.

History: 1971 c. 125; 1975 c. 94

15.05 Secretaries. (1) **SELECTION.** (a) If a department is under the direction and supervision of a secretary, the secretary shall be nominated by the governor, and with the advice and consent of the senate appointed, to serve at the pleasure of the governor, except that the secretary of regulation and licensing shall serve for a 6-year term expiring on March 1 of an odd-numbered year.

(b) If a department is under the direction and supervision of a board, the board shall appoint a secretary to serve at the pleasure of the board, except that the secretary of veterans affairs shall be appointed by the governor with the advice and consent of the senate for an indefinite term, outside the classified service. In such departments, the powers and duties of the board shall

be regulatory, advisory and policy-making, and not administrative. All of the administrative powers and duties of the department are vested in the secretary, to be administered by him under the direction of the board. The secretary, with the approval of the board, shall establish rules for administering the department and performing the duties assigned to the department.

(2) **DEPUTY TO SECRETARY.** Each secretary shall select a deputy to hold the position of deputy at the pleasure of the secretary. The deputy shall exercise the secretary's powers, duties and functions in the secretary's absence, and shall perform such other duties as the secretary prescribes. The deputy shall either be selected from the classified service employes within the department, or he shall be the executive assistant appointed under sub. (3). This subsection also applies to the attorney general and to the state superintendent of public instruction.

(3) **EXECUTIVE ASSISTANT.** Each secretary may appoint, outside the classified service, an executive assistant to serve at his pleasure. At the discretion of the secretary, the executive assistant shall serve as the deputy under sub. (2) or shall perform such other duties as the secretary prescribes. This subsection also applies to the attorney general and to the state superintendent of public instruction.

(4) **OFFICIAL OATH.** Each secretary shall take and file the official oath prior to assuming office.

(5) **DEPUTY AND ASSISTANT FUNDING APPROVALS.** Positions authorized in subs. (2) and (3) shall be subject to funding approvals through the normal budgetary processes.

History: 1973 c. 90

15.06 Commissions and commissioners.

(1) **SELECTION OF MEMBERS.** (a) The members of commissions shall be nominated by the governor, and with the advice and consent of the senate appointed, for staggered 6-year terms expiring on March 1 of the odd-numbered years.

(b) The commissioners of banking, credit unions, savings and loan and securities shall each be nominated by the governor, and with the advice and consent of the senate appointed, for a 6-year term expiring on March 1 of an odd-numbered year.

(c) The governor shall appoint the commissioner of insurance, with the advice and consent of the senate, for the term of October 1, 1971, to March 1, 1975, and thereafter for a 4-year term expiring on March 1.

(2) **SELECTION OF OFFICERS.** At the time of making new nominations to commissions, the governor shall designate a member or nominee of each commission to serve as the commission's chairman for a 2-year term expiring on March 1

of the odd-numbered year. Each commission may annually elect such other officers from among its members as its work requires. Any officer may be reappointed or reelected to succeed himself.

(3) FULL-TIME OFFICES. (a) A commissioner shall not hold any other office or position of profit or pursue any other business or vocation, but shall devote his entire time to the duties of his office. This paragraph does not apply to the commissioner of insurance nor to the members, except the chairman, of the tax appeals commission.

(b) The commissioner of insurance shall not engage in any other occupation, business or activity that is in any way inconsistent with the performance of his duties as commissioner, nor shall he hold any other public office.

(4) CHAIRMAN; ADMINISTRATIVE DUTIES. The administrative duties of each commission shall be vested in its chairman, to be administered by him under the statutes and rules of the commission and subject to the policies established by the commission.

(5) FREQUENCY OF MEETINGS; PLACE. Every commission shall meet on the call of the chairman or a majority of its members. Every commission shall maintain its offices in Madison, but may meet or hold hearings at such other locations as will best serve the citizens of this state.

(6) QUORUM. A majority of the membership of a commission constitutes a quorum to do business, except that vacancies shall not prevent a commission from doing business.

(7) ANNUAL REPORTS. In August of each year, every commission attached to a department shall submit, to the head of the department, a report on the operation of the commission during the fiscal year concluded on the preceding June 30.

(8) OFFICIAL OATH. Every commissioner shall take and file the official oath prior to assuming office.

History: 1971 c. 193, 307

15.07 Boards. (1) **SELECTION OF MEMBERS.**

(a) If a department or independent agency is under the direction and supervision of a board, the members of the board, other than ex officio members, shall be nominated by the governor, and with the advice and consent of the senate appointed, to serve for terms prescribed by law, except that members of the higher educational aids board shall be appointed by the governor without senate confirmation and the members of the elections board shall be appointed as provided in s. 15.61.

(b) For each board not covered under par. (a), the governor shall appoint the members of

the board, other than ex officio members and except as otherwise provided, for terms prescribed by law except that the members of the following boards shall be nominated by the governor, and with the advice and consent of the senate appointed, for terms provided by law:

1. Banking review board.
2. Consumer credit review board.
3. Credit union review board.
4. Personnel board.
5. Savings and loan review board.
7. Bingo control board.

(c) Fixed terms of members of boards, except the personnel board and the state employees merit award board where terms shall expire on July 1, and Milwaukee teachers retirement board where terms shall begin after the regular annual meeting on the last Saturday in September, shall expire on May 1 and shall, if the term is for an even number of years, expire in an odd-numbered year. In case of the ethics board, the term of one member shall expire on each May 1.

(2) SELECTION OF OFFICERS. At its first meeting in each year, every board shall elect a chairman, vice chairman and secretary each of whom may be reelected to succeed himself, except that:

(a) The chairman and vice chairman of the investment board shall be designated biennially by the governor.

(b) The administrator of the division of nurses in the department of regulation and licensing shall serve as secretary of the board of nursing.

(d) The officers elected by the board of regents of the university of Wisconsin system and the board of vocational, technical and adult education shall be known as a president, vice president and secretary.

(e) The representative of the department of justice shall serve as chairman of the claims board and the representative of the department of administration shall serve as its secretary.

(g) The administrator of the division of law enforcement services shall serve as nonvoting secretary to the law enforcement standards board.

(h) The secretary of agriculture, or his designee, shall serve as nonvoting secretary to the state fair park board.

(3) FREQUENCY OF MEETINGS. (a) If a department or independent agency is under the direction and supervision of a board, the board shall meet quarterly and may meet at other times on the call of the chairman or a majority of its members.

(b) Each board not covered under par. (a) shall meet annually, and may meet at other times on the call of the chairman or a majority of its members.

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(4) **QUORUM.** A majority of the membership of a board constitutes a quorum to do business and, unless a more restrictive provision is adopted by the board, a majority of a quorum may act in any matter within the jurisdiction of the board.

(5) **REIMBURSEMENT FOR EXPENSES; COMPENSATION.** Except as provided in sub. (5m), the members of each board shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties, such reimbursement in the case of an officer or employee of this state who represents his agency as a member of a board to be paid by the agency which pays his salary. The members shall receive no compensation for their services, except that the following members of boards, except full-time state officers or employees, also shall be paid the per diem stated below for each day on which they were actually and necessarily engaged in the performance of their duties:

(a) Members of the investment board, \$50 per day.

(b) Members of the banking review board, \$25 per day but not to exceed \$1,500 per year.

(c) Members of the personnel board, \$25 per day.

(d) Members of the board of agriculture, not exceeding \$10 per day as fixed by the board with the approval of the governor, but not to exceed \$600 per year.

(e) In lieu of a per diem, the members of the board of vocational, technical and adult education shall receive \$100 annually.

(f) Members of the state teachers retirement board, appointive members of the Wisconsin retirement fund board, appointive members of the group insurance board and members of the employe trust funds board, \$25 per day.

(g) Members of the savings and loan review board, \$10 per day.

(h) Voting members of the board of soil and water conservation districts, \$15 per day.

(i) Members of the educational approval board, \$25 per day.

(j) Members of the state fair park board, \$10 per day but not to exceed \$600 per year.

(k) Members of the ethics board, \$25 per day.

(m) Members of the bingo control board, \$25 per day.

(n) Members of the elections board who are not state employes, \$25 per day.

(o) Members of the council on Indian education, \$25 per day.

(5m) **LIMITATIONS ON SALARY AND EXPENSES; POTATO INDUSTRY BOARD.** Expenses incurred for attendance at potato industry board meetings held without this state or incurred in the performance of any other function not previously authorized by that board are not

necessary expenses under sub. (5) and no citizen member of that board may receive compensation in any form for his services other than reimbursement for actual and necessary expenses under sub. (5).

(6) **ANNUAL REPORTS.** In August of each year, every board created in or attached to a department or independent agency shall submit, to the head of the department or independent agency, a report on the operation of the board during the fiscal year concluded on the preceding June 30.

(7) **OFFICIAL OATH.** Each member of a board shall take and file the official oath prior to assuming office.

History: 1971 c. 100 s. 23; 1971 c. 125, 261, 270, 323; 1973 c. 90, 156, 299, 334; 1975 c. 39, 41, 422

15.08 Examining boards. (1) **SELECTION OF MEMBERS.** All members of examining boards shall be residents of this state and shall, unless otherwise provided by law, be nominated by the governor, and with the advice and consent of the senate appointed. Appointments shall be for the terms provided by law. Terms shall expire on July 1 and shall, if the term is for an even number of years, expire in an odd-numbered year. If a vacancy is required to be filled by an appointee who is a member of a private organization, that organization may make recommendations to the appointing authority for filling the vacancy.

(1m) **PUBLIC MEMBERS.** (a) Public members appointed under s. 15.403, 15.405 or 15.407 shall have all the powers and duties of other members except they shall not prepare questions for or grade any licensing examinations. They shall not be licensed, certified, registered or engaged in any profession or occupation licensed or otherwise regulated by the examining board or examining council to which they are appointed, shall not be married to any person so licensed, certified, registered or engaged, and shall not employ, be employed by or be professionally associated with any person so licensed, certified, registered or engaged.

(b) The public members of the chiropractic examining board, the dentistry examining board, the hearing aid dealers and fitters examining board, the medical examining board and its physical therapists examining board and podiatry examining council, the optometry examining board, the pharmacy examining board and the psychology examining board shall not be engaged in any profession or occupation concerned with the delivery of physical or mental health care.

(c) The membership of each examining board and examining council created in the department of regulation and licensing after June 1, 1975, shall be increased by one member who shall be a

public member appointed to serve for the same term served by the other members of such examining board or examining council, unless the act relating to the creation of such examining board or examining council provides that 2 or more public members shall be appointed to such examining board or examining council.

(2) SELECTION OF OFFICERS. At its first meeting in each year, every examining board shall elect from among its members a chairman, vice chairman and, unless otherwise provided by law, a secretary. Any officer may be reelected to succeed himself or herself.

(3) FREQUENCY OF MEETINGS. Every examining board shall meet annually and may meet at other times on the call of the chairman or of a majority of its members.

(4) QUORUM. (a) A majority of the membership of an examining board constitutes a quorum to do business, and a majority of a quorum may act in any matter within the jurisdiction of the examining board.

(b) Notwithstanding par. (a), no certificate or license which entitles the person certified or licensed to practice a trade or profession shall be suspended or revoked without the affirmative vote of two-thirds of the membership of the examining board.

(5) GENERAL POWERS. Each examining board may compel the attendance of witnesses, administer oaths, take testimony and receive proof concerning all matters within its jurisdiction. It shall formulate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.

(6) IMPROVEMENT OF THE PROFESSION. In addition to any other duties vested in it by law, each examining board shall foster the standards of education or training pertaining to its own trade or profession, not only in relation of the trade or profession to the interest of the individual or to organized business enterprise, but also in relation to government and to the general welfare. Each examining board shall endeavor, both within and outside its own trade or profession, to bring about a better understanding of the relationship of the particular trade or profession to the general welfare of this state.

(7) COMPENSATION AND REIMBURSEMENT FOR EXPENSES. Each member of an examining board shall, unless he is a full-time salaried employe of this state, be paid a per diem of \$25 for each day on which he was actually and necessarily engaged in the performance of his duties. Each member of an examining board shall be reimbursed for his actual and necessary

expenses incurred in the performance of his duties.

(8) OFFICIAL OATH. Every member of an examining board shall take and file the official oath prior to assuming office.

(9) ANNUAL REPORTS. In August of each year every examining board shall submit, to the head of the department in which it is created, a report on the operation of the examining board during the fiscal year concluded on the preceding June 30.

(10) SEAL. Every examining board may adopt a seal.

History: 1971 c. 40; 1975 c. 86, 199.

See note to 450.02, citing *Osco Drug, Inc. v. Pharmacy Examining Bd.* 61 W (2d) 689, 214 NW (2d) 47.

A member of a licensing board is not, as a matter of law, precluded from holding membership in or acting as an officer of a private professional society or association. 62 Atty. Gen 58.

15.09 Councils. (1) **SELECTION OF MEMBERS.** Unless otherwise provided by law, the governor shall appoint the members of councils for terms prescribed by law. Fixed terms shall expire on July 1 and shall, if the term is for an even number of years, expire in an odd-numbered year.

(2) SELECTION OF OFFICERS. Unless otherwise provided by law, at its first meeting in each year every council shall elect a chairman, vice chairman and secretary from among its members. Any officer may be reelected to succeed himself. For any council created under the general authority of s. 15.04 (3), the constitutional officer or secretary heading the department or the chief executive officer of the independent agency in which such council is created shall designate an employe of the department or independent agency to serve as secretary of the council and to be a voting member thereof.

(3) FREQUENCY OF MEETINGS. Unless otherwise provided by law, every council shall meet at least annually and shall also meet on the call of the head of the department or independent agency in which it is created, and may meet at other times on the call of the chairman or a majority of its members. No council may meet outside the city of Madison without express prior authorization for each such meeting from the constitutional officer or secretary heading the department or from the chief executive officer of the independent agency in which it is created.

(4) QUORUM. A majority of the membership of a council constitutes a quorum to do business, and a majority of a quorum may act in any matter within the jurisdiction of the council.

(5) POWERS AND DUTIES. A council shall advise the head of the department or independent agency in which it is created and shall function on a continuing basis for the study, and

recommendation of solutions and policy alternatives, of the problems arising in a specified functional area of state government.

(6) **REIMBURSEMENT FOR EXPENSES.** Members of a council shall not be compensated for their services, but members of councils created by statute shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties, such reimbursement in the case of an elective or appointive officer or employe of this state who represents his agency as a member of a council to be paid by the agency which pays his salary.

(7) **ANNUAL REPORTS.** In August of each year every council created in a department or independent agency shall submit, to the head of the department or independent agency, a report on the operation of the council during the fiscal year concluded on the preceding June 30.

(8) **OFFICIAL OATH.** Each member of a council shall take and file the official oath prior to assuming office.

History: 1971 c 211

15.099 Program responsibilities; effect of omissions. Sections 14.011, 14.311, 14.361, 14.561, 15.101, 15.131, 15.151, 15.161, 15.191, 15.221, 15.251, 15.281, 15.311, 15.341, 15.371, 15.401, 15.431, 15.461, 15.491, 15.551, 15.571, 15.581, 15.591, 15.611, 15.621, 15.671, 15.701, 15.731, 15.761, 15.791, 15.821, 15.851, 15.911 and 15.941 are intended to set forth the program responsibilities of the several units of the executive branch. No statutory power, duty or function specified elsewhere for a unit shall be deemed impliedly repealed for the sole reason that reference to it has been omitted in these sections.

History: 1971 c 211, 307; 1975 c 41

SUBCHAPTER II

DEPARTMENTS

15.10 Department of administration; creation. There is created a department of administration under the direction and supervision of the secretary of administration. The secretary of administration 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.

15.101 Same; program responsibilities. The department of administration shall have the program responsibilities specified for the department under chs. 16 and 35, subch. V of ch. 111 and ss. 13.36, 13.48, 13.93 (1m), 14.40 (6), 18.03 (3), 18.08 (4), 18.10 (3), 20.004, 20.904

(2), 20.906 (2), 20.907 (2), 20.910, 20.912 (2) and (3), 20.915 (1), 20.921 (3) (a), 21.13, 24.20, 25.06, 25.08, 25.14, 25.40, 25.50, 25.55, 26.14 (4), 27.015, 40.42, 42.23, 42.46, 42.48, 44.06, 45.01, 46.09, 46.106 (2) to (6), 49.45 (2) (a) 4, 49.50, 66.057 (1) and (2) (b), 70.57 (3), 70.60 (1), 70.82, 70.97, 71.13 (3) (g), 74.27, 76.24 (1), 76.26, 76.39 (4) (d), 76.48 (5), 78.69, 79.10 (1) and (1a) (b), 93.23 (1), 93.24 (6), 95.25 (3), 114.065 (3), 139.12, 142.08, 149.04 (5) (a), 157.55, 176.62, 194.51, 197.20, 220.08 (14), 227.026 (3), 251.20, 253.07, 285.04, 286.43, 341.12 (4), 345.08, 604.04 (4), 605.23 (1), 605.30, 812.23 and 863.39. In addition:

(1) **TAX APPEALS COMMISSION.** The tax appeals commission shall have the program responsibilities specified for the commission under ch. 73 and ss. 70.64, 70.94 (3) (a) and 71.12.

(2) **CLAIMS BOARD.** The claims board shall have the program responsibilities specified for the board under ss. 16.007, 285.05, 285.06 and 285.11.

(3) **PERSONNEL BOARD.** The personnel board shall have the program responsibilities specified for the board under subch. II of ch. 16.

(4) **PUBLIC RECORDS BOARD.** The public records board shall have the program responsibilities specified for the board under ss. 16.61 and 22.22.

(5) **STATE CAPITOL AND EXECUTIVE RESIDENCE BOARD.** The state capitol and executive residence board shall have the program responsibilities specified for the board under s. 16.83.

(6) **STATE EMPLOYEES MERIT AWARD BOARD.** The state employees merit award board shall have the program responsibilities specified for the board under s. 16.34.

(8) **ARTS BOARD.** The arts board shall have the program responsibilities specified for the board under subch. II of ch. 44.

History: 1971 c 125 ss 520 (3), 521, 522 (1); 1971 c 211; 1971 c 270 s. 104; 1973 c 90 ss. 8m, 557 (1); 1973 c 117 s 12 (3); 1973 c 243 s. 82; 1973 c 333 ss. 4d, 191; 1973 c 334 s. 59; 1973 c 335 s. 14; Sup. Ct. Order, 67 W (2d) 773; 1975 c 39 ss. 37, 729 (1); 1975 c 41 s. 52; 1975 Ex Order No. 24; 1975 c 164 s. 12; 1975 c 189 s 100 (1); 1975 c 200; 1975 c 413 s. 18; 1975 c 430 s. 80.

15.105 Same; attached boards and commissions. (1) **TAX APPEALS COMMISSION.** There is created a tax appeals commission which is attached to the department of administration under s. 15.03. Members shall be appointed solely on the basis of fitness to perform the duties of their office, and shall be experienced in tax matters. The commission shall meet at the call of the chairman. The chairman shall not serve on or under any committee of a political party.

(2) **CLAIMS BOARD.** There is created a claims board which is attached to the department of

administration under s. 15.03. The claims board shall consist of a representative of the executive office designated by the governor, a representative of the department of administration designated by the secretary of administration, a representative of the department of justice designated by the attorney general and the chairmen of the senate and assembly committees on finance or their designees appointed at the commencement of each legislative biennium from the membership of the respective committees on finance.

(3) PERSONNEL BOARD. There is created a personnel board which is attached to the department of administration under s. 15.03. The personnel board shall consist of 5 members, appointed for staggered 5-year terms, subject to the following conditions:

(a) They shall possess a recognized appreciation for and knowledge of the application of merit principles in public employment.

(b) At least 3 members shall have at least 5 years' experience in professional work in personnel or labor relations, and at least one member shall be an attorney.

(c) No member may hold any other position in state employment.

(d) No member, when appointed or for 3 years immediately prior to the date of appointment, may have been a member of a local, state or national committee of a political party, have been an officer or member of a committee in any partisan political club or organization or have held or been a candidate for any partisan elective public office. No member may become a candidate for or hold any such office.

(e) At no time may more than 3 members be adherents of the same political party.

(f) Each member of the board shall be a United States citizen and shall have been a resident of this state for at least 3 years.

(4) PUBLIC RECORDS BOARD. There is created a public records board which is attached to the department of administration under s. 15.03. The public records board shall consist of the governor, the director of the historical society, the attorney general and the state auditor, or their designated representatives.

(5) STATE CAPITOL AND EXECUTIVE RESIDENCE BOARD. There is created a state capitol and executive residence board which is attached to the department of administration under s. 15.03. The board shall consist of the secretary of administration or his designee, the director of the historical society, the head of the engineering function or his designee, 3 members of the senate and 3 members of the assembly appointed as are members of standing committees and 6 citizen members, of whom at least 2 shall be architects

licensed in this state and 3 shall hold membership in the American institute of interior designers, appointed for staggered 6-year terms.

(6) STATE EMPLOYES MERIT AWARD BOARD. There is created in the department of administration a state employees merit award board consisting of 3 persons who may be state officers or employees, appointed for 3-year terms.

(8) ARTS BOARD. There is created an arts board which is attached to the department of administration under s. 15.03. The arts board shall consist of 12 members appointed for staggered 3-year terms who are residents of this state and who are known for their concern for the arts.

History: 1971 c. 40, 164, 270; 1973 c. 90, 333; 1975 c. 397

15.107 Same; councils. (1) **COUNCIL ON ADMINISTRATIVE POLICY AND PROCEDURES.** There is created in the department of administration a council on administrative policy and procedures consisting of not more than 11 members, at least 6 of whom shall be appointing officers of the state, appointed for 2-year terms. Other persons with a recognized interest in and knowledge of administration in a large organization may be appointed.

(3) COUNCIL ON PRINTING. There is created in the department of administration a council on printing consisting of 6 members, of whom 2 shall be from state agencies, 2 shall be representatives of the major trade association representing the commercial printing industry in the state and 2 shall be persons knowledgeable in graphic communication who do not represent either the state or the printing industry, appointed by the secretary of administration for 2-year terms. The secretary of administration shall designate an employe of the department of administration to serve as the council's nonvoting secretary.

(4) COUNCIL ON POPULATION ESTIMATES. There is created in the department of administration a council on population estimates consisting of municipal and county representatives and other persons knowledgeable of population estimating techniques.

History: 1971 c. 215; 1973 c. 90.

15.13 Department of agriculture; creation. There is created a department of agriculture under the direction and supervision of the board of agriculture. The board shall consist of 7 members who shall be experienced in farming, appointed for staggered 6-year terms. Appointments to the board shall be made without regard to party affiliation, residence or interest in any special organized group.

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15.131 Same; program responsibilities.

The department of agriculture shall have the program responsibilities specified for the department under title XII, chs. 126 and 136 and ss. 14.06, 15.195, 26.30 (2), 27.015, 59.871, 61.72, 66.075, 69.66, 70.425, 133.25, 174.07, 174.08 and 174.11.

(1) **STATE FAIR PARK BOARD.** The state fair park board shall have the program responsibilities specified for the board under ss. 93.24 and 93.25.

(2) **POTATO INDUSTRY BOARD.** The potato industry board shall have the program responsibilities specified for the board under s. 100.39.

History: 1971 c. 40, 125, 211; 1973 c. 299; 1973 c. 335 s. 14; 1975 c. 209 s. 2; 1975 c. 295 s. 9.

15.135 Same; attached boards and commissions.

(1) **STATE FAIR PARK BOARD.** There is created a state fair park board which is attached to the department of agriculture under s. 15.03. The board shall consist of 3 members appointed to serve at the pleasure of the governor.

(2) **POTATO INDUSTRY BOARD.** There is created a potato industry board which is attached to the department of agriculture under s. 15.03. The board shall consist of 9 members. The secretary of agriculture and the dean of the university of Wisconsin-Madison college of agriculture, or their designees, shall serve as nonvoting members. The secretary of agriculture shall appoint 7 members from the potato industry for staggered 3-year terms in the manner prescribed in s. 100.39 (2). No voting member may serve more than 2 consecutive 3-year terms.

History: 1971 c. 125; 1973 c. 299.

15.137 Same; councils. (1) **COUNCIL ON LOCKER PLANTS.** There is created in the department of agriculture a council on locker plants consisting of 3 members of the frozen food locker industry, appointed for 2-year terms.

(2) **COUNCIL ON FOOD STANDARDS.** There is created in the department of agriculture a council on food standards consisting of 5 persons who have a recognized and demonstrated interest in and knowledge of pure food and drugs, appointed for staggered 6-year terms.

(3) **COUNCIL ON MEAT INSPECTION.** There is created in the department of agriculture a council on meat inspection consisting of not less than 7 members appointed by and serving at the pleasure of the secretary of agriculture.

15.15 Department of business development; creation. There is created a department of business development under the direction and

supervision of the secretary of business development.

History: 1971 c. 321.

15.151 Same; program responsibilities.

The department of business development shall have the program responsibilities specified for the department under ch. 560. In addition:

(1) **DIVISION OF TOURISM.** The division of tourism shall have the program responsibilities specified for the division under subch. II of ch. 560.

History: 1971 c. 321; 1975 c. 163.

15.153 Same; specified divisions. (1)

DIVISION OF BUSINESS DEVELOPMENT SERVICES. There is created in the department of business development a division of business development services. The administrator of this division shall be appointed outside the classified service by the secretary and shall serve at the pleasure of the secretary.

(2) **DIVISION OF TOURISM.** There is created in the department of business development a division of tourism. The administrator of this division shall be appointed outside the classified service by the secretary and shall serve at the pleasure of the secretary.

History: 1975 c. 39, 199.

15.157 Same; councils. (1) **COUNCIL FOR ECONOMIC DEVELOPMENT.** There is created in the department of business development a council for economic development consisting of such number of members as the governor determines.

(2) **COUNCIL ON SMALL BUSINESS INVESTMENT COMPANIES.** There is created in the department of business development a council on small business investment companies consisting of such number of members as the governor determines.

(3) **COUNCIL ON TOURISM.** There is created in the department of business development a council on tourism consisting of 15 members. Nominations for such appointments shall be sought from but not limited to multicounty regional associations engaged in promoting tourism, statewide associations of businesses engaged in tourism-related enterprises, metropolitan area visitor and convention bureaus and other persons or organizations associated with the tourism industry including tourist facilities user groups and environmental protection groups in the state.

History: 1971 c. 321; 1975 c. 39.

15.16 Department of employe trust funds; creation. There is created a department of employe trust funds under the direction and

supervision of the employe trust funds board. The employe trust funds board shall designate one of the administrators under s. 15.163 (1) or (2) to serve as the secretary of employe trust funds, and designate the other administrator to serve as the secretary's deputy.

(1) **EMPLOYE TRUST FUNDS BOARD.** The employe trust funds board shall consist of 7 members. Three members shall be members of the Wisconsin retirement fund board, appointed by that board. Two members shall be members of the state teachers retirement board, appointed by that board. One member shall be a member of the Milwaukee teachers retirement board, appointed by that board. One member shall be a member of the group insurance board, appointed by that board.

(2) **MILWAUKEE OFFICE.** The department shall maintain at least a branch office in Milwaukee.

15.161 Same; program responsibilities.

(2) **GROUP INSURANCE BOARD.** The group insurance board shall have the program responsibilities specified for the board under subch. II of ch. 40.

(3) **WISCONSIN RETIREMENT FUND BOARD.** The Wisconsin retirement fund board shall have the program responsibilities specified for the board under subch. II of ch. 40, subchs. I, II and III of ch. 41, ss. 13.50 (6), 13.51 (3) and (4), 61.65 (6) and (7), 62.13 (9) (e), (9a) and (10) (f) and (g), 66.191, 108.04 (13) (e), 110.07 (3) and 165.25 (4).

(4) **MILWAUKEE TEACHERS RETIREMENT BOARD.** The teachers retirement board in each city of the 1st class shall have the program responsibilities specified for the board under subch. II of ch. 42.

(5) **STATE TEACHERS RETIREMENT BOARD.** The state teachers retirement board shall have the program responsibilities specified for the board under ch. 42 and ss. 13.50 (6), 13.51 (3) and (4), 108.04 (13) (e) and 165.25 (4).

History: 1973 c. 151, 336.

15.163 Same; specified divisions. (1)

MUNICIPAL AND STATE GOVERNMENT. There is created a division of municipal and state government in the department of employe trust funds. This division is under the direction and supervision of the Wisconsin retirement fund board. The Wisconsin retirement fund board shall appoint the administrator of the division of municipal and state government under the classified service.

(2) **TEACHERS.** There is created a division of teachers in the department of employe trust funds. This division is under the direction and supervision of the state teachers retirement

board. The state teachers retirement board shall appoint the administrator of the division of teachers under the classified service.

15.165 Same; attached boards. (2)

GROUP INSURANCE BOARD. There is created a group insurance board which is attached to the division of municipal and state government under s. 15.03. The board shall consist of the governor and the attorney general or their designees, the commissioner of insurance and the director of the personnel function in the department of administration, and 3 persons appointed for 2-year terms, of whom one shall be an insured member of the Wisconsin state employes association and one shall be an insured state-employed member of the state teachers retirement system.

(3) **WISCONSIN RETIREMENT FUND BOARD.** There is created a Wisconsin retirement fund board which is attached to the division of municipal and state government under s. 15.03. The board shall consist of the commissioner of insurance or an experienced actuary in the office of the commissioner designated by him, and 8 persons appointed by the governor for 5-year terms. The city or village member shall be appointed from a list of 5 names submitted by the executive committee of the league of Wisconsin municipalities, and the county or town member shall be appointed from a list of 5 names submitted by the executive committee of the Wisconsin county boards association. Each member appointed from a city or village shall be appointed from a different county. Each member appointed from a county or town shall be appointed from a different county. The appointive members shall consist of the following:

(a) One member who is the chief executive or a member of the governing body of a participating city or village, designated the city or village member.

(b) One member who is a participating employe and the principal finance officer of a participating city or village, designated the finance member.

(c) One member who is a participating employe of a participating city or village, designated the municipal employe member.

(d) One member who is the chairman or a member of the governing body of a participating county or town, designated the county or town member.

(e) One member who is a deputy county clerk of a participating county, designated the clerk member.

(f) One member who is a participating employe of a participating county or town, designated the county employe member.

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(g) One member who is a participating state employe, designated the state employe member.

(h) One member, designated the state member.

(4) MILWAUKEE TEACHERS RETIREMENT BOARD. There is created a teachers retirement board in each city of the 1st class, which is attached to the division of teachers under s. 15.03. The board shall consist of the president and 4 members of the board of school directors of the city; 2 female teachers, not more than one of whom may be a principal or vice principal; and 2 male teachers, not more than one of whom may be a principal or vice principal. The teachers of the public schools in the city annually shall elect one male teacher and one female teacher to the board for 2-year terms. The board of school directors annually shall elect 2 members thereof to the board for 2-year terms.

(5) STATE TEACHERS RETIREMENT BOARD. There is created a state teachers retirement board which is attached to the division of teachers under s. 15.03. Each member of the board shall be appointed for a 5-year term. The board shall consist of members as follows:

(a) Four public school teachers who are members of the state teachers retirement system.

(b) One public school teacher from a vocational, technical and adult education district who is a member of the state teachers retirement system.

(c) One university of Wisconsin system faculty member from a doctoral campus.

(d) One university of Wisconsin system faculty member from a nondoctoral campus.

(e) One member of the Wisconsin association of school boards.

(f) One academic nonfaculty employe of the university of Wisconsin system who is a member of the state teachers retirement system.

History: 1973 c. 151, 329

15.19 Department of health and social services; creation. There is created a department of health and social services under the direction and supervision of the secretary of health and social services.

History: 1975 c. 39

15.191 Same; program responsibilities. The department of health and social services shall have the program responsibilities specified for the department under chs. 46 to 58, 69, 140, 141, 143, 145, 146, 149, 159 and 975 and ss. 14.06, 20.435, 20.916 (3), 20.920, 25.31, 29.145 (1) and (1b), 30.71 (1), 32.02, 35.86, 36.25 (4), (11) and (12), 42.242 (4) (c), 42.245 (3) (c), 42.74 (1) (d), 42.78 (3) (c), 45.30, 59.68, 70.117, 97.24, 101.40 to 101.43, 101.93, 121.79 (1) (c), 142.05 (4), 143.07 (5), 155.01, 174.13,

176.05 (21) (f), 236.12, 247.24, 247.29 (3), 292.45, 341.12 (4), 343.09, 632.89 (2) (d) and (6), 655.03; 655.21, 655.27, 859.07, 880.295, 887.23, 971.14 and 971.17. In addition:

(2) PESTICIDE REVIEW BOARD. The pesticide review board shall have the program responsibilities specified under ss. 29.29 (4), 94.69 (10) and 140.77.

(3) CONTROLLED SUBSTANCES BOARD. The controlled substances board shall have the program responsibilities specified for the board in ch. 161.

History: 1971 c. 41 s. 12; 1971 c. 219 ss. 2, 35; 1973 c. 90 s. 557 (5); 1973 c. 116 s. 7 (2); 1973 c. 243; 1973 c. 335 s. 13; 1975 c. 37 s. 12 (1); 1975 c. 39 ss. 44, 729 (3); 1975 c. 198 ss. 6, 65; 1975 c. 223 s. 29; 1975 c. 413 s. 17; 1975 c. 422

15.195 Same; attached boards and commissions. (1) **PESTICIDE REVIEW BOARD.** There is created in the department of health and social services a pesticide review board. The review board shall consist of the secretary of agriculture, the secretary of natural resources and the secretary of health and social services or their designated representatives.

(2) CONTROLLED SUBSTANCES BOARD. There is created in the department of health and social services a controlled substances board consisting of the attorney general, the secretary of health and social services and the secretary of agriculture, or their designees; the chairman of the pharmacy examining board or his designee; and one psychiatrist and one pharmacologist appointed for 3-year terms.

History: 1971 c. 219

15.197 Same; councils. (2) **COUNCIL ON BLINDNESS.** There is created in the department of health and social services a council on blindness consisting of 3 members appointed by the secretary of health and social services for staggered 6-year terms. Persons appointed to the council shall be visually handicapped and shall have a recognized interest in and demonstrated knowledge of the problems of the visually handicapped. "Visually handicapped" means having a visual acuity equal to or less than 20/70 in the better eye with correcting lenses, or a visual acuity greater than 20/70 in the better eye with correcting lenses, but accompanied by a limitation in the field of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

(4) EXAMINING COUNCILS. Each of the examining councils created in the department of health and social services under this subsection shall serve the department in an advisory capacity in the formulating of rules to be adopted by the department for the regulation of a particular trade or profession. Section 15.08,

except subs. (4) (b) and (5) thereof, shall apply to examining councils.

(d) *Plumbers*. There is created a plumbers examining council consisting of 3 members. One member shall be an employe of the department of health and social services, selected by the secretary of health and social services, to serve as the secretary of the council. Two members, one a master plumber and one a journeyman plumber, shall be appointed by the secretary of health and social services for 2-year terms.

(e) *Public health nurses*. There is created a public health nurses examining council consisting of 3 members, of whom one shall be selected by the secretary of health and social services, and 2 shall be selected by the board of nursing.

(f) *Sanitarians*. There is created a sanitarians examining council consisting of 5 members. One member shall be an employe of the department of health and social services, selected by the secretary of health and social services, to serve as the secretary of the council. Three members shall be registered sanitarians, appointed by the secretary of health and social services for staggered 3-year terms. One member shall be an employe of the department of agriculture, designated by the secretary of agriculture.

(g) *Automatic fire sprinkler system contractors and journeymen*. There is created an automatic fire sprinkler system contractors and journeymen examining council consisting of 5 members. One member shall be an employe of the department of health and social services, selected by the secretary of health and social services, to serve as secretary of the council. Two members shall be licensed journeymen automatic fire sprinkler fitters and 2 members shall be persons representing licensed automatic fire sprinkler contractors, all appointed by the secretary of health and social services for staggered 4-year terms.

(h) *Emergency medical services*. There is created an emergency medical services examining council appointed by the secretary of health and social services and consisting of not more than 18 members and which shall include an emergency medical technician, a representative of a public ambulance service provider, a representative of the vocational, technical and adult education system knowledgeable in emergency medical service training, a representative of a private ambulance service provider, a physician knowledgeable in the field of emergency medical care, 2 public members knowledgeable in the field of emergency medical care, an emergency medical technician-advanced, a representative of an institution involved in advanced emergency medical training, and an employe of the department of health and social services serving as a member and the secretary of the

examining council. The examining council shall meet annually and may meet at other times on the call of the department of health and social services or of a majority of its members. Members shall serve staggered 3-year terms.

(8) **COUNCIL ON HOSPITAL REGULATION AND APPROVAL**. There is created in the department of health and social services a council on hospital regulation and approval consisting of a designee of the department as secretary and 9 persons appointed by the department for staggered 4-year terms, as follows:

(a) Two persons of recognized ability in the field of hospital administration, of whom one shall be appointed from a list submitted by the Wisconsin hospital association and one from a list submitted by the Wisconsin conference of Catholic hospitals.

(b) One physician of recognized ability who shall be appointed from a list submitted by the state medical society.

(bm) One osteopathic physician and surgeon, licensed to practice medicine and surgery, of recognized ability who shall be appointed from a list submitted by the Wisconsin association of osteopathic physicians and surgeons.

(c) One registered nurse of recognized ability who shall be appointed from a list submitted by the Wisconsin nurses association.

(d) One licensed dentist of recognized ability who shall be appointed from a list submitted by the state dental society.

(e) One person of recognized ability from the field of hospital pharmacy who shall be appointed from a list submitted by the state pharmaceutical association.

(f) Two persons chosen to represent the general public.

(10) **COUNCIL ON MENTAL HEALTH**. There is created in the department of health and social services a council on mental health consisting of 9 members appointed for staggered 3-year terms. Persons appointed to the council on mental health shall have a recognized interest in and demonstrated knowledge of the problems of mental health and mental retardation and their solution and shall hold no position or employment with the state.

(11) **COUNCIL ON NURSING HOMES**. There is created in the department of health and social services a council on nursing homes consisting of the secretary of health and social services or a designee, and 10 persons, including one registered nurse of recognized ability who shall be appointed from a list submitted by the Wisconsin nurses association, 4 persons of recognized ability in nursing home administration selected to represent the various types of nursing homes, and 5 persons of recognized ability in the fields of hospital administration, medicine and social

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services or with broad civil interests representing the general public, appointed by the secretary of health and social services for staggered 3-year terms.

(11n) COUNCIL ON DEVELOPMENTAL DISABILITIES. There is created a council, appointed for staggered 4-year terms, on developmental disabilities to be appointed in the following manner:

(a) Agencies of the state providing direct services to the mentally retarded and those with other developmental disabilities shall be represented by members of the council, to be designated by:

1. The chairman, department of industry, labor and human relations.

2. The secretary, department of health and social services.

3. The state superintendent of public instruction.

4. The president of the university of Wisconsin.

(b) Public and private nonprofit agencies of the state's political subdivisions providing direct services to the mentally retarded and those with other developmental disabilities shall be represented by members of the council to be appointed by the governor with due consideration given to:

1. The appointee's demonstrated interest in the problems associated with developmental disabilities.

2. A reasonably equitable representation of those communities located in the state's urban and rural poverty areas.

(c) The mentally retarded and those with other developmental disabilities, as consumers of the services provided by state and local agencies, both public and private, shall be represented by members of the council to be appointed by the governor from among the state's developmentally disabled citizens or their parents with due consideration given to:

1. The type and relative incidence of developmental disabilities among the state's population.

2. The appointee's demonstrated interest in the problems associated with developmental disabilities.

3. A reasonably equitable representation of the communities located in the state's urban and rural poverty areas.

4. The recommendations of state-wide or local nonprofit organizations representing the interests of those affected by developmental disabilities.

(12) RADIATION PROTECTION COUNCIL. There is created in the department of health and social services a radiation protection council consisting of 9 members appointed for staggered

3-year terms. Five members shall be appointed by the department of health and social services. Four members shall be appointed by the industry, labor and human relations commission.

(14) CITIZENS ADVISORY COUNCIL ON ALCOHOLISM. There is created in the department of health and social services a citizens advisory council on alcoholism. The council shall consist of 15 members appointed for staggered 3-year terms. Members shall have professional, research or personal interest in alcoholism problems.

(15) DRUG QUALITY COUNCIL. There is created in the department of health and social services a drug quality council consisting of 7 members appointed by the governor for staggered 3-year terms. Two members shall be physicians actively practicing in this state, at least one of whom shall be selected from a list of nominees submitted by the president of the state medical society; 2 shall be pharmacists actively practicing in this state, at least one of whom shall be selected from a list of nominees submitted by the president of the Wisconsin pharmaceutical association; 2 shall be pharmacologists who are members of the faculties of accredited medical or pharmacy schools in this state; and one, who shall serve as chairman, shall represent the interests of the public and shall not be licensed as a physician or pharmacist, employ or be employed by any person licensed to practice medicine or pharmacy or have any pecuniary interest in the manufacturing, wholesaling or retailing of pharmaceutical products.

History: 1971 c. 125, 219, 255, 322, 332; 1973 c. 198, 321, 322; 1975 c. 39 ss. 46 to 52, 732 (2); 1975 c. 115, 168, 199, 200.

15.22 Department of industry, labor and human relations; creation. There is created a department of industry, labor and human relations under the direction and supervision of the industry, labor and human relations commission.

15.221 Same; program responsibilities. The department of industry, labor and human relations shall have the program responsibilities specified for the department under chs. 101 to 106, 108, 109, 168 and 949, subch. VI of ch. 218 and ss. 32.19, 32.25 to 32.27, 45.50 (1), 47.40, 50.60, 50.61, 56.21, 66.191, 66.293, 111.33 to 111.36, 132.13, 140.53, 140.56, 140.58, 140.59, 146.04, 146.085, 167.10, 167.11, 167.27, 203.24 (5) and 626.12 (3). In addition:

(1) DIVISION OF EQUAL RIGHTS. The division of equal rights shall have the program responsibilities specified for the division under ss. 16.765, 101.22 and 101.222.

History: 1971 c. 185 s. 7; 1971 c. 215 s. 142; 1971 c. 228 s. 44; 1973 c. 116 s. 7 (1); 1973 c. 284 s. 32; 1975 c. 148 s. 3; 1975 c. 224 s. 147; 1975 c. 344 s. 4; 1975 c. 380 s. 4; 1975 c. 413 s. 18.

15.223 Same; specified divisions. (1) DIVISION OF EQUAL RIGHTS. There is created in the department of industry, labor and human relations a division of equal rights.

15.227 Same; councils. (1) EQUAL RIGHTS COUNCIL. There is created in the department of industry, labor and human relations an equal rights council consisting of not to exceed 35 members appointed for staggered 3-year terms. Members shall be appointed from the entire state and shall be representative of all races, creeds, groups, organizations and fields of endeavor. The equal rights council shall advise the industry, labor and human relations commission and the division of equal rights.

(2) COUNCIL ON LIQUEFIED PETROLEUM GAS. The industry, labor and human relations commission shall appoint a council on liquefied petroleum gas.

(3) COUNCIL ON UNEMPLOYMENT COMPENSATION. There is created in the department of industry, labor and human relations a council on unemployment compensation appointed by the industry, labor and human relations commission to consist of an employe of the department of industry, labor and human relations who shall serve as chairman and of one or more representatives of employers and an equal number of representatives of employes.

(4) COUNCIL ON WORKER'S COMPENSATION. There is created in the department of industry, labor and human relations a council on worker's compensation appointed by the industry, labor and human relations commission to consist of a member or designated employe of the industry, labor and human relations commission as chairman, 5 representatives of employers and 5 representatives of employes. The commission shall also appoint 3 representatives of casualty insurance companies as nonvoting members of the council.

(5) COUNCIL ON CHILD LABOR. There is created in the department of industry, labor and human relations a council on child labor to consist of the following:

(a) An industry, labor and human relations commissioner, designated by the commission, who shall serve as chairman of the council.

(b) A representative of the department, designated by the commission.

(c) Two senators and 2 representatives to the assembly, each representing one of the 2 major political parties in each house, appointed as are members of standing committees in each house.

(d) Such number of public members, including representatives from labor and management, as the commission chooses, designated by the commission. Public members shall be

knowledgeable in the field of child labor and problems related to the employment of minors.

(6) DWELLING CODE COUNCIL. There is created in the department of industry, labor and human relations, a dwelling code council, consisting of 15 members appointed for staggered 3-year terms. Four members shall be representatives of building trade labor organizations; 4 members shall be certified building inspectors employed by local units of government; 2 members shall be representatives of building contractors actively engaged in on-site construction of one- and 2-family housing; 2 members shall be representatives of manufacturers or installers of manufactured one- and 2-family housing; one member shall be an architect, engineer or designer actively engaged in the design or evaluation of one- and 2-family housing; and 2 members shall represent the public. An employe of the department designated by the industry, labor and human relations commission shall serve as nonvoting secretary of the council. The council shall meet at least twice a year. Ten members of the council shall constitute a quorum. For the purpose of conducting business a majority vote of the council shall be required.

History: 1971 c 271; 1975 c 147 s 54; 1975 c 404, 405.

Note: Sub. (6) is printed as created by chap. 405, laws of 1975. An earlier creation of sub. (6) by chap. 404, laws of 1975, is not shown, though it is nearly identical. See the Preface section 6 (c) for the printing rule followed.

15.25 Department of justice; creation.

There is created a department of justice under the direction and supervision of the attorney general.

15.251 Same; program responsibilities.

The department of justice shall have the program responsibilities specified for the department under ch. 165, subch. IV of ch. 19 and ss. 8.50 (1) (a), 10.01 (2) (c), 11.38, 11.60, 11.61, 12.60, 12.66, 13.52, 13.69, 14.11 (1), 14.12, 14.38 (12), 15.165 (2), 16.007, 16.55, 16.61, 16.77, 16.94, 19.015, 19.25, 20.455, 24.02, 24.03, 25.12, 27.01 (3), 30.03, 35.59, 41.03 (3), 46.16 (7), 50.39, 52.10, 59.07 (44), 66.054, 66.057 (1), 67.025, 69.07, 71.11 (49), 71.13 (4), 72.34, 72.86, 73.03 (22) and (25), 73.04, 76.14, 76.37 (4), 77.07 (2), 78.70, 78.81, 88.54 (6), 98.14, 100.20 (4), 100.24, 101.02 (5) (f), 101.20 (2), 102.23 (4), 102.28 (7), 102.475 (3), 102.64, 108.09 (7), 108.14 (3m), 111.12, 114.065, 133.01 to 133.03, 133.06, 133.19, 133.20, 133.22, 133.23, 134.45, 136.03, 139.08 (4), 139.12, 139.22, 140.58 (4), 143.04, 144.09, 144.536, 144.91 (1), 144.93 (1), 146.04, 146.07, 168.17, 174.13, 175.15, 176.05 (23) (h), 176.121, 177.20, 180.769, 180.771, 182.220, 185.72, 185.73, 185.84, 186.26, 194.15,

195.07 (2), 215.02 (5) and (8), 215.03 (4), 215.11 (7), 220.12, 221.18, 221.205, 221.28, 224.06 (7), 227.025, 227.26, 251.19, 256.47, 257.13, 285.01, 286.13, 286.15, 286.325, 286.35 to 286.37, 286.41, 286.43, 286.44, 294.04, 440.41, 440.61 (14), 442.11 (15), 442.12, 443.01 (14) and (15), 444.15, 447.01 (2), 448.11, 450.07, 551.57, 551.58 (2), 601.71, 605.24 (1), 701.10 (3), 710.02, 806.04 (11), 813.025, 817.05, 823.02, 823.20, 842.03, 879.03 (2), 885.07, 945.041 and 945.10. In addition:

(1) **DIVISION OF LAW ENFORCEMENT SERVICES.** The division of law enforcement service shall have the program responsibilities specified for the division under subch. III of ch. 165.

(2) **DIVISION OF CRIMINAL INVESTIGATION.** The division of criminal investigation shall have the program responsibilities specified for the division under ch. 161 and subch. II of ch. 165.

(3) **LAW ENFORCEMENT STANDARDS BOARD.** The law enforcement standards board shall have the program responsibilities specified for the board under ss. 165.85 and 165.86.

History: 1971 c. 40, 42; 1971 c. 152 s. 38; 1971 c. 185 s. 7; 1971 c. 228 s. 44; 1971 c. 254 s. 19; 1971 c. 310 ss. 4, 5; 1973 c. 90 s. 557 (4); 1973 c. 117 s. 12 (4); 1973 c. 189 s. 20; 1973 c. 318 s. 7; 1973 c. 334 s. 59; Sup. Ct. Order, 67 W (2d) 773; 1975 c. 39 s. 729 (5), 734; 1975 c. 41 s. 52; 1975 c. 147 s. 55; 1975 c. 189 s. 100 (3); 1975 c. 198; 1975 c. 209 s. 2; 1975 c. 274 s. 6; 1975 c. 365 s. 63; 1975 c. 383 s. 4; 1975 c. 401 s. 5; 1975 c. 413 s. 18; 1975 c. 422 s. 163; 1975 c. 426 s. 4.

15.253 Same; specified divisions. (1) **DIVISION OF LAW ENFORCEMENT SERVICES.** There is created in the department of justice a division of law enforcement services.

(2) **DIVISION OF CRIMINAL INVESTIGATION.** There is created in the department of justice a division of criminal investigation.

15.255 Same; boards. (1) **LAW ENFORCEMENT STANDARDS BOARD.** There is created a law enforcement standards board which is attached to the department of justice under s. 15.03.

(a) The board shall be composed of 14 members as follows:

1. Six representatives of local law enforcement in this state at least one of whom shall be a sheriff and at least one of whom shall be a chief of police.

2. One district attorney holding office in this state.

3. Two representatives of local government in this state who occupy executive or legislative posts.

4. One public member, not employed in law enforcement, who is a citizen of this state.

5. The administrator of the division of motor vehicles.

6. The attorney general or a member of his staff designated by him.

7. The executive director of the Wisconsin council on criminal justice.

8. The special agent in charge of the Milwaukee office of the federal bureau of investigation, or a member of his staff designated by him, who shall act in an advisory capacity but shall have no vote.

(b) The members of the board under par. (a) 1 to 4 shall be appointed for staggered 4-year terms, but no member shall serve beyond the time when he ceases to hold the office or employment by reason of which he was initially eligible for appointment.

(c) Notwithstanding the provisions of any statute, ordinance, local law or charter provision, membership on the board does not disqualify any member from holding any other public office or employment, or cause the forfeiture thereof.

History: 1971 c. 40.

15.257 Same; councils. (1) **INVESTIGATION COUNCIL.** There is created in the department of justice an investigation council consisting of the attorney general or his designee, a staff member of such department of the university of Wisconsin as the president of the university designates annually and 5 persons, at least 3 of whom shall be actively engaged in law enforcement work, appointed for staggered 4-year terms.

(2) **UNIVERSITY AND CRIME LABORATORY COOPERATION COUNCIL.** There is created in the department of justice a university and crime laboratory cooperation council appointed by the president of the university of Wisconsin and consisting of staff members of such university departments as the president determines are working with the laboratory.

15.28 Department of local affairs and development; creation. There is created a department of local affairs and development under the direction and supervision of the secretary of local affairs and development.

15.281 Same; program responsibilities. The department of local affairs and development shall have the program responsibilities specified for the department under chs. 22 and 236 and ss. 32.19, 32.25 to 32.27, 59.07 (20) and (75), 66.013 to 66.021, 66.92 (3), 66.941 (6), 66.945, 70.27 (8) and 84.03 (9) (b).

History: 1971 c. 40, 125, 228; 1975 c. 224 s. 147.

15.283 Same; specified divisions. (1) **DIVISION OF EMERGENCY GOVERNMENT.** There is created in the department of local affairs and development a division of emergency government. The administrator of this division shall be nominated by the governor, and with the advice

and consent of the senate appointed, to serve at the pleasure of the governor.

(3) DIVISION OF STATE-LOCAL AFFAIRS. There is created in the department of local affairs and development a division of state-local affairs.

History: 1971 c. 321.

15.287 Same; councils. **(3) COUNCIL ON EMERGENCY GOVERNMENT.** There is created in the department of local affairs and development a council on emergency government consisting of the governor as chairman, the lieutenant governor, as vice chairman, the administrator and an employe designated by him of the division of emergency government, one senator and one representative to the assembly appointed as are members of standing committees, a recognized civic leader for each civil defense area selected by the governor and 5 heads of civil defense services selected by the administrator of the division of emergency government.

(4) COUNCIL ON LOCAL AFFAIRS. There is created in the department of local affairs and development a council on local affairs consisting of 11 members.

History: 1971 c. 125, 321; 1973 c. 243

15.31 Department of military affairs; creation. There is created a department of military affairs under the direction and supervision of the adjutant general who shall be appointed by the governor for a 10-year term, unless terminated earlier by resignation, disability or for cause as determined by a court-martial legally convened for that purpose. The adjutant general may be reappointed to succeed himself and shall cease to hold office on becoming 65 years of age. Appointees shall be officers of the army national guard of Wisconsin or air national guard of Wisconsin who have had at least 5 years of federally recognized commissioned service in the active army national guard of Wisconsin or active air national guard of Wisconsin or a combination thereof and have attained at least the rank of major.

15.311 Same; program responsibilities. The department of military affairs shall have the program responsibilities specified for the department under ch. 21.

History: 1973 c. 90.

15.34 Department of natural resources; creation. There is created a department of natural resources under the direction and supervision of the natural resources board. The board shall consist of 7 members appointed for staggered 6-year terms. At least 3 members of the board shall be from the territory north, and at

least 3 members of the board shall be from the territory south, of a line running east and west through the south limits of the city of Stevens Point. No person may be appointed to the natural resources board, or remain a member thereof, who is a permit holder or who receives, or has during the previous 2 years received, a significant portion of his income directly or indirectly from permit holders or applicants for permits issued by the department. For purposes of this section, "permit holders" or "applicants for permits" shall not include agencies, departments or subdivisions of this state.

History: 1973 c. 74.

15.341 Same; program responsibilities. The department of natural resources shall have the program responsibilities specified for the department under chs. 23, 26, 28, 29, 30, 87 and 144 and ss. 24.085, 24.39 (4), 25.29, 27.01, 27.011, 27.015, 31.02, 31.185, 31.30, 31.36 (4), 36.25 (4) and (8), 44.12, 44.13, 59.96 (6), 59.971 (6), 60.18 (15), 60.29 (44), 60.303 (5), 60.315, 70.11 (21), 70.113, 70.335, 77.02, 77.03, 77.05, 77.06, 77.08, 77.10, 77.11, 77.14, 77.16, 80.05, 80.39, 80.41, 88.31, 196.491, 236.13 (2m), 236.16 (3) and 236.45 (5). In addition:

(1) DIVISION OF TRUST LANDS AND INVESTMENTS. The division of trust lands and investments shall have the program responsibilities specified for the division under chs. 23 and 24 and ss. 25.01 to 25.10, 26.08, 66.03 (10), (10a) and (11), 66.64, 74.57 and 190.15.

History: 1971 c. 40, 211, 228; 1973 c. 90 s. 557 (2); 1973 c. 243; 1973 c. 335 s. 13; 1975 c. 68 s. 12; 1975 c. 198.

15.343 Same; specified divisions. **(1) TRUST LANDS AND INVESTMENTS DIVISION.** There is created a division of trust lands and investments which is attached to the department of natural resources under s. 15.03. This division is under the direction and supervision of the board of commissioners of public lands created by article X, section 7 of the state constitution to consist of the secretary of state, state treasurer and attorney general.

15.347 Same; councils. **(1) WISCONSIN CITIZENS ENVIRONMENTAL COUNCIL.** There is created in the department of natural resources a Wisconsin citizens environmental council. The council shall consist of one senator and 2 representatives to the assembly appointed as are members of standing committees in the respective houses, 4 members representing the departments of natural resources, transportation and local affairs and development and the university of Wisconsin extension appointed respectively by the heads of the departments and the board of

regents of the university of Wisconsin system to serve at the pleasure of the appointing authority; and 6 citizen members appointed by the governor to serve 3-year terms so staggered that 2 citizen posts on the council shall expire each year.

(2) NATURAL RESOURCES COUNCIL OF STATE AGENCIES. There is created in the department of natural resources a natural resources council of state agencies consisting of 19 persons. Seventeen of the members shall represent 15 officers, departments or independent institutions and agencies as follows, and each member shall be designated by the respective named officer or head of the department or independent institution or agency: the governor, the attorney general, the public service commission, the board of regents of the university of Wisconsin system, the board of soil and water conservation districts, the departments of administration, of agriculture, of health and social services, of business development, of local affairs and development, of public instruction and of transportation, shall each designate one member and the department of natural resources shall designate 2 members. The university of Wisconsin system shall designate 3 members to represent, respectively, the cooperative extension services, the geological and natural history survey and the water resources center. In addition, the chairman of the joint legislative council shall designate 2 members of the council to be members.

(4) SCIENTIFIC AREAS PRESERVATION COUNCIL. There is created in the department of natural resources a scientific areas preservation council consisting of the following representatives:

(a) Two from the department of natural resources, appointed by the board of natural resources, one to serve as secretary.

(b) Four from the university of Wisconsin system, appointed by the board of regents of the university of Wisconsin system.

(c) One from the department of public instruction, appointed by the state superintendent.

(d) One from the Milwaukee public museum, appointed by its board of directors.

(e) Three appointed by the council of the Wisconsin academy of sciences, arts and letters, at least one representing the private colleges in this state.

(5) WATER RESOURCES COUNCIL. There is created in the department of natural resources a water resources council consisting of one member selected annually by each regional board under s. 144.025 (5) from its citizen members.

(6) AIR POLLUTION CONTROL COUNCIL. There is created in the department of natural

resources an air pollution control council consisting of 7 members familiar with air pollution and control, appointed for staggered 3-year terms.

(7) SNOWMOBILE RECREATIONAL COUNCIL. There is created in the department of natural resources a snowmobile recreational council consisting of 15 members nominated by the governor, and with the advice and consent of the senate, appointed for staggered 3-year terms. Commencing on July 1, 1972, 5 members shall be appointed to serve for one year, 5 members for 2 years and 5 members for 3 years. Thereafter all terms shall be for 3 years with 5 positions on the council to expire each year. At least 5 members of the council shall be from the territory north, and at least 5 members shall be from the territory south; of a line running east and west through the south limits of the city of Stevens Point.

(8) INLAND LAKES PROTECTION AND REHABILITATION COUNCIL. There is created in the department of natural resources an inland lakes protection and rehabilitation council consisting of:

(a) Four public members nominated by the governor, and with the advice and consent of the senate appointed, for staggered 4-year terms;

(b) The director of the university of Wisconsin-Madison water resources center or his designated representative;

(c) The chairman of the board of soil and water conservation districts; and

(d) Three members representing the following departments and serving at the pleasure of the appointing authority:

1. The department of natural resources, appointed by the secretary thereof;

2. The department of agriculture, appointed by the secretary thereof; and

3. The department of local affairs and development, appointed by the secretary thereof.

(9) MINE RECLAMATION COUNCIL. There is created in the department of natural resources a mine reclamation council consisting of 5 members, appointed for staggered 5-year terms, subject to the following:

(a) One member shall be a person who is engaged in the mining industry and who has a recognized interest in and knowledge of the science of metal mining operations.

(b) One member shall be a landscape architect who has an interest in and knowledge of the methods of land reclamation.

(c) One member shall be a person who has a recognized interest in and knowledge of soil conservation.

(d) One member shall be a person who has a recognized interest in and knowledge of water resources management.

(e) One member shall be the state geologist or his designated representative.

(10) PCB ADVISORY COUNCIL. There is created in the department of natural resources a PCB advisory council consisting of 10 persons from multiple disciplines representing a variety and balance of economic, scientific and environmental viewpoints. One member shall be appointed by the public service commission and 9 members shall be appointed by the secretary for staggered 3-year terms. The council shall advise the department on the implementation of s. 144.50. All rules proposed by the department under s. 144.50 shall be submitted to the council for review and comment prior to their being proposed in final draft form by the board. The department shall transmit all written comments of all members of the council with the summary of the proposed rules to appropriate standing committees of the legislature under s. 227.018 (2). Written minutes of all meetings of the council shall be prepared by the department and made available to all interested parties upon request.

History: 1971 c. 100 s. 23; 1971 c. 164, 211, 277, 307, 323; 1973 c. 12, 301, 318; 1975 c. 39, 198, 224, 412

15.348 Conservation congress. The conservation congress shall be an independent organization of citizens of the state and shall serve in an advisory capacity to the natural resources board on all matters under the jurisdiction of the board. Its records, budgets, studies and surveys shall be kept and established in conjunction with the department of natural resources. Its reports shall be an independent advisory opinion of such congress.

History: 1971 c. 179.

15.37 Department of public instruction; creation. There is created a department of public instruction under the direction and supervision of the state superintendent.

History: 1971 c. 125.

15.371 Same; program responsibilities. The department of public instruction shall have the program responsibilities specified for the department under title XIV and ss. 17.26 (4), 20.255, 20.920, 25.09, 35.85 (6), 35.86, 42.39, 43.03, 51.06 (2), 66.73, 143.17 and 887.23. In addition:

(2) DIVISION FOR HANDICAPPED CHILDREN. The division for handicapped children shall have the program responsibilities specified for the division under ch. 142, subch. IV of ch. 115 and ss. 115.53 (6), 119.28 and 146.36.

(3) DIVISION FOR LIBRARY SERVICES. The division for library services shall have the

program responsibilities specified for the division under ch. 43.

History: 1971 c. 40 s. 93; 1971 c. 125 ss. 16, 520 (6); 1971 c. 152 s. 38; 1971 c. 154 s. 80; 1973 c. 300 s. 4; 1973 c. 335 s. 14; 1973 c. 336; 1975 c. 39 s. 729 (6); 1975 c. 189 s. 100 (2); 1975 c. 198; 1975 c. 430 s. 79.

15.373 Same; specified divisions. (1) DIVISION FOR HANDICAPPED CHILDREN. There is created in the department of public instruction a division for handicapped children.

(2) DIVISION FOR LIBRARY SERVICES. There is created in the department of public instruction a division for library services.

15.377 Same; councils. (1) COUNCIL ON THE EDUCATION OF THE BLIND. There is created in the department of public instruction a council on the education of the blind consisting of 3 members, who shall be visually handicapped and shall have a recognized interest in and a demonstrated knowledge of the problems of the visually handicapped, appointed by the state superintendent of public instruction for staggered 6-year terms. "Visually handicapped" means having a) a visual acuity equal to or less than 20/70 in the better eye with correcting lenses, or b) a visual acuity greater than 20/70 in the better eye with correcting lenses, but accompanied by a limitation in the field of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

(2) COUNCIL ON LIBRARY DEVELOPMENT. There is created in the department of public instruction a council on library development consisting of the president of the university of Wisconsin, the director of the board of vocational, technical and adult education and the director of the historical society, or their designees, and 7 persons, 3 to be professional librarians and 4 to be laymen, including at least one public library board member, with a demonstrated interest in library development, appointed for staggered 3-year terms.

(3) COUNCIL ON PUBLIC LIBRARY CERTIFICATES AND STANDARDS. There is created in the department of public instruction a council on public library certificates and standards appointed by the state superintendent to consist of librarians, library board members and interested citizens appointed in such number as the state superintendent determines.

(4) COUNCIL ON SPECIAL EDUCATION. There is created in the department of public instruction a council on special education consisting of 15 members appointed by the state superintendent for 3-year terms. No more than 7 members of the council may be persons who do not have children with exceptional educational needs and who are representatives of the state, school districts, county handicapped children's education boards

or cooperative educational service agencies. At least 5 members of the council shall be parents or guardians of a child with exceptional educational needs, at least one member of the council shall be a school board member, at least one member shall be a certified teacher of regular education as defined in s. 115.76 (9) and at least one member shall be a certified teacher of special education.

(5) **COUNCIL ON INDIAN EDUCATION.** There is created a council on Indian education attached to the department of public instruction for administrative purposes. The council shall consist of 10 persons who are members of the education committee of the great lakes intertribal council, and shall be appointed by the governor. The council shall advise the state superintendent of public instruction, the board of regents of the university of Wisconsin system, the higher educational aids board, and the board of vocational, technical and adult education.

History: 1971 c. 152, 211, 292; 1973 c. 89, 220, 336.

15.40 Department of regulation and licensing; creation. There is created a department of regulation and licensing under the direction and supervision of the secretary of regulation and licensing.

(1) Section 15.04 (1) and (3) does not apply to the department of regulation and licensing but the secretary may create an administrative council for the department consisting of representatives of the division of nurses and the examining boards attached to the department.

(2) The board of nursing under s. 15.403, and each examining board attached to the department under s. 15.405, shall:

(a) Independently exercise its powers, duties and functions prescribed by law with regard to rule-making, licensing, certifying and regulation.

(b) Within the limitations prescribed by law, control the allocation, disbursement and budgeting of the funds it receives in connection with its licensing, certifying and related activities.

(c) Be the supervising authority, except as provided under sub. (3) (e), of all personnel, other than shared personnel, engaged in the review, investigation or handling of information regarding qualification of applicants for license, examination questions and answers, accreditation, investigation incident thereto, and disciplinary matters affecting licensees, or in the establishing of regulatory policy or the exercise of administrative discretion with regard to qualification or discipline of applicants or licensees or accreditation.

(d) Maintain, in conjunction with their operations, in central locations designated by the department, all records of the division of nurses

or the examining boards, respectively, pertaining to the functions independently retained by them.

(e) Compile and keep current a register of the names and addresses of all licensees to be retained by the department and which shall be available for public inspection during the times specified in s. 16.30 (4) (a).

(3) The secretary of regulation and licensing shall:

(a) Centralize, at the capital and in such district offices as the operations of the department, its divisions and the examining boards attached thereto may require, the routine housekeeping functions required by the department, by the divisions and by the examining boards.

(b) Provide the bookkeeping, payroll and accounting services, and the personnel advisory services required by the department.

(c) Handle all moneys received by the department and assign them to the proper accounts.

(d) Handle all moneys disbursed by the department, drawing vouchers in the name of the department or of the proper division or examining board against the proper appropriations. The department shall provide, upon request of an examining board or the division of nurses, a monthly report of the receipts and expenditures for the respective unit.

(e) Employ, assign and reassign such staff as are required by the department, its examining boards and boards in the performance of their functions, except for the executive secretaries as provided in s. 15.405 (2) (d), (4m), (9), (10) and (11).

(f) With the advice of the board of nursing and the examining boards:

1. Provide the department with such supplies, equipment, office space and meeting facilities as are required for the efficient operation of the department.

2. Make all arrangements for meetings, hearings and examinations.

3. Provide such other services as the board of nursing or examining boards request.

(4) (b) Any dispute between a division or examining board and the secretary shall be arbitrated by the governor or his designee after consultation with the disputants.

History: 1971 c. 270s. 104; 1975 c. 39.

15.401 Same; program responsibilities.

The department of regulation and licensing shall have the program responsibilities specified for the department under ch. 655 and Title XL-A. in addition:

(1) **DIVISION OF NURSES.** The division of nurses shall have the program responsibilities

specified for the division under ch. 441. In addition:

(a) *Registered nurses.* The examining council on registered nurses shall have the program responsibilities specified for the examining council under s. 441.05.

(b) *Practical nurses.* The examining council on licensed practical nurses shall have the program responsibilities specified for the examining council under s. 441.10.

(2) **ACCOUNTING EXAMINING BOARD.** The accounting examining board shall have the program responsibilities specified for the examining board under ch. 442.

(3) **EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS.** The examining board of architects, professional engineers, designers and land surveyors shall have the program responsibilities specified for the board under ch. 443.

(4) **ATHLETIC EXAMINING BOARD.** The athletic examining board shall have the program responsibilities specified for the examining board under ch. 444.

(5m) **BINGO CONTROL BOARD.** The bingo control board shall have the program responsibilities specified for the board under ch. 163.

(6) **CHIROPRACTIC EXAMINING BOARD.** The chiropractic examining board shall have the program responsibilities specified for the examining board under ch. 446.

(7) **DENTISTRY EXAMINING BOARD.** The dentistry examining board shall have the program responsibilities specified for the examining board under ch. 447.

(7m) **HEARING AID DEALERS AND FITTERS EXAMINING BOARD.** The hearing aid dealers and fitters examining board shall have the program responsibilities specified for the examining board under ch. 459.

(8) **MEDICAL EXAMINING BOARD.** The medical examining board shall have the program responsibilities specified for the examining board under ch. 448.

(8m) **NURSING HOME ADMINISTRATOR EXAMINING BOARD.** The nursing home administrator examining board shall have the program responsibilities specified for the examining board under ch. 456.

(9) **OPTOMETRY EXAMINING BOARD.** The optometry examining board shall have the program responsibilities specified for the examining board under ch. 449.

(10) **PHARMACY EXAMINING BOARD.** The pharmacy examining board shall have the program responsibilities specified for the examining board under chs. 161 and 450.

(11) **PHARMACY INTERNSHIP BOARD.** The pharmacy internship board shall have the

program responsibilities specified for the board under ch. 451.

(11m) **PSYCHOLOGY EXAMINING BOARD.** The psychology examining board shall have the program responsibilities specified for the examining board under ch. 455.

(12) **REAL ESTATE EXAMINING BOARD.** The real estate examining board shall have the program responsibilities specified for the examining board under ch. 452.

(13) **VETERINARY EXAMINING BOARD.** The veterinary examining board shall have the program responsibilities specified for the examining board under ch. 453.

(14) **WATCHMAKING EXAMINING BOARD.** The watchmaking examining board shall have the program responsibilities specified for the examining board under ch. 454.

(15) **BARBERS EXAMINING BOARD.** The barbers examining board shall have the program responsibilities specified for the examining board under ch. 158.

(16) **COSMETOLOGY EXAMINING BOARD.** The cosmetology examining board shall have the program responsibilities specified for the examining board under ch. 159.

(17) **FUNERAL DIRECTORS AND EMBALMERS EXAMINING BOARD.** The funeral directors and embalmers examining board shall have the program responsibilities specified for the examining board under ch. 156.

History: 1971 c. 40, 164; 1971 c. 219 s. 34; 1973 c. 156; 1975 c. 37 s. 12 (2); 1975 c. 39.

15.403 Same; specified divisions. (1) **DIVISION OF NURSES.** There is created in the department of regulation and licensing a division of nurses. The division is under the direction and supervision of the board of nursing. The powers and duties of the board shall be regulatory, advisory and policy-making, and not administrative.

(a) *Board of nursing.* The board of nursing is created to consist of a licensed practical nurse; the administrator of the division; 6 registered nurses, of whom 2 shall be members of the Wisconsin nurses association and 2 shall be members of the Wisconsin league for nursing; and one licensed public health nurse from the department of health and social services, one person from the state hospital association, one person from the Wisconsin conference of the Catholic hospital association, one licensed nursing home administrator, one person from the state medical society and 2 public members not engaged in any occupation or profession concerned with the delivery of physical or mental health care, appointed for staggered 4-year terms. Section 15.08 (1m) (a) applies to the public members. Each nurse member of the

board shall meet the applicable following requirements:

1. Each registered nurse member of the board shall have:

a. Graduated from a program in professional nursing accredited by the state in which the program was conducted;

b. Graduated from a recognized college or university with at least a baccalaureate degree;

c. Varied experience in nursing, preferably including administration or teaching in a nursing education program;

d. Resided in this state for one year;

e. Current professional nurse registration; and

f. Membership in the nurse group from which such nurse is to be selected.

2. The licensed practical nurse member of the board shall have:

a. A current state license;

b. At least 5 years of nursing experience, including the 3 years immediately preceding appointment to the board;

c. Membership in good standing with the Wisconsin association of licensed practical nurses; and

d. Resided and been employed as a licensed practical nurse in this state for at least one year.

(b) *Examining councils.* The following examining councils are created in the division of nurses in the department of regulation and licensing. Section 15.08, except subs. (4) (b) and (5) thereof, shall apply to the examining councils.

1. Registered nurses. There is created an examining council on registered nurses to consist of the administrator of the division of nurses and 4 registered nurses of not less than 3 years' experience in nursing, appointed by the board of nursing for staggered 4-year terms.

2. Practical nurses. There is created an examining council on licensed practical nurses to consist of the administrator of the division of nurses, one registered nurse, 3 licensed practical nurses and one registered nurse who is a faculty member of an accredited school for practical nurses, appointed by the board of nursing for staggered 3-year terms. No appointive member may be a member of the examining council on registered nurses.

History: 1975 c 39, 86, 200.

Cross Reference: See 15.08 (1m) concerning public members.

15.405 Same; attached boards and examining boards. (1) ACCOUNTING EXAMINING BOARD. There is created an accounting examining board in the department of regulation and licensing. The examining board shall consist of 6 members, appointed for staggered 5-year terms. Five members shall hold certificates as

certified public accountants authorized to practice in this state, and may be selected from nominees of the Wisconsin society of certified public accountants. Any list of nominees submitted by the society shall bear the names of at least 7 nominees for each vacancy to be filled. One member shall be a public member who is not professionally engaged in accounting related services.

(2) EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS. There is created an examining board of architects, professional engineers, designers and land surveyors in the department of regulation and licensing. Any professional member appointed to the examining board shall have engaged in the practice of the profession of architecture, professional engineering, the design of engineering systems or land surveying, for at least 10 years and shall have been in responsible charge of architectural, professional engineering, designing of engineering systems or land surveying work for at least 5 years. The examining board shall consist of 16 members: 3 architects, 3 professional engineers, 3 designers and 3 land surveyors, and 4 public members. The 3 architects, the 3 professional engineers, 3 designers and the 3 land surveyors shall be appointed by the industry, labor and human relations commission for staggered 3-year terms. Public members shall be appointed by the governor for staggered 3-year terms. No appointed member may serve more than 2 consecutive terms.

(a) In operation, the examining board shall be divided into an architect section, an engineer section, a designer section and a land surveyor section. Each section shall consist of the 3 members of the named profession appointed to the examining board by the industry, labor and human relations commission and 1 public member appointed to the section by the governor. The board shall elect its own officers, and shall meet at least twice annually.

(b) All matters pertaining to passing upon the qualifications of applicants for and the granting or revocation of registration, and all other matters of interest to either the architectural, engineering, designing or surveying section shall be acted upon solely by the interested section.

(c) All matters of joint interest shall be considered by joint meetings of all sections of the examining board or of those sections to which the problem is of interest. The dean of the college of engineering shall be entitled to only one vote in any such joint meeting. At such joint meeting the dean of the college of engineering or the dean of the college of architecture, shall preside as chairman.

(d) The examining board shall determine the qualifications of and appoint an executive secretary. The executive secretary shall serve as nonvoting secretary to the examining board.

(3) **ATHLETIC EXAMINING BOARD.** There is created an athletic examining board in the department of regulation and licensing. The athletic examining board shall consist of 3 members appointed for staggered 3-year terms. The secretary shall file a bond under s. 19.01 in the sum of \$2,000 with surety approved by the examining board. The secretary may receive such additional compensation, not to exceed \$2,400 per year, as the examining board directs.

(4m) **BINGO CONTROL BOARD.** There is created a bingo control board in the department of regulation and licensing. The bingo control board shall consist of 5 residents of this state appointed for staggered 5-year terms. Not more than 3 members of the board may belong to the same political party. Members of the board shall hold office until a successor is appointed and qualified. The board shall determine the qualifications of and appoint a full-time executive secretary outside the classified service to serve at the board's pleasure.

(5) **CHIROPRACTIC EXAMINING BOARD.** There is created a chiropractic examining board in the department of regulation and licensing. The chiropractic examining board shall consist of 5 members, appointed for staggered 6-year terms. Four members shall be graduates from a school of chiropractic, be licensed to practice chiropractic in this state and shall have been practitioners of chiropractic in this state for the 3 years immediately preceding appointment. One member shall be a public member. Persons appointed to the examining board shall not be officers or employes of, or be financially interested in, any school or college of chiropractic.

(6) **DENTISTRY EXAMINING BOARD.** There is created a dentistry examining board in the department of regulation and licensing. The dentistry examining board shall consist of 6 members appointed for staggered 5-year terms. Five of the members shall be licensed dentists in this state. One member shall be a public member. No person shall be appointed to the examining board who is in any way connected with or has a financial interest in any dental school or department. The secretary may receive such compensation, in lieu of a per diem, as the examining board directs.

Note: Sub. (6) is printed as amended by chs. 39 and 86, laws of 1975, as authorized by s. 13.93 (2) (c).

(6m) **HEARING AID DEALERS AND FITTERS EXAMINING BOARD.** There is created a hearing aid dealers and fitters examining board in the department of regulation and licensing. The

hearing aid dealers and fitters examining board shall consist of 6 members appointed for staggered 6-year terms. Members of the examining board shall be residents of this state. Three members shall be hearing aid dealers or fitters, each of whom shall have had at least 5 years' experience and hold a valid license as a hearing aid dealer or fitter under ch. 459, one member shall be a physician, one member shall be an audiologist certified by the American speech and hearing association and one member shall be a public member who is a hearing aid user.

(7) **MEDICAL EXAMINING BOARD.** There is created a medical examining board in the department of regulation and licensing. The medical examining board shall consist of 9 members appointed for staggered 4-year terms which shall commence on May 1. The terms of 2 members shall expire annually on April 30. Seven of the members shall be licensed doctors of medicine; one member shall be a licensed doctor of osteopathy; one member shall be a public member. No person may be appointed to the examining board who is an instructor, stockholder or member of, or financially interested in, any school, college or university having a medical department, or of any school of osteopathy, except an instructor having a part-time clinical appointment. In lieu of a per diem, the secretary shall receive such additional compensation as the examining board directs, but not less than \$1,900 annually.

(7m) **NURSING HOME ADMINISTRATOR EXAMINING BOARD.** There is created a nursing home administrator examining board in the department of regulation and licensing consisting of 9 members appointed for staggered 3-year terms and the secretary of health and social services or a designee, who shall serve as a nonvoting member. Any organization which is to submit a list of names from which the governor may appoint members of the examining board shall, upon request of the governor, submit additional names. One member shall be a nursing home administrator of a voluntary nonprofit home who may be appointed from a list of names submitted by the Wisconsin council of homes for the aging. One member shall be a nursing home administrator of a proprietary home who may be appointed from a list of names submitted by the Wisconsin association of nursing homes, inc. One member shall be an administrator of a general acute care hospital who may be appointed from a list of names submitted by the Wisconsin hospital association. One member shall be an administrator of a public medical care facility who may be appointed from a list of names submitted by the association of Wisconsin county homes. One

member shall be a member of the Wisconsin chapter of the American college of nursing home administrators, who may be selected from a list of names submitted by the college. One member shall be a physician who may be selected from a list of names submitted by the state medical society of Wisconsin. One member shall be a nurse who may be selected from a list of names submitted by the Wisconsin nurses association, inc. Two members shall be public members. No more than 2 members may be officials or full-time employes of the state and less than a majority of the examining board shall be representatives of a single profession or institutional category. The secretary may receive such additional compensation as the examining board directs.

(8) OPTOMETRY EXAMINING BOARD. There is created an optometry examining board in the department of regulation and licensing. The optometry examining board shall consist of 6 members appointed for staggered 5-year terms. Five of the members shall have been actively engaged in the practice of optometry for the 5 years immediately preceding appointment. One member shall be a public member. The secretary may receive such additional compensation as the examining board directs.

(9) PHARMACY EXAMINING BOARD. There is created a pharmacy examining board in the department of regulation and licensing. The pharmacy examining board shall consist of 6 members appointed for staggered 5-year terms. Five of the members shall be, at the time of the appointment, actively engaged in the full-time practice of pharmacy and shall have been licensed to practice pharmacy for at least 5 years preceding appointment. One member shall be a public member. No member may serve more than 2 terms. Appointments may be made from a list of 5 names submitted by a resolution of the board of directors of the Wisconsin pharmaceutical association for each professional vacancy. The examining board shall determine the qualifications of and appoint an executive secretary outside the classified service, but if one of the members serves as executive secretary then that member's salary shall be in lieu of the per diem.

(10) PHARMACY INTERNSHIP BOARD. There is created a pharmacy internship board in the department of regulation and licensing. Section 15.08 applies to the pharmacy internship board. The pharmacy internship board shall consist of 7 members: 2 members of the pharmacy examining board appointed by the pharmacy examining board, 2 members of the faculty of the university of Wisconsin school of pharmacy appointed by the dean of the school, 2 members appointed by the Wisconsin pharmaceutical association, and

one public member. The members of the pharmacy internship board who are not appointed by the pharmacy examining board shall serve staggered 5-year terms. The internship board shall determine the qualifications of and appoint outside the classified service a full-time executive secretary of internship.

(10m) PSYCHOLOGY EXAMINING BOARD. There is created in the department of regulation and licensing a psychology examining board consisting of 5 members appointed for staggered 3-year terms. Four of the members shall have the qualifications required of a licensed psychologist in this state, and of these one member shall be a member of the faculty of an accredited college or university in this state who actively engages in teaching psychology, one member shall have a Ph. D. in psychology and be practicing in the field of mental health and one member shall be chosen from any field of psychology. One member shall be a public member. No member may serve more than 2 full terms in succession. Appointments for professional members may be made from a list of 3 names submitted by the Wisconsin psychological association for each vacancy.

(11) REAL ESTATE EXAMINING BOARD. There is created a real estate examining board in the department of regulation and licensing. The real estate examining board shall consist of 5 members appointed to staggered 6-year terms. Four of the members shall be real estate brokers licensed in this state. One member shall be a public member. The examining board shall determine the qualifications of and appoint an executive secretary outside the classified service, but if one of the members serves as executive secretary then that member's salary shall be in lieu of the per diem.

(12) VETERINARY EXAMINING BOARD. There is created a veterinary examining board in the department of regulation and licensing. The veterinary examining board shall consist of 6 members appointed for staggered 5-year terms. Five of the members shall be licensed and actually engaged in the practice of veterinary medicine in this state. One member shall be a public member. No member of the board shall in any way be financially interested in any school having a veterinary department. The secretary may receive such compensation, in lieu of a per diem, as the examining board directs.

(13) WATCHMAKING EXAMINING BOARD. There is created a watchmaking examining board in the department of regulation and licensing. The watchmaking examining board shall consist of 5 members appointed for staggered 5-year terms. Four of the members shall have actually engaged in the practice of watchmaking for 5 years immediately preceding

appointment. One member shall be a public member. The secretary may receive such additional compensation as the board directs.

(14) BARBERS EXAMINING BOARD. There is created a barbers examining board in the department of regulation and licensing. The barbers examining board shall consist of 5 members appointed for staggered 3-year terms. Each member shall have engaged in the practice of barbering in this state for at least 5 years immediately preceding appointment and must remain a practicing barber for the duration of the term. No member may succeed himself or herself for more than one term.

(15) COSMETOLOGY EXAMINING BOARD. There is created a cosmetology examining board in the department of regulation and licensing. The cosmetology examining board shall consist of 7 members appointed for staggered 3-year terms. Each member shall be a licensed cosmetologist who has practiced in this state for at least 5 years immediately prior to appointment. No person may be appointed to the examining board who is in any way connected with or has a financial interest in any cosmetology school.

(16) FUNERAL DIRECTORS AND EMBALMERS EXAMINING BOARD. There is created a funeral directors and embalmers examining board in the department of regulation and licensing. The funeral directors and embalmers examining board shall consist of 4 members appointed for staggered 3-year terms. Each member shall have had at least 5 years' experience immediately preceding appointment in the preparation and disposition of dead human bodies and in the practice of embalming.

History: 1973 c. 90, 156; 1975 c. 39, 86, 199, 200, 383, 422.

Cross Reference: See 15.08 (1m) concerning public members.

Medical school instructor serving without compensation is ineligible to serve on board of medical examiners. 62 Atty. Gen. 193.

Incumbent real estate examining board member is entitled to hold over in office until his successor is duly appointed and confirmed by the senate, and board is without authority to reimburse nominee for expenses incurred in attending meeting during orientation period prior to confirmation under facts stated. 63 Atty. Gen. 192.

15.407 Same; councils. (1) **EXAMINING COUNCILS.** Each of the examining councils created in the department of regulation and licensing under this subsection shall serve the medical examining board in an advisory capacity in the formulating of rules to be adopted by the medical examining board for the regulation of a particular trade or profession. Section 15.08, except subs. (4) (b) and (5) thereof, shall apply to these examining councils.

(a) **Physical therapists.** There is created a physical therapists examining council consisting of 3 licensed physical therapists, each of whom

shall have engaged in the practice of physical therapy for at least 3 years preceding appointment, and one public member. The physical therapist members shall be appointed by the medical examining board. The members of the examining council shall serve staggered 4-year terms.

(b) **Podiatrists.** There is created a podiatrists examining council consisting of 3 licensed podiatrists appointed by the medical examining board and one public member. The members of the examining council shall serve staggered 4-year terms.

(2) COUNCIL ON PHYSICIAN'S ASSISTANTS. There is created a council on physician's assistants in the department of regulation and licensing and serving the medical examining board in an advisory capacity. The council's membership shall consist of:

(a) The vice chancellor for health sciences of the university of Wisconsin-Madison or his designee.

(b) The dean of the medical college of Wisconsin or his designee.

(c) A designee of the department of health and social services.

(d) A member of the board of vocational, technical and adult education selected by that board or the board's designee.

(e) Two persons appointed by the governor.

(f) Two physicians in full-time private practice and 2 physician's assistants selected by the medical examining board for staggered 2-year terms.

(g) A member of the medical examining board selected by that board.

(h) The dean of the university of Wisconsin-Milwaukee school of nursing or his designee.

(i) A person selected by the board of nursing.

(j) Two consumer representatives selected by the state health policy and program council.

History: 1973 c. 149; 1975 c. 39, 86, 199, 383, 422.

Cross Reference: See 15.08 (1m) concerning public members.

15.43 Department of revenue; creation.

There is created a department of revenue under the direction and supervision of the secretary of revenue.

15.431 Same; program responsibilities.

The department of revenue shall have the program responsibilities specified for the department under title X, chs. 139 and 176 and ss. 18.05 (2), 19.44 (2), 25.06, 25.08, 25.09, 25.12, 36.25 (6), 66.054, 66.057 (3), (4) and (5), 67.03, 69.61 to 69.65, 79.20, 79.21, 79.22, 79.23, 121.06, 128.14 (1), 865.11 (1) and 867.01.

History: 1971 c. 42; 1971 c. 215 s. 142; 1973 c. 90 s. 557 (6); 1973 c. 335 s. 13; 1975 c. 39 s. 729 (6m); 1975 c. 41 s. 52; 1975 c. 295 s. 9; 1975 c. 331 s. 45.

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15.437 Same; councils. (1) COUNCIL ON MUNICIPAL ACCOUNTING. There is created in the department of revenue a council on municipal accounting. The council shall consist of the secretary of revenue, or his designee who shall serve as chairman, and 8 persons appointed by the secretary for staggered 4-year terms. Appointees shall include 6 persons nominated to the secretary by the following:

- (a) The league of Wisconsin municipalities.
- (b) The alliance of cities.
- (c) The Wisconsin county boards association.
- (d) The Wisconsin towns association.
- (e) The Wisconsin society of certified public accountants.
- (f) The municipal finance officers association, Wisconsin chapter.

History: 1973 c. 90.

15.46 Department of transportation; creation. There is created a department of transportation under the direction and supervision of the secretary of transportation.

15.461 Same; program responsibilities. The department of transportation shall have the program responsibilities specified for the department under chs. 85 and 114 and s. 32.05 as it relates to ch. 114.

(1) DIVISION OF HIGHWAYS. The division of highways shall have the program responsibilities specified for the division under chs. 84 and 86 and ss. 32.05, 32.18, 59.965, 60.29 (20) (e), 66.941 (7), 67.13 (2), 83.015 (3), 83.02, 83.10, 88.87 (2) (c), 103.50, 175.05, 182.33 (1), 182.48, 192.48 and 236.12.

(2) DIVISION OF MOTOR VEHICLES. The division of motor vehicles shall have the program responsibilities specified for the division under Title XXXII, chs. 110, 194, 218 and subch. II of ch. 121.

(3) RUSTIC ROADS BOARD. The rustic roads board shall have the program responsibilities specified for the board under s. 83.42.

History: 1971 c. 164, 211; 1973 c. 12, 142.

15.463 Same; specified divisions. (1) DIVISION OF HIGHWAYS. There is created a division of highways which is attached to the department of transportation under s. 15.03. The division of highways is under the direction and supervision of the highway commission. At least 2 members shall have had comprehensive business experience and practical knowledge of highway planning and construction.

(2) DIVISION OF MOTOR VEHICLES. There is created a division of motor vehicles which is attached to the department of transportation under s. 15.03. The division of motor vehicles is under the direction and supervision of the

administrator of the division of motor vehicles who shall be nominated by the governor, and with the advice and consent of the senate appointed, for a 6-year term expiring on March 1 of an odd-numbered year.

(3) DIVISION OF AERONAUTICS. There is created in the department of transportation a division of aeronautics under the direction and supervision of the administrator of the division of aeronautics who shall be appointed by and serve at the pleasure of the secretary of transportation.

History: 1971 c. 42.

15.465 Same; attached boards. (1) RUSTIC ROADS BOARD. There is created a rustic roads board in the department of transportation. The rustic roads board shall consist of 11 members: the chairman of the highway commission or his designee, the chairman of the senate committee on transportation, the chairman of the assembly committee on highways, and 8 members appointed by the secretary of transportation for staggered 4-year terms of whom at least 4 members shall be selected from a list of nominees submitted by the Wisconsin county boards association.

History: 1973 c. 142.

15.467 Same; councils. (1) COUNCIL ON TRAFFIC LAW ENFORCEMENT. There is created in the department of transportation a council on traffic law enforcement. The council shall consist of 17 members, as follows:

(a) Five members who shall be recognized community leaders in the fields of business, labor and industry, appointed for staggered 3-year terms.

(b) Eight members and 4 alternate members who are professionals in the traffic law enforcement field, appointed by the governor for staggered 3-year terms, to consist of 2 members and one alternate from each of the following groups: state traffic enforcement officers; county sheriffs and deputy sheriffs; county patrols; and municipal chiefs of police. An alternate shall represent any absent member of his group.

(c) Two senators and 2 representatives to the assembly, including a member of the minority party from each house, appointed as are members of standing committees in the respective houses.

(2) COUNCIL ON AERONAUTICS. There is created in the department of transportation a council on aeronautics. The council shall consist of 5 members, who shall be qualified by their knowledge of, experience in or interest in, aeronautics appointed for staggered 6-year terms. The secretary of local affairs and development or his designee shall attend all

meetings of the council, but shall have no official vote.

15.49 Department of veterans affairs; creation. There is created a department of veterans affairs under the direction and supervision of the board of veterans affairs. The board shall consist of 7 members who shall be veterans, including one who shall be a Spanish-American war veteran for the duration of the Spanish American veteran now serving, appointed for staggered 6-year terms.

History: 1975 c. 77.

15.491 Same; program responsibilities. The department of veterans affairs shall have the program responsibilities specified for the department under ch. 45 and ss. 25.17 (3) (bg), 25.36, 51.35 (6), 66.39 (1), (11) and (13) and 66.92.

History: 1975 c. 430 s. 79.

15.497 Same; councils. (1) **VETERANS MEMORIAL COUNCIL.** There is created in the department of veterans affairs a veterans memorial council. The council shall consist of the governor, the secretary of veterans affairs, the director of the historical society and 6 persons, of whom 3 shall be veterans approved by the Wisconsin veterans council and 3 shall be selected from patriotic organizations interested in the preservation and establishment of war and veterans memorials, appointed for staggered 6-year terms.

(2) **COUNCIL ON VETERANS PROGRAMS.** There is created in the department of veterans affairs a council on veterans programs consisting of one representative each of the state departments of the American Legion, the Disabled American Veterans, the Veterans of Foreign Wars, the Marine Corps League, the United Spanish War Veterans, the Navy Club of the U. S. A., the Veterans of World War II (AMVETS), the Veterans of World War I of the U. S. A., Inc., the Catholic War Veterans of the U. S. A., the Jewish War Veterans of the U. S. A., the Polish Legion of American Veterans, the National Association of Black Veterans, the Army and Navy Union of the United States of America, the National Association of Concerned Veterans and the Military Order of the Purple Heart, one representative of the American Red Cross and one representative of the Wisconsin county veterans service officers, appointed for one-year terms by the organization each represents.

(3) **COUNCIL ON VIETNAM ERA VETERANS EDUCATION GRANTS.** There is created in the department of veterans affairs a council on Vietnam era veterans education grants consisting of the following 5 members: the chairman of

the assembly committee on veterans and military affairs, the chairman of the senate committee on governmental and veterans affairs and one representative each of the higher educational aids board, the department of veterans affairs and student veterans groups, selected by the organization each represents.

History: 1973 c. 90, 333; 1975 c. 316.

SUBCHAPTER III

INDEPENDENT AGENCIES

15.55 Office of commissioner of banking; creation. There is created an office of the commissioner of banking under the direction and supervision of the commissioner of banking. No person may be appointed commissioner who has not had actual practical experience for at least 5 years, either as an executive officer in a bank, or service in a banking supervisory authority, or a combination thereof.

History: 1971 c. 101.

15.551 Same; program responsibilities. The office of the commissioner of banking shall have the program responsibilities specified for the office under chs. 216, 217, 220, 221, 222 and ss. 34.03, 34.04, 34.05 (1) and (4), 34.08, 34.09, 34.10, 35.86, 43.62 (3), 138.09, 218.01, 218.02, 218.04, 218.05, 223.02, 223.03 (10), 223.105, 223.12, 224.06 and 224.10. In addition:

(1) **BANKING REVIEW BOARD.** The banking review board shall have the program responsibilities specified for the board under ss. 220.035, 220.04 (4) and (6), 220.05 (2), 220.07 (2), 220.08, 220.085, 221.01, 221.046 and 221.205.

(2) **CONSUMER CREDIT REVIEW BOARD.** The consumer credit review board shall have the program responsibilities specified for the board under ss. 218.04 (9) and 220.037.

History: 1971 c. 152 s. 38; 1971 c. 193 ss. 2, 43; 1971 c. 239 s. 40; 1973 c. 3; 1975 c. 65 s. 5.

15.555 Same; attached boards and commissions. (1) **BANKING REVIEW BOARD.** There is created in the office of the commissioner of banking a banking review board consisting of 5 persons, appointed for staggered 5-year terms. At least 3 members shall be experienced bankers having at least 5 years' experience in the banking business. No member is qualified to act in any matter involving a bank in which he is an officer, director or stockholder, or to which he is indebted.

(2) **CONSUMER CREDIT REVIEW BOARD.** There is created in the office of the commissioner of banking a consumer credit review board consisting of 5 persons, appointed for staggered 5-year terms. One member shall be an individual

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holding a license issued under s. 218.01 and 2 members shall be individuals holding a license under s. 138.09 and with 5 years' practical experience in that field or as executive of a similarly qualified corporation. The commissioner of banking may call special meetings of the review board.

History: 1971 c. 193; 1973 c. 3.

15.57 Educational communications board; creation. There is created an educational communications board to consist of the governor, the state superintendent of public instruction, the executive head of the university of Wisconsin system and the director of the board of vocational, technical and adult education, or their designees, and 8 members appointed for 4-year terms, of whom 4 shall be citizen members and one each shall be a representative of private higher education, a representative of private or parochial elementary or secondary education, a professional representative of public elementary and secondary education and a representative of a public school board of a district operating elementary and high school grades, and legislative members consisting of one member of the majority membership and one from the minority membership of each house of the legislature selected the same way as members are appointed to standing committees of those houses.

History: 1971 c. 100 s. 4.

15.571 Same; program responsibilities. The educational communications board shall have the program responsibilities specified for the board under ss. 39.11 and 39.13.

History: 1971 c. 100 s. 3; 1971 c. 125 s. 20.

15.58 Employment relations commission; creation. There is created an employment relations commission.

15.581 Same; program responsibilities. The employment relations commission shall have the program responsibilities specified for the commission under subchs. I, III, IV and V of ch. 111.

15.587 Same; councils. (1) COUNCIL ON EMPLOYMENT RELATIONS. There is created in the employment relations commission a council on employment relations appointed by the employment relations commission to consist of one member of the commission who shall represent the general public and who shall serve as chairman and of an equal number of representatives of employes and employers. In appointing the representatives of employes, the commission shall give representation to organizations

representing both affiliated and nonaffiliated labor unions and to organizations representing state employes for the purpose of collective bargaining. In appointing the representatives of employers, the commission shall give representation to employers in agricultural, industrial and commercial pursuits and to officers or agents of the state.

15.59 Office of the commissioner of credit unions; creation. There is created an office of the commissioner of credit unions under the direction and supervision of the commissioner of credit unions. No person may be appointed commissioner who has not had at least 10 years' actual experience either in the operation of a credit union or serving in a credit union supervisory capacity.

History: 1971 c. 193, 307.

15.591 Same; program responsibilities. The office of the commissioner of credit unions shall have the program responsibilities specified for the office under ch. 186 and s. 223.105.

History: 1971 c. 193; 1975 c. 65 s. 5.

15.595 Same; attached boards and commissions. (1) CREDIT UNION REVIEW BOARD. There is created in the office of the commissioner of credit unions a credit union review board consisting of 5 persons, appointed for staggered 5-year terms. All members shall have at least 5 years' experience in the operations of a credit union. The commissioner may call special meetings of the review board.

History: 1971 c. 193.

15.61 Elections board; creation. There is created an elections board consisting of persons who shall be appointed by the governor for 2-year terms as follows: one member shall be selected and serve at the pleasure of the governor; one member each shall be designated by the chief justice of the supreme court, the speaker of the assembly, the leader of the most numerous party in the senate, the leader of the 2nd most numerous party in each house of the legislature and the chief officer of each political party as defined in s. 5.02 (12) whose candidate for governor received at least 10% of the vote in the most recent election.

History: 1973 c. 334; 1975 c. 41.

15.611 Same; program responsibilities. The elections board shall have the program responsibilities specified for the board under Title II and ss. 13.23, 16.79 (2) (b), 17.17 (1) and 198.08 (10). In addition:

(1) BOARD OF STATE CANVASSERS. The board of state canvassers shall have the program

responsibilities specified for the board under s. 7.70.

History: 1973 c. 334 ss. 37, 42; 1975 c. 93.

15.615 Same; attached boards. (1) BOARD OF STATE CANVASSERS. There is created a board of state canvassers which is attached to the elections board under s. 15.03. The board shall consist of the chairman of the elections board, the state treasurer and the attorney general. Two members constitute a quorum, but if only one member attends a meeting of the board, the clerk of the supreme court shall attend without delay upon notification by the attending member and, together with the attending member, shall form the board. If a member of the board is a candidate for an office to be canvassed by the board, upon the request of an opposing candidate for that office, the chief justice shall designate some other state officer or a circuit court judge to serve in lieu of such member at the board meeting when votes for that office are canvassed.

History: 1973 c. 334 ss. 38, 43.

15.617 Same; councils. (1) ELECTIONS ADVISORY COUNCIL. There is created in the elections board an elections advisory council. The council shall consist of 5 county or municipal clerks holding office in this state, appointed by the elections board.

History: 1975 c. 85.

15.62 Ethics board; creation. There is created an ethics board consisting of 6 residents of this state appointed for staggered 6-year terms subject to the following conditions:

(1) No member may hold any other office or employment in the government of this state or any political subdivision thereof or in any department.

(2) No member, when appointed, for one year immediately prior to the date of appointment or while serving on the board, may have been a member of a political party, an officer or member of a committee in any partisan political club or organization or a candidate for any partisan elective public office. No member may become a candidate for or hold any such office while serving on the board.

(3) Each member of the board shall be a U.S. citizen and a resident of this state.

History: 1973 c. 90.

15.621 Same; program responsibilities. The ethics board shall have the program responsibilities specified for the board under subch. III of ch. 19.

History: 1973 c. 90; 1973 c. 334 s. 58.

15.67 Higher educational aids board; creation. There is created a higher educational

aids board consisting of the state superintendent of public instruction and 15 members, appointed to serve at the pleasure of the governor. To represent public institutions of higher education, 3 members of the board of regents of the university of Wisconsin system and 2 members of the board of vocational, technical and adult education shall be appointed. To represent private institutions of higher education, 5 members of boards of trustees of independent colleges and universities in this state shall be appointed. To represent the general public, 5 members shall be appointed.

History: 1971 c. 100, 125, 211; 1973 c. 90.

15.671 Same; program responsibilities. The higher educational aids board shall have the program responsibilities specified for the board under subch. II of ch. 39 and s. 25.17 (3) (bf).

History: 1971 c. 40 s. 93; 1971 c. 211; 1973 c. 90 s. 557 (3); 1973 c. 243.

15.677 Same; councils. (1) COUNCIL ON FINANCIAL AIDS. There is created in the higher educational aids board a council on financial aids. The council shall consist of 7 students and 7 financial aid administrators. The higher educational aids board shall establish appropriate procedures for the selection of students by representative student groups. To represent the university of Wisconsin system, 3 students shall be selected. To represent vocational, technical and adult education institutions, 2 students shall be selected. To represent private institutions of higher education, 2 students shall be selected. Insofar as practicable, the student selection procedures shall provide that within a reasonable period of time students from all institutions have an opportunity to serve on the committee. The Wisconsin association of student financial aids administrators shall select financial aids administrators. To represent the university of Wisconsin system, 3 financial aids administrators shall be selected. To represent vocational, technical and adult education institutions, 2 financial aids administrators shall be selected. To represent private institutions of higher education, 2 financial aids administrators shall be selected.

History: 1973 c. 90.

15.70 Historical society; continuation. There is continued the state historical society of Wisconsin initially organized under chapter 17, laws of 1853, to be known for statutory purposes as the historical society, under the direction and supervision of a board of curators. This board is not subject to s. 15.07.

15.701 STRUCTURE OF THE EXECUTIVE BRANCH

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15.701 Same; program responsibilities.

The historical society shall have the program responsibilities specified for the historical society under ch. 44 and ss. 16.61, 19.21 (5), 19.23, 27.01 (2) (d), 27.012, 35.85 (12), 35.86, 59.716 and 220.08 (17).

History: 1975 c. 41 s. 52.

15.707 Same; councils. (1) HISTORICAL MARKERS COUNCIL. There is created in the historical society a historical markers council. The council shall consist of the director of the historical society, the state superintendent of public instruction, the chairman of the highway commission, the secretary of natural resources and the secretary of the department of local affairs and development, or their designees. The director of the historical society or his designee shall serve as secretary of the council.

15.73 Office of commissioner of insurance; creation. There is created an office of the commissioner of insurance under the direction and supervision of the commissioner of insurance. The commissioner shall not:

(1) Be a candidate for public office in any election;

(2) Directly or indirectly solicit or receive, or be in any manner concerned with soliciting or receiving any assessment, subscription, contribution or service, whether voluntary or involuntary, for any political purpose whatever, from any person within or without the state; nor

(3) Act as an officer or manager for any candidate, political party or committee organized to promote the candidacy of any person for any public office.

15.731 Same; program responsibilities.

The office of the commissioner of insurance shall have the program responsibilities specified for the office under chs. 200 to 212, 600 to 649 and 655, and ss. 66.412, 72.28 (1) (c) 1. b, 185.983, 185.992, 223.105, 345.61, 424.209, 424.401, 551.27 (13) and 879.65.

History: 1971 c. 42; 1971 c. 260 s. 91 (4); 1971 c. 307; 1971 c. 310 s. 4; 1973 c. 3, 336; 1975 c. 37 s. 12 (3); 1975 c. 65 s. 5; 1975 c. 223 s. 29; 1975 c. 374 s. 8.

15.74 Board on aging; creation. There is created a board on aging consisting of 7 members appointed for 4-year terms. Members shall be residents of this state who have demonstrated a continuing interest in the problems of aging, and who hold no position or employment with the state. Four such members shall be elderly persons. The board on aging shall report annually to the governor and biennially to the legislature. The report shall set forth the scope of the programs for the aging developed in the state, findings regarding the state's activities in the

field of aging, recommendations for the more effective and efficient total program and the actions taken by the agencies of the state to carry out the board's recommendations.

History: 1971 c. 332.

15.76 Investment board; creation. There is created a state of Wisconsin investment board, to be known for statutory purposes as the investment board. The investment board shall consist of 7 members, as follows:

(1) The secretary of administration, or his designee.

(2) Four members appointed for staggered 6-year terms, who shall have had at least 10 years' experience in making investments, but any person having a financial interest in or whose employer is primarily a dealer or broker in securities or mortgage or real estate investments is not eligible for appointment, and any member who acquires such an interest or accepts such appointment shall thereupon vacate his membership.

(3) Two members appointed for staggered 6-year terms, one of whom shall be a member of the state teachers retirement system and one of whom shall be a participant in the Wisconsin retirement fund. Prior to the expiration of the term of either member, the governing board of the retirement system he represents shall submit to the governor the names of one or more persons nominated by that board to serve as a member of the investment board. The governor shall make his nomination for the new term from the names so submitted.

15.761 Same; program responsibilities.

The investment board shall have the program responsibilities specified for the board under ss. 16.40, 25.14 to 25.19, 25.50, 25.55, 40.06, 41.08 (1) (a), 42.243, 67.04 (9), 70.115, 71.20 (4), 102.65 (2), 220.08 (15), 604.05, 646.05 and 655.27 (4) (e).

History: 1971 c. 41; 1973 c. 117 s. 12 (5); 1973 c. 137 s. 28; 1973 c. 151 s. 14; 1975 c. 37 s. 12 (4); 1975 c. 39 s. 729 (4); 1975 c. 147 s. 55; 1975 c. 164 s. 12; 1975 c. 189 s. 100 (4); 1975 c. 422.

15.79 Public service commission; creation.

There is created a public service commission. No member of the commission may have a financial interest in a railroad, public utility or motor carrier. If any member voluntarily becomes so interested, his office thereby shall become vacant. If he involuntarily becomes so interested, he shall divest himself of such interest within a reasonable time; failing to do so, his office shall become vacant. No commissioner may serve on or under any committee of a political party. Each commissioner shall hold

office until his successor is appointed and qualified.

Public service commissioner may attend a political party convention as a delegate 61 Atty. Gen. 265.

15.791 Same; program responsibilities.

The public service commission shall have the program responsibilities specified for the commission under chs. 184 and 190 to 198 and ss. 25.40 (1) (b), 26.20, 30.21 (2) (b), 30.33, 31.02 (5), 31.095, 32.02 (13), 32.03 (3), 32.07 (4), 32.075, 35.28, 35.29 (2), 35.84, 59.965 (5) (g) and (h), 59.968 (4), 60.30 to 60.315, 62.16 (2) (b), 66.03 (4), 66.06 to 66.072, 66.076, 66.077, 66.24 (6), 66.30 (3n), 66.94 (30), 66.941 (4) (g), 71.18 (2), 84.05, 84.13 (1), 88.66 (2), 88.87 (4), 88.88 (2), 103.37 (4), 146.07, 146.085, 182.0135, 182.017, 182.0175, 182.018, 182.36, 195.285, 346.45, 347.43 and 499.11.

History: 1971 c. 40, 307; 1975 c. 41, 198, 200.

15.82 Office of commissioner of savings and loan; creation. There is created an office of the commissioner of savings and loan under the direction and supervision of the commissioner of savings and loan. No person may be appointed commissioner who has not had actual practical experience for at least 5 years, either as an executive officer of a savings and loan association, or service in a savings and loan supervisory authority, or a combination of both.

History: 1971 c. 101.

15.821 Same; program responsibilities.

The office of the commissioner of savings and loan shall have the program responsibilities specified for the office under chs. 215 and 216 and ss. 220.023 and 223.105. In addition:

(1) SAVINGS AND LOAN REVIEW BOARD. The savings and loan review board shall have the program responsibilities specified for the board under ss. 215.02 (1), (6) (a), (7) (a), (10) (a) and (16) (b) and (d), 215.03 (8) (c), 215.04, 215.16 (7) (a), 215.19 (4), 215.21 (5) (a), 215.24 (4), 215.32 (1), 215.40 (18), 215.41 (1), 215.42 (1), 215.55 (1) and (2), 215.60 (15), 215.61 (1), 215.62 (1) and 215.75 (1) and (2).

History: 1971 c. 228, 307; 1975 c. 65 s. 5; 1975 c. 198, 359.

15.825 Same; attached boards and commissions. (1) SAVINGS AND LOAN REVIEW BOARD. There is created in the office of the commissioner of savings and loan a savings and loan review board consisting of 7 members, at least 5 of whom shall have not less than 10 years' experience in the savings and loan business in this state, appointed for staggered 4-year terms.

15.85 Office of commissioner of securities; creation. There is created an office of the commissioner of securities under the direction and supervision of the commissioner of securities.

15.851 Same; program responsibilities.

The office of the commissioner of securities shall have the program responsibilities specified for the office under chs. 551, 552 and 553 and s. 223.105.

History: 1971 c. 241 s. 6; 1971 c. 300 s. 4; 1975 c. 65 s. 5.

15.91 Board of regents of the university of Wisconsin system; creation.

There is created a board of regents of the university of Wisconsin system consisting of the state superintendent of public instruction, the president of the board of vocational, technical and adult education and 14 citizen members appointed for staggered 7-year terms.

History: 1971 c. 100.

15.911 Same; program responsibilities.

The board of regents of the university of Wisconsin system shall have the program responsibilities specified for the board of regents under chs. 36, 42 and 142 and ss. 16.31, 20.285, 20.920, 22.20, 27.015 (12), 28.07, 32.02, 44.14 (2), 46.115, 66.191, 66.30 (2m), 84.27, 88.30, 94.40; 140.05 (2), 143.17, 155.02 (3), 155.03 (2); 165.80 and 887.23. In addition:

(1) SOIL AND WATER CONSERVATION DISTRICTS BOARD. The board of soil and water conservation districts shall have the program responsibilities specified for the board under ch. 92 and ss. 36.25 (7) and 88.22 (3).

(2) LABORATORY OF HYGIENE BOARD. The laboratory of hygiene board shall have the program responsibilities specified for the board under ss. 36.25 (11), 46.13, 143.04 (9), 143.07 (10), 162.03 (1) (d) and 245.06 (1) (b).

History: 1971 c. 40 s. 93; 1971 c. 100 s. 23; 1971 c. 211; 1971 c. 323 s. 27; 1973 c. 243; 1973 c. 335 ss. 13, 14; 1975 c. 198; 1975 c. 394 s. 26.

15.915 Same; attached boards and commissions.

(1) BOARD OF SOIL AND WATER CONSERVATION DISTRICTS. There is created a board of soil and water conservation districts which is attached to the university of Wisconsin system under s. 15.03. The board shall consist of 4 soil and water district supervisors, designated biennially by the soil and water districts at their annual meeting in odd-numbered years; and 4 farmers, appointed for staggered 4-year terms. The board shall invite the U.S. secretary of agriculture to appoint a representative of the soil conservation service and a representative of the agricultural stabilization and conservation service to serve as advisory members of the board. In

addition, the dean of the college of agricultural and life sciences of the university of Wisconsin-Madison, the director of cooperative extension, the secretary of natural resources and the secretary of agriculture shall each be invited to serve or appoint a person to serve as an advisory member of the board. At any time there are 2 or more vacancies out of the 4 soil and water district supervisors' positions on the board, the chairman may call a special meeting of the districts to fill the vacancies, but vacancies may be filled only if a majority of the districts are represented at the special meeting.

(2) LABORATORY OF HYGIENE BOARD. There is created in the university of Wisconsin system a laboratory of hygiene under the direction and supervision of the laboratory of hygiene board. The board shall consist of the president of the university of Wisconsin system, the vice chancellor for health sciences of the university of Wisconsin-Madison, the secretary of health and social services and an employe of the department of health and social services appointed by such secretary, the secretary of natural resources and the director of the laboratory or their designees.

History: 1971 c. 323; 1973 c. 335; 1975 c. 39.

15.917 Same; councils. (1) **ADULT EDUCATION CENTER COUNCIL.** There is created in the university of Wisconsin system an adult education center council. The council shall consist of 3 public members representing agriculture, business and organized labor, respectively, 2 members appointed by the president of the university of Wisconsin system, and one senator and one representative to the assembly appointed as are the members of standing committees in the respective houses. The members appointed by the governor and the president of the system shall serve staggered 5-year terms.

History: 1971 c. 236.

15.94 Board of vocational, technical and adult education; creation. There is created a board of vocational, technical and adult education consisting of 12 members, as follows:

(1) The state superintendent of public instruction or his designee.

(2) A member or designee of the industry, labor and human relations commission, selected by the commission.

(2m) The president of the board of regents of the university of Wisconsin system.

(3) Nine members, of whom 3 shall be employers of labor, 3 shall be employes who do not have employing or discharging power and 3 shall be persons whose principal occupation is farming and who are actually engaged in the operation of farms, appointed for staggered 6-year terms.

History: 1971 c. 100.

Member of local district board of vocational, technical and adult education cannot serve as a state board member. 60 Atty. Gen. 178.

15.941 Same; program responsibilities. The board of vocational, technical and adult education shall have the program responsibilities specified for the board under ch. 38 and ss. 20.292, 158.03 (4), 159.08 (10), 343.06 (3) and 343.60 (1). In addition:

(1) EDUCATIONAL APPROVAL BOARD. The educational approval board shall have the program responsibilities specified for the board under s. 38.51.

History: 1971 c. 125 ss. 16, 23, 522 (1); 1971 c. 211.

15.945 Same; attached boards and commissions. (1) **EDUCATIONAL APPROVAL BOARD.** There is created an educational approval board which is attached to the board of vocational, technical and adult education under s. 15.03. The board shall consist of not more than 7 members, who shall be representatives of state agencies and other persons with a demonstrated interest in educational programs appointed to serve at the pleasure of the governor.

History: 1971 c. 125 s. 17.

15.947 Same; councils. (1) **COUNCIL ON FIRE SERVICE TRAINING PROGRAMS.** There is created in the board of vocational, technical and adult education a council on fire service training programs consisting of a representative of the division of emergency government designated by the administrator thereof; a representative of the department of industry, labor and human relations designated by the industry, labor and human relations commission; a representative of the commissioner of insurance designated by him; and 4 bona fide members of volunteer fire departments and 2 bona fide members of paid fire departments appointed for staggered 6-year terms.